

PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL

FOURTH SESSION OF THE THIRD LEGISLATIVE COUNCIL

Vol. XLIX (Nos. 1 to 8)

TABLE OF CONTENTS

Tuesday, the 6th August 1929.

	PAGES
Personnel of the Government of Madras	1-10
Members present	11-12
I. New Members	12-44
II. Resolution of condolence	12-13
III. Questions and Answers	14-43, 96-116
IV. Panel of chairmen	44
V. Acts assented to by His Excellency the Governor-General	44
VI. Acts assented to by His Excellency the Governor	44
VII. Adjournment motion regarding Government sanction to prosecute Mr. Annapurnayya	45-49
VIII. The Finance Committee	49
IX. The House Committee	49-50
X. The Malabar Tenancy Bill	50-62
XI. The Madras Services Commission Bill	62-93, 115-133
XII. Papers laid on the table of the House	93-95, 133-146

Wednesday, the 7th August 1929.

Members present	147-148
I. Questions and Answers	148-176, 229-242
II. The Madras University (Amendment) Bill—Message from his Excellency the Governor	177-178
III. The House Committee	178
IV. The Finance Committee	178
V. A Bill to amend the Madras Abkari Act, 1886 (Mr. J. A. Saldanha)	178
VI. A Bill to amend the Madras District Municipalities Act, 1920, the Madras Local Boards Act, 1898, and the Madras General Clauses Act, 1891 (Mr. J. A. Saldanha)	179-185
VII. A Bill to amend the Madras District Municipalities Act, 1920 (Mr. A. Kaleswara Rao)	185-201
VIII. Adjournment motion regarding Government sanction to prosecute Mr. M. Annapurnayya	201-228
IX. Papers laid on the table of the House	228, 243-244

Thursday, the 8th August 1929.

Members present	245-246
I. Questions and Answers	246-285, 329-348
II. Adjournment motion regarding the supersession of the Anakapalle Municipality	286
III. The Economic Enquiry Committee	286-288
IV. Motions on matters of general public interest— Composition of the Finance Committee	288-296
Trifurcation of the Rajahmundry Taluk Board	296-301
Appointment of highly qualified women on the Public Health Staff	301-306
Appointment of a Committee to examine the district reports on the survey of cottage industries	306-310
Formation of a Karnataka Province	310-317
Supply of conveyances to school-going Muslim girls	318-324
Closure of liquor shops on holidays and days of election	324-328

V211, 32 N129
ii

CONTENTS

N29-4-9311 Friday the 9th August 1929.

	PAGES
Members present	349-350
I. Questions and Answers	350-387, 424-437
II. The Finance Committee	388
III. Adjournment motion re supersession of the Anakapalle municipality	388-389
IV. The Madras University (Amendment) Bill	389
V. Demands for supplementary grants for 1929-30—	
Grant VI—Irrigation—Reserved	389-410
Grant XIV—Administration of Justice—Reserved	410-414
Grant XXXI—Civil Works—Transferred	414-423
VI.—Papers laid on the table	423

Saturday, the 10th August 1929.

Members present	439-440
I. New Members	440
II. Questions and Answers	440-516, 570-603
III. Select Committee on the Malabar Tenancy Bill	517-521
IV. Demands for supplementary grants for 1929-30—	
Grant XXXI—Civil Works—Transferred	521-535, 560-569
V. Duration of the current sitting of the Council	535-536
VI. The Justice and the Madras Legislative Council	536
VII. Adjournment motion regarding the supersession of the Anakapalle Municipality	536-560

Monday, the 12th August 1929.

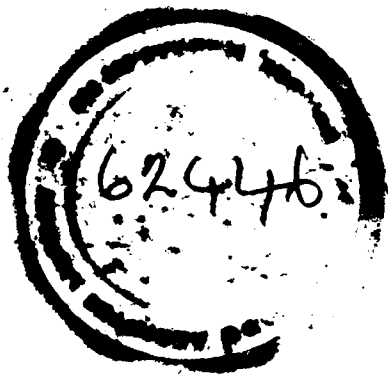
Members present	605
I. Questions and Answers	606-619, 672-681
II. Select Committee on the Bill for the Suppression of Brothels and Immoral Traffic	620
III. Report of the Committee appointed by the Legislative Council to confer with the Indian Statutory Commission	620-637, 682-700
IV. The Madras Services Commission Bill	637-671

Tuesday, the 13th August 1929.

Members present	701
I. Questions and Answers	702-714, 771
II. Adjournment motion	715
III. The Madras Services Commission Bill	715-770

Wednesday, the 14th August 1929.

Members present	773
I. Questions and Answers	774-785
II. Business for the next meeting of the Council	785, 812
III. The Madras Services Commission Bill	785-811, 812-833



PERSONNEL OF THE GOVERNMENT OF MADRAS.

Governor of Madras.

His Excellency Sir NORMAN EDWARD MARJORIBANKS, K.C.I.E., I.C.S.
Took his seat on 29th June 1929.

Members of the Executive Council.

1. 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. Elections for Indian and Provincial legislatures. |
| 4. Control of poisons. | 15. Industrial matters included under the following heads:— |
| 5. Control of vehicles. | (a) Factories. |
| 6. Control of dramatic performances and cinematographs. | (b) Settlement of labour disputes. |
| 7. Control of newspapers, books and printing presses. | (c) Boilers. |
| 8. Laccadives. | (d) Gas. |
| 9. European vagrancy. | (e) Smoke nuisances. |
| 10. European and Anglo-Indian education. | (f) Welfare of labour including depressed classes. |
| 11. Regulation of medical and other professional qualifications and standards. | 16. Criminal tribes. |

II.—Central Subjects.

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

2. The hon. Sir THOMAS MOIR, K.C.I.E., C.S.I., 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. Archaeology. |
| | 18. Regulation of ceremonies, titles, order of precedence and civil uniform. |
| | 19. Subjects not allocated elsewhere. |

3 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. | |

4. The hon. Mr. A. Y. G. CAMPBELL, C.S.I., C.I.E., C.B.E., V.D., I.C.S., Member in charge of Revenue. Took his seat on 29th June 1929 and is in charge of the following portfolios :—

I.—Provincial Subjects.

- | | |
|---|--|
| 1. Land Revenue administration as described under the following heads, namely :—
(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. | 4 Inland waterways including shipping and navigation thereon. |
| 2. Yeomias, inams and hereditary pensions. | 5 Economic condition including wages and prices and famine-relief. |
| 3. Water-supplies, irrigation and canals, drainage and embankments; water storage and water power. | 6. 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. |
| | 7. Development of mineral resources. |
| | 8. Protection of wild birds and animals. |
| | 9. Pounds and prevention of cattle trespass. |
| | 10. Provincial Gazetteers. |
| | 11. Agency tracts. |
| | 12. Fortnightly reports and preliminary special reports to the Government of India. |
| | 13. General service questions. |
| | 14. Office procedure. |
| | 15. Secretariat. |
| | 16. Matters of a general nature not allocated elsewhere. |

II.—Central Subjects.

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

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. J. A. SALDANHA.

Mr. T. C. SRINIVASA AYYANGAR.

Rao Bahadur B. MUNISWAMI NAYUDU.

Khan Bahadur P. KHALIFULLAH SAHIB Bahadur.

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. D. K. VENKATARAGHAVA VARMA GARU, B.A., B.L.

ALPHABETICAL LIST OF MEMBERS OF THE MADRAS LEGISLATIVE COUNCIL.

Name of member.	Name and class of constituency.
1. Abdul Hameed Khan Sahib Bahadur.	Madras City, Muhammadan Urban.
2. Abdul Hye Sahib Bahadur, K.	Ceded Districts, Muhammadan Rural.
3. Abdul Razack 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. Ahmed Miran Sahib Bahadur, Moulvi Hafiz Anumanthakudi Mustafa.	Ramnad <i>cum</i> Tinnevelly, Muhammadan Rural.
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).
12. Basheer Ahmad Sayeed Sahib Bahadur.	Central Districts, Muhammadan Rural.
13. Bhanoji Rao, A. V. ...	Vizagapatam City, N.-M. Urban.
14. Bheemayya, J. ...	NOMINATED.
15. Biswanath Das Mahasaya, Sriman.	Ganjam, N.-M. Rural.
16. Campbell, C.S.I., C.I.E., C.B.E., V.D., I.C.S., the hon. Mr. A. Y. G.	EX OFFICIO.
17. Chidambaranatha Mudaliyar, T. K.	Tinnevelly, N.-M. Rural.
18. Cotterell, C.I.E.; I.C.S., C. B. ...	NOMINATED.
19. Davis, J. A. ...	Anglo-Indian.
20. Dorai Raja, S. N. ...	NOMINATED.
21. Ellappa Chettiyar, Rao Bahadur S.	Salem, N.-M. Rural.
22. Ethirajulu Nayudu, Diwan Bahadur P. C.	Guntur, N.-M. Rural.
23. Foulkes, R. ...	NOMINATED.
24. Gangadhar Siva, M. V. ...	NOMINATED.
25. Gnanavaram Pillai, P. J. ...	NOMINATED.
26. Gopala Menon, C. ...	Southern India Chamber of Commerce.
27. Govindaraja Mudaliyar, C. S. ...	Madras City, N.-M. Urban.
28. Gray, O.B.E., I.C.S., J. ...	NOMINATED.
29. Guruswami, Rao Sahib L. C. ...	NOMINATED.
30. Hampayya, Rai Sahib M. ...	NOMINATED.
31. Harisarvottama Rao, G. ...	Kurnool, N.-M. Rural.
32. Hearson, H. F. P. ...	Madras Chamber of Commerce.
33. Hilton Brown, I.C.S. ...	NOMINATED.

Name of member.	Name and class of constituency.
34. James, F. E. ...	Madras Planters—Planting.
35. John, V. Ch. ...	Northern Districts (Indian Christian).
36. Kaleswara Rao, A. ...	Kistna, N.-M. Rural.
37. Kameswara Rao Nayudu, V. ...	Ganjam, N.-M. Rural.
38. Karant, K. R. ...	South Kanara, N.-M. Rural.
39. Kesava Pillai, C.I.E., Diwan Bahadur P.	Anantapur, N.-M. Rural.
40. Khadir Mohidin Sahib Bahadur, Muhammad.	East Coast, Muhammadan Rural.
41. Khalif-ul-Jah Sahib Bahadur, Khan Bahadur P.	Madura and Trichinopoly <i>cum</i> Srirangam, Muhammadan Urban.
42. Koti Reddi, Bar.-at-Law, K. ...	Cuddapah, N.-M. Rural.
43. Krishnan, K. ...	NOMINATED.
44. Krishnan Nayar, The hon. Diwan Bahadur M.	EX OFFICIO.
45. Krishnaswami Ayyar, Mr. Alladi.	NOMINATED.
46. Krishnaswami Nayakar, K. V.	Chingleput, N.-M. Rural.
47. Kumara Raja of Venkatagiri (Raja Velugoti Sarvagnya Kumara Krishnayachendra Bahadur Varu).	Nellore, N.-M. Rural.
48. Kumaraswami Reddiyar, Diwan Bahadur S.	Tinnevelly, N.-M. Rural.
49. Kuppuswami, J. ...	Guntur, N.-M. Rural.
50. Leach, I.C.S., A. G. ...	NOMINATED.
51. Leech, A. J. ...	European.
52. Madhavan Nayar, K. ...	Malabar, N.-M. Rural.
53. Maharaja of Pithapuram, C.B.E. (Maharaja Sahib Meharbani dostan Sri Maharaja Ravu Venkata Kumara Mahipathi Surya Rao Bahadur).	Northern Landholders, II.
54. Maharaja of Venkatagiri, K.C.I.E., Capt. Sir the (Raja Velugoti Sri Govinda Krishna Yachendralavaru).	North Central Landholders.
55. Mahmud Schamnad Sahib Bahadur.	South Kanara, Muhammadan Rural.
56. Mallayya, B. S. ...	Madras City, N.-M. Urban.
57. Manikkavelu Nayakar, M. A. ...	North Arcot, N.-M. Rural.
58. Marudavanam Pillai, C. ...	Tanjore, N.-M. Rural.
59. Meera Ravuttar Bahadur, K. P. V. S. Muhammad.	Madura <i>cum</i> Trichinopoly, Muhammadan Rural.
60. Moidoo Sahib Bahadur, Khan Sahib T. M.	Malabar, Muhammadan Rural.
61. Moir, K.C.I.E., C.S.I., I.C.S., The hon. Sir Thomas.	EX OFFICIO.
62. Muniswami Nayudu, Rao Bahadur B.	Chittoor, N.-M. Rural.
63. Muniswami Pillai, V. I. ...	NOMINATED.

Name of member.	Name and class of constituency.
64. Muppil Nayar of Kavalappara <i>alias</i> Kumaran Raman.	West Coast Landholders.
65. Murugappa Chettiyar, Diwan Bahadur A. M. M.	Ramnad, N.-M. Rural.
66. Muthiah Mudaliyar, The hon. Mr. S. (<i>Minister</i>).	Tanjore, N.-M. Rural.
67. Muthulakshmi Reddi, Dr. (Mrs.) (<i>Deputy President</i>).	NOMINATED.
68. Muthuranga Mudaliyar, C. N.	Chingleput, N.-M. Rural.
69. Nagan Gowda, R. ...	NOMINATED.
70. Nanjappah 'Bahadur', Subadar- Major S. A.	NOMINATED.
71. Narasimha Raju, The hon. Rao Bahadur C. V. S. (<i>President</i>).	Vizagapatam, N.-M. Rural.
72. Narayana Raju, D. ...	Godavari West, N.-M. Rural.
73. Narayana Rao, Mothay ...	Godavari West, N.-M. Rural.
74. Narayanan Chettiyar, Al. Ar....	Nattukkottai Nagarathars' Associa- tion.
75. Narayanan Nambudripad, Rao Bahadur O. M.	NOMINATED.
76. Narayanaswami Pillai, T. M. ...	Trichinopoly, N.-M. Rural.
77. Obi Reddi, C. ...	Anantapur, N.-M. Rural.
78. Parasurama Rao Pantulu, A. ...	Cuddapah, N.-M. Rural.
79. Parthasarathi Ayyangar, C. R.	Chittoor, N.-M. Rural.
80. Patro, <i>Kt.</i> , Rao Bahadur Sir A. P.	Ganjam, N.-M. Rural.
81. Premayya, G. R. ...	NOMINATED.
82. Raja of Jeypore (Maharaja Sri Ramachandra Deo).	NOMINATED.
83. Raja of Kallikota (Sri Raja Ramachandra Maradaraja Deo).	Northern Landholders, I.
84. Rajan, P. T. ...	Madura, N.-M. Rural.
85. Ramachandra Padayachi, K. ...	South Arcot, N.-M. Rural.
86. Ramachandra Reddi, B. ...	Nellore, N.-M. Rural.
87. Ramamurthy, I.C.S., S. V. ...	NOMINATED.
88. Raman Menon, K. P. ...	Malabar, N.-M. Rural.
89. Ramanath Goenka ...	NOMINATED.
90. Ramasomayajulu, C. ...	Cocanada City, N.-M. Urban.
91. Ramaswami Ayyar, U. ...	Trichinopoly <i>cum</i> Srirangam, N.-M. Urban.
92. Ramjee Rao, V. ...	NOMINATED.
93. Ranganatha Mudaliyar, A. ...	Bellary, N.-M. Rural.
94. Ratnasabhapatil Mudaliyar, Rao Bahadur C. S.	Coimbatore, N.-M. Rural.
95. Robertson, R. J. C. ...	Madras Trades Association.
96. Sahajanandam, Swami A. S. ...	NOMINATED.
97. Saldanha, J. A. ...	West Coast, Indian Christian.
98. Sami Venkatachalam Chetti ...	Madras City, N.-M. Urban.
99. Sarabha Reddi, K. ...	Kurnool, N.-M. Rural.
100. Satyamurti, S. ...	Madras University.

Name of member.	Name and class of constituency.
101. Seturatnam Ayyar, The hon. Mr. M. R. (<i>Minister</i>).	Trichinopoly, N.-M. Rural.
102. Shetty, A. B. ...	South Kanara, N.-M. Rural.
103. Sitarama Reddi, Rao Bahadur K.	South Arcot, N.-M. Rural.
104. Siva Raj, N. ...	NOMINATED.
105. Siva Rao, P. ...	Bellary, N.-M. Rural.
106. Sivasubrahmanya Ayyar, K. S.	Tanjore, N.-M. Rural.
107. Soundarapandia Nadar, W. P. A.	NOMINATED.
108. Srinivasa Ayyangar, R. ...	South Arcot, N.-M. Rural.
109. Srinivasa Ayyangar, T. C. ...	Ramnad, N.-M. Rural.
110. Srinivasan, Rao Sahib R. ...	NOMINATED.
111. Subbarayan, The hon. Dr. P. (<i>Zamindar of Kumara- mangalam</i>) (<i>Minister</i>).	South Central Landholders.
112. Subrahmanya Mooppanar, S. ...	NOMINATED.
113. Subrahmanya Pillai, Chavadi K.	Tinnevelly <i>cum</i> Palamecottah, N.-M. Urban.
114. Swami, Bar.-at-Law, K. V. R.	East Godavari, N.-M. Rural.
115. Tajudin Sahib Bahadur, Syed ...	Tanjore, Muhammadan Rural.
116. Thomas, Daniel ...	Ramnad <i>cum</i> Tinnevelly, Indian Christian.
117. Tulasiram, L. K. ...	Madura City, N.-M. Urban.
118. Uppi Sahib Bahadur, K. ...	Malabar, Muhammadan.
119. Usman Sahib Bahadur, <i>Kt.</i> , The hon. Khan Bahadur Sir Muhammad.	EX OFFICIO.
120. Vanavudaiya Gounder, S. V. ...	Coimbatore, N.-M. Rural.
121. Venkatapati Raju, P. C. ...	Vizagapatam, N.-M. Rural.
122. Venkatarama Ayyar, K. R. ...	Madura, N.-M. Rural.
123. Venkataramana Ayyangar, C. V.	Coimbatore, N.-M. Rural.
124. Venkatarangam Nayudu, U. ...	North Arcot, N.-M. Rural.
125. Venkataratnam, B. ...	East Godavari, N.-M. Rural.
126. Venkiah, S. ...	NOMINATED.
127. Watson, I.C.S., H. A. ...	NOMINATED.
128. Wood, C. E. ...	Madras Chamber of Commerce.
129. Zamindar of Mirzapuram (Mirza- puram Raja Garu <i>alias</i> Venkataramayya Appa Rao Bahadur Garu).	Kistna, N.-M. Rural.
130. Zamindar of Seithur (Vadamalai Tiruvannatha Sevuga Pandiya Tevargal).	Madura, N.-M. Rural.
131. Zamindar of Singampatti (T. N. Sivasubramaniya Tevar Thirithapathi).	Southern Landholders.
132. <i>Vacant</i> ...	Madras City, N.-M. Urban.

SPECIAL MEMBERS.

133. Narayanaswami Chetti, Diwan Bahadur G. NOMINATED for the Bill further to amend the Madras City Police Act, 1888.
134. Rowlandson, E. J. ... NOMINATED for the Bill to suppress Brothels and Immoral Traffic and for the Bill further to amend the Madras City Police Act, 1888.
135. Sankaran Unni, E.* ... NOMINATED for the consideration of the Malabar Tenancy Bill.
136. Achutan, A.* ... Do.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF
MADRAS.

OFFICIAL REPORT.

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

VOLUME XLIX.

Tuesday, the 6th August 1929.

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

PRESENT:

Uman Sahib Bahadur, Esq., The hon. Khan Bahadur Sir Muhammad.
Moir, Esq., c.s.i., I.C.S., The hon. Sir Thomas.
Krishnan Nayar, The hon. Diwan Bahadur M. Campbell, c.s.i., c.i.e., o.b.e., v.d., I.C.S., The hon. Mr. A. Y. G.
Subbarayan, The hon. Dr. P.
Muthiah Mudaliyar, The hon. Mr. S.
Saturatnam Ayyar, The hon. Mr. M. R.
Abdul Hameed Khan Sahib Bahadur.
Abdul Hye Sahib Bahadur, K.
Abdul Rasack Sahib Bahadur, Khan Bahadur S. K.
Adinarayana Chettiyar, Mr. T.
Ahmed Miran Sahib Bahadur, Moulvi Hafiz Anumantakudi Mustafa.
Anjaneyulu, Mr. P.
Appavu Chettiyar, Mr. C. D.
Ari Gowder, Mr. H. B.
Arogyaswami Mudaliyar, Diwan Bahadur E. N.
Arpudaswami Udayar, Mr. S.
Basheer Ahmad Sayeed Sahib Bahadur.
Bhanoji Rao, Mr. A. V.
Bheemayya, Mr. J.
Biswanath Das Mahasayo, Sriman.
Chidambaranatha Mudaliyar, Mr. T. K.
Cotterell, Esq., I.C.S., Mr. C. B.
Davis, Esq., Mr. J. A.
Durai Raja, Mr. S. N.
Ethirajulu Nayudu, Diwan Bahadur P. C.
Foulkes, Mr. B.
Gangadhara Siva, Mr. M. V.
Gnanavaram Pillai, Mr. P. J.
Gopala Menon, Mr. C.
Govindaraja Mudaliyar, Mr. C. S.
Gray, Esq., I.C.S., Mr. J.
Hampayya, Rai Sahib M.
Harisarvottama Rao, Mr. G.
Hearson, Mr. H. F. P.
Hilton Brown, I.C.S., Mr.
James, Mr. F. E.
John, Mr. V. Ch.
Kaleswara Rao, Mr. A.
Karant, Mr. K. R.
Kesava Pillai, Esq., Diwan Bahadur P.
Khadir Mohidin Sahib Bahadur, Muhammad.
Koti Reddi, Mr. K.
Krishnan, Mr. K.
Krishnaswami Ayyar, Mr. Alladi.
Krishnaswami Nayakar, Mr. K. V.
Kumaraswami Reddiyar, Diwan Bahadur S.
Leach, I.C.S., Mr. A. G.
Leech, Mr. A. J.
Madhavan Nayar, Mr. K.
Maharaja of Pithapuram, Esq.
Mahmud Schamud Sahib Bahadur.
Mallayya, Dr. B. S.
Manikkavelu Nayakar, Mr. M. A.
Meera Ravuttar Bahadur, K. P. V. S. Muhammad.
Moidoo Sahib Bahadur, Khan Sahib T. M.
Muniswami Nayudu, Rao Bahadur B.
Muniswami Pillai, Mr. V. I.
Muppil Nayar of Kavalappara alias Kumaran Raman, Mr.
Munragappa Chettiyar, Diwan Bahadur A. M. M.
Muthulakehmi Reddi, Dr. (Mrs.)
Muthuranga Mudaliyar, Mr. C. N.
Nagan Gowda, Mr. B.
Nanjappa Bahadur, Subadar-Major S. A.
Narayana Raju, Mr. D.
Narayanan Chettiyar, Mr. Al. Ar.
Narayanan Nambudripad, Rao Bahadur O. M.
Narayanaswami Pillai, Mr. T. M.
Parasurama Rao Pantulu, Mr. A.
Patro, Esq., Rao Bahadur Sir A. P.
Raja of Jeypore.
Rajan, Mr. P. T.
Ramachandra Padayachi, Mr. K.
Ramachandra Reddi, Mr. B.
Raman Menon, Mr. K. P.

* Took their seats on the 10th August 1929.

[6th August 1929]

PRESENT—cont.

Ramanath Goenka, Mr.	Subrahmanya Moopnar, Mr. S.
Ramasamayajulu, Mr. C.	Subrahmanya Pillai, Chavadi Mr. K.
Ramjee Rao, Mr. V.	Swami, Mr. K. V. R.
Ramaswami Ayyar, Mr. U.	Tajudin Sahib Bahadur, Syed.
Ranganatha Mudaliyar, Mr. A.	Ramamurti, I.C.S., Mr. S. V.
Ratnasabhapati Mudaliyar, Rao Bahadur C.S.	Thomas, Mr. Daniel.
Robertson, Mr. R. J. C.	Tulasiram, Mr. L. K.
Rowlandson, Mr. E. J.	Uppi Sahib Bahadur, K.
Saldanha, Mr. J. A.	Vanavudaiya Gounder, Mr. S. V.
Sami Venkatachalam Chetti, Mr.	Venkatapati Raju, Mr. P. C.
Sarabha Reddi, Mr. K.	Venkatarama Ayyar, Mr. K. R.
Satyamurti, Mr. S.	Venkataramana Ayyangar, Mr. C. V.
Shetty, Mr. A. B.	Venkatarama Nayudu, Mr. C.
Sitarama Reddi, Rao Bahadur K.	Venkataramnam, Mr. B.
Siva Raj, Mr. N.	Venkiah, Mr. S.
Siva Rao, Mr. P.	Watson, I.C.S., Mr. H. A.
Soundarapandian, Mr. W. P. A.	Wood, Mr. C. E.
Srinivasa Ayyangar, Mr. R.	Zaminidar of Mirzapuram.
Srinivasan, Rao Sahib K.	Zaminidar of Seithur.

I

NEW MEMBERS.

The following new members made the prescribed oath or affirmation of allegiance to the Crown and took their seats:—

MAHARAJA OF PITHAPURAM, C.B.E.
Mr. A. G. LEACH, I.C.S.
Mr. ARTHUR J. LEECH.
Mr. J. GRAY, O.B.E., I.C.S.
Mr. C. B. COTTERELL, C.I.E., I.C.S.
Mr. E. J. ROWLANDSON.
Mr. S. V. RAMAMURTI, I.C.S.

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

II

CONDOLENCE RESOLUTION re DEATH OF Mr. P. BHAKTAVATSULU NAYUDU.

* The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—“Mr. President, Sir, it is my painful duty to-day to bring to your notice the death of an hon. Member of this House, Mr. Bhaktavatsulu Nayudu, about three weeks ago. He was born in 1884 and entered life as a clerk in the Railway Department; and afterwards, he became the Head Accountant of the Income-tax Collector's office. On the death of his father, who was a Municipal Councillor of Madras, he resigned the appointment and entered public life. He became in 1920 the President of the Sembiam Union and in 1924 a member of the Taluk Board of Saidapet. He entered the Corporation of Madras as a Councillor in 1921 and did very good work for about six years. He entered the Legislative Council about three years ago and took a very active and keen interest in the deliberations of this Assembly. I am sure, Sir, it is the feeling of every one of us to-day that we are missing the familiar figure of Mr. Bhaktavatsulu Nayudu. I now beg to move—

‘That an expression of the sincere regret of this Council in the death of Mr. P. Bhaktavatsulu Nayudu and our deep sympathy with the bereaved family be placed on record and conveyed to them.’”

CONDOLENCE RESOLUTION re DEATH OF Mr. P. BHAKTAVATSULU NAYUDU 13

[6th August 1929]

* Mr. P. C. VENKATAPATI RAJU:—“Mr. President, I very much regret that at the outset of this session, we have to bemoan the loss of one member of our party who had been always one of the most powerful exponents of the cause of labour and other interests of the masses in the country. It is true I have been associated with the late Mr. Bhaktavatsulu Nayudu only for the last three years, but I have always found him very mindful of his duty to the poor and he was always true and loyal to the party and we deeply feel for losing him. I and my party wish to associate ourselves with all the sentiments expressed by the Leader of the House, the hon. Sir Usman Sahib, and I beg to support the resolution moved by him.”

* The hon. Dr. P. SUBBARAYAN:—“Mr. President, I beg to associate myself with the remarks that have fallen from the Leader of the House and the Leader of the Opposition. The hand of death has fallen heavily on some of our members during the last three years and here is another instance of our mourning the loss of one who, though he might have differed in political opinions from some of us, had a sincerity of purpose which could never be questioned. With these words, I beg to associate myself with all the remarks that have fallen from the previous speakers.”

* Rao Bahadur Sir A. P. PATRO:—“Sir, I beg to associate myself with what has been said by the previous speakers.”

* Mr. C. E. WOOD:—“On behalf of the European group, I beg to associate myself with the remarks that have fallen from the mover and seconder of this motion.”

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—“Sir, I beg to associate myself with the remarks that have fallen from the lips of those who preceded me. Mr. Bhaktavatsulu Nayudu has been for over two years a member of this House and although many of us might not have been able to see eye to eye with him in the opinions that he held and pressed before this House, nevertheless, on this occasion we join in the tribute to his sincerity of purpose in the task in which he was engaged and the work that he did in this House so long as he was its member.”

Mr. MAHMUD SCHAMNAD:—“I beg to endorse all that has been said about the late Mr. Bhaktavatsulu Nayudu. He has been an active and useful member of this House and I support the motion of the hon. the Leader of the House.”

* Mr. V. I. MUNISWAMI PILLAI:—“Mr. President, on behalf of the depressed classes I wish to associate myself with the expression of regret on the loss sustained by the death of Mr. Bhaktavatsulu Nayudu. Though my acquaintance with the hon. Member was short, yet I always found him to possess honesty of purpose, and I wish to associate myself with the opinions expressed of him by the previous speakers.”

* The hon. the PRESIDENT:—“The question is:

‘That an expression of the sincere regret of this Council in the death of Mr. P. Bhaktavatsulu Nayudu and our deep sympathy with the bereaved family be placed on record and conveyed to them.’”

The motion was adopted, the whole House standing.

[6th August 1929]

III

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Arms and Explosives

Non-military rifle shooting clubs or associations for target practice in this Presidency.

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

- (a) the number of non-military rifle shooting clubs or associations for target practice on miniature and other ranges in the province;
- (b) the number on miniature ranges and the number on other ranges;
- (c) how many of them are Government or Government aided clubs;
- (d) if there be Government clubs for non-military purposes, for whom they are meant and what amount of money is spent yearly on each club;
- (e) if there be Government aided clubs, the financial aid which the Government gives to each club yearly;
- (f) whether any of these clubs or associations are registered and if so, how many; and

(g) the names of the clubs or associations?

A.—(a) Four.

(b) All on miniature ranges.

(c), (d) & (e) None.

(f) The clubs have not been registered.

- (g) (1) Kodaikanal Miniature Rifle Club, Kodaikanal.
- (2) The Yercaud Miniature Rifle Club, Yercaud.
- (3) The Ladies Rifle Club, Wellington.
- (4) St. George's Homes, Ketti.

MR. S. SATYAMURTI:—"With reference to the answer to (g), may I know whether the membership of all these clubs is confined to Europeans and Anglo-Indians?"

THE HON. KHAN BAHADUR SIR MUHAMMAD USMAN SAHIB BAHADUR:—"I have no information, Sir. I shall make an enquiry and let the hon. Member know."

MR. K. V. R. SWAMI:—"May I know whether permission would be given for similar clubs to be started for Indians?"

THE HON. KHAN BAHADUR SIR MUHAMMAD USMAN SAHIB BAHADUR:—"When the question comes up before Government, it will be considered."

MR. S. SATYAMURTI:—"May I know whether in issuing licences to these clubs the Government pay any attention to the race to which the members of these clubs belong, whether they are Indians and whether one race is discriminated from another in the grant of the licence?"

THE HON. KHAN BAHADUR SIR MUHAMMAD USMAN SAHIB BAHADUR:—"Not that I am aware of, Sir."

6th August 1929]

Grant of licence to non-military associations for target practice.

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

- (a) whether there are any by-laws regulating the granting of licence to non-military associations for target practice; and
- (b) if so, whether the Government will be pleased to lay a copy of these by-laws on the table; and if not, why not?

A.—(a) & (b) No such by-laws have been issued by the Local Government. The rules of the Government of India provide for the issue of licences for the purpose indicated.

MR. S. SATYAMURTI:—"With regard to the answer to both the sections, may I know whether the Local Government have any intention of framing any by-laws with a view to facilitate the granting of licences to non-military associations for target practice?"

THE HON. KHAN BAHADUR SIR MUHAMMAD USMAN SAHIB BAHADUR:—"That question has not been considered by Government."

Factories

Prosecutions against owners of small factories.

* 3 Q.—MR. K. V. R. SWAMI: Will the hon. the Home Member be pleased to state—

- (a) the number of prosecutions against owners of small factories in the last five years;
- (b) the total fines inflicted; and
- (c) the nature generally of the offences for which prosecutions were launched?

A.—(a), (b) & (c) The hon. Member is referred to the statement entitled 'Statement showing the particulars and results of prosecutions' appended to the annual reports on the working of the Indian Factories Act, 1911, during the last five years which have been placed at the disposal of the Press.

Number of Government and private factories in this Province.

* 4 Q.—MR. K. V. R. SWAMI: Will the hon. the Home Member be pleased to state—

- (a) the total number of factories established by Government and by private agencies in this Province;
- (b) the number of factories under each head classified according to the nature of the business done in each factory; and
- (c) the number of labourers including women employed in each factory?

A.—(a) There were 1,480 factories registered under the Indian Factories Act at the end of year 1928, of which 1,393 were in commission during the year and the remaining 87 were closed.

(b) A statement giving the information is appended.*

* Printed as Appendix I on page 96 infra.

[6th August 1929]

(c) A statement showing the average daily number of persons including women employed in each factory during the year 1928 has been placed in the Council Library.

Mr. K. V. R. SWAMI:—"With regard to (c), may I know whether the hon. Member would give the figures? The answer given to the question is scored out."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"No, Sir, an answer has been substituted."

Motor Vehicles Act

Motor vehicular traffic in the Presidency.

* 5 Q.—Mr. A. B. SHETTY: Will the hon. the Home Member be pleased to lay on the table of the House the information received in regard to my question No. 1863 answered on 25th March 1929 regarding motor vehicular traffic in the Presidency?

A.—The information^a is laid on the table.

Mr. S. SATYAMURTI:—"May I know whether the Government propose to take any further steps with regard to these accidents to bring them under control?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"The question is under the consideration of the Inspector-General of Police."

Mr. S. SATYAMURTI:—"May I know when the Government hope to be in a position to issue orders on the matter?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I may say, Sir, that the Inspector-General of Police is considering the question of overhauling the whole of the motor vehicle traffic rules."

Police

Alleged dismissal of Mr. V. Appa Rao.

* 6 Q.—Sriman BISWANATH Das Mahasaya: Will the hon. the Home Member be pleased to state—

(a) whether the Government have removed V. Appa Rao, Sub-Inspector of Police of Bimlipatam, from service from 12th April 1928, by ceasing his probation; and

(b) whether any enquiry was held as laid down in G.O. Mis. No. 540, dated 15th June 1928; and, if not, why?

A.—(a) The probation of Mr. Appa Rao was terminated by the Deputy Inspector-General of Police, Northern Range.

(b) G.O. No. 540, Public, dated 15th June 1928, does not prescribe an enquiry in cases of termination of probation.

^a Printed as Appendix II on pages 97-99 infra.

[6th August 1929]

Sriman BISWANATH Das Mahasaya:—"May I know whether the Government have considered Police Orders Nos. 66 and 244 which lay down a definite procedure in such cases?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"There is no definite procedure with regard to these cases. The question was only one of terminating the probation as the person was found incompetent."

Sriman BISWANATH Das Mahasaya:—"I am not now concerned with the competence or otherwise of the person. I want to know whether or not the definite procedure laid down in the Police Orders to which I just now referred was followed while terminating the probation of this man."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"As I have said, as far as this case is concerned, the question was only one of probation, whether the man was competent for the post for which he was appointed and, when he was found incompetent, his probation ceased."

Sriman BISWANATH Das Mahasaya:—"Sir, I am sorry that my question has yet to be answered. What I want to know is whether the definite procedure laid down was followed in terminating the probation by the officers concerned. I am not concerned with the other aspects of the question."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I suppose so, sir."

Alleged police vigilance over Mr. G. V. Ponniah Sastri.

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

(a) whether Mr. G. V. Ponniah Sastri was kept under police vigilance about January 1929 as he was attending to village improvement work in Bapatla taluk; and

(b) if so, what there was in his village work to which the Government had taken exception and why?

A.—(a) The answer is in the negative.
(b) Does not arise.

Mr. P. ANJANEYULU:—"May I know if it is not a fact that in the months between January and June there was police vigilance on Mr. Ponniah Sastri?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I must have notice of the question, Sir."

Alleged police surveillance on Mr. Abbas Ali Sahib.

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

(a) whether it is a fact that Janab Abbas Ali Sahib, a prominent Congressman of Dindigul and merchant, was under police surveillance during his journey to Madras on the 15th March last; and

(b) the reasons why he was so watched?

A.—(a) No.
(b) Does not arise.

[6th August 1929]

Mr. S. SATYAMURTI :—" With regard to (a), may I know whether this negative answer is the result of any enquiry instituted after the receipt of this question and, if so, what the nature of the enquiry was ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" Yes, Sir. We referred the question to the Inspector-General of Police and got a report from him."

Railways

Opening of the Trikannad flag station.

* 9 Q.—Mr. MAHMUD SCHAMNAD: Will the hon. the Member for Finance be pleased to state—

(a) whether the Mukkavas of Trikannad have made representations to the Collector of South Kanara praying that the flag station at Trikannad which was recently closed should be opened ;

(b) whether it is a fact that Trikannad was never a full-fledged station, but was a trial station having all along been in the experimental stage ; and

(c) whether it is a fact that a permanent and a pakka station could not be built there as there was engineering difficulty such as a deep curve gradient, etc. ?

A.—(a) Yes.

(b) Yes.

(c) The Government have no information.

Criminal Justice

Alleged enquiry under section 202, Criminal Procedure Code, on a complaint by one Guntaka Kesava Reddi.

* 10 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Law Member be pleased to state—

(a) whether Mr. K. Ramachandra Rao, Sarishtadar-Magistrate of Markapur, Kurnool district, held an enquiry under section 202, Criminal Procedure Code, on a complaint made by one Guntaka Kesava Reddi ;

(b) whether he left his jurisdiction on a public holiday 12th January 1929 and went to Baddicherla ;

(c) whether he obtained necessary permission to leave the headquarters ;

(d) whether he took with him the Assistant Superintendent of Police and the Sub-Inspector and constables ;

(e) whether he sat in the karnam's house and sent for one Bhavanam Nagi Reddi ;

(f) what conversation took place between the two ;

(g) whether the Sarishtadar took proceedings against Nagi Reddi for contempt of court and passed sentence of simple imprisonment ;

(h) whether an appeal was filed and the sentence admitted ;

(i) whether the said Nagi Reddi was further ill-treated on the said day 12th January 1929 by being handcuffed, carried in the motor-car of the Assistant Superintendent and put into jail at Markapur ;

(j) whether the said Nagi Reddi filed a petition to the District Magistrate setting forth these matters ; and

(k) what steps were taken thereon ?

[6th August 1929]

A.—(a) Yes.

(b) & (c) He went to Baddicherla on 12th January 1929 ; but as the village is within the limits of the Sarishtadar-Magistrate's jurisdiction, permission to leave his headquarters was not necessary.

(d) Yes.

(e) Yes. As the village chavadi was not fit to be used, the Magistrate held his enquiry on the veranda of the karnam's house close to the chavadi.

(f) Nagi Reddi while being examined lost his temper, behaved impertinently and questioned the authority of the Magistrate.

(g) Yes.

(h) An appeal was filed and the sentence was set aside by the Sub-divisional Magistrate, Markapur.

(i) After the sentence was passed, Nagi Reddi was handed over to the police who handcuffed him and took him to the Markapur sub-jail.

(j) & (k) No petition appears to have been received from Nagi Reddi by the District Magistrate, and there is no record of any such petition being sent in original to or received by the Sub-divisional Magistrate. 11-1 a.u

Mr. G. HARISARVOTTAMA RAO :—" May I know, Sir, from the hon. the Law Member, with reference to answer to clause (h) whether he is aware of the fact that in the judgment of the Subdivisional Officer he says that section 480 does not provide for a sentence of imprisonment and that the sentence was wrong, and that to charge the accused with contempt of court in such circumstances was straining the law too much ? "

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

Mr. G. HARISARVOTTAMA RAO :—" May I know from the hon. the Law Member whether he is aware that the sentence was one of simple imprisonment ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I do not know, Sir."

Mr. G. HARISARVOTTAMA RAO :—" May I know from the hon. the Law Member whether it is legal to handcuff a man sentenced to simple imprisonment for contempt. . . ."

The hon. the PRESIDENT :—" That is asking for opinion."

Diwan Bahadur P. KESAVA PILLAI :—" May I know whether the Sarishtadar-Magistrate has jurisdiction in all this area ? Is it not generally the case that he has jurisdiction only in the town where he resides ? Have these officers jurisdiction all over the taluk ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Not all over the taluk, but over certain villages over which they have been given jurisdiction."

Mr. G. HARISARVOTTAMA RAO :—" May I know from the hon. the Law Member what the conversation was that took place between Mr. Nagi Reddi and the Magistrate, in regard to the answer to clause (f) ? It is merely stated in the answer that he behaved impertinently and questioned the authority of the Magistrate."

[6th August 1929]

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"The conversation was that this Nagi Reddi said to the Magistrate, 'You have no right to question me, you have no right to try me,' and so on."

Mr. G. HARISARVOTTAMA RAO :—"May I know whether that makes contempt of Court?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"That was what the Magistrate thought. It was thought otherwise by the Subdivisional Magistrate."

Mr. G. HARISARVOTTAMA RAO :—"In regard to the answer to (j) and (k), may I know from the hon. the Law Member whether he is sure that no representation was made to the District Magistrate?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"Yes, Sir."

Mr. G. HARISARVOTTAMA RAO :—"May I know whether he will enquire into the whole matter and see whether the Sarishtadar-Magistrate has not unnecessarily harassed Mr. Nagi Reddi?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"From the information at my disposal, which has been placed before the House in answer to this question, there was no harassment or illtreatment whatever."

Mr. G. HARISARVOTTAMA RAO :—"May I know from the hon. Member, in view of the answers which he gave, whether he will obtain the whole information and find out if there is no very grave miscarriage of justice in this matter?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"I shall consider the suggestion, Sir."

Diwan Bahadur P. KESAVA PILLAI :—"Will the hon. the Law Member be pleased to place on the table a copy of the judgment setting aside this conviction?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"I am not in possession of a copy of the judgment, Sir."

Mr. G. HARISARVOTTAMA RAO :—"May I know if the hon. Member will permit me to hand over a copy of the judgment?"

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

Forests

Grazing facilities in Sennankuppam Setti Kinar Reserve Forest.

* 11 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Law Member be pleased to state with reference to his answer to question No. 1869 answered on 25th March 1929 regarding grazing facilities in the Sennankuppam Setti Kinar Reserve Forest—

(a) whether the report called for with reference to clauses (a) to (c), (e) and (f) of the question has been received; and

(b) whether it will be placed on the table of this House?

A.—(a) & (b) The answers to clauses (a) to (c), (e) and (f) of question No. 1869 answered on 25th March 1929 are appended.*

* Printed as Appendix III on page 100 infra.

[6th August 1929]

Extension of the Madras Forest Act to estates in this Province.

* 12 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Law Member be pleased to state—

(a) the number and names of estates in each district to which the operation of the Madras Forest Act is extended in this Presidency;

(b) the date or dates when each of these estate forests secured the operation of the Act; and

(c) whether in each case such operation was applied for by the proprietor or was extended and continued as a result of the administration of the Court of Wards?

A.—(a) to (c) The information asked for is appended.*

Sriman BISWANATH DAS Mahasayo :—"Sir, may I know the reason why the extension of the Madras Forest Act to proprietary forests is being effected after the termination of the administration of the Court of Wards of these estates without reference either to the convenience of the ryots or the necessity?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"The existing state of affairs was allowed to continue and there was no representation to the contrary."

Honorary Magistrates

Proposed nomination of a lady Honorary Bench Magistrate in Mangalore.

* 18 Q.—Mr. K. R. KARANT: Will the hon. the Law Member be pleased to state—

(a) whether recently the Collector of South Kanara made proposals to the Honorary Bench Magistrates of Mangalore to nominate a lady magistrate;

(b) whether the Honorary Bench Magistrates agreed to the same and also suggested names and, if so, what they were;

(c) whether it is a fact that the Collector requested Mrs. P. R. R. Punja, a nominated member of the South Kanara District Board, to agree to be nominated as a Bench Magistrate; and

(d) whether the lady having declined, the Collector is unwilling to nominate any other lady, and has altogether dropped the proposal to nominate a lady; and if so, why?

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

Mr. K. R. KARANT :—"May I ask, Sir, whether the Government have called for the information and whether they will place it on the table after it is received?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"I shall consider the suggestion."

* Printed as Appendix IV on page 101 infra.

[6th August 1929]

Jails

Alleged ill-treatment of Mr. Vellore Kuppuswami Mudaliyar in Madura jail.

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

(a) whether it is a fact that Mr. Vellore Kuppuswami Mudaliyar is now confined in the Madura jail;

(b) whether the said Mr. Kuppuswami Mudaliyar asked the Inspector-General of Prisons during his visit to the Madura jail during March 1929 to be transferred to some other jail;

(c) whether Government are aware that the authorities of Madura jail have been treating him with entire severity since then;

(d) whether the jail authorities have stopped the 'saiva' food that had been hitherto given to him;

(e) whether books have been refused to him;

(f) whether it is a fact that the jail authorities had forcibly taken away from him the bedding and books which he had hitherto been allowed to retain; and

(g) whether it is a fact that he has lost in weight considerably since his admission into jail?

A.—(a) & (b) Yes.

(c) Enquiry shows that the implication in this question is unfounded.

(d) The prisoner has been on the standard rice diet since his admission to the jail.

(e) No.

(f) His books have not been taken away; he has been supplied with the ordinary jail bedding.

(g) His weight on admission to the jail was 118 lb., it is now 114 lb. The normal physical equivalent of a man of his stature is 108 lb. The state of his health is reported to be very good.

14-A Q.—MR. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that Mr. Vellore Kuppuswami Mudaliyar is confined in a cell both day and night in Madura jail;

(b) whether all light is denied to him after 8 p.m. in the night;

(c) whether his weight has been considerably reduced; and

(d) whether the Government propose to investigate into the complaints and redress them; and if not, why not?

A.—(a) Only during the night is the prisoner locked up in a cell.

(b) He is allowed the use of a light till 9-30 p.m. in accordance with the rules;

(c) The hon. Member is referred to the answer to clause (g) of question No. 14.

(d) Enquiry shows that complaints regarding the treatment of the prisoner are unfounded.

[6th August 1929]

MR. T. ADINARAYANA CHETTIYAR:—"With regard to clause (b), may I know the grounds on which Mr. Kuppuswami Mudaliyar wanted to be transferred from the Madura Jail?"

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

MR. T. ADINARAYANA CHETTIYAR:—"Will the hon. the Law Member be pleased to ascertain why, if he had been so well treated in the Madura Jail, he should ask for a transfer therefrom?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I shall consider the suggestion."

MR. A. KALESWARA RAO:—"May I know whether this gentleman was allowed the use of his own bedding and whether it was not taken away afterwards?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Usually the prisoners are not allowed to have bedding of their own. With reference to this particular case, I cannot say."

MR. S. SATYAMURTI:—"With reference to clause (a) of question No. 14-A, may I know if it is a fact that he is not locked up in a cell during day?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Yes, Sir. He is not locked up."

MR. S. SATYAMURTI:—"As regards the answer to clause (c) of my question which is answered in clause (g) of question No. 14, may I know if the Government have ascertained why he has lost weight?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"No, Sir. It is only a loss of four pounds, and the medical authorities are of opinion that a man of his stature ordinarily has a weight of only about 108 pounds, whereas his weight is 114 pounds."

MR. G. HARIHARVOTTAMA RAO:—"May I know whether on holidays he is not locked up during the day in a cell?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I do not think that there is any special rule with reference to holidays."

MR. A. KALESWARA RAO:—"May I know whether the hon. Member will make enquiries whether his own bedding was allowed to him but was afterwards taken away, whether he, being a simple imprisonment prisoner, was allowed to get his bedding from his own house and whether it was not taken away after he complained to the Inspector-General of Prisons?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I shall make enquiries."

MR. S. SATYAMURTI:—"With reference to answer to clause (d) of question No. 14-A, may I know what this enquiry was? Was it merely an enquiry like the Government asking the Superintendent of the Jail, 'These are the complaints; are they true?', and the Superintendent replying 'No' or something like that, or was any other enquiry made?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Other enquiries were made, Sir. Enquiry was made by the District Magistrate also."

[6th August 1929]

Mr. G. HARISARVOTTAMA RAO :—" May I know from the hon. the Law Member whether this particular prisoner is allowed all the privileges of social life that are allowed to the simple imprisonment prisoners ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Yes, Sir."

Transfer of Mr. B. Sambamurti to the Bellary jail.

* 15 Q.—Mr. C. RAMASOMAYAJULU : Will the hon. the Law Member be pleased to state—

- (a) whether it is a fact that Mr. B. Sambamurti has been sent to the Bellary jail from the Rajahmundry jail ;
- (b) whether he was made to walk a distance of nearly two miles from the jail during night time and carry his luggage with him on his shoulders ;
- (c) the reasons for the said transfer ; and
- (d) the reasons for not providing the conveyance for himself or his luggage ?

A.—(a) Yes.

(b) The prisoner was taken on foot from the jail to the Godavari railway station. He carried his bedding, while the other articles belonging to him were carried by the escort constables.

(c) The prisoner was transferred from the Central Jail, Rajahmundry, as his stay in that jail was considered undesirable on administrative grounds.

(d) Under the rules in the Madras Jail Manual, all able-bodied prisoners transferred by road are required to walk but, if the distance is over ten miles and the two places are connected by motor bus service, the prisoners may be taken by bus at the cost of Government. In the present case, the distance that had to be travelled by road was only two miles, and the medical officer did not consider it necessary to recommend the transport of the prisoner to the railway station in a conveyance.

Mr. C. RAMASOMAYAJULU :—" With reference to the answer to clause (c), may I know what are the administrative grounds referred to therein ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" It was considered that he was a man of influence and as such there might be trouble if he was kept in that particular jail "

Mr. C. RAMASOMAYAJULU :—" May I know if this ground existed prior to his entry into the Rajahmundry jail ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I do not know, Sir."

Mr. C. RAMASOMAYAJULU :—" May I know, Sir, if this ground came into existence subsequent to his entry into the Rajahmundry jail or was in existence prior thereto also ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I do not know when it came into existence, but it was there when he was in that jail."

Mr. C. RAMASOMAYAJULU :—" Sir, my question is this. I want to know whether the administrative grounds existed by the time he was taken to the Rajahmundry jail, or whether there were any grounds supervening subsequent to his entry into the Rajahmundry jail that necessitated his transfer therefrom ? "

[6th August 1929]

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The administrative grounds can exist only after he entered the Rajahmundry jail."

Mr. C. RAMASOMAYAJULU :—" May I know, Sir, if my hon. friend can say what sort of grounds they are ? ' Administrative grounds ' is a very vague term, and I want a specific answer to my question ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I have answered the question, Sir, i.e., that he was regarded as a man of influence and as such it was thought that if he was kept there, there might be trouble."

Mr. P. C. VENKATAPATHI RAJU :—" Did he become a man of influence only after his entry into the Rajahmundry jail or before that ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I do not know, Sir."

Mr. S. SATYAMURTI :—" May I know what are the administrative inconveniences which the hon. Member considers would have been caused had a gentleman of influence of Mr. Sambamurti's position been allowed to be in the Rajahmundry jail ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I am not in a position to answer the question."

Mr. G. HARISARVOTTAMA RAO :—" May I know if the Superintendent asked for the transfer, and in asking for the transfer whether he made any report, and if so, whether the hon. the Law Member will be pleased to place that report on the table of the House ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Notice, Sir."

Sriman BISWANATH DAS Mahasaya :—" Sir, the hon. the Law Member has just now spoken of trouble. May I know whether he means trouble from outside the jail or trouble from within the jail ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" From within the jail."

Mr. C. RAMASOMAYAJULU :—" May I know with reference to the answer to clause (d), whether any distinction is made in the rules in the Jail Manual between the ordinary prisoners guilty of offences involving moral delinquency and political prisoners ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" There is no such distinction in the Jail Manual."

Mr. G. HARISARVOTTAMA RAO :—" May I know whether administratively Mr. Sambamurti is treated as a political prisoner ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" There is no such classification of prisoners in the Madras Jail Manual as political prisoners."

Mr. C. RAMASOMAYAJULU :—" With reference to the answer to clause (b), may I know why a distinction is made in this matter, why he was asked to carry his own bedding while the escort constables carried the other articles ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Because the luggage must be taken by somebody. Part of the luggage was taken by him and the other part by the escort constables."

[6th August 1929]

Mr. T. ADINARAYANA CHETTIYAR :—“ Was there anything in the conduct of Mr. Sambamurti during the time he was in the jail that induced or warranted the Government in thinking that his influence would be administratively dangerous to the Madras Government ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ Not that I am aware of.”

Mr. T. ADINARAYANA CHETTIYAR :—“ Then what are the reasons that made the Government fear his influence ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ I have given my answer to that question.”

Mr. S. SATYAMURTI :—“ May I know why the Government considering the political position of Mr. Sambamurti as a member of the Working Committee of the Indian National Congress has not given him any special treatment in these matters ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ It is for the trying magistrate to place him in the special division, and it is for the prisoner to ask for it. Evidently he did not ask the magistrate for it.”

Mr. K. V. R. SWAMI :—“ May I know whether he is now treated as a special prisoner ? ”

The hon. the PRESIDENT :—“ That has been answered.”

State Prisoners

Release of Chettali Beeyumma.

* 16 Q.—Mr. MAHMUD SCHAMNAD : Will the hon. the Law Member be pleased to state what the Collector's recommendations are on the petition of Chettali Beeyumma submitted to the Government in December last ?

A.—The District Magistrate of South Kanara recommended that, if conditions in Malabar permit, her request for permission to return to Malabar should be granted. The latest report of the District Magistrate of Malabar shows that it is not safe to allow her to return and that her release would have a bad effect on the locality.

Land Records

Introduction of the Record of Rights Bill.

* 17 Q.—Mr. K. R. KARANT : Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that Government have a Record of Rights Bill ready for introduction into the Council ;

(b) if so, why the Bill has not been published ; and

(c) whether the Government will be pleased to publish it at once so that the Bill may be introduced in the Council at the next sitting ?

A.—(a), (b) & (c) The answer to clause (a) is in the negative. The hon. Member is referred to the answers given to question No. 129 on 5th September 1928 and question No. 903 on 29th November 1928.

Mr. K. R. KARANT :—“ May I ask, Sir, whether Government have any intention of bringing forward a Record of Rights Bill ? ”

The hon. Mr. A. Y. G. CAMPBELL :—“ No, Sir.”

[6th August 1929]

Mr. J. A. SALDANHA :—“ May I enquire whether the Government after consulting their officers have decided to introduce a Record of Rights Bill ? ”

The hon. Mr. A. Y. G. CAMPBELL :—“ They have no such intention now.”

Mr. G. HARISARVOTTAMA RAO :—“ May I know, Sir, whether there have not been some changes in the Revenue accounts in order to bring in a Bill of this nature, and whether such changes have not been in existence for some time ? ”

The hon. Mr. A. Y. G. CAMPBELL :—“ I must ask for notice, Sir.”

Land Revenue

Rates of seigniorage in South Kanara district.

* 18 Q.—Mr. K. R. KARANT : Will the hon. the Member for Revenue be pleased to lay on the table a statement showing the various rates of seigniorage charged in the different parts of the South Kanara district at present ?

A.—A statement is laid on the table.*

Collection of seigniorage in kumki and non-kumki areas in South Kanara.

* 19 Q.—Mr. K. R. KARANT : Will the hon. the Member for Revenue be pleased to state—

(a) whether any and, if so, what seigniorage is being charged for sandalwood and dalechini (cinnamon) plants and trees in kumki and non-kumki areas in South Kanara and what proportion of the former goes to the wardar ;

(b) from what date or period it is being so charged ;

(c) whether it is a fact that prior to about two years no such fee was being charged in kumki areas ; and

(d) whether Government propose to take steps to stop the collection of such fees in kumkis ?

A.—(a) For the seigniorage rates on sandal and cinnamon trees the hon. Member is referred to the answer given to question No. 18 as to the seigniorage rates charged. When kumki lands are assigned on darkhast to the kumkidar, two-thirds of the value of sandalwood trees containing heartwood is recovered from the assignee, the value of all other trees being foregone.

(b) 1925.

(c) Yes, previous to 1925.

(d) The Government see no reason to adopt the course suggested. Kumki privileges are intended to serve domestic and agricultural purposes whereas the value of sandalwood is purely commercial.

Free assignment of lands to the depressed classes in South Kanara.

* 20 Q.—Mr. A. B. SHERTY : Will the hon. the Member for Revenue be pleased to state whether the Government have come to any decision regarding the question of giving lands free of assessment to the depressed classes in South Kanara till the lands become productive ?

[6th August 1929]

A.—A report has been received from the Board of Revenue on the subject and is under the consideration of the Government.

Kumki privileges of ryots in South Kanara.

* 21 Q.—Mr. A. B. SHETTY: Will the hon. the Member for Revenue be pleased to state whether it is a fact that several holdings of ryots near reserves in South Kanara have no kumki privileges?

A.—The Government have not the information.

Mr. A. B. SHETTY:—"May I know whether the Government cannot get this information?"

The hon. Mr. A. Y. G. CAMPBELL:—"I do not think that any useful purpose will be served by obtaining the information."

Mr. A. B. SHETTY:—"May I know, Sir, why the hon. Member thinks that no useful purpose will be served by getting this information?" (Laughter.)

Restrictions on the privilege of taking timber from kumki lands.

* 22 Q.—Mr. K. R. KARANT: Will the hon. the Member for Revenue be pleased to state—

(a) whether there are orders preventing a kumkidar from taking with the permission of Government any timber he requires from kumki for building his house in a different village from the one in which the kumki is situated;

(b) whether such restrictions have been recently made and if so, since when, and for what reasons; and

(c) whether Government propose to restore the privilege, and if not, why not?

A.—(a) The permission of the Collector is necessary. The attention of the hon. Member is invited to the following rule framed under section 26 of the Madras Forest Act:—

(Rule 7-A at page 38 of the Forest Manual—available in the Council Library.)

"The holder of land to which kumki privileges are attached may enjoy in the kumki land free of charge such privileges as he has hitherto enjoyed in the way of grazing cattle, or of cutting, converting, collecting and removing trees, timber and other forest produce, subject to the following conditions:—

- (1) That the trees, timber and other forest produce shall be used only for agricultural or domestic purposes in the village in which the kumki land is situated, or in such other villages as the Collector may permit in writing. It shall be open to the Collector to decide, either generally or in special cases, what shall be considered agricultural or domestic purposes within the meaning of this rule."

[6th August 1929]

(b) & (c) No. The restrictions have been in force since 1896 and were designed to ensure that the trees, timber and other forest produce should be used only for bona fide agricultural or domestic purposes.

Restrictions on the privilege of taking timber from kumki lands in South Kanara.

* 23 Q.—Mr. A. B. SHETTY: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that ryots in South Kanara are not allowed now to remove timber trees free of seigniorage from their kumki land in one village for their own use in another village;

(b) if so, since when this restriction has been put upon the holders of kumki; and

(c) whether the Government propose to restore to ryots the rights once enjoyed by them in this matter?

A.—(a), (b) & (c) The attention of the hon. Member is invited to the answer given to question No. 22.

Settlement

Conversion of single-crop into double-crop wet lands in the South Kanara district.

* 24 Q.—Mr. A. B. SHETTY: Will the hon. the Member for Revenue be pleased to state—

(a) the extent of single-crop wet lands converted into double-crop wet lands in the South Kanara district since the last settlement; and

(b) the extent of dry lands converted into wet or garden lands in the South Kanara district since the last settlement?

A.—(a) & (b) The Government have not the information.

Mr. A. B. SHETTY:—"May I know whether the Government will call for this information?"

The hon. Mr. A. Y. G. CAMPBELL:—"I think, Sir, that some information will be included in the scheme report of the settlement officer and complete information will appear in the settlement report; and in these circumstances it does not seem to be necessary to call for the information earlier."

Staff Selection Board

Number and cost of meetings of the Staff Selection Board.

* 25 Q.—Mr. K. R. KARANT: Will the hon. the Member for Revenue be pleased to state—

(a) the number of meetings held by the Staff Selection Board, the days they sat and the work transacted by them in the past two years;

(b) who were the members of the Board during the said period; and

(c) what has been the total cost for the meetings of the Board in the same period?

[6th August 1929]

- 4.—(a) A statement giving the information is appended.*
 (b) The Members of the Board were—

In 1927-28.

Officials—

- (1) Chief Secretary to Government (Chairman of the Board).
- (2) Surgeon-General.
- (3) Director of Public Instruction.

Non-officials—

- (4) M.R.Ry. Diwan Bahadur W. L. Venkataramayya Garu.
- (5) Khan Bahadur Mir Riaz-ud-din Sahib Bahadur.

In 1928-29.

Officials—

- (1) Chief Secretary to Government (Chairman of the Board).
- (2) Surgeon-General.
- (3) Director of Public Instruction.

Non-officials—

- (4) M.R.Ry. Diwan Bahadur W. L. Venkataramayya Garu.
- (5) Khan Bahadur Mir Riaz-ud-din Sahib Bahadur (died in October 1928).
 Muhammad Sahamnad Sahib Bahadur, M.L.C. (appointed on 1st November 1928).
- (6) M.R.Ry. P. T. Kumaraswami Chetti Garu (appointed on 1st November 1928).

- (c) Rs. 1,214 in 1927-28.
 Rs. 1,004 in 1928-29.

Selection of Sub-Assistant Surgeons by the Staff Selection Board.

* 26 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Member for Revenue be pleased to state—

(a) the number of Sub-Assistant Surgeons selected by the Staff Selection Board in February last;

(b) the number of Oriya Sub-Assistant Surgeons who appeared for the selection; and

(c) whether any Oriya candidate or any one having Oriya as his second language has been selected?

A.—(a), (b) & (c) No selection of Sub-Assistant Surgeon has been made by the Staff Selection Board.

Interview of candidates caste-war by the Staff Selection Board.

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

(a) whether it is a fact that on the 4th of March 1929 the Staff Selection Board assembled to interview candidates and whether non-Brahman candidates were called first to be examined by the Board and if so, why;

* Printed as Appendix VI on pages 111-112 infra.

[6th August 1929]

(b) whether there are any orders issued by the Government to the Staff Selection Board to interview candidates caste-war; and

(c) if not, whether the Government will issue instructions to the Staff Selection Board to stop this practice?

A.—(a) Yes; presumably as a matter of convenience.

(b) No.

(c) The Government see no reason to issue such instructions.

Mr. S. SATYAMURTI:—“May I know what is the matter of convenience involved in interviewing candidates caste-war, Brahmans, non-Brahmans and so on?”

The hon. Mr. A. Y. G. CAMPBELL:—“Under the orders of the Government the Staff Selection Board is asked to submit the names by communities such as Brahmans, non-Brahmans, Muhammadans, etc., separately. It is therefore for convenience, as they have to compare one Brahman with another Brahman, one non-Brahman with another non-Brahman and so on, that the staff Selection Board interview together candidates of each different class.”

Mr. S. SATYAMURTI:—“May I know then why the non-Brahmans are called first?”

The hon. Mr. A. Y. G. CAMPBELL:—“I do not think there is any particular reason for their doing so.”

Diwan Bahadur P. KESAVA PILLAI:—“Is the hon. the Revenue Member aware that Brahmans stand first in the social scale?”

Mr. G. HARISARVOTTAMA RAO:—“May I know whether the comparison spoken of by the hon. the Revenue Member does not take place as between Brahmans and non-Brahmans and other classes of applicants?”

The hon. Mr. A. Y. G. CAMPBELL:—“The Staff Selection Board compare Brahman with Brahman, non-Brahman with non-Brahman, etc.”

Diwan Bahadur P. KESAVA PILLAI:—“I want to know if the hon. Member is aware that the Brahman stands at the top in society, and why he should not be called first.”

Mr. S. SATYAMURTI:—“Your seat is safe.”

Diwan Bahadur P. KESAVA PILLAI:—“I put a question simply as I want information, Sir.” (Laughter.)

The hon. the PRESIDENT:—“No explanation for a supplementary question is permissible.”

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR:—“With reference to the answer to clause (c), will the Government be pleased to issue instructions to call the non-Brahmans first as they form the majority of the population?”

The hon. Mr. A. Y. G. CAMPBELL:—“The Government do not see any reason to interfere with the discretion of the Staff Selection Board in this matter.”

[6th August 1929]

Survey

Record of duplicate copies of record-of-rights in the land register in the Central Survey Office.

* 28 Q.—Sriman BISWANATH DAS Mahasayo: With reference to G.O. No. 1440, Revenue, dated 8th August 1922, regarding the keeping of duplicate copies of record-of-rights in the land register in the Central Survey Office in cases of estates surveyed at the instance of the landholders, will the hon. the Member for Revenue be pleased to state—

(a) whether the said land register is kept in the office of the District Collector for grant of copies to the public as laid down in (c) of the said Government Order, and if not, why not; and

(b) whether the Government would be pleased to order the Central Survey Office to grant a copy of such plans whenever required by a ryot?

A.—(a) & (b) Under the orders issued in G.O. No. 1440, Revenue, dated 8th August 1922, a duplicate copy of the land register should be kept in the Central Survey Office and not in the office of the District Collector. Copies of maps and copies of extracts from the land register can be obtained from the Central Survey Office on application to the Director of Survey.

11-30
a.m.

Sriman BISWANATH DAS Mahasayo:—"Sir, the answer to the question is that the land register is being kept in the Central Survey Office and not in the office of the District Collector. May I know whether Government have considered the question of expense and convenience of the proprietary ryots in obtaining copies of these documents?"

The hon. Mr. A. Y. G. CAMPBELL:—"I will consider the suggestion of the hon. Member as now made."

Sriman BISWANATH DAS Mahasayo:—"May I know whether he would be pleased to lay on the table of the House the result of the consideration of this question?"

The hon. Mr. A. Y. G. CAMPBELL:—"I will consider it, Sir."

Education

Delay in the payment of grants to aided and recognized schools inspected for grant in 1927-28.

* 29 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) the number of aided and recognized schools inspected for grant in 1927-28 but not paid even after the close of 1928-29; and

(b) the circumstances under which such delays were made?

A.—(a) & (b) It is presumed that the hon. Member refers to the Ganjam district. The Government have no information but have called for it.

Action taken on the memorial by the teacher-managers of the South Kanara district.

* 30 Q.—Mr. K. R. KARANT: Will the hon. the Minister for Education and Local Self-Government be pleased to state what action has been taken, or is proposed to be taken on the various points raised in the memorial presented to him by the teacher-managers of the South Kanara district, during his visit to the district?

[6th August 1929]

A.—Orders have been passed in G.O. No. 647, Law (Education), dated 5th April 1929, copy of which is placed on the table.^a

Appointment of a committee to report on secondary education for girls.

* 31 Q.—Mr. C. RAMASOMAYAJULU: Will the hon. the Minister for Education and Local Self-Government be pleased to state with reference to the answer given to question No. 1538 on 28th February 1929 relating to the appointment of a committee to consider and report on the question of secondary education for girls—

(a) whether the question has been considered by the Government and whether they have arrived at any decision thereon; and

(b) if so, whether they will be pleased to place the decision on the Council table?

A.—The hon. Member's attention is invited to G.O. No. 578, Education, dated 23rd March 1929, which has been placed on the Editors' Table. The Government do not propose to appoint a committee at present.

Introduction of rural primary education in Saidapet taluk.

* 32 Q.—Mr. A. RANGANATHA MUDALIYAR: With reference to the answer to question No. 1611, answered on 2nd March 1929, will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Government have since received the information called for regarding the introduction of rural primary education in Saidapet taluk; and

(b) if so, whether they will place it on the Council table?

A.—(a) Yes.

(b) The information furnished by the President, Taluk Board, Saidapet, is placed on the table.^b

Revision of the Grant-in-Aid Code.

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

(a) when he proposes to amend the Grant-in-Aid Code; and

(b) the reasons for the delay?

A.—(a) & (b) The question of the revision of the Grant-in-Aid Code is under consideration in consultation with the Finance Department and orders will be issued as early as possible.

Revision of the Grant-in-Aid Code

* 34 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Education and Local Self-Government be pleased to state whether any final conclusions have been arrived at regarding the revision of the Grant-in-Aid Code?

A.—The matter is being considered in consultation with the Finance Department.

^a Printed as Appendix VII on pages 113-114 infra.

^b Printed as Appendix VIII on pages 114-115 infra.

[6th August 1929]

Mr. S. SATYAMURTI :—" May I know how long this question of the revision of the Grant-in-Aid Code has been under the consideration of the hon. the Minister? "

The hon. Dr. P. SUBBARAYAN :—" For the last two and a half years."

Mr. S. SATYAMURTI :—" May I know, Sir, the reason for this delay of two years and a half to revise the Grant-in-Aid Code? "

The hon. Dr. P. SUBBARAYAN :—" It is a complicated question requiring detailed consideration."

Mr. S. SATYAMURTI :—" May I know, Sir, when he expects to be in a position to issue orders? The wording 'as early as possible' in the answer does not convey any idea of time."

The hon. Dr. P. SUBBARAYAN :—" I cannot say when the revised Code will be ready."

Mr. A. KALESWARA RAO :—" May I know, Sir, whether it will be revised before the end of this Council? "

The hon. the PRESIDENT :—" It has been answered."

Mr. G. HARISARVOTTAMA RAO :—" May I know, Sir, if this question is complicated owing to its connexion with the amendment of the Elementary Education Bill? "

The hon. Dr. P. SUBBARAYAN :—" No, Sir. It has no connexion with the Elementary Education Bill."

Proposed reduction of grants for the purchase of scientific appliances.

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

(a) whether the Government have come to any decision regarding the proposed reduction of grants for the purchase of scientific appliances from two-thirds to half;

(b) what are the replies received by the Director of Public Instruction on the matter from the headmasters of schools; and

(c) how the Government propose to utilize the savings effected?

A.—(a), (b) & (c) The Government have decided that the system of giving grants equal to two-thirds of the cost of buildings and equipment required for the teaching of scientific subjects might continue for the present.

Mr. S. SATYAMURTI :—" May I know what the phrase 'for the present' in the answer means? Does the Government propose to reconsider the question? If so, when? "

The hon. Dr. P. SUBBARAYAN :—" I cannot give any undertaking on this question? "

Mr. S. SATYAMURTI :—" I am asking, Sir, for an explanation of the phrase 'for the present'. I am also asking whether Government have adjourned the consideration of the question *sine die*, or when they propose to consider the question."

The hon. Dr. P. SUBBARAYAN :—" I think my hon. Friend is as much an expert in English as anybody else, and he should know the meaning."

[6th August 1929]

Mr. S. SATYAMURTI :—" I am not the Minister, Sir; I am not the author of this phrase. I am asking the meaning of the phrase which he should know better."

The hon. the PRESIDENT :—" This is not the time for it. The hon. Member may put his supplementary question."

Mr. S. SATYAMURTI :—" I am asking the question by putting counter-arguments."

Local Boards

Fixing of polling stations for taluk board elections.

* 36 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Minister for Education and Local Self-Government be pleased to state with reference to his answer to question No. 1847 answered on 25th March 1929 regarding number of polling stations in Bellary and Adoni taluk boards, whether the Government have issued instructions that each Revenue Inspector's firka should be a circle for election of members to a taluk board?

A.—No.

Mr. R. NAGAN GOWDA :—" May I know whether any orders have been issued regarding the number of villages, the area of the taluk, etc., comprising the circle, in fixing polling stations? "

The hon. Dr. P. SUBBARAYAN :—" It is a matter within the discretion of the District Board."

Nominations to the South Arcot District Board.

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

(a) whether there are now any Muslim members on the District Board of South Arcot, and, if so, when they were respectively appointed;

(b) who the member was that was appointed in October 1928 in the place vacated by a Muslim member;

(c) the number of vacancies with dates that subsequently happened in the membership of the Board; and

(d) the names of those that were appointed to each vacancy as it arose?

A.—(a) Yes, two elected members, whose membership has effect from the 12th June 1928.

(b) M.R.Ry. P. K. Ramachandra Padayachi Avargal, M.L.O.

(c) Two; one on the 29th September 1928 and the other on the 23rd February 1929.

(d) M.R.Ry. A. T. Muthukomaraswami Chettiyar Avargal and M.R.Ry. A. Upendra Pai Avargal, respectively.

Nomination of the District Board President, Malabar.

* 38 Q.—Mr. S. SATYAMURTI : Will the hon. the Minister for Education and Local Self-Government be pleased to state why he resorted to nomination in the case of presidentship of the District Board of Malabar when the District Board had asked for the right of electing its own president?

[6th August 1929]

A.—In February 1926 the Local and Municipal and Public Health Advisory Committees, jointly and by a large majority, recommended that the President of the Malabar District Board should be nominated by Government, who have followed this recommendation. Since this recommendation was made, the District Board has never repeated its request that the Presidentship should be thrown open to election.

Mr. S. SATYAMURTI :—" May I know with regard to the second part of the answer beginning with 'since this recommendation was made,' whether it refers to the recommendation of the Local and Municipal and Public Health Committees, or to the date when the recommendation was accepted by the Government and the nomination was made? "

The hon. Dr. P. SUBBARAYAN :—" It refers to the date when the recommendation was made by the Local and Municipal Advisory Committee."

Mr. S. SATYAMURTI :—" May I know whether the District Board was consulted after the recommendation was made, or whether they still persisted in their request that the presidentship need not be thrown open to election? "

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

Mr. K. MADHAVAN NAYAR :—" Is the hon. Minister aware that there was a very strong feeling in Malabar that the District Board Presidentship should be thrown open to election? "

The hon. Dr. P. SUBBARAYAN :—" I believe there was some feeling. On the whole, it was not very strong."

Mr. K. MADHAVAN NAYAR :—" May I know whether the hon. the Chief Minister can quote any instance of any public meeting or any organs of the press which wanted the nomination of the District Board Presidentship? "

The hon. Dr. P. SUBBARAYAN :—" Quite a number of telegrams was received from representatives of minority communities."

Mr. K. MADHAVAN NAYAR :—" May I know whether he is aware of any public meeting—he might have received telegrams from a number of sycophants or dependents of particular individuals—in which a request was made that the District Board Presidentship should not be thrown open to election? "

The hon. Dr. P. SUBBARAYAN :—" Public meeting does not connote very much."

Mr. K. R. KARANT :—" May I know whether before the date of this nomination the hon. the Chief Minister had not accepted in the Conference that was held in connexion with the revision of the Local Boards Bill that all Presidents' posts should be thrown open to election? "

Mr. T. ADINARAYANA CHETTIYAR :—" Will the hon. the Minister publish the names of parties or bodies that sent those telegrams that the place ought to be filled by nomination? "

The hon. Dr. P. SUBBARAYAN :—" I do not think any useful purpose will be served by the publication of those names."

Mr. K. MADHAVAN NAYAR :—" May I know if it is not a fact that the Malabar Members of this House had an interview with the hon. the Minister and requested him to throw open the Presidentship to election? "

August 1929]

The hon. Dr. P. SUBBARAYAN :—" That is so."

Mr. K. MADHAVAN NAYAR :—" May I know, Sir, what were the reasons induced the Chief Minister not to accept the suggestion to nominate the previous President? "

The hon. Dr. P. SUBBARAYAN :—" Because the Government thought it necessary to have a Muhammadan District Board President."

Mr. K. MADHAVAN NAYAR :—" May I know, Sir, why Malabar alone of districts, though it is one of the most advanced districts in the Presidency, did suffer the penalty of having a nominated President? "

The hon. Dr. P. SUBBARAYAN :—" Malabar is a district where a large part of the population belongs to the Mussalman community."

Mr. S. SATYAMURTI :—" May I know if it is the policy of the Government reserve certain District Board Presidentships for nomination of Mussalms? "

Mr. K. MADHAVAN NAYAR :—" May I know if many Muhammadans in Malabar and one Muhammadan Member of this Council particularly did not the Chief Minister to throw it open to election? "

The hon. Dr. P. SUBBARAYAN :—" But there are other Mussalmans in Malabar who did not want it."

Mr. T. ADINARAYANA CHETTIYAR :—" May I ask the hon. Chief Minister whether he is satisfied that the particular Muhammadan gentleman had no chance of coming through election? "

Mr. G. HARISARVOTTAMA RAO :—" May I know from the hon. Chief Minister whether he has made it a policy of his administration to attach no value to public meetings, in view of the answer he gave? "

The hon. Dr. P. SUBBARAYAN :—" The value that is necessary will be attached."

Religious and Charitable Endowments

Elections to the temple committees in North Arcot district.

39 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Minister Education and Local Self-Government be pleased to state with reference to question No. 1868 answered on 25th March 1929 regarding elections to the Temple Committee, North Arcot district—

(a) whether the Government have issued instructions to the temple committees to arrange for the preparation of voters' list so that elections be held before the expiry of their term of office;

(b) whether such instructions were issued to the North Arcot Temple committee;

(c) when the term of office of the present committee expires;

(d) whether Government have enquired as to whether the preliminaries for election have been prepared by the present committee; and

(e) if not, whether the Government will now enquire and arrange for elections?

4.—(a) This is done by the Hindu Religious Endowments Board.

(b) Yes, by the Hindu Religious Endowments Board.

(c) The 20th August 1929.

[6th August 1929]

- (d) & (e) The electoral roll of the area which was within the jurisdiction of the old Tiruvettipuram Temple Committee is ready, but the preparation of the roll for the remaining portion of the area was delayed for want of funds. The Hindu Religious Endowments Board, however, reported recently that the Committee would in any case be unable to bear the cost of an election and it has accordingly been decided to nominate members to the Committee for another year.

Mr. T. ADINARAYANA CHETTIYAR :—“ Will the hon. the Chief Minister consider the possibility of abolishing these committees instead of depriving the people of their statutory right of electing these committees ? ”

The hon. Dr. P. SUBBARAYAN :—“ No, Sir.”

Mr. S. SATYAMURTI :—“ May I know if it is the policy of Government in every case in which the committee says it cannot bear the cost of an election, to postpone the election and go on nominating ? ”

The hon. Dr. P. SUBBARAYAN :—“ The whole question is under consideration.”

Mr. T. ADINARAYANA CHETTIYAR :—“ May I know for how many years this postponement of elections can take place, in view of the Chief Minister's answer ? ”

The hon. Dr. P. SUBBARAYAN :—“ I cannot say.”

Appointment of the Commissioners of the Hindu Religious Endowments Board.

* 40 Q.—Sriman BISWANATH DAS Mahasaya: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) the date of appointment of each of the five Commissioners of the Hindu Religious Endowments Board;

(b) the date on which the appointment of each of the Commissioners terminates; and

(c) whether any complaints have been received against any of these Commissioners ?

A.—(a) & (b) The dates of appointment of the Commissioners and the dates on which their appointments terminate are—

Name of Commissioner.	Date of appointment.	Date on which the appointment terminates.
M.R.Ry. Surya Rao Garu ...	7th April 1925.	7th April 1930.
„ E. S. Chidambaram Pillai		
„ Avargal.		
„ Rao Bahadur M. Chengayya		
„ Pantulu Garu.	30th April 1928.	30th April 1933.
„ P. V. Nataraja Mudaliyar		
„ Avargal.		
„ Diwan Bahadur C. V. Ranga	30th April 1928.	30th April 1933.
„ Reddi Garu.		

(c) No.

[6th August 1929]

Nomination of members of Bunt community to temple committees in South Kanara.

* 41 Q.—Mr. K. R. KARANT: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) the number of the various temple committees belonging to different communities in existence under the old Act in South Kanara, when they were abolished in 1927–28 and two new committees were appointed;

(b) whether it is a fact that out of a total of such 98 committees only six were of the Bunt community;

(c) the number of members in each of the two new committees referred to above, the communities represented therein and their strength;

(d) whether it is a fact that out of the 12 members in the single amalgamated committee recently appointed, as many as six are of the Bunt community to which Mr. A. B. Shetty, M.L.C., belongs; and

(e) on what basis six members of the Bunt community have been nominated and why no representation whatever has been given to the various non-Brahman communities which had as many as 39 out of 98 committees under the old Act ?

A.—(a) In 1927 there were 98 temple committees in South Kanara district constituted under the old Act XX of 1863, as indicated below :—

Desyastha ...	3	Jadara ...	1
Carnataka ...	4	Balegar ...	3
Shivalli ...	5	Kanakapillai ...	1
Kota Brahman ...	5	Baryar ...	1
Koteshwar ...	2	Kaveri Konkanasta ...	2
Saraswat ...	5	Dravida ...	1
Goud Saraswat ...	4	Chittapavana ...	2
Konkani ...	5	Nada Brahman ...	1
Stanika ...	5	Ganda ...	1
Mogar ...	3	Ganiga ...	1
Billawar ...	5	Bovi ...	1
Bunt ...	5	Gouda ...	1
Jogi ...	3	Devadya ...	1
Jangama ...	4	Nadavara ...	1
Havik Brahman ...	5	Sherugar ...	1
Aksala ...	3	Siva Bhakta ...	1
Nambidi ...	1	Kandavar ...	1
Nambudri ...	1	Nagapuri ...	1
Padia ...	1	Panchaprama ...	1
Nayar ...	1	Sakalaspur Havik Brah-	
Ballala ...	2	man ...	1
Kolari ...	1	Gasayi ...	1

(b) Five of these committees belonged to the Bunt community.

[6th August 1929]

- (c) The strength of the two committees constituted in 1927 was nine each as indicated below :—

	Mangalore Circlo Temple Committee.	Udipi Circlo Temple Commit- tee.
Shivalli	2	2
Bunt	2	4
Gowda Saraswat	1	1
Saraswat	1	1
Kota	1	1
Nayar	1	...
Havik	1	...

- (d) Yes.

- (e) The nominations to the committee were made, with one exception, on the recommendation of the Hindu Religious Endowments Board, who took into account the claims of the various communities.

Mr. K. R. KARANT :—“ With reference to the answer to clause (b) of the question, may I know whether the hon. Minister had reasons for overruling the claims of the various non-Brahman communities which had as many as 39 out of 98 committees in the past ? ”

The hon. Dr. P. SUBBARAYAN :—“ The object was to give due representation to all communities.”

Mr. N. SIVA RAJ :—“ May I know whether the members of the community to which the hon. Member Mr. Karant belongs have been represented ? ”

The hon. Dr. P. SUBBARAYAN :—“ I hope there are as many as four.”

Mr. N. SIVA RAJ :—“ May I know, Sir, whether having regard to the number representing the Bunt community, others have been duly represented ? ”

The hon. Dr. P. SUBBARAYAN :—“ I think that is an influential community deserving of so much representation.”

Mr. J. A. SALDANHA :—“ With reference to the answer to clause (e), will the hon. the Minister give the name of the gentleman, who is the one exception ? ”

The hon. Dr. P. SUBBARAYAN :—“ No, Sir.”

Deficiency in the cost of the administration of the Hindu Religious Endowments.

* 42 Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Minister for Education and Local Self-Government be pleased to state whether the Government have decided to make good the deficiency in the cost of the administration of the Hindu Religious Endowments in the Presidency ?

A.—The hon. Member is apparently referring to the question of waiving recovery of the advances made to the Hindu Religious Endowments Board. No decision has yet been arrived at in the matter.

[6th August 1929]

Mr. S. SATYAMURTI :—“ May I know why the Government have not arrived at any decision in the matter ? ”

The hon. Dr. P. SUBBARAYAN :—“ Because it is a complicated problem.”

Mr. S. SATYAMURTI :—“ May I know, Sir, when the Government will be in a position to decide this question ? ”

The hon. Dr. P. SUBBARAYAN :—“ I cannot say exactly.”

Public Health

Prevention of leprosy in Ganjam district.

* 43 Q.—Sriman BISWANATH DAS Mahasayo : Will the hon. the Minister for Public Health be pleased to state—

(a) whether the district of Ganjam has proportionately the highest number of lepers in the Presidency ;

(b) whether the Government have collected any statistics on this subject ;

(c) if so, whether they will place them on the table ;

(d) whether any remedial measures have been projected or contemplated by them ;

(e) whether they have called for any reports from the District Medical Officer and District Health Officer, Ganjam, on this question ; and

(f) if so, whether they will place them on the table ?

A.—(a) No.

(b) & (c) The attention of the hon. Member is invited to the census Table XII—Part II, Volume XIII.

(d) Seventeen centres for the treatment of leper out-patients have been opened in seventeen hospitals and dispensaries in the Ganjam district.

(e) & (f) No.

Control over rural medical practitioners by local board presidents.

* 44 Q.—Sriman BISWANATH DAS Mahasayo : Will the hon. the Minister for Public Health be pleased to state—

(a) whether the medical officers under the rural medical schemes are regarded by the Government as officials or non-officials ; and

(b) what are the powers that the presidents of taluk and district boards have on such practitioners ?

A.—(a) As non-officials.

(b) Rural medical practitioners work under an agreement with the taluk boards. Presidents of Taluk Boards have to watch that the terms of the agreement are not infringed by the practitioners, while the taluk boards can terminate the agreement at any time without notice in the event of any breach of the agreement by the practitioners. Presidents of District Boards have no control over them.

[6th August 1929]

Management of the Tirumani Leper Settlement.

* 45 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the conditions and terms of the agreement on which the Tirumani Leper Settlement is to be managed have been fulfilled since it was founded;

(b) whether the Government are satisfied with the management;

(c) what are the various heads for which the allotment of Rs. 1,30,000 has been made for the Settlement in the Budget for 1929-30 and why it has been increased;

(d) what is the average number of patients expected to be treated in the Settlement in 1929-30 on the basis of which the said allotment has been made; and

(e) what is the estimated cost per patient?

A.—(a) & (b) Yes.

(c) The details for the contribution of Rs. 1,30,000 are—

(1) Staff—

	RS.
Pay of European Doctor	6,900
Do. do. Matron	4,500
Do. do. Nurse	3,900
Do. Subordinate medical, clerical and menial staff	12,570
Diet contingencies and medicine—	
Fifty Anglo-Indian patients at Rs. 22½ per patient per mensem	13,500
Four hundred and fifty Indian patients at Rs. 13-4-0 per patient per mensem	71,550
Twenty-five children over 8 years at Rs. 9 per child per mensem	2,700
Twenty-five children under 8 years at Rs. 6.	1,800
Equipment, industries and annual repairs	12,575

Total ... 1,29,995

or Rs. 1,30,000 roundly.

The increase is due to the provision made for the treatment of ten additional Indian patients in 1929-30 and also for the increased provision made under equipment, industries, etc.

(d) & (e) Provision is made for the treatment of 550 patients in 1929-30 and the cost per patient in 1929-30 works out to Rs. 19·7 per mensem.

*Agriculture**Alleged delay in sending pumping engines to ryots.*

* 46 Q.—Mr. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Minister for Development be pleased to state—

(a) whether the Government are aware that inordinate delay is generally caused by the Agricultural Engineering department in sending pumping engines to ryots who want the same urgently; and

(b) whether the Government propose to take steps to minimize such delay?

[6th August 1929]

A.—(a) & (b) A few cases of delay in the Industrial Engineering department have been brought to notice and necessary instructions have been issued to the Director of Industries to minimize such delays in future.

Mr. C. N. MUTHURANGA MUDALIYAR:—“Will the hon. the Minister order the purchase of more pumping engines in order to minimize the delay?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“The Government will consider the question, Sir.”

Previous experience and qualifications of Mr. Iyakannu Achari, Assistant Agricultural Engineer.

* 47 Q.—Mr. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Minister for Development be pleased to state—

(a) the qualifications of Mr. Iyakannu Achari, the present Assistant Agricultural Engineer, and how long he has been in the present office; and

(b) the previous experience of Mr. Iyakannu Achari in the line in which he is working?

A.—(a) & (b) The attention of the hon. Member is invited to the answer given to clause (e) of question No. 990 on 31st October 1927. Mr. Iyakannu Achari has been Assistant Industrial Engineer, Madras, since April 1924.

*Co-operative Societies**Appointment of History graduates as Assistant Registrars.*

* 48 Q.—Mr. BASHEER AHMED SAYEED: Will the hon. the Minister for Development be pleased to state whether it is not a fact that there are Assistant Registrars in the Co-operative Department who are not graduates in Economics and History?

A.—The answer is in the affirmative, but most of these men were promoted from the inspectorate in view of their long service and experience in the Co-operative Department.

Appointment of Muslims in the Co-operative Department.

* 49 Q.—Mr. BASHEER AHMED SAYEED: Will the hon. the Minister for Development be pleased to state whether there is any proposal with the Minister to appoint more Muslims in the several cadres of the Co-operative Department in view of the new appointments sanctioned by the Government?

A.—The Government will consider duly the claims of suitable Muhammadan candidates if they offer themselves for appointment.

Representation of Muslims in the Co-operative Department.

* 50 Q.—Mr. BASHEER AHMED SAYEED: Will the hon. the Minister for Development be pleased to state—

(a) whether there is any special reason why there is only one Muslim in the cadre of Deputy Registrars of the Co-operative Department out of a total number of 19; and

(b) why there is only one Muslim Assistant Registrar out of a total of 32?

A.—(a) & (b) No; the number of sanctioned posts in the cadre of Deputy Registrars is, however, only 13.

[6th August 1929]

I—cont.

NEW MEMBERS—cont.

The undermentioned new Member made the prescribed oath or affirmation of allegiance to the Crown and took his seat:—

Mr. MUHAMMAD MEERAN SAHIB.

IV

PANEL OF CHAIRMEN.

* The hon. the PRESIDENT:—"I have to announce to the House that under rule 3 of the Madras Legislative Council Rules, I have nominated the following four Members of the Council to be a Panel of Chairmen for this session:—

Mr. J. A. Saldanha.	Rao Bahadur B. Muniswami Nayudu.
Mr. T. O. Srinivasa Ayyangar.	Khan Bahadur P. Khalif-ul-lah Sahib Bahadur."

V

ACTS ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR-GENERAL.

* The hon. the PRESIDENT:—"I have to announce that the undermentioned Acts which were passed by the Council received the assent of His Excellency the Governor-General on the dates noted against each:—

The Andhra University (Amendment) Act, 1929	...	5th April 1929
The Andhra University (Amendment) Act, 1929	...	5th April 1929
The Madras Hindu Religious Endowments (Amendment) Act, 1929	...	13th May 1929
The Madras Port Trust (Amendment) Act, 1928	...	25th June 1929 "

VI

ACTS ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR.

* The hon. the PRESIDENT:—"I have to announce that the undermentioned Acts which were passed by the Council received the assent of His Excellency the Governor on the dates noted against each:—

The Madras Hindu Religious Endowments (Amendment) Act, 1929	...	12th April 1929
The Madras Medical Registration (Amendment) Act, 1929	...	28th May 1929
The Madras Port Trust (Amendment) Act, 1929	...	28th May 1929
The Mirzapuram and Pedaganur Impartible Estates Act, 1929	...	8th June 1929
The Klamarru and Penjendra Impartible Estates Act, 1929...	...	8th June 1929 "

6th August 1929]

VII

ADJOURNMENT MOTION re GOVERNMENT SANCTION TO PROSECUTE
Mr. M. ANNAPURNAYYA.

Mr. P. ANJANEYULU:—"Mr. President, I move—

'that the business of this House do stand adjourned to discuss a definite matter of urgent, public importance, to wit, the recent action of the Government in granting sanction to prosecute Mr. M. Annapurnayya (Editor of the 'Congress') under sections 124-A and 153, Indian Penal Code.'"

Mr. G. HARISARVOTTAMA RAO:—"I second it."

* The hon. the PRESIDENT:—"Before I decide whether it is in order or not, has any hon. Member any objection to raise, regarding the question of order?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"On the merits, we have no objection. On the question of order, it is a matter *sub judice*, as the case is now actually before a Magistrate."

* The hon. the PRESIDENT:—"Here it is proposed to discuss only the sanction granted by the Government."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Anyhow, the sanction forms one of the series of acts or transactions which ultimately constitute the matter for prosecution. How can one act which forms a link in the prosecution be separated from the other links which form the chain of the prosecution? In fact, the whole prosecution is based upon the sanction. The sanction, the evidence, all these things together constitute the prosecution. It seems to me that this is very clearly a case *sub judice*."

* The hon. the PRESIDENT:—"Here the question is to discuss the sanction given by the Government. The rule states 'any matter which is under adjudication by a court of law.' The speeches made by Mr. Annapurnayya are the matter that are under the consideration of the Magistrate—whether they constitute sedition under section 124-A. But here the question is to discuss the conduct of the Government in setting the law in motion. Of course no Member will be at liberty to comment on the speeches because they are *sub judice*. They will not be discussed or proposed to be discussed here."

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I respectfully submit that it is not so, because the wording is 'any matter which is under adjudication by a court of law'."

* The hon. the PRESIDENT:—"The matter for the consideration of the Magistrate is the speeches made by Mr. Annapurnayya."

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I submit, no; because it is open to the accused to take exception to the validity of the sanction itself. You know, Sir, that very often in cases of sedition, the accused takes objection on the ground that no valid sanction has been granted."

* The hon. the PRESIDENT:—"If the hon. Member says that it is one of the contentions of the accused, that question of the validity of the sanction also cannot be discussed."

[6th August 1929]

* The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" We do not know what plea the accused is taking. It is quite open to the accused to take exception to the validity of the sanction. And very often the accused do take exceptions to sanctions. It is really the question of sanction and everything connected with it that is the matter for adjudication before the court of law. We are not in possession of the records of the case. We do not know what plea the accused has taken. It is open to the accused to take all possible objections to the prosecution, and I believe he will take objection to the validity of the sanction ; but I am not in possession of the records."

* The hon. the PRESIDENT :—" The rule contemplates that the Speaker should proceed on the basis that it is a matter under adjudication if any Member of Government states that the matter is under adjudication. Here, if a statement is made on behalf of the Government that this matter is under adjudication, I will accept it."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" As a matter of fact, the judgment, whatever form it may ultimately take, will have to be based on the sanction. That is the basis on which the prosecution rests ; if that basis is taken away, the whole prosecution fails. So, clearly it is a matter that forms part of the prosecution, that is, it forms a matter for adjudication in a court of law. I go further and submit that, supposing for argument's sake, the accused does not raise the plea of validity of sanction, the court is bound to consider the validity of the sanction. Unless the court is satisfied that there is a valid sanction, the court cannot proceed."

* The hon. the PRESIDENT :—" But here it is the propriety and not the validity of the sanction given by Government that the Opposition want to discuss."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" How can the propriety of sanction be separated from its validity? All these facts have necessarily to be taken into consideration in deciding upon the validity or otherwise of the sanction. You cannot separate the propriety of the sanction, as it may be called, from the validity of the sanction, or the question of sanction altogether from the merits of the case. I submit they all hang together."

* The hon. the PRESIDENT :—" If you consider the propriety of the sanction, it is a political issue, whereas if you consider the validity of the sanction, it is a legal issue."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Even that distinction cannot be made, because in sedition cases, the legal aspect of the sanction and the political aspect of the sanction cannot be dissociated, one from the other. (Mr. G. Harisarvottama Rao : 'The cat is out of the bag.') Sedition cases are always based on politics. The Government authorizes sanction for prosecution in cases of sedition only on political considerations. It seems to me, subject to whatever ruling you may give, that this is clearly a matter for adjudication in a court of law. I have no doubt personally in my mind about it."

* Mr. R. SRINIVASA AYYANGAR :—" Sir, there is some confusion in the mind of the hon. the Law Member. It has been conceded on all hands, and also decided by the Madras High Court and there is a decision of Sir

6th August 1929] [Mr. R. Srinivasa Ayyangar]

V. Bashyam Ayyangar to that effect, that it is not open to a trying court to enquire into the propriety or otherwise of the sanction that has been granted by a competent authority. Therefore that disposes of the question. If it is a question whether the order which purports to be sanction is forgery or not, that is quite another matter. Whether the Cabinet actually met, whether certain formalities required by law as a condition precedent to the granting of sanction have been gone through, that would be a different matter. Here, this clause (iii) does not deal with any possibilities or conjectures, but deals with 'any matter which is under adjudication by a court of law.' You, Mr. President, can ask the Law Member whether he is in a position to state as to whether the propriety or otherwise of the sanction is under adjudication or something else is being disputed. He says he is not in a position to answer the question. So far as (iii) is concerned the objection must be specific, and the hon. the Law Member must be in a position to state that his objection is founded upon a controversy that has been actually raised before the court and which is awaiting its consideration and not any controversy which may or may not be raised and which even if raised may not be pursued. As I began, I end by saying that the question of propriety or otherwise of the sanction cannot be gone into by a trying court and this House alone can consider it. The objection of the hon. the Law Member therefore fails."

* The hon. the PRESIDENT :—" In discussing the matter whether the Government has properly accorded sanction, reference to the speeches made by Mr. Annapurnayya may be necessary. And the speeches made by Mr. Annapurnayya are the subject matter of the trial. I am not able to understand how any discussion can proceed without any reference to it. You propose to examine the question of the propriety of the sanction accorded. The propriety of the sanction accorded has to be justified on behalf of the Government by reference to the speeches made by Mr. Annapurnayya, and a discussion on the speeches cannot be allowed—I think that is admitted."

Mr. P. C. VENKATAPATHI RAJU :—" Instead of going into the merits of the individual speeches of Mr. Annapurnayya, the House may discuss the present policy of the Government in launching prosecutions against political activities, and especially the particular matter in which Mr. Annapurnayya is concerned."

* The hon. the PRESIDENT :—" The question of policy cannot be the matter of an adjournment motion. It must be a matter of recent occurrence, it must be a recent event. The policy adopted by Government cannot be said to be a recent event."

Mr. C. RAMASOMAYAJULU :—" I submit that some attention may be paid to the wording of the motion. It refers to the recent action of the Government in sanctioning the prosecution of Mr. Annapurnayya. It refers to a particular policy."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Now, apart from the political aspect, suppose he has made a seditious speech, then the Government will be perfectly justified in granting sanction. If, on the other hand, he has made a speech which is free from sedition, then the Government will be wrong in granting sanction. So, it really depends on this, namely, whether he has made a seditious speech or not. Thus, this action, namely, the action of granting sanction cannot, I submit, be discussed, without a reference to the speech or speeches for which sanction has been granted ; and

[Mr. M. Krishnan Nayar] [6th August 1929]

the speech or speeches form really, along with other matters, the subject-matter which the Magistrate has to discuss and dispose of. I submit therefore that the question of granting sanction alone cannot be considered in the abstract. It is impossible to consider that aspect without a consideration of the merits of the speeches, and of course the merits of the speeches are before the court."

* Mr. S. SATYAMURTI :—" May I submit that the last few words of the hon. the Law Member conclude the matter? The question before the House which we want to raise by this motion is not whether the speech is seditious or not. That is certainly *sub judice*. The hon. the Law Member has wholly misconceived the position of the Government, if I may respectfully say so. In the matter of granting sanction, it is not as if in every case where a person makes a speech, which according to the opinion of their legal advisers is seditious, they grant sanction. The Government have got the discretion under the Criminal Procedure Code either to grant or not to grant sanction in cases of speeches which are seditious according to their legal advisers. There is no possibility of Government granting sanction in a case where the speech is not seditious. That is out of the question. But in cases where the Government are advised by their legal advisers that the speeches are seditious, there is no duty cast on the Government to grant sanction. The Government either may or may not grant sanction. The only question we want to raise is to discuss on the floor of the House the propriety and expediency of the sanction given by this Government, and the policy of the Government in so far as it is illustrated by this one event, that is to say, the prosecuting of a prominent Congress worker for alleged seditious speeches. Otherwise—if the hon. the Law Member's contention was correct, namely, that the Government grant sanction only in the case of seditious speeches and does not grant sanction in the case of non-seditious speeches—the trial becomes a farce; because Government have not the means or the power to judge finally on this question of the seditious or innocent character of the speeches. They are only the executive authority setting the machinery of the courts in motion; and the only point we want to discuss is the question whether the Government were right, for political reasons, on political considerations and on political considerations only, in thus prosecuting a Congress worker. I submit, Mr. President, in the words of the rule governing resolutions, this is not a matter which is pending adjudication before a court of law. The validity of the sanction can be questioned only on one of the three grounds. You know, as every lawyer knows, that the question can be raised whether there was a meeting of the Cabinet or whether the proceedings were formally drafted or signed. Apart from that, no question can be raised in the courts of law as to the propriety or expediency of the sanction or the political soundness of the sanction. These are questions which cannot be discussed anywhere else except here. This is the only place where we can discuss this question. I therefore venture to submit that this is the only opportunity, this House is the only forum where people can raise the question of the propriety of sanctioning such prosecutions for sedition. Whether the matter or nature of the speeches is seditious or not is wholly irrelevant to the debate. I agree with you, Mr. President, that the scope of the debate is limited. We, on this side of the House, will do nothing to extend the scope of the debate and you can depend upon the House confining itself to the limits prescribed by you."

6th August 1929]

* The hon. the PRESIDENT :—" The only question is the expediency of the sanction accorded by Government. That cannot be, and is not, the subject-matter, of the criminal proceedings that are pending. Therefore I think the motion is in order. I wish to know whether the hon. Mover has got the leave of the House. (After a pause.) Since no Member objects, I declare that the hon. Member has got the leave of the House." 12 noon.

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The motion may be taken up to-morrow afternoon, Sir."

Mr. P. C. VENKATAPATHI RAJU :—" No, Sir, the non-official days are not even now sufficient for the transaction of pending non-official business and therefore I submit that this motion may be taken up on an official day so as not to trench upon the days allotted for non-official business."

* The hon. the PRESIDENT :—" I think the question as to when this item is to be taken up has to be decided more with reference to the interval available after notice has been given. Though no doubt every Member has got the right to move similar motions by mentioning them to me before 11 o'clock, there must be sufficient interval to enable preparations being made and the Standing Order itself was amended for this purpose only. Therefore we will take up the motion at 2-30 p.m. to-morrow."

VIII

FINANCE COMMITTEE.

The hon. Sir THOMAS MOIR :—" Mr. President, I move

'that a vacancy having occurred in the Finance Committee by the death of M R. Ry. P. Bhaktavatsulu Nayudu Garu, M.L.C., this Council do proceed to elect a member to the said Committee for the purpose of filling the vacancy.'

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

The motion was put and carried.

The hon. the PRESIDENT :—" I have to inform the House that with reference to Regulation II of the Regulations for the holding of elections by means of the single transferable vote, I fix 3 p.m. to-day as the time by which nominations of candidates for election of a member to the Finance Committee should be sent to the Secretary."

IX

THE HOUSE COMMITTEE.

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" Sir, I beg to move

'that with a view to appoint a House Committee in pursuance of Standing Order No. 80, this Council do proceed to elect six members to be members of the said committee according to the principle of proportional representation by means of the single transferable vote.'"

The hon. Sir THOMAS MOIR :—" I second it."

The motion was put and carried.

[6th August 1929]

* The hon. the PRESIDENT :—" I have to inform the House that with reference to Regulation II of the Regulations for the holding of elections by means of the single transferable vote, I fix 3 p.m. to-day as the time by which nominations of candidates for election to the House Committee should be sent to the Secretary."

X

THE MALABAR TENANCY BILL.*

* The hon. Mr. A. Y. G. CAMPBELL :—" Mr. President, Sir, I beg to introduce the Malabar Tenancy Bill and move that the Bill be referred to a select committee. If this motion is passed, I propose to ask the leave of the House for the appointment of more than fifteen members in addition to the Member in charge of the Bill to the select committee. If that motion is carried I shall submit to the House the names of the members to be included in the select committee."

" I am sure, Sir, that the subject matter of this Bill is well known to the Members of this House. It has been under the consideration of the Government for a great many years. It has been the subject of anxious enquiry by various distinguished Government officials from Mr. Logan and Sir William Robinson to His Excellency Sir Charles Innes, by eminent Judges of the High Court including Sir Charles Turner and Sir C. Sankaran Nayar and by distinguished non-official gentlemen from Raja Sir T. Madhava Rao to my hon. Friend the Law Member Diwan Bahadur M. Krishnan Nayar. There have been numerous Bills brought forward and the matter has been discussed at great length, but no satisfactory solution has hitherto been obtained which would meet the objections which have been raised in various directions. The last attempt to solve this knotty problem was made by my hon. Friend the Law Member whose Bill was passed by this House. But His Excellency the Governor withheld his assent because he felt that the measure would be unfair towards the janmis and that it was necessary to recognize the rulings of courts which had been in force for many decades. In communicating his refusal to give his assent to the Bill, His Excellency gave notice that the Government would take up the consideration of this matter and introduce a Bill of their own. To that end, the Government first appointed a committee of which the Chairman was Diwan Bahadur T. Raghavayya Pantulu Garu and the terms of reference of that committee were fairly wide. They began by calling upon the committee to investigate and report what disabilities, if any, were pressing hard on the tenants of Malabar in general, to what extent there had been unjustifiable evictions by the janmis in particular and how far kanamdars as such were in need of any protection. The committee was then asked to report on the best means of remedying such disabilities as the committee found really to exist and which they thought should be remedied. The Committee was asked to consider whether the disabilities cannot be removed without the grant of permanent occupancy rights and how far fixity of tenure could be secured for the actual cultivator of the soil; on whom and under what conditions permanent occupancy rights should be conferred if the grant of such rights was found to be necessary; the nature and extent of compensation that should be paid by those on whom such rights are conferred; and the effective methods which should be made available to the janmis to collect rents and other dues from those on whom such rights are conferred."

* Published in the Fort St. George Gazette on 30th July 1929 as Bill No. 9 of 1929.

[6th August 1929]

[Mr. A. Y. G. Campbell]

" This committee had the advantage of a large amount of material already at their disposal in the reports of former commissions and committees and the opinions of various gentlemen. They had, in addition, the advantage of taking evidence and submitting that evidence to cross-examination. After very careful and thorough enquiry, they arrived at the conclusion that the main disability pressing hard on the tenants in Malabar is insecurity of tenure. As regards the extent of unjustifiable evictions, the materials at the disposal of the committee did not prove that the evictions were either so numerous or so unjustifiable as had been represented to them by the advocates of the tenants' interests. The committee, however, thought that there had been some cases of unjustifiable evictions in the sense of evictions within the letter of the law but made for reasons other than the default of the tenant to act up to the terms of his bond. The committee also thought that, owing to the changed social and economic conditions and the feeling of estrangement that was growing between the landlords and the tenant, such evictions were likely to increase in future and that something should be done to avoid such a contingency. The remedy which the committee suggested was that the tenants should be given a qualified and optional fixity of tenure in the form and under the conditions set forth in their report. They also provided for compensation to be paid by those to whom such qualified fixity of tenure is to be given. They have also suggested methods by which the janmis could collect their rents and other dues with greater ease than at present. Certain other measures were also suggested by the committee for the purpose of promoting cordial relationship between the janmis, the kanamdars and other tenants in Malabar and for increasing their economic efficiency."

" Now, Sir, that committee, in accordance with the request of the Government, drafted a Bill embodying their suggestions. Since that report was received by the Government, the Government have had the advantage of having a conference with the representatives of both the parties concerned. And, after lengthy discussions with both sides, this Bill which I now have the honour to introduce, has been drafted with a view to arrive at some legislation which shall be fair and equitable to both parties."

" Sir, the Government hope that the measure will now be passed into law after it has been carefully considered in the select committee. In the list of persons to be appointed to the select committee we have included representatives of both the janmis and the tenants, other hon. Members of this House from the West Coast, representatives from other parts of the presidency and representatives of all parties in this House. I feel sure that all the Members of this House will approach this problem with a sincere and earnest desire to find an equitable solution of this very difficult problem. I trust that they will approach it in no spirit of irreconcilability and that there will be nothing which will tend to render difficult our task of arriving at a measure which may be acceptable to both parties and that as a result of the deliberations of the select committee on the Bill we may be able to pass a law which will lead to the future prosperity of the inhabitants of Malabar."

The hon. Mr. M. R. SETURATNAM AYYAR :—" I second it."

* The hon. the PRESIDENT :—" The question is that the Bill be referred to a Select Committee."

12-15
p.m.

[6th August 1929]

* **THE MUPPIL NAYAR OF KAVALAPPARA** :—"I have read this Bill with very great anxiety and I think it is a Bill which is in no way better than what was introduced by the hon. Mr. Krishnan Nayar which was vetoed by His Excellency the Governor. In the first place the renewal fee which has been fixed in the present Bill has been reduced and the janmam value has very much been lowered. For instance taking the janmam value of the land as Rs. 2,000 the kanam tenant is entitled to Rs. 125, and the balance goes to the janmi. If this Bill is passed into law, the janmam value will be only one-twelfth of Rs. 130-8-0 plus the yearly michavaram of Rs. 20, i.e., Rs. 30-14-0 and this at 20 years purchase amount will come to Rs. 617-8-0. That is to say, the loss to the janmi is over Rs. 1,200. Whereas in Mr. Krishnan Nayar's Bill the renewal fee was fixed at Rs. 150, in the present Bill it has been fixed at Rs. 130-8-0. It may be said in favour of the present Bill that it has qualified the fixity of tenure to the tenant and does not confer permanent right of tenure on the tenant which Diwan Bahadur Krishnan Nayar's Bill did, and to that extent this Bill is in favour of the janmis. As a matter of fact there is no real difference between Mr. Krishnan Nayar's Bill and this Bill, as Mr. Krishnan Nayar's Bill contained conditions for eviction and accordingly did not confer permanent right of occupation on the tenants. As regards fair rent, which has been provided, I know from the conditions in Malabar that twice the seed will be sufficient for cultivation expenses and in this Bill they have fixed it at $2\frac{1}{2}$ times which has reduced the profit that has been calculated. Apart from the calculations, I think in a measure like this which is of a confiscatory nature, the janmis ought to be adequately compensated. I do not think the compensation that has been accorded is sufficient or in any way satisfies the demand of janmis. I do not think that this Bill really proceeds on a line of compromise."

* **MR. K. MADHAVAN NAYAR** :—"It is a notorious fact that the tenancy problem of Malabar is a very peculiar one and if the tenancy problem there is a peculiar one, the claims put forward by the tenants and the resistance offered by the janmis are also peculiar. While tenants everywhere else claim fixity of tenure and are given such fixity, the tenants of Malabar do not claim fixity of tenure because they know that their attempts in that direction for the last fifty years have resulted in utter failure. Their cry for fixity has been a cry in the wilderness, so much so that they have lowered their demand to the lowest possible level and a large number of them are even satisfied with protection from arbitrary eviction. In this connexion I may mention the genesis of the present Bill, and its connexion with the Bill that was drafted by the Raghavayya Committee. You know that when the Bill, which was introduced by the hon. Mr. Krishnan Nayar and passed by this Council was vetoed by His Excellency, the Government promised that they would themselves make an attempt at legislation. Accordingly they appointed a committee to enquire into the tenancy problem of Malabar, to submit a report about it and draft a Bill. The committee so appointed was so reactionary and one-sided that tenants as a class boycotted that committee. They did not appear before it and adduce evidence before it. The accredited representatives of the tenants refused to serve on that committee including my hon. Friend Diwan Bahadur Krishnan Nayar, who now honours the Treasury Bench. The result was that that committee which from the outset was prejudiced against the tenants' cause submitted

[6th August 1929] [Mr. K. Madhavan Nayar]

a report and drafted a Bill, which, if passed, would have proved ruinous to the tenantry of Malabar. The tenants of Malabar naturely cried out 'Oh! Save us from such legislation.' The Government saw the force of this opposition and called a round table conference of janmis and tenants. Both the janmis and the tenants made representations before the Government and the result is the present Bill which, to some extent, is an improvement on Raghavayya's Bill. I said already that the tenants had lowered their demand considerably and at the round table conference also, they confined their demand to protection from arbitrary and oppressive eviction, not that that would be a panacea for all the evils which the tenants are labouring under in Malabar. Such protection from arbitrary eviction would at least make the life of the tenants bearable in that country. Despair on the one hand and anxiety to get some protection on the other made the tenants lower their demands and the present Bill only aims at giving such protection. Very few of the janmis in Malabar are cultivating lands themselves. The Bill does not substantially take away or materially affect any of the rights hitherto enjoyed by the janmis. The lands are cultivated either by the kanamidar or by the verumpattamdar under the janmis and such of the lands that are cultivated by the janmis themselves are not affected by this legislation. The mode of enjoying these lands by the janmis is by collecting rent every year and renewal fee every twelve years. When they recover the land from one tenant and give it to another, then too, they get nothing more than the rent and renewal fee that they have been getting from the previous tenants.

"This Bill simply places a restriction on the exercise of the power by the janmi of changing his tenant whenever he pleases. It places a check on his absolute power of evicting his tenants capriciously and vindictively. What the tenants want is that the janmis should not use their powers arbitrarily. Let the janmis take back the land for their own use. Let the janmis enjoy the lands as they have been enjoying them hitherto. Let them collect the rent and renewal fee as before; let means be devised which will enable the janmis to collect their dues promptly and regularly. Let them be given the power to collect the renewal fee, without being obliged to file suits for eviction and made liable to pay, in some cases, heavy compensation for improvements. Only, let him not dispossess a tenant for a real or fancied offence the tenant has given him or to satisfy the need or spite of a neighbouring tenant. This is the lowest demand which the tenants have made. People outside and some of my friends in my party are wondering how this tenancy legislation is going to do any good to the people of Malabar who have been agitating for tenancy legislation for half a century now. They ask and with great reason 'what is the benefit you are going to get from this legislation'. The only reply that I am able to give them is this 'It is true that we are not getting substantial benefit, but the position of the tenants is bettered to this extent that janmis can recover their lands from the tenants hereafter only when they want them for their own cultivation.' That is the small benefit that we are deriving. We have suffered so much and so long that we prefer something in the place of nothing. If we go further, the Government may not give the tenants even this protection. The tenants do not want another veto by the Governor and that is the only reason which leads me in deference to the wishes of my constituency not to oppose this Bill.

[Mr. K. Madhavan Nayar]

[6th August 1929]

The above remarks show that the benefits we are getting by this Bill are very little and not of a substantial character, and the loss sustained by the janmis is also correspondingly very little. The only compensation which the janmis are entitled to for this slight loss is the right of speedy and prompt realization of their rent and renewal fees without having recourse to protracted and expensive litigation. Instead of fixing this as the compensation, if any compensation was necessary for the restriction placed on the power of janmis, the Raghavayya Committee went out of their way and evolved, even against the opinions and advice of some of the respectable and influential janmis of Malabar, a scheme of compensation which the Government in a modified form has accepted in its present Bill.

12-30 P.M. "Compensation must always be proportionate to the loss sustained and not more. The restrictions that have been placed upon the janmi are, I have tried to show, very small. They are not deprived of their absolute right in the land. They can enjoy the land in the same way they have been enjoying it till now. Very few janmis have been cultivating the land till now; not one janmi has realized the total produce of the land till now; they have been only collecting the stipulated rent and renewal fee; they will be collecting the rent and renewal fee hereafter also. The only restriction that is placed is on their absolute power of turning out any tenant they may please according to their whims and fancies. All the compensation that the janmis can demand for this is, as I have already stated, easy and speedy means of realizing their dues. The Raghavayya Committee thought that they were entitled to a portion of the janmam value or a substantial portion of the gross produce of the land. Accordingly, as compensation, they increased the rent and renewal fee to such an exorbitant extent that the people of Malabar thought that they are going to be ruined for ever. That was the reason why Malabar raised such a hue and cry against the recommendations of the Raghavayya Committee.

"As a result of the Round Table Conference, the Government have done one thing. The ordinary renewal fee that is collected by the janmi in those places is either one year's net rent or even less than that. This is admitted by the janmis and accepted by the Committee as correct. The Raghavayya Committee recommended three times that rent minus certain deductions. That is evidently too high and out of all proportion to the benefits conferred on the tenants. The tenants' representatives consented, in a spirit of compromise, at the Round Table Conference, to have the renewal fee fixed at the maximum rate, i.e., one year's fair rent or $1\frac{1}{2}$ times the fair rent minus the deduction proposed by the Raghavayya Committee. That was the proposal that was put by the tenants before the Government because they were anxious that they should not appear to be unreasonable in the eyes of the exacting janmis even. They put forward the maximum rate that any tenant in Malabar is now paying the janmi and that is one year's fair rent or $1\frac{1}{2}$ times fair rent minus revenue michavaram and interest on the kanam revenue. What the Government have done is to strike a medium between the recommendations of the Raghavayya Committee, i.e., three times the fair rent, and the tenants' proposals, i.e., $1\frac{1}{2}$ times the fair rent. The Government have fixed the rate at $2\frac{1}{4}$ times the fair rent instead of either 3 times or $1\frac{1}{2}$ times. I have already told you, Sir, that the rates we suggested are much higher than those generally collected by the janmis. When we made this proposal to the Government we never thought we were bargaining; we

[6th August 1929]

[Mr. K. Madhavan Nayar]

placed all our cards before the Government and the janmis, and indicated the maximum extent to which we can go. The Government has put it much higher in the present Bill and we fear the rates they fix will press heavily upon the people. All the same I am not opposing the introduction of this Bill. The tenants have learnt by experience that they are not going to get anything from the Government unless they lower their demands; they also believe that the Government is making an earnest attempt to solve this thorny and knotty problem in the way that seem to them best. Hence I welcome the introduction of the Bill not because I am satisfied with all the provisions of the Bill but because I believe the Government and the Council will pay heed to the reasonable representation that we may still make before them. I have made these observations somewhat in detail because there is one school which thinks that this Bill ought to be rejected altogether because it does no good. There is another school, the janmis, who put up a show of fight and try to mislead the people into thinking that this Bill will be very ruinous to the janmis of Malabar. I ask my janmi friends whether they were not satisfied with the proposals of the Raghavayya Committee. The most influential janmis of Malabar were represented on that Committee; the Raja of Kollengode was a member of the committee. If the proposals made by that committee and if the Bill drafted by that committee were not ruinous to the janmis of Malabar, may I know what are the modifications made by the Government that make the present piece of legislation so ruinous to them? That is a thing which I fail to understand. Their rights are not affected in any substantial way; they will be getting the same rent; a large body of them will be realizing renewal fees much in excess of the rates they have been obtaining hitherto. What is the material injury that this Bill causes to them is a thing which I am yet to understand. People will have to give and take. If the demands made by the tenants are reasonable and if the House is satisfied that modifications have to be made in the Bill, we hope it will surely do so. If, on the other hand, it thinks that the demands made by the tenants are unreasonable, it may reject the proposals. We shall place the whole matter before the Council, and we may assure them that we will not put forward unreasonable proposals. I therefore submit that we shall certainly not oppose the introduction of this Bill. We will try and see if the Bill cannot be modified in the Select Committee and if amendments cannot be moved in the Council so as to meet the reasonable demands made by the tenants. We are not going to propose anything revolutionary or destroy the rights enjoyed by the janmis or impair those rights except to the extent indicated above. We hope, Sir, that when the Bill emerges out of the Select Committee, it will assume such shape and form as is acceptable to the people of Malabar in general."

* Mr. J. A. SALDANHA:—"Mr. President, Sir, representing as I do the Christian community of Malabar, majority of whom belong to the kanamdar tenant classes, I may say that I welcome this Bill but with a protest against many of the provisions which are unfair. In the grant of fixity of tenure, a number of restrictions and conditions are imposed which are unjust and unworkable. I may point out as an instance that what is called fair rent is far from fair. It is calculated on materials and factors which existed long ago and it did not take into consideration the changed conditions of the present day. The renewal fee is so high, so exorbitantly high—it is prohibitive—that it will be impossible for the kanamdars and verumpattamdars

[Mr. J. A. Saldanha]

[6th August 1929]

to pay it without ruining themselves altogether. The high rate of the renewal fee is based on the compensation for the loss on the part of the landlords, the loss being the granting of fixity of tenure which had never existed according to their view. The historical facts connected with this question have been gone into over and over again and I need not repeat them now. So far as the Christian community is concerned it traces its origin from a long time past and it has been existing for several centuries. They claim to have held their lands for centuries on permanent tenure. To say that they are not entitled to permanency of tenure is a perversity of historical facts in spite of the decision of the High Court and other courts which have overlooked historical facts. The kanamdars of Malabar have protested against these decisions and they never acquiesced in their validity. What is false history and what is false law cannot become real historical facts or sound law. In this case the historical facts have been clearly maintained and upheld by majority of officers, commissioners and writers, namely, that the kanamdars have been holding their lands from time immemorial and for centuries and that their position had been recognized *de facto* by most janmis.

"I am glad that the Raghavayya Committee has laid stress on this important point, viz., the work done by the kanamdars to improve the lands and that for centuries. I may just refer to a passage in the report at page 48. 'Apart from this, the impression left on us by the evidence is that there are many cases in which kanamdars have materially contributed during a course of years towards the cost of improving the lands which they hold and even for the conversion of waste lands into cultivable ones and have materially assisted in the proper cultivation of the land.' Such service, would, in the opinion of the Committee, be necessary for a long time to come.

12-45
p.m.

"In Malabar, the kanamdars have been doing a great service which no other holders of land in the country have ever done. And this must be taken into account in assessing the renewal fee. What will the janmi do without kanamdars? Kanamdars have spent enormous sums of money on the land, and they have been seeing to the cultivation of the land and have brought also large areas of land under cultivation. One argument has been advanced, a historical argument, that Parasurama having reclaimed the land from the sea, gave it to the Brahmans who then settled down there and were cultivating the land. . . ."

* The hon. the PRESIDENT:—"May I know from the hon. Member how that historical fact is relevant to the provisions of the Bill?"

* Mr. J. A. SALDANHA:—"I am explaining the fact that the kanamdars have been cultivators from ancient times, for many centuries."

* The hon. the PRESIDENT:—"Whatever be the history, it must have some relevancy to the provisions of the Bill."

* Mr. J. A. SALDANHA:—"The provisions of the Bill are based on a report which includes the historical fact that has been referred to. I do not want. . . ."

* The hon. the PRESIDENT:—"Does the hon. Member propose to oppose the Bill?"

* Mr. J. A. SALDANHA:—"No, Sir. I am not going to oppose the Bill. I only point this out because in the Select Committee it should not be said

[6th August 1929]

[Mr. J. A. Saldanha]

that we have tamely acquiesced in all the provisions of the Bill, and I hope in the Select Committee, our party, that is the tenants' party, will not be out-voted. I want therefore to mention the grounds, the historical facts on which we claim that the janmis are not entitled to any compensation at all. If they are really entitled to any compensation at all, then it must be a very reasonable compensation. Mr. hon. Friend on the other side (Mr. Muppil Nayar) who is here on behalf of the janmis has of course gone indignant and says that the compensation should not be so low as provided for in the Bill. But I ask, are they entitled at all to any compensation? I do not want to weary the House with the arguments advanced by several gentlemen including my hon. Friend Diwan Bahadur Krishnan Nayar who now sits as the Law Member of Government, and I hope he has not forgotten that historical fact. My point is that the janmis are not entitled to any compensation at all. They have not spent a single pie on the land, they have not paid for the improvements in the land. It is the kanamdars who have been existing in Malabar from before the time of Parasurama, long before the janmis came and settled in Malabar and it is they that have spent all the money and all their energies for the improvement of the land. These two factors, that is, firstly, that they have been in possession of the land from time immemorial and secondly that they have spent all their money on the improvements to the land, should be taken into consideration. As a matter of fact, the janmis should be thankful that the land yields anything at all; and that is due to the efforts of the kanamdars. If the provisions of the Bill are to be enforced, many of the kanamdars will leave the land which will be left to the janmis themselves, and these kanamdars will migrate from the country, the fairy land of India, the most beautiful district of India. If the provisions of the Bill are enforced, such a beautiful fairy land will become unfit for human beings to live in. I therefore appeal, Mr. President, and through you to the House, to bear the historical facts, the economic facts and the human facts in mind and change and alter the harsh and hard conditions under which alone fixity of tenure is to be granted to these tenants. I am sure at the same time that our janmi friends in their own interests, will modify and reduce their claims considerably and that the Bill will come out of the Select Committee considerably altered, in the interests both of the janmis and of the cultivating classes.

"There are one or two other points. One is that what is granted with the right hand apparently in a generous manner is taken away by the left in the way evictions will be allowed especially if a landlord wants a holding for himself or for relations. The other point is that this Bill, as has been pointed out by the public Press, will lead to an excessive amount of litigation. It looks as if the provisions of the Bill have been made with a view to increase litigation and with a view to create a necessity for appointing a large number of judicial officers. I am sure our Law Member will be framing a big budget for the next year for the appointment of a good number of judicial officers for dealing with this question of fair rent and unfair rent. My suggestion in order to save vagueness, uncertainty and puzzles and the consequent wasteful litigation is—and it was also accepted when the last Bill was brought forward by Diwan Bahadur Krishnan Nayar—that the rent or payment of dues should be based on a multiple of the assessment. As a matter of fact, the Committee have fixed, in the case of dry lands, what is called a fair rent at five times the assessment."

[6th August 1929]

* The hon. the PRESIDENT :—"These are all matters of detail for the Select Committee."

Mr. J. A. SALDANHA :—"I only give an illustration, Sir. If that can be done in the case of all lands, I say all litigation can be avoided, by fixing the rent or renewal fee on the basis of the assessment, that is, a multiple of the assessment. That is my humble suggestion, and I hope our friends on the Select Committee will be able to find a formula for fixing the rent or renewal fee on intelligible and easily understandable bases. Sir, you have only to read the provisions about 'fair rent', and unless you are a clever mathematician, you will be puzzled with the large number of figures, two-thirds plus and one-third minus, and all that. The calculations contained there are all puzzling to an ordinary mathematician. How much more puzzling will it be in the case of uneducated people? We should make laws, Sir, that are really intelligible to the man in the street; we should not make laws unintelligible or difficult to understand, making the people every time go to a lawyer. The lawyer himself will then be puzzled and that same puzzle will be experienced by the District Munsif, the appellate Court and the High Court. Such calculations as are contained in this Bill will be a puzzle even to a lawyer with mathematical qualifications. I therefore say that some sort of formula must be found in order to avoid this catastrophe of legislation."

* Mr. K. P. RAMAN MENON :—"Sir, I do not want to join in the pessimistic note that has been struck by both the previous speakers, Messrs. Kavalappara Moppil Nayar and Saldanha. I certainly congratulate the Government on their sympathetic attempt to tackle this question. Ever since the date when the first Commission was appointed to enquire into the agrarian troubles in Malabar, this subject has been in one form or another before the public. Various committees and commissions have sat upon it and various eminent lawyers and gentlemen have pronounced their opinions on this matter, and Government have after all seen their way to settle the question. I am really thankful to them for it. No doubt, I do not agree with very many of the provisions that are in there, with reference to the renewal fees for example and other things; but this is not the time or the place to enter into details. We shall have to do it later on; but on the whole I must say that the measure which the Government have formulated from out of the materials that have been placed before them is fairly satisfactory. I have great pleasure in supporting the motion, and I think my hon. friends, after the Bill has been considered by the Select Committee and when it comes back to the Council, will find it much more acceptable both to the janmis and to the tenants, and that this House will pass it."

* Mr. K. KRISHNAN :—"Mr. President, Sir, I did not intend to speak at this stage, because I do not think a speech is necessary for commending this motion to the House. But my hon. friend Mr. Madhavan Nayar made some reference to the Raghavayya Committee of which unfortunately I am the only Member now in this House who can either speak for them or against them. Some of the provisions of the Committee--of course it is not possible for me at this stage to give out the confidence that has been reposed in us as Members of the Committee--are not quite satisfactory; but I must say that the kanam tenants of Malabar were not well-advised in boycotting the Committee. I myself, a tenants' man, was astonished at that, as I wanted to do my very best for the tenants of Malabar; but since the kanam tenants actually boycotted the Committee, there was not sufficient material

[6th August 1929]

[Mr. K. Krishnan]

for me at any rate--probably my friend Mr. Madhavan Nayar has material from out of which he could evolve a better scheme--on which I could put forward the claims of the tenants, and on that account I was considerably handicapped. Then, another difficulty was that on account of the want of sufficient materials, the question became more or less personal. And then, added to it, there was this difficulty which I had to face. . . ."

* The hon. the PRESIDENT :—"I am not able to understand how the difficulties which the Members of the Raghavayya Committee faced are relevant to a discussion on the provisions of this Bill."

* Mr. K. KRISHNAN :—"I do not enter into that at all, Sir. All that I say is that, as my friend has been criticising the Committee, I also would like to. . . ."

* The hon. the PRESIDENT :—"I am sorry I cannot allow it."

* Mr. K. KRISHNAN :—"Then, Sir, I shall not say anything about that. All I wish to say is that a great deal of improvement has been made in the Bill on the report of the Committee, and evidently greater improvement in other particulars has also to be made in the Bill so as to make it acceptable to the tenants, especially in regard to the raising of the rent from kuzhikanam tenants which requires careful consideration at the hands of the Select Committee to be appointed by this House. I only wanted to say a few words in justification of the Committee, but since the hon. the President thinks that it is not in order at this stage, I do not wish to proceed further on that point."

* The hon. the PRESIDENT :—"I do not think it will be in order at any stage of the Bill."

* Mr. K. KRISHNAN :—"I have therefore great pleasure in supporting this motion."

* Mr. K. UPPI SAHIB :—"Mr. President, Sir, this agitation for a tenancy legislation in Malabar is, I think, older than many of us in this House. It will be merely a waste of time to repeat the reasons and arguments for this legislation. Long, long ago, Government found, after due enquiry, that the occasional Mappilla outbreaks in Malabar were due to agrarian discontent in the country, that they were due to the oppression of the tenants by the janmis of Malabar. It will really be a sight for angels to see that the janmis in this House fight each other, drawing swords against each other. I am myself a janmi, though not as big a janmi as my hon. Friend on the other side. I only say that if we or our forefathers had behaved as well as we wish they and we had, then this agitation would not have come to this stage."

"I only warn my hon. Friends on the other side to show mercy to the tenants. We are not going to be destroyed at one stroke or Malabar is not going to be aflame by this tenancy legislation. Let us therefore at this stage, not oppose this Bill, but allow it to pass to the Select Committee and then we can make amendments, additions, subtractions and all such things as we can do. So far as this Bill is concerned, I have to say only this much. The janmis can evict tenants under certain safeguards, but those safeguards are only illusory. I only request the Government to introduce more stringent conditions on janmis against the eviction of tenants. Though

[Mr. K. Uppi Sahib]

[6th August 1929]

there are provisions for evicting tenants, the provisions that are provided in the Bill are quite insufficient and require more stringent conditions. With these words, I support this Bill."

* Mr. S. ARPUDASWAMI UDAYAR :—" Mr. President, Sir, I rise to support this Bill. I was surprised to hear even the janmi representative opposing the Bill stating that there are conditions in it which are confiscatory and that this measure is no better than the one introduced by my hon. Friend the Law Member and that in certain respects the Bill introduced by the hon. Diwan Bahadur Krishnan Nayar was even better than the present one. On the other hand, I know what the feeling in the country was at the time this committee was constituted and I know some hon. Members even gave expression to it, namely, that the interests of the tenants were not adequately represented on that committee. In his introductory speech, the hon. the Revenue Member stated that because the rights of janmis were not respected in the measure as finally passed by this Council, the Government had to withhold its assent. Sir, without going into the details of the committee which was constituted for the purpose of safe-guarding the rights of janmis, a Committee which was not very favourable to the claims of tenants, as my hon. Friend stated, a Committee which was boycotted by one section, namely, the kanamdars, if the Committee constituted for being fair to janmis found it necessary to embody the provisions opposed to the tenants, the only inference that is possible is that the position of tenants in Malabar and the agrarian problem which my hon. Friend Mr. Uppi Sahib referred to, call for legislation of a very drastic kind. That is the only inference that is possible, as my hon. Friend contended, especially my hon. Friend Mr. Saldanha who put up a bold fight on behalf of the Indian Christian kanamdars, that some of the rights of janmis may be shadowy and that they should be removed, that the rights of kanamdars are real and substantial and that they have been overlooked. These are all things which will certainly be considered* by the Members of the Select Committee and when the time comes for amendments to be moved, I believe, all those who feel for the tenants will put up a bold fight and see that their grievances are fully redressed. Therefore, Sir, I do not think that my hon. Friends, the janmi representatives, are justified in opposing this measure. It is a pity that so many years have been wasted and all efforts to improve the conditions of the tenants, unfortunately owing to this kind of opposition, have not borne any fruit and have not yielded any satisfactory results. So, the time has now come when this House should support this measure and see that the problem in Malabar is fully and adequately solved."

* The hon. Mr. A. Y. G. CAMPBELL :—" Mr. President, Sir, I feel very much encouraged by the speeches which have been made to-day and hope that we shall have successful results from the deliberations of the Select Committee. It is true that my hon. Friend Muppil Nayar expressed some apprehension on the part of the janmis, but I wish to invite his attention to the views of the Government as set out in the Statement of Objects and Reasons, namely, that, the Government are therefore of opinion that any future attempt at legislation should take that night as a settled fact and proceed on the basis thereof. As a corollary to that proposition, they think that any attempt to take away the rights of the janmis in any substantial way, whether it be by the grant of permanent occupancy rights or otherwise, should be accompanied by adequate provision for reasonable compensation

[6th August 1929]

[Mr. A. Y. G. Campbell]

being paid to the janmi.' That I think should safeguard the reasonable interests of the janmis. On the other hand, while, 'this has to be conceded to the janmi, the Government are also of opinion that in the case of homesteads at least, there is urgent necessity for creating security of tenure, that the claim of the actual cultivator of the soil for fixity of tenure and security from arbitrary evictions must be viewed with considerable sympathy and that every possible attempt should be made to secure this to him in so far as it can be reasonably done without injustice to the janmis.' I feel sure that any representations which may be made on either side that the provisions of the Bill are unreasonable will be carefully considered. I would also point out, as some hon. Members referred to matters of detail in support of their criticisms of the Bill, that those details will receive very careful consideration by the Select Committee. I therefore move that this Bill be now referred to a Select Committee."

The hon. the PRESIDENT :—" The question is that the Bill be referred to a Select Committee."

The motion was put to the House and carried.

* The hon. Mr. A. Y. G. CAMPBELL :—" Sir, under Standing Order No. 40, the Member in charge of the department to which a Bill relates is a member of the Select Committee on the Bill and the number of other members that may be nominated to the Select Committee shall not without the leave of the House exceed 15. In order that the Select Committee may be constituted in the manner which I have indicated in my opening speech it is necessary to exceed that number. I therefore move, Sir, that leave be given to refer the Bill to a committee consisting of more than 15 members exclusive of the mover."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I second the motion, Sir."

The motion was put to the House and carried.

The hon. Mr. A. Y. G. CAMPBELL :—" I beg to move, Sir, that the Bill be referred to a Select Committee composed of the following Members :—

1. The hon. Diwan Bahadur M. Krishnan Nayar,
2. The Advocate-General,
3. Mr. K. R. Karant,
4. Mr. K. Madhavan Nayar,
5. Mr. K. Uppi Sahib,
6. Mr. J. A. Saldanha,
7. Mr. S. Satyamurti,
8. Mr. T. Adinarayana Chettiyar,
9. Muppil Nayar of Kavalappara alias Kumaran Raman,
10. Rao Bahadur O. M. Narayanan Nambudripad,
11. Mahmud Schamnad Sahib Bahadur,
12. Mr. A. B. Shetty,
13. Khan Sahib T. M. Moidoo Sahib Bahadur,
14. Rao Bahadur Sir A. P. Patro,
15. Rao Bahadur B. Muniswami Nayudu,
16. Diwan Bahadur S. Kumaraswami Reddiyar,
17. Mr. A. Ranganatha Mudaliyar,
18. Mr. K. P. Raman Menon,

[Mr. A. Y. G. Campbell] [6th August 1929]

19. Mr. C. Gopala Menon,
20. Mr. F. E. James,
21. Mr. K. Krishnan,
22. The Mover (The hon. Mr. A. Y. G. Campbell),

and that they may be asked to make their report not later than the 25th September 1929."

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I second the motion, Sir."

The motion was put to the House and carried.

* The hon. the PRESIDENT:—"I appoint Mr. B. Muniswami Nayudu, one of the Members of the Panel of Chairmen, as the Chairman of the Committee."

XI

THE MADRAS SERVICES COMMISSION BILL.

* The hon. Mr. A. Y. G. CAMPBELL:—"Sir, I beg to present the report * of the Select Committee appointed to consider the Madras Services Commission Bill and move that the Bill as amended by the Select Committee be taken into consideration."

The hon. Mr. M. R. SETURATNAM AYYAR:—"I second the motion, Sir."

* Mr. S. SATYAMURTI:—"Mr. President, Sir, I beg to move—

'that this business be adjourned for a year.'

"I make this motion, Sir, after very careful and anxious consideration of the implications of the Bill and of this adjournment motion of mine. My first submission to this House, Mr. President, is that, as the Delegation Rules stand to-day, they are so inconsistent and so indefinite in scope in deciding the purposes for which this Public Services Commission should be constituted, that it will be well worth the while of this House to wait for a time—which must now be very short—when all these rules which are now thrown in the melting pot will emerge in a better and more suitable form, and when this House will be able to set up such a Public Services Commission, as has been set up in other democratic and self-governing countries. Sir, no doubt, at one time, I had very serious doubts about whether this House had the power to enact a measure of this kind; but both as a lawyer and as a politician I felt that it was not right that I should object to the competence of this House to legislate on such matters. I venture to submit to this House certain arguments based upon the nature of the statutory power, under which this Bill is sought to be introduced, and to ask this House to wait for a while, when we can have our powers clearly and satisfactorily defined. Sir, section 96-B of the Government of India Act of 1919 is the parent section under which this Bill is sought to be placed before this House. That Act says (I read from page 80 of Volume I of the Council Manual):

'The Secretary of State in Council may make rules for regulating the classification of the Civil Services in India, the methods of their recruitment, their conditions of service pay and allowances, and discipline and conduct. Such rules may, to such extent and in respect of such matters as may be prescribed, delegate the power of making rules to the Governor-General in Council or to local Governments or authorize the Indian Legislature or local Legislature to make laws regulating the public services.'

* Printed as Appendix IX on pages 115-133 infra.

[6th August 1929] [Mr. S. Satyamurti]

"Under this power, Sir, the Secretary of State has made a set of rules which are called Delegation Rules concerning Civil Services. The Secretary of State had made in 1926 a set of rules under which he had delegated to the local Government the power to make rules regulating the method of recruitment to the provincial services, subordinate services and special posts, in Governors' provinces. He had also delegated, under another rule, the power to make rules with regard to conditions of service, pay and allowances and pensions. So that, taking the subject matter of those rules along with the subject matter of the provisions of section 96-B (2), rules had already been made with regard to recruitment, conditions of service, pay and allowances and pensions when the Secretary of State had delegated the power to the local Governments. That was the position when in 1928, the Secretary of State made a rule under which this Bill is brought before this House for being passed. That rule says:

'The local Legislature of any Governor's province is hereby authorized to make laws for the establishment and for determining the functions of a Commission.'

"I would ask the House to note the following words:

'to regulate the public services of the Province, but any such law shall be subject to the provisions of any rules made by the Secretary of State in Council under sub-section (2) of section 96-B or section 96-C of the Government of India Act.'

"I may mention in passing, Mr. President, that section 96-C contemplates the appointment of a Public Service Commission for All India, and the assignment to that Commission of such functions as the Secretary of State may assign thereto. That is the All-India Public Service Commission. My point now before the House is that the only law which the Secretary of State has authorized this House to make is the law to regulate public services; and my point is that this Bill does not attempt to regulate public services; any one of the several matters mentioned in section 96-B (2), that is to say, neither in the methods of their recruitment nor with the conditions of service, pay, and other allowances, and pensions. I shall presently deal with the provisions of the Bill in detail and show how they do not seek to so regulate.

"To proceed with my argument, however, I may say at once, Mr. President, that the word 'regulate' is a well-known English word. It is defined in the Oxford English dictionary as meaning 'to control by rules,' from the Latin 'regula,' to rule. Moreover, to prevent any possible misinterpretation of the word 'regulate' in so far as it applies to this Bill, may I invite the attention of the House to the fact, that so far as the rule-making power of either the Secretary of State in the first instance or the delegated rule-making power of this Government is concerned, the same word 'regulate' appears, as it does in the Act itself. The position is this. The Secretary of State may make rules for regulating the classification of the civil services in India, the methods of recruitment and so forth, and such rules may delegate the power of making rules to the local Governments. Therefore, unless it is contended, a contention which I hope no lawyer will advance, that the same word used in the same paragraph of a statute should be interpreted in different ways in different connexions, it is a well-known maxim of interpretation that the same word should be construed in the same way, if used in a statute more than once. I therefore venture to submit that if the word 'regulate' in so far as it applies to the Secretary of State or to the rules made by this Government under the delegated power means the

[Mr. S. Satyamurti]

[6th August 1929]

controlling by rules in regard to the matters specified, the same construction should apply to the laws to be made by this House in this respect. That is to say, inasmuch as the rules made by the local Government seek to control the services by rules, similarly this House must have the right, if it proceeds to enact a Bill of this kind under the provisions of the Government of India Act, to control public services, in the same manner as the local Government controls and the Secretary of State can control. That is exactly the significance of the word, regulate or control.

"And the idea of this section, as I understand it, Sir, is that there are three sets of officers who can deal under the provisions of the Government of India Act with public services, viz., first, the Secretary of State himself by making rules, second, either the local Government or the Government of India when such power is delegated to them by rules which they can make, and third, the Indian Legislature or the local Legislative Council by enacting laws to regulate public services, when such power is delegated to them. I may mention in passing, Mr. President, that the local Legislature as defined in the Government of India Act means the Governor and his Legislative Council. So the delegation is either to the Governor and his Legislative Council on the one side, or to the local Government on the other. I may also say that the rules of the Secretary of State should be made by a majority of the House at a meeting of the India Council. In an earlier version of Rule 3, the words: 'subject to the provisions hereinafter made' occur while they have been removed later. I wish just to say a word on that matter. It is well-known that a power given to an authority by a statute if it is once exercised, becomes exhausted. That is, section 96-B (2) gives the power to the Secretary of State either to make the rules regulating public services himself or delegate that power to one or more of the specified authorities. My submission to this House is that when the Secretary of State did delegate his power to regulate the subordinate services and the special posts to the local Government, the power had become exhausted and he cannot once again exercise the power of delegation without any limitation whatever. I mention it as one of the difficulties in dealing with this Bill. Moreover, Sir, it is only under this earlier delegation to the local Governments that they have made the series of rules some of which have been published and some not.

"Rule No. 5 under which this Bill is brought before this House was made by the Secretary of State on the 10th October 1928, and the wording of that rule makes it clear that the Secretary of State intends it as an amendment to the existing rules. The preamble to that rule says:

'In exercise of the powers conferred under section 96-B (2) of the Government of India Act, the Secretary of State hereby makes the following amendment in the Civil Services (Governors' Provinces) Delegation Rules'

"Therefore, this rule is not to be construed as if it were a new provision but it is to be treated as an amendment to the then existing rules which I suggest relate to the making of laws for the establishment and for determining the functions of a Commission to regulate the public services of the provinces. I may add that that is the only power the Secretary of State can delegate. So far as his power to delegate to the local Governments or the Government of India is concerned, the Government of India Act does not use the words 'regulating the public services'. It simply deals with the

6th August 1929]

[Mr. S. Satyamurti]

power to make rules. As regards the delegation of law-making power to the Indian or the local Legislatures, it is qualified in the Act itself by the words: 'to make laws for regulating the public services'; and in pursuance of that statutory provision the Secretary of State has made these rules for the establishment of a commission to regulate the public services of the province. This rule proceeds to say:

'Any such law shall be subject to the provisions of any rules made by the Secretary of State in Council under sub-section (2) of section 96-B or section 96-C of the Government of India Act.'

"Much play is sought to be made of the words that any such law shall be subject to such provisions; and it is contended that while the Statute provides that it shall be only to regulate public services, that power is sought to be restricted by the Secretary of State in the rules, by the words that that law shall be subject not only to the provisions contained in any rules made by him under the said sub-sections of the Government of India Act, but also subject to the rules made by the local Government in the exercise of their delegated power. My answer to that is twofold. First, in so far as that limitation by the Secretary of State in delegating the law-making power to this Legislature is concerned, however much he may limit it by that rule, he cannot restrict it to this extent so as to make it no regulating power at all. For example, take the question of the methods of recruitment, of pay and allowances, of pension or discipline. One or more of these matters this Commission ought to have some powers to regulate. If, on the contrary, this Commission is to have no control on any one of these matters, to authorize the Legislature to set up a Commission of this kind is a fraud on the power which has been given to the Secretary of State by the Parliamentary Act of 1919. To set up a Commission with no such powers of regulation and yet say that it is a Commission to regulate public services which alone the Parliamentary Act authorizes the Secretary of State to delegate to us is certainly a fraud on the statutory power of the Secretary of State.

"Now, Sir, my second argument is this. The rule says that any such law shall be subject to the provision of any rules made by the Secretary of State. I venture to submit, Mr. President, that those words can only refer to the rules made by the Secretary of State himself, and not to the rules made by this Government in exercise of the delegated power. The contention may be advanced that when the rule says that it ought to be subject to the provision of any rules made by the Secretary of State, it must be held to include the rules made by the local Government as well. I submit, Mr. President, that a restriction of this kind ought to be construed strictly, and in terms in which it is put down in the rule itself. This is after all a statutory rule. It has been laid on the table of both Houses of Parliament for two months and it has been made with the assent of a majority of members of the India Council. Further, if they wanted to prescribe that this should be subject not only to the provisions of the rules made by the Secretary of State but also to the provisions of the rules made by the local Government in the exercise of power which had already been conferred on them, they might have stated it specifically. And since they have not done so, I submit that we have no right to extend the scope of this restriction beyond its terms, and to say that this power to regulate public services is to be subject not only to the rules made by the Secretary of State but also to

[Mr. S. Satyamurti]

[6th August 1929]

the rules made by the local Government, either now or to be made hereafter. My contention therefore is that so far as this rule is concerned there is no such restriction."

The House then adjourned for lunch.

After lunch—2-30 p.m.

MR. S. SATYAMURTI:—"Sir, I was saying, when we adjourned for lunch, that rule 5 simply provides that the law which this Council may make shall be subject to the provisions of any rules made by the Secretary of State. And that does not mean that the law should be also subject to the detailed rules with regard to recruitment and similar matters made by the local Government, in the exercise of that power delegated to it. Moreover, Sir, that rule merely says that such law, that is, a law *regulating* the public services becomes void, if it is repugnant to any such provision in the rules. Now, Sir, the only such provision is that the power to make rules regulating the methods of recruitment of the provincial services, subordinate services and special posts is delegated to the local Governments. The local Legislature is also authorized to establish and determine the functions of a Commission to regulate the public services of the province. I should like to know, Sir, reading those two rules together, what is the repugnancy in enacting a law which gives to the Commission the power to regulate the public services. Repugnant means inconsistent with or contradictory to and I suggest, Sir, that the law establishing a Public Services Commission to regulate the public services is not by itself contradictory to or inconsistent with the rule made by the Secretary of State giving the power to make rules regulating the public services to the local Government, unless it is also argued, and the House accepts the argument, that all the rules which the Government have already made or may hereafter make should be held to override the powers of this Council to establish a Public Services Commission. Moreover, Sir, as I have said, the main point of the argument is that according to the terms of the section in the Government of India Act, section 96-B (2), and in the words of the rule itself, the only Commission which this House can establish by a law is a Commission to regulate public services.

"Now, Sir, if the House would turn to this Bill they will find that this Bill, except in the first paragraph of the preamble which is contradicted by the second paragraph thereof, does not even purport to regulate any matter regarding the public services. No doubt, the first part of the preamble repeats parrot-like the rules made by the Secretary of State. It says, 'Whereas the Secretary of State for India has made a rule authorizing the local Legislature, subject to certain conditions and restrictions, to make laws for the establishment and for determining the functions of a Commission to regulate the public services of the Presidency of Madras.' The second paragraph follows, 'and whereas it is necessary and expedient to establish a Commission for discharging the functions hereinafter specified in relation to the said services.' I should have expected, Sir, the draftsmen to have had the sense that the two paragraphs of the preamble at least ought to be consistent, each with the other, whatever the remaining clauses of the Bill may be. But one finds that while the first paragraph of the preamble starts with the ambitious object of establishing a Commission to regulate the public services, the second paragraph merely says, 'discharging the functions hereinafter

[6th August 1929]

[Mr. S. Satyamurti]

specified.' The question, then, Mr. President, is whether any or all of these functions amount to anything more than advisory functions or come anywhere near regulating any matter concerning the public services.

"Now, Sir, I skip over sections 1 to 7, because they have nothing to do with the functions of the Commission. Coming to section 8, Sir, the regulation which this Bill gives to the Commission is the right to advise the local Government on any question which the local Government may refer to it. The Bill says 'shall advise,' but when? Only if the Commission is asked to give the advice. And therefore even the right to give advice is not given to it, unless the Government choose to invoke the machinery of this Public Services Commission. And then, what happens to the advice is left alone. But I am sure the hon. the Revenue Member himself will claim that such is the position of the Government under the rules that the advice will share the fate of all advice which a person may or may not take, according to his inclinations. It is not provided there that the advice is obligatory, and I think the position of the Government is that the advice cannot be obligatory. But whether that position is sound or not, I submit that section 8, as it stands merely makes the Public Services Commission an advisory body, advisory on matters referred to it, whose advice may or may not be taken. That certainly is not regulating public services, whatever else it may or may not be.

"Then, Sir, there is section 9 which deals with recruitment by competitive examination to the public services. There again, Sir, the section says, 'where any competitive examination is to be held in India for the purpose of recruitment to any provincial or subordinate service or special post, the Commission shall advise the local Government, etc.' Of course, it is claimed by the Government that the right to determine for what post or services competitive examinations are to be held is to be vested in them, and decided by them. And after they have decided that, they will indulge in the luxury, if they want to do so, of consulting the Commission, and the Commission shall advise the local Government in the matter of the regulations prescribing the qualifications of candidates, conditions of admission and the syllabus of examination. Again, I ask, Sir, what becomes of the advice? Supposing the Commission prescribes certain qualifications, certain conditions of admission and certain syllabuses, is the Government going to accept it? No. Then again, going downwards in the Bill, the Commission shall 'announce the number of vacancies,' 'make all arrangements for the actual conduct of the examination,' arrange the candidates in a particular order and forward a list. Now supposing a list is forwarded, what happens? Is there a provision that the Government cannot go outside the list? The advice is taken, when the advice is wanted. It is accepted or rejected according as it suits the whims and caprices and the political exigencies of the Government. And the result therefore is, even according to section 9, the functions of this Commission are purely advisory. Section 10, Sir, deals with recruitment by selection. The position there is exactly the same as in section 9 and the list made by the Commission is by no means binding on the local Government. Then, Sir, we come to section 11, that is, with regard to promotions. Even then, it is a question of advice, and even the order of preference in which the candidates may be arranged by the Commission is not binding on the Government.

[Mr. S. Satyamurti]

[6th August 1929]

"But the climax is reached, Mr. President, when we come to section 12 which says, 'In the exercise of its functions under sections 9, 10 and 11 the Commission shall observe the rules, if any, made by the Local Government regarding the constitution of, or recruitment to, any provincial or subordinate service or special post . . .'. Now, Sir, pausing there, I would respectfully invite the House to read that section carefully and say whether I am not right in claiming that that section reduces this Commission to a ridiculous and expensive farce, because on all matters of recruitment and on all similar matters on which the Local Government may make rules, this Commission has got to carry out the orders of the Local Government.

"Then, I should like to know, Sir, why a Commission of this kind is wanted, if it is merely to interpret the rules made by the Government and to advise the Government. I think it would be very much less expensive and more consistent with the dignity of this House, were the Government to use the power that they already have under Devolution Rule 3 and have their own Board of Selection whose advice they may or may not accept. But I appeal as a Member of this House to my hon. Colleagues to consider whether they are placing themselves in a position of dignity and self-respect, when they are sought to be used as puppets by the Government for constituting a Commission which shall have no powers, and even in the exercise of its limited powers, can be cribbed, cabined and confined by the regulations and rules by the Local Government which may go on varying from time to time according as the political or communal complexion of this House changes year after year. I do venture to submit, Mr. President, and I am sure every Member of this House is convinced, that this section if passed will knock the bottom of the case for this Commission altogether.

"Then, we come to section 13 which deals with examinations for confirmation or promotion. Even then it is merely advice and the list arranged by Commission is not made binding on the Government. Then sections 15, 16 and 17 deal with appeals, memorials, records to be sent to the Commission on reference and so on. All these also are purely advisory in character, and the Government also reserves to itself the power to make rules for the purposes of this Act and not inconsistent therewith under section 19. Therefore, it comes to this, that the whole Bill is intended to provide three jobs for three supporters of the Government for the time being and to make their position absolutely strong. Secondly, these provisions are calculated to remove them altogether from the scope of the legitimate criticism of this House.

"I entirely agree, Mr. President, that so far as the salaries of the Chairman and the Members of this Commission are concerned they are to be made non-votable, because if any self-respecting officer is expected to function on this Commission, the post should, as far as possible, approximate to the position of the High Court Judges, who ought to be above political influence of one kind or another, if they are expected to give disinterested advice to the Government of the day, consistently with the claims of communal justice. There should be no place for ministerial or personal patronage which has become a habit of this Government for the last few years. Ministries have been clinging tenaciously to the offices, applying purposely the maxim that every man has his price. And I venture to submit that all of us who are interested in the purity and efficiency of public administration, will want a Commission, which will continue to work for the increasing happiness

[6th August 1929]

[Mr. S. Satyamurti]

and prosperity of this country, independent of the political inclinations and predilections of the Ministry for the time being in force, and which must put down with a firm hand this idea that is being followed that the public services are to be used as a means of rewarding party loyalty or punishing party disloyalty. I therefore suggest that, while the members of the Commission ought to be above all party prejudices, clauses 6 and 7 of the Bill are unnecessary. That is to say, the appointment and salary of the Commission ought to be made non-votable by making them statutory charges, taking advantage of the Government of India Act, that money ought to be provided by law and it shall be non-votable. But, Sir, while I agree that the members' salary ought not to be the sport of political majorities here, I think the work of this Commission ought to come under periodical review of this House, as the work of the High Court comes here, when we discuss the salaries of the establishment of the High Court Judges, as also of the Executive Council when we review the whole administration of this Government. I think it is right that sections 6 and 7 ought not to remain there.

"But, my point, Sir, is this; in so far as this Bill may claim to have any definite object, the only object is to create three posts and provide salaries for them. That is the real object of this Bill. There is no other power given there. There is no important function assigned to the Commission. It is merely creating three new offices. Now, Sir, I venture to suggest that so far as the public services are concerned, the only section under which this House may legislate is the rule delegating the power by the Secretary of State under section 96-B (2) of the Government of India Act. Because under section 80-A of the Government of India Act, 'the local legislature of any province has power, subject to the provisions of this Act, to make laws for the peace and good Government of the territories for the time being constituting that provinces.' That power, Sir, as hon. Members will notice, is 'subject to the provisions of this Act,' namely, the Government of India Act. The Government of India Act has provided, in a separate chapter, provisions with regard to the control of public services, and except in the exercise of that power, this House cannot deal with public services under the terms of section 80-A of the Government of India Act.

"Now, Sir, so far as these rules are concerned, I want to advance one more argument. If my contention is accepted by this House, then the House has no power to legislate. Assuming for a moment that the House has power, may I argue, from the point of view of political expediency, before this hon. House, that this Act was passed in 1919, and it was then contemplated to delegate these powers to this House for constituting a Commission? Ten years have elapsed since, and nothing has been done by the Government so far to establish a Commission. The whole constitution is now in the melting pot, and within a year from now, I expect, normal contingencies being excepted, there will be a revision of the constitution under which the Secretary of State's position as against the Local Government or the Government of India will completely change. I think at that time it will be far more useful and far more expedient to establish a Commission with a reformed House with full powers, rather than now rush this Bill through, and at the eleventh hour, knowing that these rules have now gone into the melting pot.

[Mr. S. Satyamurti]

[6th August 1929]

"Now, I ask the Government of Madras, what is their position in the matter? Do they want those rules or are they satisfied with the present position under which they have to carry out orders made by the Secretary of State, the Government of India or by any outside agency? Do they or do they not want full provincial autonomy, in the matter of recruitment and management of services? Does this House or does not this House want full control over this matter? If that is so, if we are for full provincial autonomy, is it nothing more than a paper demand? Then, what is the necessity for rushing this Bill through at this stage without waiting for those rules to be reconsidered, instead of undertaking this legislation under better and more definite conditions.

"That point will be proved when I read to the House the paragraph concerning the services in the Memorandum submitted by the Government of Madras to the Indian Statutory Commission. I am giving the opinion of the Madras Government, and at page 26 they say :

'Responsible self-government, if it implies anything, implies that the provinces must be free to recruit its own servants as and where it likes. There can be no imposing upon it a body of men recruited under regulations, from sources and on rates of pay prescribed by some outside authority.'

"Did the Government mean what they wrote, when they wrote this? If they did—my hon. Friend opposite (the hon. Dr. P. Subbarayan) is an authority in English—when the Madras Government said 'there can be no imposing upon it a body of men recruited under regulations prescribed by some outside authority', why in the name of commonsense do you want to rush this Bill, with an 'outside authority' over you, namely, the Secretary of State? Twelve months more, and you will have a new constitution. As I said, either the Government do not mean what they wrote, or they forget what they wrote. Why not wait till we come by our own and then establish this permanent Commission? Having waited ten years, why rush at the end of the tenth year? Then, Sir, there is one concluding paragraph which puts the case very strongly, which I want to read to the House:—

'Appointments to the Public Services and all service questions should be handed over to a Public Service Commission for disposal in each province under statutory rules made by the provincial Government' (not the Secretary of State!) 'The Madras Public Service Commission Bill, about to be presented to the local Legislative Council indicates the scope of this suggestion.'

"It is a carefully worded sentence; it does not express approval of the Bill, but it merely says that the Bill indicates the scope of the suggestion. Then follows one more interesting sentence:

'In the interests of the provinces even now and infinitely more so under the new conditions, the provincial Governments must be relieved from the responsibilities of exercising patronage in this direction.'

"Do the Madras Government mean what they say? Then, why do they want this Bill under which they want to have patronage in appointing the Chairman and in appointing the Commissioners, and to dictate to the Commission the various rules under which patronage should be distributed? Then, they say :

'Even now, the pressure by constituents on every member of the Legislative Council and still more on every Minister to use his position in the furtherance of this or that individual appointment is intolerable and mere election ought not to involve inevitably the subjection to this annoyance and the incurring of the hostility of most of the numerous band he cannot hope to gratify.'

6th August 1929]

[Mr. S. Satyamurti]

"I think this summarises in a very fair and in a very accurate form the feeling of every Member of this House that pressure by constituents for appointment of individuals is not to be tolerated.

"Now, Sir, before the ink with which they wrote that memorandum was dry, they want to rush this Bill to perpetuate the very evils which the Madras Government very rightly claimed should be eradicated from the administrative machinery of this province.

"Then, Sir, introducing this Bill, His Excellency the Governor, who was then the Leader of the House, claimed two objects as likely to be achieved by the passage of this Bill. He said, as the first object, 'In the first place, the rules that give the Local Government the power to regulate the method of recruitment say that the previous sanction of the Governor-General in Council should be required to making the first appointments to the provincial service otherwise than as a result of competitive examination or on the advice of a permanent Board of Selection appointed by the Local Government or of the Central Public Services Commission. Now, therefore, if the Local Government makes any statutory rules regarding the method of recruitment to any provincial service otherwise than by competitive examination, every appointment would require the sanction of the Governor-General in Council unless we set up a permanent Board of Selection on whose advice the Local Government should act.' If that is the object of the Bill, I want to join issue with the hon. the Revenue Member as he then was, when he claims by setting up this Public Services Commission, Government will have done away with the need for previous sanction of the Government of India for first appointments, if they happened to have a permanent Board of Selection. Because, Sir, I suggest that although the appointment to this Commission, in the last resort is in the hands of the Local Government, there are amendments on the order paper which want to vest this power of appointment in other authorities. Whether these amendments will be accepted or not, I cannot anticipate. But, Sir, I venture to suggest that a statutory body such as is contemplated by the provisions of this Bill cannot be said to be a permanent Board of Selection appointed by the Local Government, when there are restrictions placed on their powers of appointment, even in the very provisions of the Bill as they are. This House is also asked to agree to the various restrictions with regard to the nature of the appointment to be made.

"But, I have a more substantial objection, Sir. It is said the Bill is intended for the making of future appointments after consulting a permanent Board of Selection. I do not think, taking the words of the rule governing first appointments, in the context, it can be seriously contended that by purely setting up an advisory body whose advice may be sought or may not be sought, and whose advice, if given, may or may not be accepted, can take the place of a permanent Board of Selection. I suggest that, even assuming that it will take the place of a permanent Board of Selection, there is no need for passing this Bill for that purpose. Because, it is now open to this Government to consult the Public Services Commission with regard to first appointments they make, except those on the results of a competitive examination. This suggestion of mine is supported by high authority

"I desire to support my position by reading an extract from the report of the last Royal Commission on Public Services, namely, the Lee Commission,

[Mr. S. Satyamurti]

[6th August 1929]

who went into this matter very carefully. Sir, that Commission, in paragraph 26 of its report said :

'The Public Services Commission, as we contemplate it, will be an All-India body ; and, in so far as it may be invited by Local Governments to assist in dealing with problems of provincial administration, means must be provided to secure for it competent advice on provincial matters and to bring it into touch with local authorities. The requisite link might be found in the Chairmen of the Provincial Selection Boards, who, in our opinion, should be paid full-time officials appointed by the Governor in Council in consultation with the Public Services Commission. These Chairmen would not be members of the Commission, but would act as its advisers on all local matters.'

3 p.m.

"They go on to say, 'In respect of recruitment for central services, and if a Local Government should so desire, for provincial services, it should act as agent of the Secretary of State, the Government of India, or the Local Governments as the case may be'. I pause to suggest to this Government and this hon. House that for the present, until the rules are modified suitably, until we have full provincial autonomy, in respect of provincial services, we may well proceed by the method advocated by the Lee Commission and contemplated by the Secretary of State, when he appointed the Public Services Commission, namely, that this Local Government may take the advice of the Public Services Commission on all such matters, for a year or two years during which we may not be able to set up our own machinery.

"And the hon. the Revenue Member, as he then was, in his speech, also said 'It will not be for the Commission to lay down the conditions of recruitment. That is the duty of the Local Government and that duty it cannot delegate to any other authority if it is to function as Government at all'. I think, even in the United Kingdom, which is a pattern to us in all such matters, it is provided inter alia, that 'the qualifications of all persons proposed to be appointed, whether permanently or temporarily, in any situation or employment in any of His Majesty's civil establishments shall, before they are appointed, be approved by the Commissioners, and no person shall be so appointed until a certificate of his qualifications has been issued by the commissioners'. The Government have no power to appoint any unless he has obtained a certificate of his qualifications from the Civil Service Commissioners themselves.

"Then, Sir, in his well known book on Responsible Government in the Dominions, Keith summarises the law on the matter in the various Colonies and the Dominions.

"In Canada, the Board of Commissioners held office for 10 years . . . they can be removed only on an address from the two Houses. But these commissioners are so dependent that they can be removed by the Governor in Council. If the commissioners do not suit the whims of the treasury benches, and do something which does not suit the political exigencies of the time, they may be ordered home. To this body was given the right to make appointments by examination in lieu of the old system of nomination, from qualified persons, and to issue certificates for increased pay, promotions, etc.

"Then, with regard to Australia, 'In the Commonwealth of Australia' with better models than those of Canada to follow, the service was organized on a strictly non-political basis. The control was given to a Public

6th August 1929]

[Mr. S. Satyamurti]

Services Commissioner who could be removed only on addresses from both Houses of Parliament. In 1922, by Act No. 21, a Board of three, with a short, but renewable tenure of office, was substituted. The service was classified as administrative, clerical, professional and general, or, under the Act of 1922, in four divisions, and the principles are appointment by examination where possible, and promotion by merit and seniority, not by the latter alone, save in case of equal merit.

"So far as the Union of South Africa is concerned, 'the Public Service and Pensions Act, 1912, as amended by Act No. 39 of 1914 and now consolidated as No. 27 of 1923, provides for the control of the services under the Public Service Commission of three members who hold office for five years, but this body has wide powers as to appointments, promotions, enquiries into cases of misconduct, grading of the service ; and its consent is necessary for alterations of salary, new appointments, payment of gratuities, and other allowances ; it administers the leave and subsistence allowance regulations.

"In the Irish Free State, 'provision is made for the appointment by the Executive Council of a Board of Civil Service Commissioners three in number, holding office at the pleasure of the Council. The Board is required to enquire into the qualifications of every person proposed to be appointed to permanent employment. No person can be appointed without a certificate of qualification as regards knowledge and ability. All appointments are made by competitive examination subject to the exceptions set out in section 6.

"I submit that so far as the right to control these matters is concerned, it has been conceded, to various extents and in various manners to Public Services Commission in other countries. We can follow the models in other countries. Therefore it is wrong to suggest that the Government cannot delegate its power to the Commissioners.

"Then, Sir, I want to say one word about a question which is likely to come up again and again when we discuss a matter of this kind, viz., communal representation. I have no desire to discuss that matter now, because it is not strictly relevant to the provisions of this Bill. But I want to make my position perfectly clear. We believe that in this country, and especially in this province, it will be necessary for some time, until the political atmosphere improves radically, that we must do everything in our power to remove communal suspicions and we ought to train and educate all communities to work together for the common weal. The time is not yet. I am hoping, as every hon. Member hopes, that the time will come very soon. I want to see nothing done to prevent the coming of the time as soon as possible. But my point is this. By all means, have communal justice, but let that communal justice be determined and administered by a body of men whose existence does not depend on the continual satisfaction of the increasing claims of political parties ; let not that communal justice vary morning after morning, hour after hour, day after day, according as the complexions of the political parties, on whose support the Government must rely, are found to change. I am therefore pleading that if you want to have a commission, it must be a commission in whose capacity and impartiality and independence you will have confidence. I appeal to my hon. Friends on the Treasury Bench, remembering what they wrote on this question to the Statutory Commission, remembering the very lurid pictures which they drew

[Mr. S. Satyamurti]

[6th August 1929]

of the unfortunate plight of Members of Council and Ministers of this House, I ask them whether they do not agree that these questions of satisfying rival claims are decided in a judicial and satisfactory manner. Efficiency, character and ability must be the test. That is why I plead, when we do appoint this commission, it should be a commission having full powers to deal justice to all communities, satisfactorily. After all, this House has the ultimate control over this commission in voting its establishment. The House will have the right to discuss for itself and lay down the broad lines of policy. Once they have been laid down, there ought to be no room for backstairs influence. The Commission must be left to administer the matters entrusted to them to the best of their lights.

"Therefore, Mr. President, I submit to this House, that there is a great deal to be gained and nothing lost, by putting off the passing of this Bill for one year. The hon. the Revenue Member did not advance any argument this morning in introducing this Bill, as to why it has to be passed here and now. If the Government themselves will review their position and not stand by the position they have already taken, they will agree that this request to allow these rules to be replaced by better rules under a different system of control and by outside authority is fair and reasonable. I appeal to this House to support this motion for adjournment on these grounds. I am not at all sure, once this commission has been constituted, even the learned Advocate-General will find it very easy to interpret the perpetual questions that may be put to him as to what are matters which can be regulated by rules made, what are the matters which this law can regulate, and whether it is a permanent Board of selection or not. He will himself concede that these matters are not free from doubt. There is some inconsistency between one rule and another, although they have been made by the Secretary of State for India. It is human to err, and even Secretaries of State may err. As I said, in making rule 5 he forgot the existence of rule 3, or chose to ignore it. And the result is we have two sets of rules, delegating the same power to two bodies, one the local Government, and the other, the Commission. How is the rule to be worked, unless the commissioners are the sweet creatures willing to carry out the orders of the Government? As it is, the law is going to cast on them very difficult and delicate duties, and unless they are to be the glorified head clerks of the local Government, they cannot conscientiously carry out their responsibilities. That is my first reason. It may be said that it is better to have an unsatisfactory commission than no commission. I recognize a great deal may be said for that point of view. But these rules are going to be changed. Why perpetuate a commission under these admittedly unsatisfactory conditions? We have been without a commission for nine years. Why have a commission now whose whole position and functions will soon have to be changed? It does not achieve the object which the hon. the then Revenue Member had of taking the place of a permanent Board of selection.

2-15
p.m.

"The last point I want to make is that there is an election which is bound to come. I do not know when; but, unless the Government of India Act is amended, this Council cannot last beyond December 1930. This Council's normal term of life expires in December this year and, under the Government of India Act, its life can be extended for a year more only.

"I appeal to my friends who have got experience of parliamentary legislation, whether any decent political party introduces highly controversial and

[6th August 1929]

[Mr. S. Satyamurti]

important legislation at the fag-end of its term of office. No decent political party does so without consulting the electorate and getting a mandate from it and this has been reserved to the Madras Government. All canons of parliamentary practice and legislation are thrown to the winds when, without making this important piece of legislation an election issue, a controversial measure of this kind is attempted to be rushed through at the fag-end of the Council's life. I appeal to my friends to say whether they do not want to go to the country and tell the electorates--'Here is a first-class measure which we will pass if you return us to power.' For all these reasons, Mr. President, I suggest that the adjournment of the consideration of this question will not do any harm, but, on the other hand, will enable us to go before the country and get a mandate from the electorate on this matter.

"More than that, I appeal to the Government of Madras themselves--the authors of this measure--to see that their hands are free to take up this legislation when their hands are really free. If they are sincere in asking for full provincial autonomy, if they are sincere in this matter, then I say that they ought to agree to my motion for adjournment, so that a provincially autonomous Government having a provincially autonomous legislature may appoint its own public services commission and appoint its own servants consistently with the demand for communal justice.

"With these remarks, Mr. President, I move that this business be adjourned for a year."

* Mr. A. RANGANATHA MUDALIYAR :--"Mr. President, after the eloquent and exhaustive speech of the hon. Member for the University I do not think I have got much to say. But I must say that it is most unfair to this House to ask that this Bill be considered and passed now. I think nothing will be lost by accepting the motion of the hon. Member for the University. All that is now proposed to be done by the Bill can be done by an executive order and I do not think it proper for the Council to ratify or endorse a measure which the Executive Government wants and the country does not want and the Council cannot improve. I have very great pleasure in seconding the motion."

* Mr. F. E. JAMES :--"Mr. President, I congratulate Mr. Satyamurti on his very eloquent and interesting speech, but I cannot congratulate the seconder in the same way. Mr. Ranganatha Mudaliyar preferred to have an executive order for a measure of this kind. I ask whether he was really serious in what he said.

"Sir, I should like to say that the European group entirely supports the principles underlying the Bill. We have all along advocated the establishment of a public services commission and that within the rules the powers of this Commission should be extended to the fullest limit under the existing Act.

"Mr. Satyamurti's argument was mainly devoted to the support of his amendments which are on the order paper and not to reasons for the adjournment of the consideration of this Bill. His argument was for amending the provisions of this Bill.

"If the principle of the Bill is good what is the real reason underlying the motion for adjournment? What is the advantage to be gained by postponing it? According to Mr. Satyamurti, he expects the Simon Commission to report and a new constitution to be ready at the end of August. I congratulate him on his knowledge of these things. I myself have not such

[Mr. F. E. James]

[6th August 1929]

knowledge as to what is going to happen next year. Many things may happen. According to some Members, this country will declare independence on 1st January 1930. If Mr. Satyamurti's information is correct—and I gather he has been in communication with the Simon Commission direct (Laughter) if his information is correct, and if the Simon Commission reports and legislation is ready this time next year, does he expect that to be put into operation at once? He is an old parliamentary hand. Does he not know that it takes a long time to put into force any advance which may be contemplated by the Simon Commission? Does he not realize the tremendous issues at stake?

"Therefore, if this measure is adjourned for one year and is taken up next year, will not Mr. Satyamurti use the same arguments and ask again for postponement? A Bill of this kind is a necessity and I think the House would be well advised to deal with the measure at this sitting.

"Mr. Satyamurti, towards the last paragraph of his speech, referred to the next elections and said that no decent political party ever entered into any controversial measure in the last year of its tenure of office. I would ask him to remember those words. I hope to have occasion to confront him with the same argument when we meet under provincial autonomy. The programme of a party can only be carried into effect slowly. Again, any Government measure that is introduced in this House is a controversial measure; the Opposition make it so. Therefore that argument does not hold water. The real reason for this motion seems to be that Mr. Satyamurti hopes to go before the electorate and say that the late Ministry has done nothing and that the reserved half has done nothing. 'The country is crying out for a Public Service Commission. Has it been established? Send us to the Council and we will establish one on the right lines' (Hear, hear.) That would be a good election stunt. That is the reason why he opposes this motion. I appeal to the House to support the measure on its broad principles. The House should remember that some months ago it referred this Bill to a select committee. Is the House ashamed now that it did so? Has the House any special reason now to change its mind? I suggest that it should support the Bill and see that it is passed into law. I am quite prepared to admit (and my European Colleagues are with me in doing so) that the scope of the Public Service Commission is bound to be limited under the existing conditions both by the terms of the Government of India Act and by the terms of the regulations of the Secretary of State. To my mind, however, that is no reason why we should not set up the machinery. It will take some time to get into working order. When the change in the constitution takes place and, as we expect, more powers are delegated to the local Government, and the Government of India Act itself is amended, we can amend the Bill if necessary or promulgate new rules by which the powers of the Commission could be enlarged. Therefore, I suggest to this House that it would be acting in its own interests, acting in the interests of the Services, and acting in the interests of the country at large if it proceeds with this measure as early as possible."

* Mr. P. SIVA RAO :—"Mr. President, I have very great pleasure in supporting the motion of the hon. Member for the University. It is perfectly true that in his able and exhaustive speech, the hon. the Member for the University, dwelt mainly on the merits or demerits of the Bill and it is also

6th August 1929]

[Mr. P. Siva Rao]

perfectly true, as was pointed out by my hon. Friend Mr. James, that the reason for the adjournment was not lucidly and clearly put forward by the hon. Member.

"Now, Sir, the one reason that I give for the postponement of this measure is that the whole constitution is in the melting pot and it is simply astounding to my mind that the Government have, after a lapse of nine years and just on the eve of great constitutional changes, thought it necessary to introduce this measure now. I recognize the fact that we all desire to have a Public Services Commission constituted. We all desire that the power and patronage should be taken away from the hands of the executive Government and that it should not be entrusted in the hands of men who are influenced by political considerations. We all agree that the conferring of appointments should depend upon independent and judicial considerations with equal justice to all communities. As I said before, I do not want to transgress on the merits of the Bill. The question that is now agitating before the Simon Commission or the Statutory Commission, is how in the future, a Public Services Commission should be constituted. I am referring to the able memorandum submitted by the present Chairman of the Public Services Commission, Mr. Barker. In that memorandum he has protested against the formation of the Provincial Service Commissions. So, Sir, the question is now under the close consideration of the Statutory Commission whether we should have a congeries of Public Service Commissions separately for each province or whether we should have one Commission for the whole of India. That is a matter which is under close consideration and upon which the Statutory Commission will be called upon to give their opinion in a few months. The question as to what the powers of any such Commission should be and what relations should subsist between the Commission and the executive Government has to be decided by the Statutory Commission. In urging for an adjournment of this measure, the hon. Member for the University had in his mind that the report of the Statutory Commission would be ready in a few months and that it would define the powers and functions of the public services commission to be established in this country. In my opinion, it is a very potent reason for the adjournment, more especially when the whole constitution is being moulded and shaped. The other equally strong reason is this: that the Simon Committee of this Province has submitted that under the new dispensation the whole set of services including the I.C.S. and the I.P.S. or what are called the vital services working under the Local Government should be provincialized. I may also refer to the opinion of some of the other Provincial committees who have said that the I.C.S. service should continue to be recruited by the Secretary of State and that the other services alone should be provincialized. There has been acute differences of opinion on this matter and it has to be settled by an authoritative decision of Parliament, as to how the future Public Service Commissions should be constituted and how these services should be organized, in future, whether they should be provincialized, and if so whether all of them or only some of them, and if not all, which of them should continue to be recruited by the Secretary of State. So, pending a decision of the Parliament it is just and proper that we should stop our hands and suspend all legislation in regard to this matter till at least we have an authoritative decision upon it. These are the two reasons I give for the postponement of this measure and I vote for the proposition."

[6th August 1929]

* Rao Bahadur Sir A. P. PATRO :—“I am glad that the hon. Member who represents the Planters Constituency has exposed very clearly the fallacies underlying the arguments of the hon. Member for the University. The hon. Member for the University has given two reasons in support of his motion. In fact the hon. Member, Mr. James, said that the hon. Member for the University gave no valid reasons for the postponement of the consideration of this Bill and that the reasons which he adduced were those relating to the amendments of which he gave notice. One of the arguments put forward by the hon. Member for the University was that the Bill is *ultra vires*, that this Council should not take up the consideration of this matter because it is very doubtful whether a matter like this could be considered under the powers delegated under the rules. That I leave it to the hon. the Advocate-General to answer. Dealing with the functions of this Committee, the argument which he has put forward is that there is no necessity for this because the constitution of the Commission is such that it will be a creature of the executive Government, its functions are so limited that it is liable to be influenced by other considerations and that its functions are such that will have to be carried out completely under the guidance of the executive Government; therefore it is likely to abuse the power delegated to them. Even a superficial examination of these arguments will show that they cannot hold water. If it is conceded that the All-India Services Commission is working efficiently and satisfactorily in accordance with the rules framed by the Secretary of State for the working of a Commission, there could be no objection for the working of such a Commission in this Province. Another argument which he put forward was that the Commission would be purely an advisory body, and it would have no powers to enforce its decisions on the executive Government and so it is unnecessary. Sir, in this connexion I would ask the House to refer to the function of the All-India Services Commission. The functions assigned to that body will indicate that they are also purely advisory and that it is left to the Governor-General in Council to consult the Commission on any matter on which they think it necessary to consult that body. It is not obligatory on the Governor-General to consult the All-India Services Commission on every matter relating to recruitment of services. It is open to the Governor-General in Council to consult at any time on any matter on which he thinks it necessary and proper to do so. The Commission has to be purely advisory on any matter referred to them. The mode of recruitment to the services or the control of the services has to be in the hands of the Governor-General and not in the hands of the Commission. Therefore hon. Members will see that in this Bill the provisions are quite consistent with the powers vested in the All-India Services Commission and that the powers taken under this Bill are not derogatory from those powers.

“Sir, there are two ways by which recruitment is made to the services: one by competitive examination and the other by selection. The rules framed under that section 96-C of the Government of India Act and the provisions stated in the present Bill are almost identical, the rules that have been framed by the Secretary of State to guide the All-India Services Commission. You will find that the rules made under section 96-C of the Government of India Act run as follows: ‘That the Commission shall advise the Governor-General in Council on any question connected with the recruitment to All-India Services. With regard to competitive examination also whether any competitive examination is to be held in India for the purpose

6th August 1929]

[Sir A. P. Patro]

of recruitment the Commission shall advise the Governor-General in Council in regard to the regulations prescribed for qualifications and make arrangements for the actual conduct of the examination and. . . forward a list of candidates so arranged to the Governor-General.’ So, the appointment is to be made by the Governor-General in Council. All that the All-India Services Commission has got to do is they should conduct the examination, arrange the list of candidates and submit it to the Governor-General for the purpose of making appointments as he deems fit.

“Reference has been made to the Public Services Commission Acts obtaining throughout the Colonies and the United Kingdom in support of the motion. The hon. Member laid emphasis on this, viz., that a certificate from the Services Commission is absolutely necessary before appointments are made. Here, in this Bill also and in the rules made for the working of the All-India Services Commissions, provision is made for a certificate being given to the effect that a particular person is on the list selected by them. that he has been found to be eligible according to the qualifications prescribed under the rules. They will have to carry out the rules as framed by the Government and they issue a certificate that the persons on the list are duly qualified and that they are competent to hold the posts. The Provincial Government will make the appointments after the certificates are issued and hence there is absolutely no reason to doubt that anything like patronage is going to be exercised if this Bill is passed. All of us agree that the power of patronage should be taken away from the hands of the executive Government. How best that can be done is a matter that we ought to consider. One of the means by which patronage can be taken away or the abuse of the power can be minimised is to have a Commission and to have a certificate issued by that Commission. According to this Bill the Provincial Commission will issue that certificate. So there is no fear or no reason whatever that because the functions of this Commission are purely advisory it is not necessary at all.

“Then, Sir, the functions of the Commission are purely advisory and there is this rule that ‘The Governor-General shall have power to consider any appeal presented to him in accordance with the statutory rules and consult the Commission in regard to orders passed thereon.’—I am reading from the rules framed by the Secretary of State for the guidance of the All-India Services Commission. Hon. Members will see that these provisions have been framed in accordance with the rules framed by the Secretary of State for the guidance of the All-India Services Commission. So, there is no reason to suppose that the powers given to the Commission are illusory and that the local Government have abused the powers given to the Secretary of State.

“One other argument advanced by the hon. Member for the University was that the Commission should have full powers of recruitment and that if the rules were changed under the new constitution, powers of delegation were also likely to change. If and when that happened, it might be one year or two years or three years hence, we would have gained by that time sufficient experience and knowledge by the working of this Commission. We will have found out the defects and the difficulties of the working of this Commission and we should be in a better position to alter or modify the rules according to the conditions of that Act, if necessary.

[Sir A. P. Patro]

[6th August 1929]

"Now, Sir, there is a cry everywhere that patronage is exercised very unfairly. Are you satisfied with the rules made by the executive Government? What is the remedy? Do you really say that the powers given under this Bill to the Commission are too meagre and therefore we want a better Commission and let things go on as they are at present? That is an argument which will never be admitted to be sound.

"It has been asked what is the urgency of this Bill. I think it is too late to question that point. I think when the hon. Member introduced his Bill he gave cogent reasons for its introduction and the Bill was referred to the Select Committee. The two reasons which the hon. the then Home Member gave were, that the power of delegation to the Provincial Government was such that for the first appointment the local Government had to go to the Government of India for previous sanction. For every appointment to the Provincial Service, unless it be by competitive examination, the selection was made by a permanent Board. With a view to avoid this difficulty this Bill has been brought before this House.

3-45
P.M.

"In these circumstances, the reasons that are adduced for adjourning the consideration of this Bill are not at all acceptable. The main argument that the Commission will be a creature of the Executive Government is not at all sound. If you compare the rules made by the Government of India for the guidance of the All-India Services Commission and the rules contained in the Bill before the House you will agree that this motion should be defeated. There is no valid argument for postponing the consideration of this Bill."

Mr. J. A. SALDANHA:—"Mr. President, Sir, it seems to me that my hon. Friends, Mr. James and Sir Patro have given away their cases by their arguments and that they are supporting the very points raised by my hon. Friend, the Member for the University. The question is whether, under the provisions of this Bill or under the powers we have got, we can create an independent body and whether we can really remove the powers of patronage from the hands of the Government. I doubt very much and our doubts are very well founded. As I have pointed out in my minute of dissent, we create a body under a Bill passed by this House under the delegation rules made by the Government of India and under certain humiliating restrictions. We get the delegated authority from the Government of India and the Government of India get their authority from the Secretary of State. Can there be a more humiliating position than this? We want a Bill of the right kind. As my hon. Friend Mr. James pointed out, we cannot have a Bill of that kind at present. The rules are made by the Local Government. The Local Government places many restrictions on the powers of the Commission. A non-votable, or rather, an untouchable body from the budget point of view will be brought into existence. We cannot touch that body; there is no possibility of criticizing its actions. That body will not be an independent one. It will be an appendix of the Government or a branch of the Secretariat carrying on the behests of the Government. The Commissioners will be highly paid; even then, we cannot say that they will be above influences after all. We cannot get an independent body as the High Court. What is the use of having a highly paid body which cannot exercise any real powers at all? Therefore we have to put off this Bill; it is a most humiliating measure.

[6th August 1929]

[Mr. J. A. Saldanha]

We cannot create an independent body such as we have in New South Wales and other dominions. Only when we have changed conditions, the time will be mature for bringing forward a Bill for an independent commission. If this Bill is pressed we will go to the country and say what sort of Government we have at present and what sort of mock parliaments we have got. Therefore let us carry courage in our hands and see that this Bill is put off not only for one year but indefinitely until we have got better conditions."

* Mr. S. ARPUDASWAMI UDAYAR:—"Mr. President, Sir, I oppose the motion. I am at one with my hon. Friend representing the University in expressing the desire that this body ought to be independent, independent of the Ministry, independent of the Legislature and independent of the heads of departments. I go even further than my hon. Friend and say that it should be independent of all considerations of elections. It should not be a live issue at elections. It is quite possible to make it independent by seeing that it is appointed by the Secretary of State.

"Then, Sir, my hon. Friend has certain scruples with regard to the nature of the influence that may be brought to bear upon the deliberations and determinations of the Commission. It is said that this body is subject to rules made by the Government. I think we need not strain that point. What is actually meant is that the rules framed should not be contradictory or inconsistent. If we want the body to be independent and not amenable to any influence, certainly rules may be framed in such a manner as to make this body exercise its powers independently of all outside influences.

"My hon. Friend said that this body was only an advisory one. It is quite within the competence of this Legislature, when it passes the Bill, to stress and emphasize this point and move amendments to make this body advisory only in this sense, that the Government will be in a position not to mind the advice given by the Ministry, or given by the Legislature, or given by political parties but will use the advice of this body only. When this body is constituted by the Government, it is presumed that they will follow the advice given by this body.

"As regards the functions of this Commission, it lays down the syllabus, conducts examinations, draws up a list of candidates who are qualified to hold certain posts and arranges their names in a certain order; and this list is placed before His Excellency and surely, it is to be presumed that out of that list the appointments will be made. The powers which are enjoyed by similar commissions in other countries, as pointed out by the hon. Member for the University, will be enjoyed by this body also. Certainly, Sir, in framing these sections the framers are moved by the desire of having nothing very drastic. They try their best to see that, in case the Commission should go out of its way and do something extraordinary, there should be some power to say that they have gone too far. Therefore, to make these sections rather elastic, it may be that certain expressions have been used which have roused some suspicions in the mind of my lawyer friend.

"Again, Sir, what harm is there in having a legislation of this kind during the term of this Council? I know as a matter of fact that this Bill has been in the making for some years past. My hon. Friend said that everything is in the melting pot now. Very soon we shall be in a position to know what constitutional changes will be introduced into this

[Mr. S. Arpudaswami Udayar] [6th August 1929]

country after one year. My hon. Friend Mr. Siva Rao spoke of the provincialization of the services as one of the recommendations made by the Madras Simon Committee. We know the trend of the reforms or constitutional changes. My hon. the Friend, Member for the University, said that we were going to have or very near having provincial autonomy. Provincial autonomy means that the Provincial Government will have a freer hand in the determination of these questions, and my hon. Friend suggested the provincialization of the services. Not only is this the best time for having a measure of this kind; but it is a clear indication of the constitutional changes we are going to have. If some further changes are found indispensable and absolutely necessary, later on when a new Council sits here even according to these changes it will be time for that Council with the experience gained by it, to make certain necessary amendments and make the Bill more perfect. So I think the very arguments advanced by my hon. Friend, the Member for the University, are arguments that go to show that a Bill of this kind is very necessary and that nothing would be gained by adjourning it for one year; for, after one year suppose the elections take place; it will take another two years for this new Council to prepare and place on the anvil a satisfactory Bill. So, as a clear indication of what this Legislature wants, as a clear indication of what is in the mind of the electorate, I think it is supremely necessary and important that we should have a body which must not be subject to any kind of external influence, the influence of Government, the influence of the heads of departments, the influence of the ministry and the influence of the Legislature and the different political parties. Political parties may disappear, may be split and re-organized. So many changes may take place. After one year we do not know what further changes may take place. The country is fast moving. I do not see that the fears and apprehensions expressed by my hon. Friend are so very serious as to necessitate the adjournment of this Bill for one full year. On the contrary, the very reasons he has urged to have an independent body are reasons for proceeding with this Bill.

"One word more, Sir, and I have done. If Government have brought forward this measure, as he says at the fag-end of the term, it may be that Government have experienced great difficulty especially in the past two or three years in the matter of appointments and have therefore made up their mind to come to this legislature with this Bill, which will relieve them of this kind of nuisance in matters of appointments—if I can use that word, if it is parliamentary—and to relieve them of this responsibility in making appointments on consideration of qualifications, etc. For those reasons, Sir, I am in substantial agreement with the reasons advanced by my hon. Friend. I do not share his apprehensions and fears, and I am for this Bill."

* Mr. K. R. VENKATARAMA AYYAR :—"Sir, I rise to support the motion which the hon. Member for the University has made. Sir, there are two sets of objections to the House proceeding with this measure now. One set of objections is based on the fact that the present is not an opportune moment for the consideration of this measure. Another set of objections is in regard to the provisions which this House is asked to take up for consideration and enactment at the present time. For both these sets of objections, those who sit on this side of the House think that this Bill should not be proceeded with now. A new constitution is in the

6th August 1929] [Mr. K. R. Venkatarama Ayyar]

making. Under the new constitution which would very soon emerge, the position of the public services will radically differ from what it is now. That being so, the present is hardly the suitable time when we can take up such a Bill for consideration. The whole of the present Bill is cast in a mould radically incompatible with what the position of the services would be under any *Swaraj* Government. That being so, it is not possible, however much we may struggle with all our amendments in the course of the consideration of this Bill, to shape the Bill in such a way as to make it a fit enactment in the light of the experience of the working of which we may expect to find a satisfactory Services Commission which will be in a position to deal with the problem under the new constitution. Therefore, the argument that our attention must be focussed upon the amendments and not upon this adjournment motion is not sound. Of course, if you set up any Commission under the scheme at the present time, the main essence of which seems to be that it is the creature of the irresponsible executive Government of the day and can be got rid of in no time at the sweet will and pleasure of the irresponsible Executive Government, then such a Commission can, even during the short period of the two or three years during which it is contended that we should gather experience of its working, be no more than an absurd superfluity, if not a costly futility. Why do we want a Commission at all? It is not as if we are trying to ask for some legislation or other dealing in some manner or other with some kind of Public Service Commission. We want a real Public Service Commission for this Presidency which will be absolutely independent as in any modern system of Government, that is, absolutely independent of the Executive Government. That, it is impossible to have under this Bill, whatever may be the amendments that you may try to import into it. For these reasons, Sir, I think it is the duty of the House to avoid the cost of a Commission such as the one that can alone be set up at the present time under this Bill."

* SRIMAN BISWANATH DAS MAHASAYO :—"Mr. President, Sir, it may well seem strange to some hon. Members in this House that we who are out for a Public Service Commission to-day stand to oppose it and move that it be put off for one year. After deep deliberation, we have come to this conclusion to support the postponement of this measure for one year. Sir, to-day we stand by the principle that we enunciated before on the floor of this House, that we want a strong and independent Commission, a Commission which will have nothing to do with the executive Government, and will be in full charge of selecting candidates, and will have full power, as in the dominions and other free countries, to issue certificates of promotion to candidates that deserve such promotions. Such a Commission would have been welcomed by hon. Members of this House, and neither the Government nor the admirers of the Government would have found any cause for complaint or opposition from the members on this side of the House. Sir, my hon. Friend Sir Patro has cited the Central Public Services Commission Act and quoted precedents. Bad legislation is no precedent. We have here a different constitution from that of the Government of India and my hon. Friend, calling himself Chairman of the Parliamentary Committee, has himself given quite a different constitution for the provinces from that of the Government of India. It is therefore for him very late in the day to draw conclusions, comparisons and precedents in regard to the constitution of that Commission. I for myself do not find any

[Sriman Biswanath Das Mahasayo] [6th August 1929]

difference between the Staff Selection Board which we have now and the present constitution of the Services Commission. The Staff Selection Board is entirely a creature of the Executive Government. I have gone through the pages of the Public Services Commission Bill as it emerged from the Select Committee, and I have not been able to find anything in any of the clauses which go to show that the Services Commission will have an independent existence. It is to be appointed by the Governor in Council and all the acts to be done by it are mere recommendations. I think this is only opening the back door for the Executive Government in order to escape public criticism and to take shelter in the name of the Commission and do things a hundred times more mischievous than what they are doing at present. My hon. Friend to-day standing from his seat made serious charges against the distribution of patronage. Sir, we were iterating and reiterating from time to time in this House the abuse of patronage by Government. If to-day we oppose this Bill, it is because we find there is nothing in it to prevent the mischievous distribution of patronage which is being done from day to day in this province and so loudly complained of by Sir Patro.

"Sir, now coming to the Bill itself, the Commission is to be a creature of the Government. Even the All-India Services have got some sort of protection. The Government of India cannot touch them; but here is a Commission which is removable at will, at the sweet will and pleasure of the Governor in Council. The Governor in Council according to the Madras Government memorandum will hereafter mean the Ministry, and with six or seven Ministers which my hon. Friend Sir Patro has recommended, certainly the Governor will be shadowed. This Bill, if passed by the seal and sanction of the House will give more room for patronage, more room for undesirable persons to be appointed than what was being done by my hon. Friends, the Ministers, both present and past.

"Sir, my hon. Friend was quoting chapter and verse from the Act of the Central Government as if paragraph after paragraph has been taken from that Act to this Bill. I would appeal to him to say whether there is anything in that Act to show that the Government of India is given power to depute a person on their behalf to be present when the Public Services Commission interviews candidates. It is an unthinkable position. I do not know how the Select Committee tolerated this provision. This takes away the little respect that was attached to the Public Services Commission. If the Provincial Government which has got the authority to appoint persons sends its own man to be present at interview, while the Commission interviews the candidates, I do not think there can be any dignity for the Public Services Commission, not to speak of power.

"Then, Sir, I ask why again have the system of selection. For myself, I like that there should be communal justice, advocated by my friends both Brahmans and non-Brahmans in distributing these appointments. That being so, leave the recruitment to competitive examination on some well defined lines approved by this House. I do not know why there should be again a system of selection.

"Then, Sir, I come to clause 11 of the Bill. It is a very mischievous provision which proposes that the Commission will have the power to recommend persons for promotion to the higher services. Sir, this is again a very

6th August 1929] [Sriman Biswanath Das Mahasayo]

convenient back-door for the Executive Government and for the Ministers to see that undesirable people are promoted to the higher ranks of the services without the necessary ability, character and qualifications.

"Sir, there is another thing which is more mischievous than all the clauses put together, and that is, attempts have been made by the framers of this Bill to deprive the legislature of its financial control in regard to this body. Even in the case of the High Court, we have got the pay and allowances of the establishment budgeted, discussed and voted upon by this House, while all the expenses of the Commission is excluded from discussion by declaring them as non-votable by the Statute. I do not find why the pay of the Secretary of the Commission should be kept from the purview of this legislature, as also of the establishment. Where then is any chance for this House to discuss or pass any opinion over the work of the Commission? Quoting a parallel case, I say that this hon. House committed a blunder in the case of the Hindu Religious Endowments Bill. To-day we find that the Commissioners are quite safe with their appointments and that no hon. Member of this House can say one word about the work or otherwise of the Hindu Religious Endowments Board Commissioners. Similar will be the case with regard to this Public Services Commission. Speaking of voting money for the High Court, I do not think that at any time this House passed any remarks not justified by reason or truth while voting the demands for grants. That being so, I do not find any reason why the Executive Government should be so anxious to exclude all discussions by the legislature in this case."

4-15
p.m.

"The hon. the PRESIDENT:—"Order, order. The main point on which Mr. Satyamurti urged the adjournment of the consideration of this business was that great constitutional changes were impending and that all those provisions that dealt with the powers of the Public Services Commission might be a proper ground for examination, but the other provisions of the Bill are not to be examined in detail at this stage."

Sriman BISWANATH DAS MAHASAYO:—"Then, Sir, the operation of the Public Services Bill excludes the selection of offices now held by the All-India Services. As has been alluded to by some of my hon. Friends who are expected to be in the know of things of what the coming changes would be and what important questions are being discussed by people higher than ourselves, I think there is much scope for further consideration. From a view of these questions, I find nothing will be lost by this postponement of the Bill for one year. The Selection Board which is going on can continue for one or two years if necessary. And until we know where we are, it is not desirable to have an Act like this and to saddle this Presidency with a recurring expense of Rs. 1,20,000 a year. With these words, I heartily support the motion for adjournment."

"MR. G. HARISARVOTTAMA RAO:—"Mr. President, Sir, I was not surprised at the opposition to the motion made by my hon. Friend the Member for the University, but I was really surprised at the reasons advanced by one or two speakers in regard to their opposition. The Member for the Planters was anxious to make out that we on this side were urging for this adjournment out of motives of a political nature, and out of motives that arise on account of the expected elections, but I may tell him frankly and plainly that an unsatisfactory Act made on the floor of this House will

[Mr. G. Harisarvottama Rao] [6th August 1929]

certainly be a greater weapon in our hands to beat our opponents with than a motion of this nature for an adjournment of this business. He over-shot himself and felt that he was making a point when he slung in our face this political motive. I am sorry that he has counted too much upon the strength of his comrades. Apart from that, there was a very peculiar argument put forth by my hon. Friend the floor leader of the Justice Party. He told us that this measure was a necessity at present and it was a necessity not so much for the effect of the Bill upon the administration, but because he believed that we had to copy the Central Government. He quoted line after line from the Act that applies to the Central Government and he told us that we were to copy the same in this Bill also. As a matter of fact, I searched the whole literature on the subject that the Government had been able to put before us to find out what really the object of this measure was. I find in the original Bill in the Statement of Objects and Reasons a similar statement made by the then Member in charge. The statement was merely this, that the Government of India had a Public Services Commission and the Madras Government should also have it. I am afraid, Sir, that it is very fallacious to go on that basis. Neither this Government nor any another official body in this country has made a recommendation on behalf of the Central Government that it should either be liberalized or democratized, but every conceivable Government has made this recommendation that in the coming constitution Provincial Governments should be mostly democratic and that responsibility should be conceded to the local Governments. That is the song that is being sung from official platforms also to-day. How in the world my hon. Friend the floor leader of the Justice Party makes out that what applies to, what is considered and what is believed to continue to be, a bureaucratic institution, shall not apply equally to what is believed to be going to be a democratic institution completely I am not able to realize. I am sorry that the bureaucratic mentality is swaying the attitude in regard to this Bill. The supporters of this Bill, though they are thinking in terms of democracy, though they are speaking in terms of responsible Government, though they are speaking in terms of making appointments, recruitments and things of that sort free from the complications that arise out of democratic elections and democratic institutions, though they are speaking in terms of all these considerations and ideals, they are still swayed by the bureaucratic ideals of having advisory bodies to guide the bureaucracy. It is a very wrong attitude to take. I urge that the making of this law should be left to more democratic brains than ours. The bureaucrat is still a bureaucrat. The so-called democracy under the present constitution which runs offices and which shows patronage is yet bureaucratic, because it has not democratized itself sufficiently to understand the implications of a Public Services Commission. It is all very well to say that a Public Services Commission is necessary and it is all very well to taunt us on this side that there has been a great demand for the Public Services Commission and that we should not impede the progress of the Bill at this stage. We have not to cry for the moon. We have cried for something that would be really practical. We do not want a toy. We undertook to allow this Bill and we allowed it to go to the Select Committee, in the hope that after all we might have something reasonable to go upon and something which would be useful to work out. As reasonable men we demanded a Public Service Commission and we did do all that was necessary to give a chance to its being enacted. But, the Select

[6th August 1929] [Mr. G. Harisarvottama Rao]

Committee has come out in its true colours and the bureaucratic side has had its full sway upon the Select Committee and when we know what the fate of our amendments will be to this Bill and when we are apprised of the situation that has arisen, we must, while yielding that a Public Service Commission is an essential thing in democratic institutions and essential also in bureaucratic institutions, oppose the rushing of this measure at present.

"It has also been pointed out, Sir, that rules will be made. We have known the meaning of 'rules', the import of 'rules' under the benign British Government, which has always managed to relegate all essentials to rule-making authorities. The rule-making authorities are none except the executive Government that exists at the time. In a Public Service Commission what is attempted to be done is to prevent the executive. . ."

* The hon. the PRESIDENT:—"I am afraid, that reference to the rule-making power in the provisions of the Bill will not be in order on this motion."

MR. G. HARISARVOTTAMA RAO:—"I was merely referring to the argument that was advanced. Sir, it was also said that there would be a list of persons and the qualifications would be prescribed and the Government will have to choose from the list of persons recommended by the Public Services Commission. That is not a fact in this Bill. This Bill has got provisions to overrule even this minimum of safe-guard that the hon. Member was referring to. But, granting that this safeguard existed, it is not a safeguard in regard to individual appointments. Are not rules made, are not qualifications prescribed, are not list of persons made in the Staff Selection Board; and yet, where is the necessity for a thing like the Public Services Commission Bill that is intended to be forced down the throats of the Legislative Council to-day? I am appealing to the Members of this House to remember their responsibility to the coming generations. It is not right that we should proceed upon a fancied grievance against one party or another. I am sure that this adjournment motion has come in good for the country. I am sure that some of us, at any rate on this side, do not look upon it as a mere party question. I know that I am appealing vainly to my Friends in the other parties, but I do make this appeal because we are likely to proceed to a further evolution in the political advance of this country within a measureable distance of time and in view of the fact that democracy will be freer to make its own arrangements for the better control of its services. I am sure they will appreciate my point of view that this Bill should stand over till such time as will be necessary to enable us to see the bearings of a measure like this and as the new constitution is framed. I talk neither of Independence nor of Dominion Status on the floor of this House, but I speak of the coming measure of reform. We do not know what it will be, but it is conceded on all sides that it will be some progress on what it is to-day and that it will be more democratic than what it is to-day. It is being made to appear that a change will take place in that direction. How much it will be or what value we should attach to it is a question that ought to be determined later on, but in so far as that is the basis upon which we are proceeding, I feel that this body has no right to dictate a thing under which the newly constituted Government will act. We have already been troubled in other directions by rushing legislation of this kind. I am referring to the legislation that a previous Council prepared for us and bequeathed to us and under which we

[Mr. G. Harisarvottama Rao] [6th August 1929]

have suffered all these years. Let us not bequeath in a similar manner a legislation that will hamper the real development of democracy in this country, that will hamper the real development of responsible Government in this country and that will hamper the true interests of the country. I do not wish to detain you very much longer, but I will merely make an appeal and I ask of you to remember that our idiosyncracies apart, our parties apart, we owe a duty to the country and on the threshold of momentous changes, it is not right that we should discharge a duty knowingly to the detriment of the coming generation."

4-30
p.m.

* The hon. Mr. A. Y. G. CAMPBELL:—"Mr. President, Sir, I rise to oppose this motion. I do not wish to dwell very long upon the legal aspect with which my hon. Friend the Member of the University dealt at considerable length, for that is a matter for your decision, but I may mention that the Delegation rule 5 was passed after the draft Bill had been submitted to the Government of India, and we have no reason to suppose that it was considered by the Government of India to be ultra vires of the Legislative Council after that rule had been passed. I do not wish to deal with the various points mentioned by honourable members which should be more appropriately dealt with in connexion with the amendments which are proposed to the present Bill, but there are one or two points of principle, to which I may perhaps refer.

"I hardly think the hon. Member for the University was really serious in suggesting that the Government undertook this legislation in order to provide three jobs for three favourites of the Government for the time being. It would be a very clumsy way of effecting that object. We have had to go to the Secretary of State for a rule and we have had to take a great deal of trouble in connexion with this Bill. The same argument would apply to any Bill even after the expected reforms have been carried out and it would indeed apply to any Bill which will, or which might be expected to, lead to the creation of new posts.

It has been suggested that the Staff Selection Board satisfies all necessary conditions which this Commission will fulfil. That, Sir, is a position which I must traverse. The Staff Selection Board is a small body of busy officials and a few non-officials and they do indeed only touch the fringe of the problem with which the proposed Services Commission will have to deal. The Staff Selection Board can deal with only a very small number of selections for certain higher posts and for certain posts in the Madras City. But there is a very large number of posts for which they make no selection whatever at the present time nor could they undertake to do so without being made a full time body as it is proposed to make the Madras Services Commission. It is for that reason that we require to have a body of gentlemen who can devote their whole-time to the questions which will be referred to them.

"The main argument, for the postponement of this Bill is based on the hope that in a short time another constitution may be set up in India. I do not propose to follow the honourable members in their speculations as to what is going to happen in the future. I am no prophet; I have no means of knowing what will be the form of the next constitution, nor when it will come into force. But, Sir, I submit that the present constitution is admittedly transitory and has always been regarded as such. Although it is transitory,

6th August 1929] [Mr. A. Y. G. Campbell]

it is none the less our duty to carry on the functions of the Government until we are replaced by another form of Government. It would be very satisfactory to us to accept the argument that nothing more should be done now in the way of introducing new Bills or making any important changes in any way but that we should carry on merely what is now in existence and make no efforts to improve matters in any direction until the new reforms have been carried out. But, Sir, I do not think that we should be right in doing so. And there is another point, that this period of nine or ten years was meant to be a period of experiment, preparation and training during which we should gain experience and one of the matters in which we have found necessary to take action is this question of relieving the Government of having anything to do with selections for appointment to the services. And it is most desirable that this change should be made during this present transitory period. It is argued that if you make this law now it may require amendment at a later date. Well, Sir, it may or it may not. That is a matter for future consideration but there are very few laws which have been passed by this Council or any other legislative body which do not require amendment in course of time. I do not now suppose that this law will remain unaltered for ever. If amendment may be found necessary as the result of experience, that is no reason why we should not at once put this very necessary experiment into effect. It is based upon the rules and regulations constituting the functions of the Public Service Commission under the Government of India. We had the advantage of seeing that body in operation. There was every reason to hope that a similar commission here will be extremely beneficial and will relieve the services from any political influence. For this reason, Sir, I think that it is most desirable that this Bill should be passed at once so that we can gain experience from its working as well as have the advantage of being immediately relieved of any possibility of political influence in making selections for appointment to the services. The Ministers are in favour of this Bill, I believe, for similar reasons. And Sir Patro, an ex-Minister, has also spoken in favour of it from his own experience though another ex-Minister may hold the opposite view. So, Sir, I feel very strongly that we ought to deal with the Bill at once and carry it into law at the earliest possible moment."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I am sorry, Sir, to say that we have been so much disappointed by the way in which this adjournment motion has been opposed by friends on the other side. Briefly put, this is a matter on which our first fear is we are going to waste a large sum of money. It is admitted on all sides that the setting up of this commission will be a very costly business. We would nevertheless be quite willing to agree to this waste of money being considered ordinary expenditure if it satisfies any ordinary man of common sense that the expenditure is on something useful. We are told that the members of the Commission ought to be independent. What is the independence which is thought of? They are appointed by the Government and told: If you are good boys and obey us, you can be holding the appointment for ever. Practically it is a life appointment. No restriction is placed upon the tenure of these members except of course the old age limit of 60 years. Therefore as soon as a member is appointed, he is told by the Government: 'Good boy; be good and the result will be you will be enjoying the pleasures of the office for ever. If you at any time displease us, however, there is the cudgel, the sword over your head and we will dismiss you at once.' This dismissal is not a mere

[Mr. C. V. Venkataramana Ayyangar] [6th August 1929]

dismissal but has got additional disadvantages. For the dismissed man shall not get any appointment under Government. One of the sections says that that member of the Commission so dismissed shall never be given any appointment under Government. Therefore, the result is so serious, the punishment so great, that no man of ordinary common sense can be expected to be in the least degree independent. Supposing they are independent, supposing some of them in spite of the risks have the conscience to be independent, have they powers? That is the most important thing. This Bill says that this machinery set up at such a huge cost with all this paraphernalia may be idle for ever. They may draw the pay and still have no work. The Bill does not compel the Government to refer every matter to the Commission. They need not and will not, if they have reason to apprehend any difference of views on the part of the members. Even supposing for fear of public criticism, the Government go on consulting the Commission on any and every point, what is the result? My hon. Friend, Sir Patro, who is generally correct in his statements, made one incorrect statement to-day. He said that every man to be appointed to any service should be certified by the Commission. It is a mistake. He says, no, no. But I have studied the Bill very carefully and I have mentioned it in my minute of dissent that the Bill does not compel the Government to appoint any one recommended by the Commission. The Commission may recommend 20 people in order of merit but the Government are not bound to appoint any one of them. They can take one outside the list and I challenge anybody here to say 'no'. Therefore, Sir, we go through the process of the matters being referred to the Commission, we go through the process of the Commission holding examinations, having interviews and making recommendations and still the Bill will not compel the Government to make the appointments out of the persons recommended or certified by the Commission. If that is the object of paying this large sum of money on the Commission, I do say Sir, that it is absolutely unjustifiable. It is not only that but it is also unnecessary. It was asked, no doubt pertinently to some extent, what are we to do. For all these nine years, the Legislative Council Members and Ministers have been bombarded by their supporters, the voters, with requests for appointments. But does this particular Commission in any way solve the trouble. The hon. the Revenue Member referred to the Staff Selection Board. Does this Commission in any way differ from the Staff Selection Board excepting that it will be a very costly business. He said that at present the Staff Selection Board could not deal with all recruitments and nominations and all the questions referred to them. The Government are to blame for that. But once the Staff Selection Board makes the selection, there is no rule but an understanding that the Government should and are in practice selecting people out of the list recommended by the Board. Even that is not to be in the case of this Commission. The Staff Selection Board may function for a few more days with probably a few more additions. Is there anything to prevent the Government from enlarging the strength, and the scope of the Board? Have the Government found any difficulty in getting qualified people by means of the Staff Selection Board? Has there been any complaint that, so far as the Staff Selection Board is concerned, they have exercised their patronage on wrong lines? Why should we then change the Staff Selection Board into a Commission unnecessarily? Is the Commission to have greater powers, is it to be more useful or is it to be more independent? Nothing of the kind takes place. The only difference in the situation is, as I said, we

6th August 1929] [Mr. C. V. Venkataramana Ayyangar]

will have this costly machinery established. Probably as time goes on, it may be found necessary to add to the number of members on the Commission, the Government may well say that the Commission have so recommended and that they are to act upon it.

"Then, Sir, there is another alteration. They say that the Staff Selection Board is useless. Now, Sir, there is, as a matter of fact, the Indian Public Services Commission. Under the present rules governing that Commission, this Government can ask them to function in regard to this province. Sir, I want also to know what has been done by all the other provinces. May I know why this Government alone is asking for this legislation in this matter? I do not think any other province has got a similar Act as is now proposed to be enacted here. I am surprised that the hon. Member Mr. James representing to-day on this matter the European group should have opposed this motion. Probably second thoughts made him oppose this motion. But I understood him in his speech to say that there are very desirable amendments of which we have given notice which may be passed. I may tell him, Sir, and those who think with him that under the advice of the Advocate-General and probably on the objections raised by the other side, you may probably rule many of them as *ultra vires* and not allow them to be moved in view of the Delegation Rules. The Delegation Rules, as Mr. Satyamurti said, are inconsistent. If you look at the history of these rules you will find that rule 3 was made before this Council came into existence, and that rule 5 has been added afterwards. Probably this Government is anxious to get this power to establish this Commission, and they do not want the Government of India or the All-India Commission to make the initial appointments. They want to have some power in their hands by means of which they can avoid going before the Government of India. So they asked the Secretary of State in haste for this power and for this protection. And probably the Secretary of State relying on the advice of the man on the spot sanctioned this rule all of a sudden. I may explain that rule 5 would not ordinarily be sanctioned by any reasonable Secretary of State if he only took the matter into deep consideration. The only objection raised for the adjournment of this matter for one year is this. Mr. Satyamurti raised the question of adjournment on the important point of jurisdiction. In my minute of dissent I have referred to the other ground. We say that this Government may ask the present Secretary of State to go into the matter very carefully as regards the question of these rules and give us more powers on the lines of the amendments which are considered reasonable. And I would also request that no point of order may be raised by my hon. Friends there. One of my hon. Friends raised the point of order against these amendments in the Select Committee, these very reasonable amendments. I do not blame him. So, one object that will be gained by postponing the matter for one year is, it will enable the Government to go to the present Secretary of State and tell him that his predecessor was hasty in making these unnecessary and conflicting rules, and probably we may make this Bill itself more reasonable and this Commission independent. Therefore, Sir, we strongly support this motion and the Government and the House will not lose anything by postponing this measure and passing this motion, whereas they will not gain anything at all by opposing this motion."

The hon. the President:—"The question is that this business be adjourned for a year."

[6th August 1929]

The motion was declared lost. Mr. Harisarvottama Rao demanded a poll which was accordingly taken with the following result :—

Ayes.

- | | |
|------------------------------------|--|
| 1. Mr. P. C. Venkatapathi Raju. | 19. Mr. C. Ramasomayajulu. |
| 2. " K. Koti Reddi. | 20. " T. Adinarayana Chettiyar. |
| 3. " R. Srinivasa Ayyangar. | 21. " Ahmed Meeran Sahib. |
| 4. " Sami Venkatachalam Chetti. | 22. Sriman Biswarath Das Mahasayo. |
| 5. " S. Satyamurti. | 23. Mr. A. Kaleswara Rao. |
| 6. " C. V. Venkataramana Ayyangar. | 24. " K. Uppi Sahib. |
| 7. " J. A. Saldanha. | 25. " C. N. Muthuranga Mudaliyar. |
| 8. " G. Harisarvottama Rao. | 26. " K. V. Krishnaswami Nayakar. |
| 9. " Basheer Ahmed Sayeed. | 27. " C. Venkatarangam Nayudu. |
| 10. " C. S. Govindaraja Mudaliyar. | 28. " B. Venkataratnam. |
| 11. " Abdul Hameed Khan. | 29. " A. Ranganatha Mudaliyar. |
| 12. " L. K. Tulasiram. | 30. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 13. " K. V. R. Swami. | 31. Mr. Ramanath Goenka. |
| 14. " D. Narayana Raju. | 32. " R. Nagan Gowda. |
| 15. Dr. B. S. Mallayya. | 33. " K. R. Venkatarama Ayyar. |
| 16. Mr. K. R. Karant. | 34. " Chavadi K. Subrahmanya Pillai. |
| 17. " K. Madhavan Nayar. | 35. " P. Siru Rao. |
| 18. " A. Parasurama Rao. | |

Noes.

- | | |
|--|--|
| 1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 32. Mr. S. Subrahmanya Moopanar. |
| 2. " Sir Thomas Moir. | 33. " Daniel Thomas. |
| 3. " Diwan Bahadur M. Krishnan Nayar. | 34. " S. Venkiah. |
| 4. " Mr. A. Y. G. Campbell. | 35. Rao Sahib R. Srinivasan. |
| 5. " Dr. P. Subbarayan. | 36. Mr. C. E. Wood. |
| 6. " Mr. S. Muthiah Mudaliyar. | 37. " A. J. Leech. |
| 7. " M. R. Setaratnam Ayyar. | 38. " R. J. C. Robertson. |
| 8. Mr. Alladi Krishnaswami Ayyar. | 39. " H. F. P. Hearson. |
| 9. " Hilton Brown. | 40. " S. N. Dorai Raja. |
| 10. " H. A. Watson. | 41. " S. Arpudaswami Udayar. |
| 11. " A. G. Leach. | 42. " K. Ramachandra Padayachi. |
| 12. " J. Gray. | 43. " U. Ramaswami Ayyar. |
| 13. " B. V. Ramamurti. | 44. " C. Gopala Menon. |
| 14. " C. B. Cotterell. | 45. " B. Ramachandra Reddi. |
| 15. " M. A. Manikkavelu Nayakar. | 46. Rao Bahadur C. S. Ratnasabhapati Mudaliyar. |
| 16. " Syed Tajudin Sahib. | 47. " Sir A. P. Patro. |
| 17. " C. D. Appavu Chettiyar. | 48. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 18. " H. B. Ari Gowder. | 49. Mr. P. T. Rajan. |
| 19. " A. B. Shetty. | 50. " T. K. Chidambaramatha Mudaliyar. |
| 20. " J. A. Davis. | 51. Khan Bahadur S. K. Abdul Razack Sahib Bahadur. |
| 21. " R. Foulkes. | 52. Mr. Khadir Mohideen Sahib. |
| 22. " P. J. Gnanavaram Pillai. | 53. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 23. " Mahmud Sohamnad. | 54. Khan Sahib T. M. Moidoo Sahib Bahadur. |
| 24. " Muppil Nayar of Kavalappara. | 55. Rao Bahadur K. Sitarama Reddiyar. |
| 25. Subadar-Major S. A. Nanjappa Bahadur. | 56. " B. Muniswami Nayudu. |
| 26. Mr. T. M. Narayanaswami Pillai. | 57. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 27. " K. Krishnan. | 58. Zamindar of Mirzapuram. |
| 28. " N. Siva Raj. | 59. Mr. A. V. Bhanoji Rao. |
| 29. " M. V. Gangadhara Siva. | |
| 30. " V. I. Muniswami Pillai. | |
| 31. " W. P. A. Soundara Pandiya Nadar. | |

Neutral.

1. Zamindar of Feithur.

Ayes 35.**Noes 59.****Neutral 1.**

The motion was declared lost. The motion that the Bill as amended by the Select Committee be taken into consideration was then put and carried.

The Bill was then considered clause by clause.

[6th August 1929]

Clauses 1 and 2 were consecutively put, passed and added to the Bill.
Clause 8 was also put, passed and added to the Bill.

Clause 4.

MR. BASHEER AHMED SAYEED :—" Mr. President, Sir, I move that after the word 'appointed' the words 'for a period of five years' be added. In moving this amendment I wish to point out that in the clause in the Bill under consideration there is no period limited for the members of the Board. The clause says that they shall be appointed and may be removed by the Governor in Council, but the period for which they have to serve as such members, either as Chairman or as Members of the Commission is not fixed. It is necessary that there should be some period specified for which these appointments should be made. There is a later section in the Bill which says that no member shall be appointed after he is 60 years of age. When that rule exists I should prefer, Sir, that people of experience and age should be appointed and when they are appointed, they should know for what period they are to serve on the Commission. Besides, when once appointments are made, it is hardly possible or desirable that the persons so appointed should be sent out by the Governor in Council. But when occasions arise when some people should be relieved of their duty as members of the Commission, it becomes incumbent that they should be removed. But when there is no limit fixed for the time for which they would serve on the Commission, no one knows where things would lead to. So, it is thought essential that a period of five years should be fixed for the membership and also for the Chairmanship of the Commission. I therefore move this amendment."

MR. J. A. SALDANHA :—" Sir, I second this amendment, and for this reason. The members of the All-India Public Services Commission are appointed for a period of five years, and I do not see any reason why such a limit should not be fixed in this Bill also. Besides, it is desirable that the period for which these gentlemen are to serve should be fixed. It is desirable that not only people of 60 years of age but old fossils should not serve on it, and it is necessary that the period should be fixed for retirement. Therefore I second this motion."

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

XII**PAPERS LAID ON THE TABLE OF THE HOUSE.**

1. *Proceedings of the 9th and 10th meetings of the Finance Committee held on the 11th and 20th March 1929 respectively.*^a

2. *List of posts on Rs. 500 and above created during the quarter ending March 1929.*^b

3. *G.O. No. 271, Finance, dated 4th April 1929, communicating corrections in the first edition of the Civil Budget Estimates for 1929-30.*^a

4. *G.O. No. 620, Development, dated 4th April 1929, recording Audit Report of the Cinchona Department for the year 1927-28, and 30th June 1929.*^a

^a Printed separately.^b Printed as Appendix X on pages 133-135 infra.

[6th August 1929]

5. G.O. No. 706, Development, dated 15th April 1929, recording the Audit Report of the Government Industrial Institute, Madura, for the year ending 31st March 1928.^o

6. G.O. No. 799, Development, dated 3rd May 1929, recording the Audit Report for 1927-28 on the Agricultural College Diary.^o

7. G.O. No. 806, Development, dated 6th May 1929, recording the Audit Report of the Chenai Nair Forests for 1927-28.^o

8. G.O. No. 850, Development, dated 14th May 1929, recording the Audit Report of the Government Industrial Institute, Madura, for the quarter ending 30th June 1928.^o

9. G.O. No. 853, Development, dated 14th May 1929, recording the Audit Report on the Government Industrial Institute (Ink Factory), for the half-year ending 30th September 1928.^o

10. G.O. No. 856, Development, dated 14th May 1929, recording the Audit Report of the Kerala Soap Institute, Calicut, for the quarter ending 30th June 1928.^o

11. G.O. No. 990 I., Public Works and Labour Department, dated 22nd March 1929, publishing the Special Executive Engineer's Report on the Second Crop Irrigation in the Godavari Western Delta.^o

12. G.O. No. 991, Development, dated 10th June 1929, recording the Audit Report of the Government Industrial Institute, Madura, for the quarter ending 30th September 1928.^o

13. G.O. No. 993, Development, dated 10th June 1929, recording the Audit Report of the Government Industrial Institute, Madura, for the quarter ending 31st December 1928.^o

14. G.O. No. 996, Development, dated 10th June 1929, recording the Audit Report of the Industrial Engineering Workshop, Madras, for the quarter ending 30th June 1928.^o

15. G.O. No. 1776, L. & M., dated 16th April 1929, reviewing the Annual Consolidated Report on the Accounts of Local Bodies for 1927-28.^o

16. G.O. No. 1788-I., Public Works and Labour Department, dated 15th June 1929, communicating the sanction of the Secretary of State to the revised estimate for the Cauvery-Mettur Project.^a

17. Memorandum No. 21232-1/B-1, L. & M., dated 12th June 1929, issuing errata to G.O. No. 1776, L. & M., dated 6th April 1929.^o

18. Notification regarding the supersession of the Anakapalle Municipality for two years.^o

19. Reports of the Special Officer on the Survey of Cottage Industries in the districts of Salem, Guntur, Coimbatore, Ganjam, East Godavari, Chingleput, Tanjore, South Arcot, Visagapatam, Nellore, Kistna, West Godavari and Chittoor.^o

20. Report of the Special Officer on the Survey of Cottage Industries in the district of North Arcot.^o

^o Printed separately.

^a Printed as Appendix XI on page 135 infra.

^o Printed as Appendix XII on page 136 infra.

[6th August 1929]

21. Report of the Special Officer on the Survey of Cottage Industries in the Madras Presidency.[†]

22. Statement of resolutions passed by the Madras Legislative Council during the third session of the third Legislative Council, 1928-29, and the action taken thereon by the Government.[‡]

23. Copy of the report showing the income from and the expenditure on the fish ponds at Sunkesula and Praem (vide answer to question No. 1413 answered on 25th February 1929).^h

24. Copy of the report of the Honorary Organizer of Panchayats on the alleged irregularities in the Nagandur Village Panchayat and the Proceedings of the Registrar-General of Panchayats thereon (vide answer to supplementary question to question No. 1322 answered on 1st February 1929).ⁱ

25. Copy of the report regarding the alleged ill-treatment of persons connected with the Koilpatti sedition case (vide answer to the supplementary question to question No. 1829 answered on 23rd March 1929).^j

26. Copy of the statement showing the number of cotton spinning mills working in the Madras Presidency (vide answer to supplementary questions to question No. 1840 answered on 23rd March 1929).^k

27. Copy of the report regarding the work done by the water diviner in Bellary (vide answer to supplementary question to question No. 1519 answered on 28th February 1929).^l

28. Copy of the report regarding the work done by weaving parties during 1927-28 (vide answer to supplementary question to question No. 1853 answered on 25th March 1929).^m

29. Copy of the report regarding the traffic on the Narasapur-Razole ferry, West Godavari district (vide answer to question No. 1627 answered on 2nd March 1929).ⁿ

30. Copy of the reports regarding the rise in the price of firewood in the Madras City due to the closure of the Buckingham Canal (vide answer to question No. 1751 answered on 15th March 1929).^o

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

[†] Printed separately.

[‡] Printed as Appendix XIII on pages 136-137 infra.

^h Printed as Appendix XIV on pages 137-138 infra.

ⁱ Printed as Appendix XV on pages 139-140 infra.

^j Printed as Appendix XVI on page 141 infra.

^k Printed as Appendix XVII on page 142 infra.

^l Printed as Appendix XVIII on page 143 infra.

^m Printed as Appendix XIX on page 144 infra.

ⁿ Printed as Appendix XX on page 144 infra.

^o Printed as Appendix XXI on pages 145-146 infra.

[6th August 1929]

APPENDIX I.

[Vide answer to question No. 4 asked by Mr. K. V. R. Swami at the meeting of the Legislative Council held on the 6th August 1929, page 15 supra.]

Government factories.

Army clothing ...	1
Engineering, general ...	5
Dockyards ...	4
Forge Press ...	1
Ordnance Factories ...	2
Printing Presses ...	5
Saw Mills ...	4
Miscellaneous ...	5
	27

Local fund factories.

Electrical Engineering ...	1
Engineering, general ...	1
Water pumping stations ...	3
	5

Factories owned by private persons.

Textiles—	
Cotton spinning and weaving and other factories ...	21
Hosiery ...	5
Jute Mills ...	4
Silk ...	2
Miscellaneous ...	2
Engineering—	
Coach building and motor repairing ...	14
Electrical engineering ...	2
Electrical generating and transforming stations ...	2
General engineering ...	15
Kerosene tinning and packing ...	8
Railway workshops ...	20
Tramway workshops ...	1
Miscellaneous ...	1
Minerals and metals—	
Foundries ...	8
Miscellaneous ...	7

Food, drink and tobacco—

Bakeries, biscuit and confectionery ...	2
Breweries and distilleries ...	8
Coffee ...	15
Tea and aerated waters ...	5
Rice Mills ...	462
Sugar ...	8
Tea ...	60
Tobacco ...	4
Miscellaneous (groundnut decorticating) ...	148

Chemical dyes, etc.—

Bones and manures ...	5
Chemicals ...	1
Gas works ...	1
Oil Mills ...	20
Miscellaneous ...	2

Paper and Printing—

Printing, book-binding, etc.	52
Miscellaneous ...	...

Process relating to wood, stone and glass—

Brick and tiles ...	52
Saw Mills ...	6
Carpentry and cabinet making ...	3
Miscellaneous ...	4

Process connected with skins and hides—

Leather and shoes ...	5
Tanneries ...	6
Miscellaneous ...	...

Gins and Presses—

Cotton ginning and baling.	363
Jute presses ...	3
Miscellaneous ...	3

Miscellaneous—

Laundries ...	1
Rope works ...	6
Miscellaneous ...	5

Total ... 1,398

APPENDIX II.

[Vide answer to question No. 5 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 6th August 1929, page 16 supra.]

Statement showing the number of motor vehicles and the number of accidents, etc., in the City of Madras and in each district in 1928.

District.	Number of accidents.				The main causes of these accidents in the order of their frequency.	
	(1) Motor-cars.	(2) Motor-buses in Madras City and in each district of the Presidency at the end of 1928.	(3) Motor-buses in each district of the Presidency at the end of 1928.	(4) Motor-cars plying for hire in Madras City and in each district of this Presidency at the end of 1928.	(5) Number of motor-cars in Madras City and in each district of this Presidency at the end of 1928.	(f)
Ganjam ..	7	8	50	120	180	Negligence on the part of drivers. Driver's lack of nerve, presence of mind, and power to decide and act quickly in emergencies. Negligent driving, excessive speed and carelessness of pedestrians. Rash driving and carelessness of pedestrians. Incompetence and lack of judgment on the part of drivers. Congenital folly of the average pedestrian, bullock cart-man's inveterate determination to delegate the choice of line to his bulls leaving him free to sleep, and bad roads.
Vizagapatam ..	1	4	95	19	520	
Godavari, West ..	7	Nil.	28	65	167	
Godavari, East ..	2	14	227	33	145	
Kistna ..	12	14	131	60	148	

Statement showing the number of motor vehicles and the number of accidents, etc., in the City of Madras and in each district of the Presidency in 1928—*cont.*

District.	Number of motor-cars in Madras City and in each district of this Presidency at the end of 1928.		Number of motor-cars plying for hire in Madras City and in each district of this Presidency at the end of 1928.		Number of motor-buses plying for hire in Madras City and in each district of this Presidency at the end of 1928.		Number of accidents.		Number of persons who have received injuries and of those whose lives were lost as a result of motor-car and bus accidents in Madras City and in each district of the Madras Presidency in 1928.		The main causes of these accidents in the order of their frequency.
	(a)	(b)	(c)	(d) 1 Cars.	(d) 2 Buses.	(e) 1 Injured.	(e) 2 Killed.	(f)			
Guntur	150	17	62	4	11	30	3	The accidents are mainly due to ignorant people running across roads and also rash driving. Two accidents due to rash driving and five are pure accidents. Rash driving and carelessness on the part of pedestrians. Rash driving and accidental. Pedestrians crossing at the last moment, passenger jumping from bus in motion, and rash driving. Rash or negligent driving of one kind and drivers losing their heads. Rash or negligent driving and negligence of victims. Rash and negligent driving. Rash driving and negligence of pedestrians. Rash driving and negligent driving and carelessness of victims.	(f)		
Nellore	35	Nil.	113	6	1	7	3				
Cuddayah	47	28	80	1	9	13	3				
Anantapur	29	6	55	1	5	6	2				
Bellary	101	10	141	6	8	19	2				
Kurnool	47	16	80	1	1	6	1				
Madras	3,112	130	525	* 269	19	† 26	9				
Chingleput	243	Nil.	211	11	4	43	3				
Chittoor	60	3	137	Nil.	30	36	2				
North Arcot	135	23	272	11	5	30	1				
South Arcot	105	28	97	5		9					

* Separate figures for bus and car accidents not available.
† Separate figures not available for accidents attended with injury to person and loss of life.

[6th August 1929]

Statement showing the number of motor vehicles and the number of accidents, etc., in the City of Madras and in each district of the Presidency in 1928—*cont.*

District.	Number of motor-cars in Madras City and in each district of this Presidency at the end of 1928.			Number of motor-cars plying for hire in Madras City and in each district of this Presidency at the end of 1928.			Number of motor-buses plying for hire in Madras City and in each district of this Presidency at the end of 1928.			Number of accidents.		Number of persons who have received injuries and of those whose lives were lost as a result of motor-car and bus accidents in Madras City and in each district of the Madras Presidency in 1928.		The main causes of these accidents in the order of their frequency.
	(a)	(b)	(c)	(1) Motor-cars.	(2) Motor-buses in Madras City and in each district of the Presidency attended with injuries to persons and loss of life in 1928.	(d) 1	(d) 2	(e) 1	(e) 2					
Tanjore	578	69	197	41	9	Information available.	not available.							Rash driving and carelessness of pedestrians. Pedestrians' ignorance of the rules of the road and rash driving. Rash and negligent driving and negligence on the part of the pedestrians. Negligent and rash driving. Negligence on the part of the pedestrians. Rash and negligent driving, negligence of the victims and defects in motor vehicles. Fast and reckless driving, narrow roads and short corners on ghats roads and negligence on the part of the pedestrians. Carelessness and rash driving of the drivers and the contributory negligence on the part of the injured. Rash driving and accidents. Rash driving, mechanical defects of cars, carelessness of pedestrians, vagaries of bullock and their drivers, and bad roads. Rash and negligent driving.
Trichinopoly	138	46	116	11	9	24	7							
Madura	341	30	400	7	50	54	26							
Ramanad	1,167	105	358	8	19	70	9							
Tinnevely	400	27	286	1	27	Nil	10							
Coimbatore	1,162	55	355	12	40	79	10							
Nilgiris, The	1,420	43	32	3	3	13	2							
Chalem	144	45	224	7	12	14	13							
Kanara, South	188	55	148	14	15	37	10							
Malabar	982	80	420	No information.		No information.								
Mettur	15	2	9	1	1	2	Nil.							

* Separate figures for bus and car accidents not available.

[6th August 1929]

[6th August 1929]

APPENDIX III.

[Vide answer to question No. 11 asked by Mr. T. Adinarayana Chettiyar at the meeting of the Legislative Council held on the 6th August 1929, page 20 supra.]

1869 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Law Member be pleased to state—

(a) whether the ryots of Palur, Rasapoliyam, Pudur, Rangapuram and other villages in Vellore taluk, North Arcot district, petitioned on 7th August 1928, the authorities for permission to graze their cattle in the Senenkuppam Settikinar reserved forest and also to erect a 'patti' to pen their cattle during nights;

(b) whether permission was accorded by the Forest Ranger, Odugathur, on 11th February 1929;

(c) whether the above ranger on 12th February 1929 asked the village munsif to have it tom-tomed in the village that the ryots should not take their cattle to the reserve in mamul way, crossing Pallor, Ammata Kuttai Sarhath;

(d) whether on one occasion the forest guard beat the ryots and closed the path to the reserved forest; and

(e) whether the Government are aware that the ryots suffer much for want of grazing facilities for their cattle in this hot weather?

A.—(a) Yes, the ryots applied for permission to pen their cattle near Chettikinar and the petition was received in the Range office, Odugathur, on 7th September 1928. The range officer submitted the petition to the District Forest Officer, Vellore, with his remarks on 10th September 1928 and orders for the issue of licences were issued to the range officer on 30th November 1928.

(b) Yes, the range officer issued the licences on 11th February 1929. The ryots did not come for them till then though they knew that licences were obtainable.

(c) Yes, when the licences were granted, certain conditions were required of the ryots and one of these conditions was that they should not take their cattle along the footpath under reference which traverses worked coupe V of Agaram fuel felling series and which is neither a customary path nor a right of way. The conditions were all reduced to writing and the signatures of the permit-holders were obtained on them and for greater publicity they were proclaimed by beat of tom-tom.

(d) The hon. Member is requested to give information as to the name of the forest guard and a fuller description of the path.

(e) The Government understand that in the hot weather the cattle do not as a rule go to the hills on account of water scarcity but graze in harvested fields.

[6th August 1929]

APPENDIX IV. 129-47511

[Vide answer to question No. 12 asked by Sriraman Biswanath Das Mahasaya at the meeting of the Legislative Council held on the 6th August 1929, page 21 supra.]

District.	Name of estate.	Date.	At whose instance.
North Arcot ..	*1. Kangundi	8th October 1884 ..	At the request of the Court of Wards.
	2. Arni	22nd August 1904 ..	Do.
	3. Thimmajiamma's estate.	4th May 1912 ..	Do.
Trichinopoly ..	4. Marungapuri estate.	20th January 1891 ..	Do.
	*5. Kadavoor	20th October 1911 ..	Do.
	6. Agrahara Valavandi mita.	24th July 1913 ..	At the request of the proprietor.
Vizagapatnam ..	7. Jeypore	17th June 1891 ..	At the request of the Court of Wards.
	8. Vizianagram	15th February 1896.	At the request of the proprietor.
	9. Salur	8th June 1912 ..	Do.
Madura ..	10. Kuruppam	2nd June 1914 ..	Do.
	11. Madgole	23rd September 1915.	At the request of the Court of Wards.
	12. Bobbili	24th January 1924 ..	At the request of the proprietor.
Tinnevely ..	13. Bissumcuttack ..	11th October 1926 ..	Do.
	14. Saptur	26th January 1893 ..	At the request of the Court of Wards.
	15. Yelumalai	9th February 1920 ..	At the request of the proprietor.
Ganjam ..	16. Sivagiri	4th January 1902 ..	At the request of the Court of Wards.
	17. Chokkampatti mita.	6th March 1912 ..	At the request of the proprietor.
	18. Parlakimedi	23rd October 1908 ..	At the request of the Court of Wards.
Tanjore ..	19. Jalandra	16th June 1911 ..	At the request of the proprietor.
	20. Kallikota and Attagada.	12th October 1912 ..	At the request of the Court of Wards.
	21. Dharakota	18th November 1924.	The Raja of Dharakota.
Kistna ..	22. Chatram Forests ..	11th October 1909 ..	The Manager of the chatram villages.
	23. Vuyyuru	21st October 1910 ..	At the request of the Court of Wards.
	24. South Valluru ..	14th October 1912 ..	Do.
Nellore ..	25. Mirzapuram	30th September 1913.	Do.
	26. Chundi	20th May 1911 ..	Do.
	27. Punganur	20th December 1913.	At the request of the proprietor.
Ramnad ..	28. Settur	3rd November 1914 ..	Do.
	29. Sivaganga	26th January 1922 ..	At the request of the Court of Wards.
	30. Shulagiri	6th March 1924 ..	Do.
Salem ..	31. Berikai	26th September 1924.	Do.

* Since cancelled



[6th August 1929]

APPENDIX V.

[Vide answer to question No. 18 asked by Mr. K. R. Karant at the meeting of the Legislative Council held on the 6th August 1929, page 27 supra.]

Rates to be adopted in valuing trees on darkhast lands.

- I. Fruit trees.
- II. Bamboos and rattans.
- III. Sandalwood, cinnamon and catechu trees.
- IV. Other reserved and classified trees.
- V. Scrub jungle (exclusive of III).

I. For fruit trees such as mango, tamarind, wild apple, custard apple, cashew, guava, wild gooseberry, gallnut and soapnut—

Girth in feet at 4 feet from the ground.

	Rate.
	RS. A.
Less than 1 foot	0 4
From 1 to 2 feet	1 0
„ 2 to 3 „	1 8
„ 3 to 4 „	2 0
„ 4 to 5 „	2 8
Above 5 feet	3 0

A cart-load is to be calculated at 15 cubic feet.

II. For bamboos and rattans—

Number. Head-load rate.

	A.	P.
Large bamboos 5	1	0 ⁴
Small do. 10	1	0
Rattans	2	0

NOTE.—The number of culms should be counted and converted into head-loads, 200 small bamboos or 100 large bamboos equal to a cart-load.

III. For sandalwood, cinnamon and catechu trees—

For sandalwood trees.

Trees under 6" in girth	Free.
„ from 6" to 9" in girth	Rs. 1 each.
„ from 10" to 18"	Rs. 4 „
„ from 19" to 24"	„ 10 „
„ from 24" in girth	„ 20 „

NOTE.—Sandalwood trees are to be measured 1 foot above the ground.

For catechu (Acacia catechu) trees.

Under 6" in girth	Free.
From 6" to 12"	Rs. 1
„ 13" to 18"	Rs. 2
19" and above 19" in girth	„ 3

6th August 1929]

For cinnamon (Cinnamomum Zeylanicum) trees.

	RS. A.
From 6" to 12"	1 0
„ 13" to 24"	2 0
Over 24"	3 0

IV. For all other reserved and classified trees except those under 6 inches in girth which would be considered as firewood the rules of valuation and rates to be adopted are as follows:—

Every reserved or classified tree will have to be measured and the cubical contents of the timber found out by the application of the following formula:—

$$\left(\frac{\text{Girth}}{4}\right)^2 \times \text{Length} = \text{Cubical contents.}$$

Girth = Girth of a tree taken 4 feet above the ground in inches.

Length = Length of a tree in feet.

Length of a tree in feet is to be taken as high as a decent marketable timber piece could be obtained, no matter whether there is a small branch somewhere below. Having thus obtained the cubical contents of the tree, its value is to be calculated at the rate given in the statement below after ascertaining with reference to Appendix B the group of the village wherein the tree is

Examples.—(1) Wanted the value of a kiralbogi tree in Todar village measuring 60 inches in girth, its length of bole is 36 feet (though there is a small branch at 28 feet high)—

Cubical contents of a tree—

$$\left(\frac{60}{4}\right)^2 \times 36 = 56.25 \text{ c.ft.}$$

Todar village as per Appendix B is a village of II group. Value of a cubic foot of kiralbogi in group II = 7 annas. Value of the tree = 56.25 × 7 annas = Rs. 24-9-9.

(2) Wanted the value of a teak tree in Bayaru 44 inches in girth and 24 feet long.

Cubical contents—

$$\left(\frac{44}{4}\right)^2 \times 24 = 20.16 \text{ c.ft.}$$

Bayaru is of the I group and value of teak in group I is 14 annas.

Value of the tree = 20.16 × 14 annas = Rs. 17-10-2.

Reserved trees of South Kanara district.

Description of trees.				Price per cubic foot.		
Botanical name.	Kanarese name.	English name.	I group.	II group.	III group.	
<i>Tectona grandis</i> ..	Seguvani ..	Teak ..	Rs. A. P. 0 14 0	Rs. A. P. 0 10 0	Rs. A. P. 0 6 0	
<i>Dalbergia latifolia</i> ..	Biti ..	Blackwood ..	0 14 0	0 10 0	0 6 0	
<i>Pterocarpus marsupium</i> ..	Benga ..	Kino ..	0 10 0	0 7 0	0 2 0	
<i>Basia longifolia</i> and <i>latifolia</i> ..	Ippe ..	.....	0 10 0	0 6 0	0 2 0	
<i>Artocarpus hirsuta</i> ..	Hebbasu ..	Wild jack ..	0 12 0	0 8 0	0 4 0	
<i>Artocarpus integrifolia</i> ..	Halsu ..	Jack ..	0 12 0	0 8 0	0 4 0	
<i>Diospyros ebenum</i> and <i>melony-</i> <i>lon</i> .	Karimara ..	Ebony ..	1 4 0	1 0 0	0 13 0	
<i>Xylia dolabriformis</i> ..	Tirwa or jamba ..	Ironwood ..	0 10 0	0 6 0	0 3 0	
<i>Pongamia glabra</i> ..	Honge ..	.....	0 8 0	0 4 0	0 1 0	
<i>Myristica mellebarica</i> ..	Ramapatri ..	Wild nutmeg ..	0 8 0	0 4 0	0 1 0	
<i>Calophyllum elatum</i> ..	Sribonne ..	Poonspur ..	0 12 0	0 8 0	0 4 0	
<i>Hopsea parviflora</i> ..	Kiralbogi ..	.....	0 10 0	0 7 0	0 4 0	
<i>Nux vomica</i> ..	Kasarka ..	(Per tree above 2 feet in girth).	2 0 0	1 8 0	1 0 0	

Classified trees.

Class I—						
<i>Terminalia tomentosa</i> ..	Banapa or matti ..	.....	0 8 0	0 6 0	0 4 0	
<i>Calophyllum wightianum</i> ..	Kalluhoune ..	.....				
<i>Vitex altissima</i> or <i>pubescens</i> ..	Myrole ..	.....				
<i>Lagerstroemia Microcarpa</i> ..	Bolander or Bentek ..	Bentek ..				
	Bilinandhi.					
<i>Terminalia paniculata</i> ..	Marwa or Honnagala ..	.....	0 3 0	0 2 6	0 2 0	
<i>Cedrela Toona</i> ..	Kempu gandhagiri ..	Red cedar ..				
<i>Eugenia Gardneri</i> ..	Biliturpa ..	.....				
Class II—						
<i>Lagerstroemia Floc</i> ..	Challa ..	.....				
<i>Reginae</i> ..	.....	.....				
<i>Albisia Lebbek</i> ..	Palibagi ..	.....	0 1 6	0 1 3	0 1 0	
<i>Albisia Odoratissima</i> ..	Kalbagi ..	.....				
<i>Albisia Procera</i> ..	Adhanje ..	.....				

[6th August 1929]

Reserved trees of South Kanara district—cont.

Description of trees.				Price per cubic foot.		
Botanical name.	Kanarese name.	English name.	I group.	II group.	III group.	
Class III—						
<i>Artocarpus Latcooba</i> ..	Watehuli ..	.....	Rs. A. P. 0 1 0	Rs. A. P. 0 0 9	Rs. A. P. 0 0 6	
<i>Adina cordifolia</i> ..	Anavu ..	.....				
<i>Vateria Indica</i> ..	Dhupa ..	.....				
<i>Cocos nucifera</i> ..	Thenginamara ..	Coconut (per tree with 5 feet stem).	3 0 0	2 8 0	2 0 0	
<i>Borassus flabelliformis</i> ..	Thalimara ..	Palmyra (per tree) ..	3 0 0	2 8 0	2 0 0	
<i>Caryota urens</i> ..	Byni ..	(Per tree) ..	2 0 0	1 8 0	1 0 0	
<i>Areca catechu</i> ..	Kangra Adike ..	Areca palm (per tree with 5 feet stem).	0 4 0	0 3 0	0 2 0	
<i>Fuel, firewood or posts</i> ..	.....	(Per head-load) ..	0 0 6	0 0 4	0 0 3	
		(Per cart-load) one bullock) ..	0 6 0	0 5 0	0 4 0	
		(Per cart-load) (double bullock).	0 12 0	0 10 0	0 8 0	
		(Per boat-load) (per corjee) ..	2 4 0	1 14 0	1 8 0	
Charcoal ..	.....	.....	Per head-load, 2 annas. Per bullock-load, 8 annas. Per cart-load, Rs. 2. Do. As. 1-6. Do. 3 annas. Do. 9 pies. Do. 9 pies.			
Minerals ..	.....	.....				
Rough stone ..	.....	.....				
Chiselled stone ..	.....	.....				
Metal or gravel ..	.....	.....				
Earth and turf ..	.....	.....				

[6th August 1929]

V. For scrub jungle, unclassified trees under 2 feet in girth, classified and reserved trees under six inches in girth only suited for firewood, the valuation should be per acre according to the average height of the growth.

Height in feet.		I Group	II Group.	III Group.
From	To	Rate per acre.		
		RS. A. P.	RS. A. P.	RS. A. P.
Up to 3 feet		0 8 0	0 7 0	0 6 0
Three to 5 feet		1 0 0	0 13 0	0 10 0
Five to 7 feet		2 0 0	1 10 0	1 4 3
Above 7 feet		3 0 0	2 8 0	2 0 0

NOTE 1.—Rough stone includes undressed burnt stone and every kind of stone that has not been chiselled.

NOTE 2.—The rates for timber tree specified above apply only to rough or unsquared timber. In the case of squared timber, one-half of the above rates extra will be charged.

NOTE 3.—When applied to firewood or posts, the expression cart-load (unqualified) or cart-load (two bullocks) are used as equivalent to 20 cubic feet or half a ton and the expression cart-load (one bullock) means half that quantity. When applied to 'minerals,' cart-load means the load of an ordinary local cart drawn by two bullocks.

The head-load is equivalent to one cubic foot or 56 lb.

Twenty head-loads equal one cart-load.

Four head-loads equal one bullock-load.

Three cart-loads equal one corjee.

NOTE 4.—The above rates are the maxima and they may be reduced by the Collector if good cause is shown by the Tahsildar after personal inspection.

Appendix B.—List of villages in the South Kanara district arranged according to groups for purposes of valuation of darkhast lands, etc.—

COONDAPOOR TALUK.

Group I.

Alur.	Heimadi.	Molshalli.
Anagalli.	Heranjal.	Marvan'e.
Asodu.	Herur.	Nad.
Badakere.	Heskuttur.	Nandanavana.
Baindur.	Hombadi-Mundadi.	Navunda.
Balkur.	Hosadu.	Nujadi.
Basur.	Japti.	Paduvari.
Beluru.	Kalavara.	Shenapur.
Bijadi.	Kandavara.	Shirur.
Bijur.	Kanyana.	Taggarabe.
Coondapoor.	Kattabettu.	Tallur.
Devalkonda.	Kavradi.	Takkatte.
Gangolli.	Kedur.	Trashi.
Gopadi.	Kenchanur.	Ullur.
Gujjadi.	Kergal.	Ullur.
Hadavu.	Khambadkone.	Uppinakudru.
Hakladi.	Kirimanjeshwar.	Uppunda.
Haladi-Harkadi.	Koni.	Vaderhobli.
Hanglur.	Korgi.	Vakwadi.
Hardali-Mandali.	Koteshwar.	Wandee.
Harkur.	Kumbashi.	Yedatti-Mathiadi.
Hattangadi.	Kundabavandadi.	Yedthare.

[6th August 1929]

COONDAPOOR TALUK—cont.

Group II.

Albadi.	Haladi.	Kaltod.
Ampar.	Halnad.	Karkunji.
Belve.	Hobbige.	Kollur.
Chittur.	Hengavalli.	Koteshirur.
Golihole.	Idurkunhadi.	Kulanji.
Gulvadi.	Jedkal.	Shankernaraina.
		Yeljit.

Group III.

Ajri.	Hosur.	Mudur.
Amashebail.	Kamalashile.	Nagodi.
Bella.	Keradi.	Rattadi.
Edamoge.	Kodladi.	Shedimane.
Hallihole.	Maohattu.	Shiddapur.
Hosangadi.	Madamakki.	Ulloor.

UDIPI TALUK.

Group I.

Achaladi.	Heruru.	Mudanidambur.
Alevuru.	Hirebettu.	Mular.
Airodi.	Hosala.	Nad-asala.
Amblabad.	Inanjo.	Nadura.
Anjara.	Kachur.	Nandikuru.
Arur.	Kadekar.	Nilavara.
Atradi.	Kadur.	Pelebettu.
Badagibettu.	Kakkunje.	Padu.
Badagibettu.	Kalturu.	Paduru.
Badagrama.	Karakada.	Palimar.
Badanidiyuru.	Katingore.	Pandeshwar.
Baikadi.	Kuttaru.	Pangala.
Balakudru.	Kavadi.	Parampalli.
Bannati.	Kelarakalbettu.	Pejamungoro.
Belapu.	Kidiyuru.	Pernankila.
Belampalli.	Kodavuru.	Pillara.
Belle.	Koti.	Putturu.
Billadi.	Karangarapadi.	Santuru.
Chantaru.	Kotatattu.	Seriyara.
Cherkadi.	Kote.	Shivaljikasba.
Chitrapadi.	Kudigrama.	Sirva.
Elluru.	Kukkehalli.	Tenkagrama.
Giliyara.	Kumaragodu.	Tenkanidiyuru.
Gundimi.	Kurkala.	Tonse (East).
Haladi.	Kuthpadi.	Tonse (West).
Haluvalli.	Majuru.	Udiyavara.
Handadi.	Mallur.	Uliyaragoli.
Hanehalli.	Manipura.	Uppuru.
Haradi.	Manur.	Vadarabe.
Havanji.	Marane.	Varamballi.
Heggunje.	Matpadi.	Yedathadi.
Heradi.	Mettu.	Yenagudde.
Herga.	Mundabettu.	
Herur.	Mudabadu.	

Group II.

Avarabe.	Hosuru.	Nanohara.
Bairampalli.	Kalturu.	Perduru.
Bellarapadi.	Kenjur.	Sirur.
Bommarbettu.	Kudi.	Siruru.
Hiliyana.	Nalkura.	Vandara.

[6th August 1929]

MANGALORE TALUK.

Group I.

Addur.
Adyapadi.
Adyaru.
Aikala.
Alape.
Amblamogaru.
Amjadi.
Amturu.
Ammunaje.
Arkula.
Arla.
Atikaribettu.
Attavar.
Atturu.
Badagabellur.
Badagaedapadavu.
Badagaekkaru.
Badagadlipadi.
Baikampadi.
Bajal.
Bajape.
Bala.
Balakanje.
Balepuni.
Baltilla.
Bangarakulur.
Bantwal.
Bappanad.
Barimaru.
Bellairu.
Belwa.
Boliyaru.
Bolur.
Bondanthila.
Chellairu.
Chelur.
Chitrapu.
Delanthabettu.
Derebail.
Elaturu.
Elinje.
Goltawajalu.
Haleangadi.
Harekala.
Hejamadi.
Hosabettu.
Iddya.
Inna.
Ira.
Jappinamogaru.
Kadre.

Kairangula.
Kalavar.
Kallige.
Kandavara.
Kanjur.
Kankapadi.
Kannuru.
Kariyangula.
Karnadu.
Karnire.
Karpur.
Kavur.
Kemial.
Kilanjur.
Kilanjuru.
Kilpadi.
Kinya.
Kodamannu.
Kodialbail.
Koikude.
Kolambe.
Kolavuru.
Kolluru.
Kompadavu.
Kondemula.
Konnaje.
Kotekaru.
Kudapu.
Kulai.
Kunjababail.
Kuriyala.
Kurnadu.
Kuttiyaturu.
Madya.
Malavur.
Mallur.
Manampadi.
Mangalore.
Mangalore Tota.
Manjenadi.
Manohi.
Marakada.
Maroli.
Mennabettu.
Meramajal.
Mogar.
Mochur.
Muda.
Muduperar.
Mudu.

Group II.

Ajabettu.
Badagajakar.
Barye.
Budoli.
Chennaitodi.
Devashymudur.
Devashyapadur.
Irvattur.
Kadabettu.
Kadashwalya.

Kavala Mudur.
Kavala Padur.
Koila.
Kudambettu.
Kukkupadi.
Maninakurn.
Mudanadugodu.
Mudapadukodi.
Panjakal.
Pinnogaru.

Mudashedde.
Mulladka.
Mulur.
Mundakur.
Munnur.
Munnur.
Muttur.
Nadu.
Nadugodu.
Naricombu.
Naringana.
Navuru.
Nirmarga.
Pachanadi.
Padavu.
Padu.
Padukodi.
Padupannambur.
Padupetar.
Padushedde.
Panambur.
Panemangalore.
Panja.
Pannimogaru.
Pavanje.
Pavur.
Peramunnur.
Permude.
Phajiru.
Pudu.
Sashibhila.
Shamburu.
Simantur.
Someswar.
Surathkal.
Surinja.
Talapadi.
Talipadi.
Tannirbhavi.
Tenkabellur.
Tenkaedapadavu.
Tenkaekkar.
Terkalipadi.
Tiruvail.
Thokur.
Tokur.
Tumbu.
Ulipadi.
Ulaibettu.
Ullal.

Pilathabettu.
Rayee.
Sangabettu.
Sarpadi.
Tekkar.
Tenkakajekar.
Uli.
Yelianadugoda.

6th August 1929]

KARKAL TALUK.

Group I.

Badagamijar.
Belmannu.
Belvul.
Bola.
Iruvail.
Kadandal

Kallamundkur.
Kantavara.
Kedinje.
Nandulike.
Niddodi.
Ninjuru.

Paladka.
Palli.
Puttige.
Sanur.
Suda.
Tenkamijar.

Group II.

Andara.
Arambodi.
Badekodi.
Bailar.
Bajre.
Daregudde.
Ergu.
Ellare.
Gunduri.
Hennunde.
Hirgana.
Hosabettu.
Hosangadi.
Irvattur.
Jarkala.
Kadthala.
Kukkuje.
Kallabettu.

Kalya.
Kanajara.
Karinje.
Karkala.
Karimannu.
Kasipatna.
Kavaduru.
Kelaputtige.
Kerebettu.
Kukkeddi.
Kukkundur.
Mantradi.
Marne (Ajekar).
Marpadi.
M-rodii.
Marur.
Miyar.
Mudakodi.

Mudomarnad.
Mudukonaje.
Nellikara.
Nire.
Nitte.
Padukoraje.
Padukudur.
Padumarnad.
Panapila.
Peradi.
Prantya.
Puchamogaru.
Sirtadi.
Sivapura.
Todar.
Valapadi.
Venoor.
Yerlapadi.

Group III.

Andinje.
Badaga Karandur.
Eelanje.
Balanzo.
Chara.
Hebri.
Idu.
Kabbinala.
Karambarn.
Kervashe.
Kokradi.

Kuchuru.
Kudyadi.
Kutlur.
Mala.
Mudar.
Mudradi.
Nadpal.
Nalkur.
Nalluru.
Navavi.
Navara.

Nittade.
Nuralvettu.
Piliya.
Ranjala.
Savya.
Sirajala.
Siralala.
Sulkeri.
Sulkerimogaru.
Tenkakarandur.
Varanga.

UPPINANGADI TALUK.

Group I.

Alike.
Anantadi.
Bolantura.
Kanyan.
Karupadi.

Kolnad.
Mani.
Manila.
Padnuru.
Peruvayi.

Salethuru.
Virakamba.
Vitla.

Group II.

Aradka.
Ariyapu.
Badagannuru.
Balanaidu.
Bannur.
Bellipadi.
Bettampadi.
Biliyur.
Chickmudnur.
Garcadi.
Idkida.
Irde.
Kabaka.
Kanakamajlo.
Keriya.
Kedambadi.
Kedila.
Kemminja.

Kepu.
Keyyuru.
Kodimbadi.
Koltige.
Kodipadi.
Kukkala.
Kula.
Kuriya.
Machina.
Madnuru.
Maladi.
Mudnuru.
Mudnuru.
Manduru.
Mundur.
Narimogaru.
Nekkiladi.
Nidapalli.

Nyayatarf.
Padangadi.
Padavunnuru.
Padnur.
Panaje.
Paranki.
Peraje.
Perne.
Punacha.
Punachapadi.
Puttala.
Puttur.
Sopandur.
Surve.
Tannirpanta.
Ulamogaru.

[6th August 1929]

UPPINANGADI TALUK—cont.

Group III.

Ainkidu.
Aithuru.
Aivathoklu.
Aivarnadu.
Ajjavar.
Alankaru.
Alantayu.
Aletti.
Arantod.
Bajathur.
Balagod.
Balila.
Ballya.
Balpa.
Bandar.
Bantra.
Bellala.
Belanduru.
Bellare.
Beltangadi.
Bilanilo.
Charmadi.
Charvaka.
Chibidre.
Devachalla.
Dharmastala.
Dolpadi.
Golihatta.
Guttigar.
Haleneranki.
Hariharapallathaka.
Hathiyadka.
Hirebandadi.
Iohlampadi.
Ilantila.
Indabettu.
Jalsur.
Kadaba.
Kadirupiar.

Kalanja.
Kalanja.
Kaliya.
Kalmadka.
Kalmakuru.
Kalmansa.
Kaniyuru.
Kaniyur.
Kaukradi.
Kanyadi.
Kayinana.
Kenye.
Kodimbulla.
Kodiala.
Koila.
Kokkada.
Kollumogru.
Kombaru.
Konaje.
Konalo.
Koyyuru.
Kudumaru.
Kunthuru.
Kuthukunja.
Kutrapadi.
Kuvettu.
Laila.
Madapadi.
Malavantige.
Mandekolu.
Marakanja.
Melanthabettu.
Mittabagilu.
Mogru.
Madnuru.
Mundaje.
Mundur.
Muppiya.
Marullya.

Nada.
Nalkuru.
Nallur-Kemrajo.
Navur.
Nekkiladi.
Nelyadi.
Neriya.
Nidlo.
Nujibaltla.
Padnuru.
Paltadi.
Pambethadi.
Patrame.
Perabe.
Peruvaje.
Poduvettu.
Ramkunja.
Reekya.
Renjaladi.
Sampaje.
Savanalu.
Savanuru.
Shantigodu.
Shibaje.
Shiradi.
Shirivagilu.
Shisila.
Subramanya.
Sullia.
Tolikana.
Totatadi.
Uhradkamituru.
Ujre.
Uppinangadi.
Uruvalu.
Vadilnal.
Yedamangala.
Yenekal.
Yennuru.

KASARAGOD TALUK.

Group I.

Adkathabailu.
Ajanur.
Angadimoguru.
Arikadi.
Badaji.
Badura.
Balla.
Bambrana.
Bangramanjeshwar.
Bare.
Bayaru.
Bekaru.
Bela.
Chemmanad.
Chervathoor.
Chengalu.
Chippar.
Chittari.
Hosabettou.

Hosdrug.
Ichlampadi.
Ichlangu.
Kadambaru.
Kalanadu.
Kaliyuru.
Kunhangad.
Kannuru.
Kasaragod.
Kayaru.
Kiduru.
Kikana.
Kodibail.
Koipadi.
Koliyuru.
Kubanuru.
Kudalmarkala.
Kudlumogaru.
Kudlu.

Kuluru.
Kunjathuru.
Maduru.
Maga.
Majibailu.
Mangalapadi.
Maniyat.
Maire.
Minja.
Mogral.
Mudambailu.
Mulinja.
Muttatodi.
Nileshwar.
Padi.
Padne.
Paivalike.
Pallikere.
Pandiyal.

6th August 1929]

KASARAGOD TALUK—cont.

Group I—cont.

Patla.
Paturu.
Pavuru.
Parembala.
Perdala.
Perur.
Pilikodu.
Padakai.
Pulluru.

Pottige.
Puthuru.
Shirivagila.
Shiriya.
Talangere.
Talekala.
Tekkila.
Trikarapur (North).
Trikarapur (South).

Udiavara.
Udeur.
Uduma.
Ujaraulvar.
Uppala.
Vorkadi.
Yadanad.

Group II.

Aduru.
Adur Kasba.
Bedadka.
Belluru.
Beluru.
Delampadi.
Enamakaje.
Karadka.

Katkukke (Adkastala).
Kayyuru.
Kilayyiko'e.
Kinaur.
Kodkat.
Kolaturu.
Kodoth.
Kumbadaje.

Madakai.
Maliyar.
Nekraje.
Nettanige.
Padre.
Periye.
Timri.
Ubrangala.

Group III.

Bandadka.
Chimeni.
Eleri (East).

Eleri (West).
Karindala.
Kuttikolu.

Maloth.
Panathadi.

APPENDIX VI.

[Vide answer to question No. 25 asked by Mr. K. R. Karant at the meeting of the Legislative Council held on the 6th August 1929, page 29 supra.]

Statement showing the number of meetings held by the Staff Selection Board, the days it sat and the work transacted by it during the official years 1927-1928 and 1928-1929.

Number of meetings.	Days of meeting.	Work transacted at the meeting.
		1927-1928.
		Interview and selection of candidates for the post of—
1.	7th April 1927 (one day).	(i) Probationary Assistant Inspector of Exoise. (ii) Clerks in Government offices in the City of Madras from among non-graduates who sat for the qualifying examination.
2.	4th July 1927 (one day).	(i) Assistant lecturers in the Subordinate Educational Service (Collegiate Branch). (ii) Licentiate School Assistants.
3.	30th August 1927 (one day).	Probationary Deputy Superintendent of Police.

[6th August 1929]

Statement showing the number of meetings held by the Staff Selection Board, the days it sat and the work transacted by it during the official years 1927-1928 and 1928-1929—cont.

Number of meetings.	Days of meeting.	Work transacted at the meeting.
1927-28—cont.		
<i>Interview and selection of candidates for the post of—cont.</i>		
4.	9th November 1927 and 10th November 1927 (two days).	(i) Typists in Government offices in the City of Madras. (ii) Assistant lecturers in the Subordinate Educational Service (Collegiate Branch). (iii) Licentiate School Assistants. Probationary Deputy Tahsildars.
5.	16th December 1927 and 17th December 1927 (two days).	
6.	24th February 1928 (one day).	(i) Sergeants in the Madras City Police. (ii) Probationary Assistant Inspector of Excise.
7.	27th March 1928 and 28th March 1928 (two days).	Clerks in Government offices in the City of Madras from among graduates.
1928-1929.		
1.	5th November 1928 (one day).	(i) Clerks in Government offices in the City of Madras from among non-graduates who sat for the qualifying examination. (ii) Typists in Government offices in the City of Madras.
2.	3rd December 1928 and 4th December 1928 (two days).	(i) Sergeants in the Madras City Police. (ii) Probationary Deputy Tahsildars.
3.	4th January 1929 and 5th January 1929 (two days).	(i) Assistant lecturers in the Subordinate Educational Service (Collegiate Branch). (ii) Licentiate School Assistants.
4.	4th March 1929 (one day).	Probationary Assistant Inspectors of Excise.
5.	25th March 1929 (one day).	(i) Probationary Deputy Superintendent of Police. (ii) Typists in Government offices in the City of Madras. (iii) Mechanics, III Grade, in the Industrial Engineering Branch of the Department of Industries.

[6th August 1929]

APPENDIX VII.

[Vide answer to question No. 30 asked by Mr. K. R. Karant at the meeting of the Legislative Council held on the 6th August 1929, page 32 supra.]

G.O. Mis. No. 647, Education, dated 5th April 1929.

The Government have considered the points raised in the memorial, dated the 6th November 1928, submitted by the teacher-managers of the South Kanara district and they are pleased to pass the following orders thereon:—

Scale of teaching grants.—It is suggested that the scale of teaching grants for elementary schools may be further increased. The rates of teaching grants were revised recently. Any further increase will depend on the availability of funds for the purpose.

Increase of grant every two years in respect of trained teachers serving continuously in the same school.—It is suggested that trained teachers, who possess continuous service in the same school should be entitled to an increase of grant every two years so as to reach a maximum of Rs. 15, Rs. 18 and Rs. 25 per mensem for lower elementary, higher elementary and secondary grade teachers respectively. The concession applied for will involve large recurring liability on Provincial funds. The Government are unable to accept the suggestion.

Cent per cent increase of grants to schools doing very efficient work.—Under rule 2 of the rules framed under section 42 (2) of the Elementary Education Act, 1920, the teaching grants may be increased by more than 50 per cent by the District Educational Councils in the case of higher elementary schools and schools for girls, provided that sufficient funds from other sources are not forthcoming. It is, however, open to the District Educational Council to give enhanced grants to schools doing efficient work with reference to the funds available.

Payment of teaching grants in instalments.—The District Educational Councils have been empowered to sanction at their discretion the payment to correspondents of well-conducted elementary schools of teaching grants in quarterly or half-yearly instalments.

Institution of a special examination to enable lower elementary grade teachers to obtain higher grade certificates and recognition of Mysore examinations.—The Government have considered in the past similar suggestions for enabling lower elementary grade teachers to obtain higher grade certificates and have vetoed them on educational grounds. They are unable to entertain the suggestion.

Persons who have passed the Mysore Lower and Upper Secondary examinations are not considered equal in attainments to the higher elementary and secondary grade teachers in the Madras Presidency. Further the Educational Department does not give general recognition to examinations outside the Presidency but deals with each case that comes up for consideration on its merits.

Award of approved service certificates to untrained teachers of long service and their treatment as trained teachers for purposes of grant.—The award of such certificates has been discontinued long ago. On educational grounds the Government are unable to revive that practice.

[6th August 1929]

Building and furniture grants.—The Government are unable to accept the suggestion that the amount of these grants should be increased to two-thirds of the cost. They desire to point out that it is open to the District Educational Councils to recommend to Government in special cases the award of grants at a higher rate than one-half of the cost.

Allotment of five acres of waste land to each school.—The suggestion is impracticable.

Teaching of horticulture, agriculture, weaving and other cottage industries in all training schools.—Manual training in at least one subject is at present taught in almost all the Government Training Schools for Masters. If, however, the subjects referred to in the memorial should form part of the instruction imparted in the training schools, the course of studies in such schools, which are already heavy, will become heavier still. It is not therefore desirable to add any more subjects under practical instruction than those already taught at present in the training schools.

Employment of peons in elementary schools under private management.—In cases where the employment of a peon is considered necessary, it is open to the inspecting officers to recommend and to the District Educational Council to sanction a suitable enhanced grant with reference to rule 2 of chapter I of the rules framed under section 42 (2) of the Madras Elementary Education Act, 1920.

Travelling allowance to teachers who are sent for training from Aided schools.—The Government see no sufficient reason to adopt the suggestion.

Representation of teacher-managers on the District Educational Council.—The Government generally allow two representatives for teacher-managers on a District Educational Council. The suggestion that two representatives may be allotted to teacher-managers in each taluk will make the District Educational Council unwieldy and cannot therefore be accepted.

Introduction of free and compulsory education in the South Kanara district.—Under the Elementary Education Act, 1920, it is for the local bodies concerned in the district to take the initiative in the matter.

Catholic schools in the South Kanara district.—Instructions have been issued to the District Educational Council, South Kanara, to adopt certain principles in the matter of recognition and aid of Catholic schools.

APPENDIX VIII.

[Vide answer to question No. 32 asked by Mr. A. Ranganatha Mudaliyar at the meeting of the Legislative Council held on the 6th August 1929, page 33 supra.]

- (a) Why the inauguration on 17th November 1928 of the scheme of rural compulsory primary education in the Saidapet taluk took place in Poonamallee which is in the Sriperumbudur taluk ? Poonamallee is within the jurisdiction of the Saidapet Taluk Board.

6th August 1929]

- (b) Whether circulars were issued to teachers in all or some of the primary schools in the Sriperumbudur taluk to bring children to Poonamallee to attend the function ; Circulars were issued only to a few schools in and around Poonamallee.

and
Whether children were actually brought to Poonamallee ? Yes.

- (c) What was the object of getting children to attend the function ? To enable them and their parents to understand the benefit of the compulsory education scheme.

APPENDIX IX.

[Vide item XI.—The Madras Services Commission Bill at page 62 supra.]

REPORT OF THE SELECT COMMITTEE ON THE MADRAS SERVICES COMMISSION BILL, 1929.

BILL No. 5 OF 1929

To

THE HONOURABLE THE
LEGISLATIVE COUNCIL OF THE
GOVERNOR OF MADRAS.

We, the undersigned members of the Select Committee, appointed to consider the Madras Services Commission Bill (Bill No. 5 of 1929), have the honour to submit the following report.

2. The Bill was published in the *Fort St. George Gazette* in English on 22nd January 1929.

3. The Committee met on the 16th February at Madras and on the 27th, 28th, 29th and 31st May at Ootacamund for consideration of the Bill.

4. After a careful consideration of the detailed provisions of the Bill, we have accepted them in the main.

5. Clause 6 of the Bill empowers the Commission in its discretion to appoint a secretary on a salary not exceeding one thousand and five hundred rupees, but provides that such appointment shall be "subject to the previous approval of the Local Government." We consider that a Commission entrusted with the responsible functions referred to in Chapter III need not be required to obtain the previous consent of the Local Government to the appointment of its own secretary and that it may be left not only to appoint

[6th August 1929]

its own secretary but, subject to the proviso which already exists regarding the salary of a secretary who is a Government servant at the time of his appointment, to fix his salary also. The words "subject to the previous approval of the Local Government" in clause 6 have therefore been omitted.

6. As the expenditure incurred under clauses 6 and 7 of the Bill would be expenditure the amount of which is prescribed "under a law" it would be non-votable under section 72-D (2) (iii) of the Government of India Act. And if any question arises whether it is non-votable or not, the Governor would, under section 72-D (3) of the Government of India Act, be the proper authority to decide the question. It is open to the local legislature to prescribe the amount of an expenditure, but in a case where the amount of an expenditure has not been prescribed or where it is doubtful whether such amount has been prescribed or not, it cannot provide that it shall be "deemed to have been prescribed." We have therefore deleted clause 8.

7. The proviso to clause 11 empowers the Local Government, in case an appointment has to be made by them, to appoint if they think fit an officer to be present at the interview referred to in sub-clause (iii) of the clause. The last paragraph of the clause provides "Nothing in the proviso shall entitle the officer appointed under it to vote on any question to be decided by the Commission." We think that it is important that an officer appointed by the Local Government to be present at the interview should have no further powers and that the last paragraph of clause 11 is liable to be construed as empowering the officer to do everything except vote on any question to be decided by the Commission. We consider that the proviso as it stands makes it sufficiently clear that the officer has no other right than to be present at the interview under sub-clause (iii) and that the last paragraph of clause 11 introduces an element of doubt on the point. We have therefore deleted it.

8. Clause 20 of the Bill disqualifies for a service or post any candidate therefor who exercises or attempts to exercise what is defined in the clause as undue influence on the Chairman or a Member of the Commission. While we are anxious that in the actions and proceedings of the Commission, the highest standards of fairness and purity should be maintained and that there should be no room even for a suspicion of a departure from such standards, we are of opinion that the subject matter of the clause is eminently one which relates to the procedure of the Commission and fit to be regulated by rules and conventions rather than by an express statutory provision and that a statutory provision on the point is undesirable. In fact, a statutory provision may lead to complications. In the Public Service Commission (Function) Rules made under section 96-C of the Government of India Act a similar provision does not exist. We have therefore omitted clause 20.

9. We consider that the rules made under clause 21 of the Bill should not come into effect without an opportunity being given to the Legislative Council to pronounce its opinion on their suitability and have accordingly provided that the rules shall be laid in draft before the Legislative Council for a period of three months before they can take effect.

10. We have also made a few other verbal amendments which do not require special notice.

6th August 1929]

11. A copy of the Bill as amended by the Select Committee is appended. We consider that the Bill as amended does not require republication.

S. KUMARASWAMI.
N. E. MARJORIBANKS.
A. KRISHNASWAMI.
V. I. MUNISWAMI PILLAI.
P. SUBBARAYAN.
MAHMUD SCHAMNAD.
J. A. SALDANHA. *
T. ADINARAYANA CHETTI. *
C. V. VENKATARAMANA AYYANGAR. *
K. P. RAMAN MENON. *
S. MUHAMMAD MEERA RAVUTTAR. *
A. B. SHETTY. *
R. FOULKES.
B. MUNISWAMI NAYUDU.
K. KOCHINI NAYAR.
(Muppil Nayar of Kavalappara).
A. RANGANATHAM. *

* Subject to a minute of dissent.

MINUTES OF DISSENT.

I

The Bill derives its authority from delegation given and under rules made by the Government of India which subject our Council to a number of humiliating restrictions. The rules should, I think, be sought to be changed in the right direction before the Bill is further pressed. I may point out these restrictions. Firstly, the Commissioners may be appointed only by the Secretary of State in Council, the Governor-General in Council or the Governor in Council, the last excluding evidently the Ministers. Secondly, as rule 5 stands at present the Commission can only be an advisory body. The Bill only enables Government to add a new department to the Secretariat, its members being appointed by, and removable at pleasure of, Government, a body so dependent and capable of giving advice only when called upon to do so. With the removal of clause 20, which, in my opinion, should be retained in public interests, the Commission will be at the mercy of office-hunters and their friends swarming into its sanctum, unless the Commission is disposed to shut out outside or backdoor influences. Besides the Commissioners are subject to no educational, service or professional qualifications. I propose therefore to send in amendments to cure these and other defects in the Bill, if it is not dropped as unwanted. In my view, unless there is going to be a comprehensive Bill on right lines consistent

[6th August 1929]

with the principles observed in advanced democratic countries giving us a Commission on a par with the High Court appointed by the Crown there is no point served by having legislation of the description now placed before the Council.

3rd May 1929.

J. A. SALDANHA.

II

When the Bill was introduced in the Legislative Council and referred to a Select Committee, it was expected by many members that it would undergo some important changes in the Select Committee. But if one peruses the Bill as it has emerged out of the Committee it would be clear that it is practically the same as it was when referred to the Committee. Myself and some other members of the Committee tried our best in the Committee to make some important changes with a view to render the Commission useful and independent; but our efforts have completely failed. The very idea of appointing a Commission is to have an independent body not liable to any outside influences whatever, and that this is the object of the Bill is clear from the provision in clause 4, in which it is clearly stated that no member of the Commission, including the Chairman, shall be appointed as such unless he has previously given a written undertaking that he will not at any time, either during his service on the Commission or afterwards, accept any other office under the Crown in any place in India.

My first attempt in the Select Committee was therefore to make all the members including the Chairman of the Commission as independent as possible, and therefore I wanted an amendment to be passed, that the appointment and removal of these officers shall not vest either in the Governor in Council or the Governor; but that these officers should be appointed and removed by the Governor-General or Governor-General in Council. That my view is reasonable and has got a precedent is clear from the fact that the Chairman and other members of the Indian Public Services Commission are appointed by the Secretary of State in Council, and the Governor-General or the Governor-General in Council has absolutely no powers over them. Under the present Bill, the term of the Chairman as well as of other members is indefinite, so that they can expect to continue for ever, till they attain the sixtieth year, if only they are able to command the good-will of the Governor in Council. Whatever may be said about their appointment, the fact that they can be removed at will by the Governor in Council and the fact that after that removal they cannot take up any other appointment under the Crown in India should certainly go together to make them anything but independent, under ordinary circumstances. Even according to Delegation Rule No. 5 of the Secretary of State in Council, this Act may provide that the members of the Commission should be appointed by the Governor in Council, Governor-General in Council or the Secretary of State in Council, and therefore there is nothing in that rule to prevent the appointment and the removal of the members of this Commission, including its Chairman, by the Governor-General or the Governor-General in Council. I am therefore strongly of opinion that the appointment and the removal, or at least the removal, of the members including the Chairman should only be in the hands of the Governor-General in Council or the Governor-General. Also, I think that the term of membership of these officers should be limited to five years which is the period for the members of

[6th August 1929]

the Indian Public Services Commission; and if anyone proves to be a very satisfactory officer there may be provision in the Act for renewing his appointment by the Governor-General or the Governor-General in Council, for another period of five years.

The next question I want to deal with is with reference to the pay of the Chairman and the other members. The Bill provides that the Chairman shall be paid a salary of Rs. 3,000 per mensem, and that every other member shall get Rs. 2,000 per mensem. I am strongly of opinion that the salaries fixed for these persons under the Bill are rather high. I am one of those who believe that, considering the poverty of the country and the great competition for Government appointments, especially in higher grades, the salaries of people at the top should be reduced as much as possible with a view to make an effective retrenchment in the expenses of Local Governments. I believe that even the members of the Indian Officers' Association, Madras, presented a memorandum to the Lee Commission, that they would, under ordinary circumstances, be satisfied with a maximum salary of Rs. 1,000 per month, provided the salaries of corresponding European officers were also reduced proportionately. And I remember that on my motion a resolution was passed in the first Reformed Council that the salaries of all higher officers should be reduced by one-third. For all these reasons, I am strongly of opinion that it will be more than enough if the Chairman is paid Rs. 2,000 a month and every other member Rs. 1,500 each per month. As for the pay of Secretary, for which the maximum is fixed at Rs. 1,500 under the Bill, I would like it to be reduced to Rs. 1,000, or at least it might be made a graded one, from Rs. 750 to Rs. 1,500.

Then coming to the important question regarding the functions of the Commission which are dealt with in Part II of the Bill, as it now stands, it is only the Local Government that may refer any question to the Commission for its advice in some cases, under clause 9, while it is bound to refer some other questions for their advice under section 16 of the Bill. It is a well-known fact that the Governor has himself the power of making some appointments at present, and there is nothing to prevent rules being made hereafter empowering the Governor to make a larger number of appointments. I want, therefore, in addition to the Local Government the Governor also is authorized, or required, as the case may be, to refer all matters connected with appointments or removals of officers by him to the opinion of the Commission.

My next point is that the Commission's powers are only advisory, even so far as the Local Government is concerned and what is more, the Government is not bound to refer all questions connected with recruitment to the Commission; for clause 3 says only that the Local Government *may* refer to it any questions in connexion with recruitment, and the Commission shall give its advice to the Government only on such questions. I am strongly of opinion that the Local Government should be bound to refer to the Commission every question connected with recruitment, and that in all matters in which the Commission gives its advice to the Government, the Government should be bound to act up to the recommendation of the Commission, unless for strong reasons, which should be recorded in writing, and there may be a safeguard that where the Government differs from the Commission on any important or fundamental questions it should be with the consent of the

[6th August 1929]

Governor-General. I would therefore like section 9 to be amended properly on the lines suggested above and similar amendments should also, in my opinion, be made in clauses 16 and 17 of the Bill.

Then, there is an important provision in clause 13, under which the Commission, whose powers are very much restricted under the present Bill, should, in exercising its restricted functions, again observe the rules made by the Local Government regarding the constitution of or recruitment to any service or post. This, I consider, is extremely dangerous; for the Government, even if all the changes suggested by me above are given effect to, can practically make the Commission unnecessary or useless; for rules may be made in such a way as to make the functions of the Commission to be practically nothing or make its recommendations practically nugatory. I would therefore suggest that the rules referred to in clause 13 should be made by the Governor-General in Council or at least by the Local Government with the previous consent of the Governor-General in Council; and I would like to suggest a similar provision to be made applicable to the rules made by the Local Government under clause 21 of the Bill also.

It may be said that many of my suggestions should be considered as being out of order in view of the delegation rules made by the Secretary of State. But I do not see why, apart from these rules, the local legislature has no powers of its own to make laws connected with the services of the Local Government, without any authority from the Secretary of State. And even granting for the sake of argument that the power of the legislature to make such an enactment is derived only from the delegation rules and that any of the suggestions I have made above are against those rules, I am strongly of opinion that there is absolutely no use in having the Commission as under the present Bill, and that we can very well wait for some time to have the rules changed so as to give wider powers to the legislature in this matter. It was with that view that I moved an adjournment for three months of the consideration of the whole Bill—with a view to have the delegation rules changed. But my motion was defeated in the Select Committee. If my suggestions made above are not accepted, I am afraid that this Commission will only be a costly and ornamental body serving no purpose whatever from the public point of view. To give only one example, the Commission may, under clause 14, hold an examination and prepare a list of successful candidates according to merit and yet the Local Government are not bound to appoint in that order and not even to appoint any one in that list but may appoint any one they please even outside the list. It may be suggested that if the Commission is appointed, the Local Government will be under no necessity to get the previous sanction of the Governor-General in Council for making the first appointment to the provincial services as required by rule 3 of the delegation rules, because such a consent is necessary only if the first appointment is not made on the result of a competitive examination or on the advice of a permanent board of selection appointed by the Local Government or of the Indian Public Services Commission. The Local Government seems to think that the Commission appointed under this Act would be a permanent board of selection appointed by the Local Government as required under the rule. Even supposing that his opinion of the Government is correct, I am strongly against the Commission coming into existence under the present Bill; for, as I have said above, it will not be serving public interests, and I am afraid it will rather be doing harm, as the Local Government will then be free to

6th August 1929]

make any appointment it pleases with the help of the Commission and without the safeguard provided for under the rules, of getting the previous consent of the Governor-General in Council. But I have got serious doubts as to whether this Commission would be a permanent board of selection referred to under the rules; because, the rule clearly says that the permanent board should be appointed by the local Government, whereas if this Bill is passed into an Act, the Commission will be appointed only under the Act, for the number of members, their salaries and functions are all prescribed and limited under the Act, and merely the appointment of the individual members of the Commission by the local Government cannot be taken as the appointment of the board itself by that Government.

Finally, I am strongly of opinion that the Bill should be amended on the lines I have suggested above, even with the previous sanction of the Secretary of State in Council, if necessary, by having a change of the delegation rules. If that is not done, I am clearly of opinion that the Bill as it is will serve no purpose and should be rejected by the Council.

OOTACAMUND,
2nd June 1929.

C. V. VENKATARAMANA AYYANGAR.

III

As regards clause 4 (1) I am of opinion that the Chairman as well as the other members should be appointed and be removable not by the local Government but by an outside agency, say, by the Governor-General for the following reasons:—

(i) The members of the Public Services Commission are removable by the Secretary of State and not by the Governor-General.

(ii) An independent Public Services Commission has been found to be indispensable even in self-governing colonies. Even more so should such a Commission be independent in the present state of communal feelings and other peculiar circumstances of this Province.

(iii) The work of a Services Commission is of a quasi-judicial nature and such Commissioners are elsewhere conceded an independence approximating to that of the judiciary.

Speaking of Canada, Mr. MacGregor Dawson says: "Political pressure did not disappear; but the Commissioners were in a much stronger position to combat it."

Sir Wilfred Laurier, referring to the Canadian Commission, said: "The new Chairman . . . will be more secure, more independent of everybody and more distinctly liable only to his own conscience than before."

(iv) It is likely that very good men are secured; but it is not to be expected the public will believe them to be as independent as the men who are not so subject to the control of the local Government. On the other hand, if weak men happen to be appointed, there is the justifiable fear that these will become merely distributors of patronage.

(v) The very fact that these are appointed by a superior authority will clothe their actions and decisions with greater weight.

[6th August 1929]

(vi) It has been urged that such a proposal will not be quite in keeping with Provincial Autonomy. My answer is that we have not yet got Provincial Autonomy and Provincial Autonomy has really nothing to do with this.

As regards the authority that can remove these Commissioners, my arguments for the appointing power being vested in an outside and higher authority apply with even greater force. "In self-governing countries a very large part of the history of the service has centered around the way in which the dismissal clause has been applied."

MacGregor Dawson, whom I have quoted already, referring to conditions in Canada, says, "the fault with the old Canadian Civil Service Board was lack of power and too close intimacy with the Government . . . They held office on too precarious a tenure and were too dependent on the pleasure of Ministers for any of them to risk offending the administration by interfering with its patronage."

Clause 5.—I am for a salary of Rs. 1,000 all round on the principle that in a poor country like India it is a respectable salary. The assumption that an official can be placed absolutely above temptation by paying him a large salary is not an infallible one. Canada pays the President of its Public Services Commission only 10,000 dollars per annum and our Commission after all is only a provincial one.

If, however, it is possible to secure a really independent Commission, I would agree to paying them the salaries proposed in the Bill at least until salaries in this country are reduced all round.

I am also against a pensioner being appointed either as Chairman or Member of this Commission. Occasionally no doubt we come across with a retired official who has managed to retain a virile mind and progressive views. But more often we find them with fixed ideas and it cannot be denied that "officials tend to fossilise."

Clause 9.—I am of opinion that there should be some provision to make it obligatory on the local Government to refer important matters at least to the Commission. As it is there is nothing to prevent the local Government from not referring any matter to this Commission. If the terms of the delegation of powers will not permit this, I would advise postponing the consideration of this Bill for some time so as to obtain the necessary sanction of the Secretary of State to enable this to be done.

In *clause 10 (1)*, I would have the word "determine" in place of "advise the local Government" for the following reasons:—

(i) The local Government, as the clause now stands, may discard the advice of the Commissioners thereby making the Commission an expensive superfluity.

(ii) A Commission such as this is admittedly an expert body and as such it should be given freedom in these matters. If the terms of delegation of powers to the local Government will not admit of such an amendment, I would have instead of "determine," the words: "determine subject to the approval of the local Government"; or advise the local Government to address the Secretary of State for necessary alteration of the terms of the delegation.

[6th August 1929]

(iii) "Commissioners are primarily administrative, secondly quasi-judicial and lastly only advisory."

Clause 10 (v), as it has been left, gives the power to local Government to discard the whole list and make appointments outside the list—rendering the Commission really impotent and even ridiculous. This should be so amended as to make the Government respect the recommendations of the Commissioners or at least to make it obligatory on the local Government to record their reasons in writing whenever they disregard the recommendations of the Commissioners. The obligation to record reasons will make the Government think and hesitate if they feel like acting arbitrarily, at any time.

Clause 11 (iv), proviso.—I am for deletion of this. It will be found difficult to keep out official interference altogether. If the expert advice of such an official is necessary in the opinion of the Commissioners, it is open to them to appoint Boards for special posts and on such Boards they may invite an official or non-official expert to serve.

Clause 12.—I desired the word "Promotion" should be clearly defined in view of a recent discussion in the Legislative Council on the construction put on this word. I still think the Legislative Council should direct its attention to this matter.

Clause 13.—The official view seems to be that the series of Government Orders issued by Government between (about) March and October 1928, prescribing the number of posts, qualifications and pay for the various departments of Government are as good as the rules mentioned in the Bill and that the Services Commission have simply to administer them and such other rules as may be made by the local Government hereafter. As regards the Government Order regarding the Registration department there has been bitter criticism in several quarters and although a motion in the Legislative Council seeking to condemn the policy of Government underlying this particular Government Order did not receive the support of the majority in the Council, I think, in view of the fact that this is a matter affecting the welfare of a very large body of public servants, it is necessary to formulate a complete set of rules and leave it to the Legislative Council to pronounce a formal, direct and decided opinion thereon.

It is not in keeping with modern views of public administration that the power of making rules should for ever be retained in the hands of the executive. If the terms of the delegation of powers do not permit this at present, I would advise delaying the consideration of this Bill until the local Government addresses the Secretary of State and gets the delegation terms altered.

Clause 16, as it is now left, leaves the local Government free not to accept the recommendations of the Commissioners in cases of appeals against, censure, withholding of increment or promotion, suspension, removal and dismissal. I am of opinion that some provision ought to be inserted to make the local Government, ordinarily, respect the recommendations of the Commissioners. A series of rejections of advice by the local Government will reduce the Commission to the position of "a subordinate Committee of Government."

It is a well-understood axiom in all modern administrations that the decisions of an expert body like a Services Commission should be practically final except as regards matters pertaining to finance or policy.

[6th August 1929]

Clause 17.—The word “shall” may be inserted in place of “may” instead of merely relying on the well-known rule of interpretation that ordinarily “may” means “shall” in such matters.

Clause 21 (2).—In the course of the debate on the introduction of this Bill, it was contended by the hon. Member introducing it, that Government must retain the power of making rules if it is to function at all as a Government. I beg to differ from this view. Section 96-B (2) of Government of India Act clearly contemplates the Secretary of State delegating the power to the provincial legislatures, as well. Modern constitutions elsewhere do not retain these (rule-making) powers (in the hands of the executive) and yet they get on. Holding this view, I am not content with the mere laying of the draft rules on the table of the Legislative Council (for three months) but would like that the Council should consider them and adopt them before they are acted on by Government.

The consideration of this Bill by the Legislative Council may be postponed for a short time until the local Government corresponds with the Government of India and with the Secretary of State and obtain their consent to this being done.

OOTACAMUND,
31st May 1929.

T. ADINARAYANA CHETTI.

IV

I agree with the Report of the Select Committee and have only to add that I do not see why the Bill should penalise persons of 60 and above who preserve good health. I am myself over 60 but feel that I have years of work in me and I know of numerous other persons like me.

CHALAPURAM P.O.,
6th June 1929.

K. P. RAMAN MENON.

V

In clause 3, line 3, I would substitute “not more than four” for “two” since I think it is desirable that the Madras Services Commission should be allowed, if necessary, to have the same number of members as the All-India Public Services Commission.

MANGALORE,
7th June 1929.

A. B. SHETTY.

VI

I agree with the report of the Committee and suggest the following :—

In Chapter IV, clause 4, I propose that, of the two members of the Commission one of them should be elected by the members of Madras Legislative Council from amongst the elected members and the other to be elected by the Gazetted officers in the Province, each of them to hold office for a period of three years. Further, out of the three, viz., one Chairman

[6th August 1929]

and two members of the Commission, two at least shall be Indians. In view of the fact that both the members are elected only for a period of three years sub-clause (3) of clause 4 of Chapter II of Part I shall not operate against them.

MADRAS,
13th June 1929.

S. MUHAMMAD MEERA RAVUTTAR.

VII

During our consideration of the Bill it came out very clearly that there is nothing that is proposed to be carried out by the Bill that could not be equally well and effectively carried out by an act of the Executive Government, and that any real advance in the provisions of the Bill rendering the Commission independent and its decisions effective was precluded by the wording (perhaps unintentional) of the Delegation Rules of the Secretary of State for India. So that, the enactment of this Bill, while it does not impose any serious restrictions on the powers of the Executive, strengthens its position still further by making the expenditure connected with the Commission non-votable. So I consider that the Bill should in fairness to the Council be dropped now and re-introduced with suitable modifications only after a reference is made to the Secretary of State for India and the ambiguity in his rules referred to above is removed.

14th June 1929.

A. RANGANATHAM.

BILL No. 5 OF 1929.

THE MADRAS SERVICES COMMISSION BILL, 1929.

(As amended by the Select Committee.)

WHEREAS the Secretary of State for India in Council Preamble. has made a rule authorizing the local legislature, subject to certain conditions and restrictions, to make laws for the establishment, and for determining the functions, of a Commission to regulate the Public Services of the Presidency of Madras ;

AND WHEREAS it is necessary and expedient to establish a Commission for discharging the functions hereinafter specified in relation to the said Services ;

[6th August 1929]

AND WHEREAS the previous sanction of the Governor-General has been obtained to the passing of this Act; It is hereby enacted as follows:—

PART I.

CHAPTER I.—PRELIMINARY

Short title, extent and commencement.

1. (a) This Act may be called the Madras Services Commission Act, 1929.

(b) It extends to the whole of the Presidency of Madras.

(c) It shall come into force on such date as the Local Government may, by notification in the *Fort St. George Gazette*, appoint.

Definitions.

2. (1) In this Act, unless there is something repugnant in the subject or context—

(a) 'Commission' means 'The Madras Services Commission' established under this Act;

(b) 'Chairman' means the Chairman of the Commission referred to in clause (a);

(c) 'Member' means a member of the Commission referred to in clause (a); and

(d) 'Public Service Commission' means the Commission established under section 96 C of the Government of India Act.

(2) In this Act, the terms 'All-India service', 'provincial service', 'subordinate service' and 'special post' shall have in this Act, the same meaning as they have in the rules made under sub-section (2) of section 96 B of the Government of India Act by the Secretary of State for India in Council, the Governor-General in Council or the Local Government.

CHAPTER II.—CONSTITUTION, STRENGTH, SALARIES AND STAFF OF THE MADRAS SERVICES COMMISSION.

Establishment of Madras Services Commission.

3. There shall be established for the Presidency of Madras a Commission named 'The Madras Services Commission' consisting of a Chairman and two other members for performing the functions hereinafter specified in this Act in respect of the Public services in the said Presidency.

6th August 1929]

4. (1) The Chairman and the other members of the Commission shall be appointed and may be removed from office by the Governor in Council.

Appointment and removal of the Chairman and members.

Provided that no order of removal shall be made without the personal concurrence of the Governor of Madras.

(2) No person shall be appointed to be the Chairman or a member, and no Chairman or member shall continue to hold office as such, after he has completed 60 years of age.

(3) No person shall be appointed to be the Chairman or a member unless he has previously given an undertaking in writing to the effect that he will not, either during or after his service on the Commission, accept any other office under the Crown in India except—

(a) if appointed as the Chairman, the office of Chairman or member of the Public Service Commission; and

(b) if appointed as a member, either of the offices mentioned in clause (a) or the office of Chairman of the Commission.

* (4) No Chairman or member shall hold during his service on the Commission any other office under the Crown in India.

Nothing in this sub-section shall, however, bar the Chairman or other member having a lien on his post on the Commission while holding the office of Chairman or member of the Public Service Commission or the office of Chairman of the Commission, as the case may be.

5. There shall be paid to the Chairman a salary of three thousand rupees per mensem and to each of the other members a salary of two thousand rupees per mensem.

Salary of the Chairman and Members.

Nothing in this section shall prevent a Chairman or other member who at the time of his appointment as such, is a retired Government servant, from drawing his pension from Government in addition to his salary under this section.

[6th August 1929]

Appointment
and salary of
Secretary.

6. Subject to the previous approval of the Local Government. The Commission may, in its discretion, appoint a Secretary to the Commission, on such salary not exceeding one thousand and five hundred rupees per mensem as it thinks fit:

Provided that, if the person so appointed is at the time of his appointment a Government servant, his salary shall be fixed with the previous sanction of the Local Government.

Commission's
establish-
ment, etc.

7. It shall be lawful for the Commission and it is hereby empowered to employ such persons as it may deem necessary and incur expenditure for such employment as well as for contingencies, supplies and services and for other expenses connected with its work, up to an aggregate sum of one thousand rupees per mensem:

Provided that if any person so employed is at the time of his appointment a Government servant, his salary shall be fixed with the previous sanction of the Local Government.

Expen-
diture
under
sections 6
and 7 to be
non-
votable.

8. The amount of expenditure incurred under sections 6 and 7 shall be deemed to be prescribed by and under this Act for the purposes of clause (iii) of sub-section (3) of section 72 D of the Government of India Act.

PART II—FUNCTIONS OF THE COMMISSION.

CHAPTER III.—FUNCTIONS OF THE COMMISSION AS TO RECRUITMENT.

Recruitment
generally.

8. 9. The Commission shall advise the Local Government on any question which the Local Government may refer to it in connection with the recruitment to any provincial or subordinate service or special post.

Recruitment
by competi-
tive examina-
tion.

9. 10. Where any competitive examination is to be held in India for the purpose of recruitment to any provincial or subordinate service or special post, the Commission shall—

(i) advise the Local Government in regard to the regulations prescribing

(a) the qualifications of candidates,

(b) the conditions of admission to the examination, and

(c) the syllabus of the examination,

[6th August 1929]

(ii) announce the number of vacancies to be filled from among the candidates for the examination;

(iii) make all arrangements for the actual conduct of the examination;

(iv) arrange the candidates in order of merit on the results of the examination; and

(v) forward a list of the candidates so arranged to the Local Government.

10. 11. Where recruitment to any provincial or subordinate service or special post is to be made by selection in India the Commission shall—

Recruitment
by selection.

(i) advise the Local Government in regard to the regulations prescribing the qualifications of candidates and the submission of applications;

(ii) announce the number of vacancies, and invite applications;

(iii) consider all applications received and interview such candidates as it considers most suitable for appointment; and

(iv) submit to the Local Government a list consisting of such number, as the Local Government may fix, of the candidates whom the Commission considers most suitable for appointment arranged in the order of preference:

Provided that in case the appointment is to be made by the Local Government, the Local Government may, if they think fit, appoint an officer to be present at the interview referred to in clause (iii).

Nothing in the proviso shall entitle the officer appointed under it to vote on any question to be decided by the Commission.

11. 12. Where recruitment to any permanent post in a provincial service is to be made by promotion from a subordinate service, the Commission shall—

Recruitment
by promo-
tion.

(i) consider the claims of candidates nominated by the head of the department;

(ii) thereafter advise the Local Government in respect of each candidate nominated whether his qualifications are sufficient and whether his record proves him to have the character and ability requisite for the service to which it is proposed to appoint him; and

(iii) arrange the candidates in order of preference.

[6th August 1929]

Commission
to observe
Statutory
Rules.

12. 43. In the exercise of its functions under sections 9, 10 and 11, 40, 44 and 49, the Commission shall observe the rules, if any, made by the Local Government regarding the constitution of or recruitment to any provincial or subordinate service or special post under sub-section (2) of section 96 B of the Government of India Act.

CHAPTER IV.—FUNCTIONS OF THE COMMISSION TO HOLD EXAMINATIONS FOR PROBATIONERS AND PERSONS ALREADY IN THE SERVICE OF GOVERNMENT.

Examination
for
confirmation
and
promotion.

13. 44. Where any examination is to be held in India to determine whether probationers or officers already in the service of the Local Government have sufficient knowledge of any language or of any law, rules or orders which they may be called upon to administer, or possess any other qualifications including sufficient skill in equitation, which can be tested by examination, to justify their appointment to or promotion in an All-India, provincial or subordinate service or a special post, the Commission shall—

(i) advise the Local Government in regard to regulations prescribing

(a) the conditions of admission to the examination,

(b) the syllabus of the examination, and

(c) the percentage of marks to be obtained for passing the examination;

(ii) make all arrangements for the actual conduct of the examination;

(iii) arrange the successful candidates in order of merit; and

(iv) publish the results in the *Fort St. George Gazette*;

Provided that the Commission shall not undertake any duties under this section in respect of an officer of an All-India service or of any other officer appointed by the Secretary of State in Council or the Governor-General in Council save with the general or special approval of the Governor-General in Council or in the case of persons appointed by the Secretary of State in Council, of the Secretary of State in Council.

[6th August 1929]

CHAPTER V.—FUNCTIONS OF THE COMMISSION IN REGARD TO DISCIPLINARY CASES.

14. 45. The provisions of this chapter shall not apply to any person in the Civil Service of the Crown in India, other than a member of a provincial or subordinate service or the holder of a special post under the administrative control of the Local Government. Extent of application.

15. 46. The Local Government shall—

(i) before considering any appeal presented to them under the rules made in that behalf under sub-section (2) of section 96 B of the Government of India Act against any order—

(a) of censure,

(b) withholding an increment or promotion,

(c) of reduction to a lower post,

(d) of suspension,

(e) of removal, or

(f) of dismissal, or

(ii) before passing any original order—

(a) withholding an increment or promotion,

(b) of reduction to a lower post,

(c) of removal, or

(d) of dismissal,

consult the Commission in regard to the order to be passed:

Provided that it shall not be necessary for the Local Government to consult the Commission in any case—

(a) relating to the termination of probation,

(b) relating to the reversion to his permanent post of an officer officiating in a higher post,

(c) relating to the termination of the employment of any officer in accordance with the terms of his contract of employment, or

(d) in which the Commission has, at any previous stage, given advice as to the order to be passed and no fresh question has thereafter arisen for determination.

16. 47. The Local Government may consult the Commission as to the orders to be passed on any memorial submitted to them by any person to whom the provisions of this Chapter apply. Memorials.

[6th August 1929]

Records to be sent to Commission on reference.

17. 18. In any case in which the advice of the Commission is sought under section 15 or 16, 16 or 17 the record of the case shall be forwarded to the Commission and the opinion given by the Commission shall form part of the record of the case and shall be communicated to the officer or officers concerned along with the orders of the authority empowered to pass orders on the case.

PART III.

CHAPTER VI.—MISCELLANEOUS.

Vacancy not to invalidate acts of Commission.

18. 19. The proceedings of the Commission shall not be invalidated by any vacancy in the office of the Chairman or a member.

Effect of undue influence on the Commission.

20. If any candidate for a service or post, with the recruitment to which the Commission is concerned brings to bear or attempts to bring to bear directly or indirectly by himself or by any other person on his behalf any undue influence on the Commission or on the Chairman or other member thereof he shall be deemed to be disqualified for that service or post.

Explanation.—Undue influence in this section includes—

(i) any attempt by a candidate to obtain an interview with the Chairman or other member except when summoned to appear before the Commission by the Secretary or an official of the Commission authorized in that behalf;

(ii) any attempt by any person to obtain an interview with the Chairman or other member to support directly or indirectly the candidature of the candidate;

(iii) any attempt to influence the Commission or the Chairman or other member thereof by means of any certificates, letters or other documents not called for in the published notice inviting applications; and

(iv) in general, the infliction or threat of infliction of any temporal or spiritual injury, damage, harm or loss or the conferring or offering to confer any material or spiritual benefit or the employment of or the attempt to employ any other means for the purpose of inducing the Commission or the Chairman or other member thereof to exercise the functions vested in it or him under this Act otherwise than according to its or his own judgment of the merits of the case.

[6th August 1929]

19. 21. (1) The Local Government may make rules Power to make rules. to carry out all or any of the purposes of this Act and not inconsistent therewith.

(2) In particular and without prejudice to the generality of the foregoing power, the Local Government may make rules prescribing the procedure to be adopted by the Commission.

(3) Rules made under this section shall be published in the *Fort St. George Gazette* and laid in draft before the Madras Legislative Council for a period of three months while the Council is in session and shall on the expiry of such period be republished and upon such re-publication shall take effect as if enacted in this Act.

APPENDIX X.

[Vide item XII—Papers laid on the table of the House at page 93 supra.]

List of posts on Rs. 500 per mensem and above created during the quarter ending March 1929

A.—PERMANENT—Nil.

B.—TEMPORARY.

(i) EXTENSION OF PREVIOUS SANCTIONS.

Department and designation of posts. (1)	Pay per mensem. (2)	Period of tenure. (3)	Remarks. (4)
<i>General Administration.</i>			
RS.			
<i>Public Works and Labour Department—</i> Assistant Secretary.	500—50—800	From 1st April 1929 to 31st March 1930.	The post was originally sanctioned from 15th August 1927.
<i>Administration of Justice.</i>			
<i>Law (General) Department—</i> Temporary Sub-Judge, Devakota.	650	From 1st March 1929 to 31st March 1929.	Since made permanent from 1st April 1929.
First Additional Sub-Judge, Coimbatore.	650	From 1st March 1929 up to the commencement of the Christmas holidays, 1929.	....
Additional Sub-Judge, Chittoor.	650	From 7th January 1929 up to the commencement of the summer recess, 1929.	....
Additional Sub-Judge, Tellacherry.	650	From 1st January 1929 to 1st April 1929.	....

[6th August 1299

B.—TEMPORARY—cont.

(i) EXTENSION OF PREVIOUS SANCTIONS—cont.

Department and designation of posts. (1)	Pay per mensem. (2)	Period of tenure. (3)	Remarks. (4)
<i>Public Health.</i>			
RS.			
<i>Local Self-Government (P.H.) Department—</i> Special Malaria Officer.	900—50—1,500	Up to the end of 1929-30.	The post was originally sanctioned up to the end of 1928-29.

Industries.

<i>Development Department—</i> Special Officer for the Survey of Cottage Industries.	Pay in the regular line of Deputy Collector plus Rs. 100 Presidency allowance.	From 1st February 1929 to 31st March 1929.	The post was originally sanctioned from 1st April 1927.
---	--	--	---

(ii) POSTS NEWLY CREATED.

Forest.

Special Officer ..	250—900 (Grade pay of Extra Assistant Conservator and Presidency allowance of Rs. 100.)	From 21st March 1929 to 26th May 1929.	An Extra Assistant Conservator was placed on special duty in the Chief Conservator's office in connexion with the reorganization of the Forest Department.
--------------------	--	--	--

General Administration.

<i>Chief Secretariat—</i> Deputy Secretary to Government.	Superior scale of pay in the I.C.S. plus Special pay Rs. 200.	From 3rd January 1929 to 17th March 1929.	Mr. M. W. W. M. Yeatts was appointed to this post which was created in connexion with the visit to this Presidency of the Indian Statutory Commission.
Additional Under Secretary to Government.	Pay in the Regular line plus Rs. 200 Special pay.	From 16th March 1929 to 17th April 1929.	Mr. C. F. V. Williams was appointed to this post for the classification and arrangement of records in the Chief Secretariat.

Administration of Justice.

District and Sessions Judge.	2,400 plus Rs. 300.	O.P. From 21st January 1929 to end of Legislative Assembly.	Mr. V. Panduranga Rao, I.C.S., was appointed on special duty as a nominated member of the Legislative Assembly for the Madras Presidency.
------------------------------	---------------------	---	---

Police.

<i>Judicial Department—</i> Deputy Inspector-General of Police.	2,150 plus O.P. & 12-6-8.	From 9th to 25th January 1929 (both days inclusive).	To represent the Madras Presidency at the Conference of Police officers held at New Delhi in January 1929.
--	---------------------------	--	--

6th August 1929]

B.—TEMPORARY—cont.

(ii) POSTS NEWLY CREATED—cont.

Department and designation of posts. (1)	Pay per mensem. (2)	Period of tenure. (3)	Remarks. (4)
<i>Education.</i>			
RS.			
<i>Law (Education) Department—</i> Additional Professor of Civil Engineering, College of Engineering, Guindy.	1,000—50—1,500.	Five years from 11th March 1929.	Created for a period of five years in lieu of an I.E.S. post.

Miscellaneous Departments.

<i>Labour Department—</i> Special Officer ..	Rs. 2,400 plus O.P. £30 special pay plus Rs. 100 Presidency allowance Rs. 150.	For four months from 11th January 1929.	Mr. J. Gray, O.B.E., I.C.S., was appointed on Special duty to assist the Commissioner of Labour.
---	--	---	--

Civil Works.

<i>Public Works Department—</i> One Superintending Engineer.	1,750—100—2,150.	Four months from date of employment.	For preparing the case for Madras in connexion with the Mysore-Madras Cauvery Arbitration.
One Executive Engineer.	625—1,375.	Do.	Do.

APPENDIX XI.

[Vide item XII—Papers laid on the table of the House at page 93 supra.]

G.O. No. 1788 I., dated 15th June 1929

The Secretary of State has sanctioned the revised estimate for the Cauvery-Mettur Project amounting to Rs. 7,37,08,000.

(By order of the Governor in Council)

A. G. LEACH,
Secretary to Government.

To the Engineer-in-Chief, Cauvery-Mettur Project.
 " Audit Officer, Cauvery-Mettur Project.
 " Accountant-General, Madras.
 " Revenue Department.
 " Finance Department.
 " Board of Revenue.
 " Chief Engineer for Irrigation.
 " Collector of Mettur.
 " Secretary, Legislative Council (with 175 copies to be placed on the Council Table).
 Press (order only).

[6th August 1929]

APPENDIX XII.

[Vide item XII—Papers laid on the table of the House at page 93 supra.]

LOCAL SELF-GOVERNMENT DEPARTMENT.

Council—Anakapalle—Supersession for two years—Ordered.

(G.O. Mis. No. 2587, L. & M., dated 1st June 1929.)

NOTIFICATION.

The Government, being of opinion that the Municipal Council of Anakapalle is not competent to perform the duties imposed on it by law, hereby direct, under sub-section (1) of section 11 of the Madras District Municipalities Act, 1920, that it shall be superseded for a period of two years from the date of the publication of this notification in the *Port St. George Gazette*.

APPENDIX XIII.

[Vide item XII—Papers laid on the table of the House at page 93 supra.]

Statement of resolutions passed by the Madras Legislative Council during the third session of the third Legislative Council, 1928-29, and the action taken thereon by the Government.

Serial number and subject of the resolution.	When passed by the Council.	Nature of action taken by Government.
1. Committee to enquire into the grievances of the ryots in forest areas.	5th and 6th September 1928.	The question of the appointment of a committee has been dropped for the present as it is considered unnecessary to appoint one now in view of the reorganization proposals.
2. Crediting of all fees received from paying patients in State hospitals to the Government.	6th September 1928.	All fees except those realized in the X-Ray Department are already credited in full to the Government. In the X-Ray Department a portion of the fees is distributed among the staff. The Government are considering the formation of a radiologists cadre.
3. Appointment of a Committee to enquire into the affairs of the Government Press, Madras.	Do.	For the reasons stated by the hon. the Home Member during the debate the Government are unable to accept the resolution.
4. Appointment of a Committee to enquire into the economic condition of the districts of Kistna, Godavari East and Godavari West.	28th November 1928.	With reference to this resolution the hon. the Revenue Member at a meeting of the Legislative Council held on 30th January 1929 moved for the election of a committee to make the enquiry desired by the Council regarding the economic conditions of the districts of East and West Godavari and Kistna. The motion was adopted and the Council accordingly elected a Committee.

[6th August 1929]

Statement of resolutions passed by the Madras Legislative Council during the third session of the Third Legislative Council, 1928-29, and the action taken thereon by the Government—cont.

Serial number and subject of the resolution.	When passed by the Council.	Nature of action taken by Government.
5. Reconsideration of the Government Order on the report of the Mettur Project Deputation in regard to the supply of water for irrigation purposes in Coimbatore, Salem and Trichinopoly districts and in regard to various other matters specified in the resolution.	29th November 1928.	Item (1) of the resolution.—So far as the Salem district is concerned the Government have issued orders appointing a special staff to investigate the problem afresh. These orders have been placed on the Editors' Table. As regards extension of irrigation in the Coimbatore district the only feasible way to supply water from the Mettur Dam would be to connect up the late Mr. Moss's west side channel with the project. A fairly accurate statement has already been prepared for this scheme. In the Trichinopoly district it is proposed to investigate the following schemes:— (i) two high level channel schemes, a more extensive scheme to irrigate 50,000 acres and a smaller one to irrigate 10,000 acres; (ii) the North Bank channel scheme. A special officer has been deputed to conduct this investigation. The extension of irrigation from the Mettur Project in any of these three districts will depend on the results of these investigations. 2. As regards the other recommendations contained in the resolution the hon. the Leader of the House gave reasons why they could not be accepted by the Government.

APPENDIX XIV.

[Vide item XII—Papers laid on the table of the House—at page 93 supra.]

DEVELOPMENT DEPARTMENT.

Communication to the Council.

With reference to the answer given to Question No. 1413 at the meeting of the Legislative Council held on 25th February 1929 the following report is laid on the table:—

(b) The expenditure per mensem and the total expenditure from the commencement on the farms are as furnished below:—

	Sankesula fish farm.	Praema fish farm.
	RS.	RS.
Expenditure per mensem	500	100
Total expenditure from commencement	57,900*	3,915

* This total does not include the figures for 1915-16 and 1916-17 as they are not readily traceable.

[6th August 1929]

(c) The farms are primarily intended for the culture of improved varieties of food and anti-malarial fish both indigenous and exotic, and for the distribution of fry to neighbouring freshwater tanks and rivers whose fisheries are owned by Government and auctioned every year.

At the Sunkesula fish farm the methods of cultivating murrel for the market was worked out and until the Edurur swamp became silted up, young murrel bred in the farm were grown in this swamp and put on the fish-market at Kurnool, thus providing fish at a time when the market had no other supply. It was done only on a small experimental scale but even so has afforded data for enlarged work, when opportunities arise. A great deal of propaganda is, however, essential to interest local agriculturists in pisciculture.

Gourami from the Malay Archipelago and Mauritius were introduced into the farm in 1916; initial experiments in breeding Gourami for distribution were conducted and data regarding its best food, period of growth, age, etc., were ascertained and are still being ascertained at this farm. The Tench and English carp are also under acclimatisation and similar observation. Tench has bred twice in the farm. The above are the more important results of the work at this farm.

But as stated in the annual reports more intensive cultural experiments on a commercial scale could not be undertaken owing to the limited area and costly water-supply at this farm. For these further experiments ponds supplied by a natural flow of spring water have now been constructed at Praema and already the fish there have shown signs of prolific breeding. Serious work has not yet begun at the Praema farm. However, from 1920 onwards several water-holes all over the Nallamalais have been stocked with larvicides which is reported to have resulted in an appreciable reduction of malarial infection.

(d) The receipts from the Sunkesula fish farm are given below:—

	RS.		RS.
1924-25	298	1926-27	238
1925-26	215	1927-28	265

These are stray receipts from odd items of sales. There is no regular income from the farm.

There are no receipts from the Praema farm.

Fish farms are not run on commercial lines. Like the agricultural farms they are intended to solve certain piscicultural problems which have a vital bearing on freshwater fisheries.

A. McG. C. TAMPOE,
Secretary to Government.

6th August 1929]

APPENDIX XV.

[Vide item XII—Papers laid on the table of the House at page 93 supra.]

Letter from N. P. Venkatakrishna Reddiyar, Honorary Organizer of Panchayats, Sathambadi, Gingee taluk, to the Registrar-General of Panchayats, dated 6th February 1929.

1. சமூகத்திய 1929-ம் ஆண்டு ஜனவரி மீ 10 உயுள்ள 1760-2-ம் நம்பருள்ள ரிமெண்டரில் கண்ட 1928-ம் ஆண்டு டிசம்பர் மீ 3 உயுள்ள 41721-1 நம்பருள்ளதும் 1928-ம் ஆண்டு டிசம்பர் மீ 3 உயுள்ள Endorsement No. 596-1 எண்டார்சுமெண்டுகொண்டங்கிய நாகத்தார் ஆதிதிராவிடர்களால் கொடுக்கப்பட்ட பெடிஷன்களின்படி 1929-ம் ஆண்டு ஜனவரி மீ 30 உயில் நாகத்தார் கிராமத்துக்குப் போய் ஷே பெடிஷன்களில் கண்ட அம்சங்களைப்பற்றி விசாரிக்கப்பட்டது.

2. ஷே பெடிஷன்தார்களை காலே 11-மணி முதல் இரவு 8-மணி வரையில் தோட்டி தலையாரிகளைக்கொண்டு கூடியவரையில் தேடி பார்த்தும் தண்டோராபோடச் செய்தும் அவர்கள் வராததினால் ஷேயார்களை விசாரிக்கக் கூடவில்லை. அவர்கள் இந்த பெடிஷனை யாருடைய கம்பனியின்பேரிலோ கொடுத்துக்கொண்டதாகவும், அதன்படி சொல்வதற்கு சாத்தியப்படாமல் வேண்டுமென்றே மறைந்துகொண்டதாகவும் விசாரித்ததில் ஏற்படுகிறது.

3. மேலும் அந்த சேரியிலிருக்கப்பட்ட வயதானவர்களும் சேரித் தலைவர்களுமான 9 ஆதிதிராவிடர்களையும், மணியம், கர்ணம், லேட் இசம்பு மணியம் இவர்களையும் வரி விதிக்கப்பட்டு தகராறிலுள்ள ஷேயார் கடுசு செட்டி என்பவரையும் விசாரிக்கப்பட்டது.

4. ஷே யார்கள் ஸ்டேட்மென்டில் வில்லேஜ் பஞ்சாயத்து எலெக்ஷன் காலத்தில் பெடிஷன்தார்களும் மற்றும் சேரியிலுள்ளவர்களும் வந்திருந்ததாகவும், தங்களுக்கு மெம்பர் வேண்டியதில்லை என்று சொல்லி திருந்ததாகவும், தங்களுக்கு மெம்பர் வேண்டியக்காரர், கணக்குப்பிள்ளை விட்டதாகவும் சொல்லியிருக்கிறார்கள். மணியக்காரர், கணக்குப்பிள்ளை தங்கள் ஸ்டேட்மென்டில் சேரியைவிட ஊரில்தான் ஜனத்தொகை அதிகமென்று சொல்லுகிறார்கள். இந்தக் கிராமம் நஞ்செய் புஞ்செய் சுமார் ரூ. 130 பேரீஜ் செலுத்தக்கூடியவர்களென்றும் மற்ற 1,870 ரூபாய் ஊரி ரூ. 130 பேரீஜ் செலுத்தக்கூடியவர்களென்றும் மற்றும் மூன்று குடிகளும் செலுத்துவதாகத் தெரிகிறது.

5. பெடிஷன்தார்கள் ஆகேஷனியிலுள்ள வரியானது ஷேயார்கள் ஸ்டேட்மென்டிலுமும் ரிக்கார்டுகளை பரிசோதித்ததாலும் வரி விதிப்பதற்கு முன்பு எல்லோருக்கும் பிரகித்தப்படுத்தியிருக்கிறதென்றும் தங்களுக்குத் தெரிந்தும் யாரும் ஆகேஷனை சொல்லிக்கொள்ளாததால் வரி விதிக்கப்பட்டிருக்கிறதென்றும், பெடிஷன்தார்கள் மணிலா வியாபாரம் செய்தது உண்மையென்றும் ஏற்படுகிறது. தற்போது வரி ஆகேஷனை செய்யும் துரைசாமி செட்டி, தான் மெம்பராயிருந்த காலத்தில் தானும், இன்னொரு மெம்பரும் பெடிஷன்தார்கள் மணிலா வியாபாரம் செய்ததாக ஒரு துண்டு சீட்டில் பெயர்களை எழுதி கையெழுத்திட்டு பஞ்சாயத்தில் கொடுத்திருக்கிறார்கள்.

[6th August 1929]

6. மறுபடி ஊரில் நேரிட்ட ஏதோ மனஸ்தாபத்தின்பேரில் மெம்பர் பதவியை ராஜ்நாமா கொடுத்துவிட்டு தானும் வரி கொடாமல் ஆகேஷ் பித்துக்கொண்டு ஷே ஆதித்திராவிடர்களையும் தனக்கு சகாயமாய் சேர்த்துக்கொண்டு கலகம் செய்வதாக ஏற்படுகிறது. இது சம்பந்தமான கிரிமினல் கேசும் திண்டிவனம் சப் மாஜிஸ்ட்ரேட் கோர்ட்டில் நடந்துகொண்டிருக்கிறது. ஷே யார்கள் வரி செலுத்த சக்தியுள்ளவர்களாயிருப்பதும் தவிர அவர்கள் வேண்டுமென்றே ஆகேஷ்பனை செய்துகொண்டிருப்பதாகவும் தெரிகிறது. அவ்வூர் உபதேசி நெகோமியா என்பவரும் சில ஆதிதிராவிடர்களும் இதற்கு என்று கலகம் செய்துகொண்டிருப்பதாகத் தெரிகிறது.

7. ஆகையால் பெடிஷன்தார்களுக்கு வரிவிதி விதித்ததும், எலெக்ஷன் நடத்தினதும், நியாயமென்றும், அவர்கள் வரி கொடுக்க சக்தியுள்ளவர்கள் என்றும், அவர்கள் பெடிஷனில் சொல்லியுள்ள ஆகேஷ்பனைகள் சரியானவையல்லவென்றும், நேரில் வந்து ஆகேஷ்பனைகள் சொல்லிக் கொள்ளாமல் மறைந்திருந்ததால் சிலருடைய தரப்போதனைக்குட்பட்டே பெடிஷன்கள் கொடுக்கப்பட்டதாகவும் விசாரணையில் எனக்கு ஏற்படுகிறது. ஆகையால் இந்த பெடிஷனை தள்ளிவிடலாம்.

8. இவ்விதம் கலகம் நடந்துகொண்டிருப்பதால் பஞ்சாயத்து வேலைகள் நடைபெறக்கூடாமையாயிருக்கின்றன. இது விஷயமாய் பெடிஷன்தார்களுக்கு தகுந்த எச்சரிக்கை செய்து கலகம் உண்டபண்ணுமளிருக்க உத்தரவு பிறப்பிக்கவேண்டுமாய் கோறலாகிறது.

PROCEEDINGS OF THE REGISTRAR-GENERAL OF PANCHAYATS.

Fort St. George, dated 13th February 1929.

R. Dis. No. 102-1.

READ—

Petition from Ayyadurai and others of Nagandur Cheri, Gingee taluk, dated 29th November 1928.

Report from the Honorary Organizer, Gingee, dated 6th February 1929.

Order.

The strength of the Nagandur Panchayat is being raised to 12 members. The petitioners are advised to compete for the seats at the time when the elections are conducted by the Honorary Organizer, Gingee.

The objections to the levy of the groundnut tax urged by the petitioners are not of any weight and the sanction accorded to its levy cannot be cancelled at this stage.

A. DURAISWAMI,
Acting Registrar-General.

To Petitioners.

„ the President, Village Panchayat, Nagandur.

„ the Honorary Organizer, Gingee.

„ the President, Taluk Board, Tindivanam, with the original election record with his letter No. 38—T.B., dated 26th January 1929.

[6th August 1929]

APPENDIX XVI.

[Vide item XII—Papers laid on the table of the House at page 93 supra.]

LAW (GENERAL) DEPARTMENT.

COMMUNICATION TO THE COUNCIL.

With reference to the answer to question No. 1829 given at the meeting of the Legislative Council held on the 23rd March 1929 and the supplemental questions connected therewith, the following statement is laid on the table:—

STATEMENT.

Legislative Council Question No. 1829, answered on the 23rd March 1929, regarding the alleged ill-treatment of persons connected with the Koilpatti sedition case.

All the prisoners connected with the Koilpatti sedition case were allowed to have their books. All of them except Kuppuswami Mudali were allowed to have their shoes also. In the case of Kuppuswami Mudali, the medical officer did not consider the use of shoes necessary within the jail. None of the prisoners complained about the quality of the food supplied to them.

The prisoners have not been detained in jail for failure to furnish security but have been convicted of sedition and sentenced to simple imprisonment.

J. VENKATANARAYANA

26th May 1929.

[6th August 1929]

APPENDIX XVII

[Vide item XII—Papers laid on the table of the House at page 93 supra.]

DEVELOPMENT DEPARTMENT.

COMMUNICATION TO THE COUNCIL.

With reference to the answers given to the supplementary questions to question No. 1840 at the meeting of the Legislative Council held on 23rd March 1929, the following information is laid on the table:—

*Legislative Council Question No. 1840 answered on
23rd March 1929.*

The following are the cotton spinning mills working in the Madras Presidency:—

1. The Buckingham Mills, Madras.
2. The Carnatic Mill Company, Madras.
3. The Madras United Spinning and Weaving Mills, Madras.
4. Coral Mills Company, Tuticorin.
5. The Malabar Spinning and Weaving Company, Calicut.
6. Stanes Spinning and Weaving Company, Coimbatore.
7. Coimbatore Mill Mills Company, Coimbatore.
8. Sri Radhakrishna Mills, Peelamedu, Coimbatore.
9. Sri Ranga Vilas Spinning and Weaving Mills, Peelamedu, Coimbatore.
10. Kaleeswarar Mills, Coimbatore.
11. The Madura Mills, Madura.
12. Sree Meenakshi Mills, Madura.
13. Pandyan Mills Company, Madura.
14. Harvey Mills, Ambasamudram.
15. Tinnevely Textiles, Koilpatti.
16. Sree Suryanarayana Spinning and Weaving Mills, Pandalapaka.
17. Sree Ramachandra Spinning and Weaving Mills, Pandalapaka.

A. McG. C. TAMPOE,
Secretary to Government.

[6th August 1929]

APPENDIX XVIII

[Vide item XII—Papers laid on the table of the House at page 93 supra.]

DEVELOPMENT DEPARTMENT.

COMMUNICATION TO THE COUNCIL.

With reference to the reply given by the Hon'ble the Minister for Development to M.R.Ry. Diwan Bahadur P. C. Ethirajulu Nayudu Garu, M.L.C., in the course of supplementary questions on Legislative Council Question No. 1519 at the meeting of the Legislative Council held on 28th February 1929, the following note on the work done by the water diviner is placed on the table of the House:—

M.R.Ry. C. P. Garudachala Mudaliyar was employed by Government as water diviner for a period of nine months, from 12th March 1928, in connexion with the survey of subsoil water in the Bellary firkā. Fourteen villages in the Bellary firkā aggregating an area of about 101 square miles were selected for the survey and it was proposed to put down about 400 borings at the rate of one for every quarter of a square mile on the sites selected by the water diviner. During the period he was employed the water diviner was able to select 107 sites in the undermentioned eight villages against a total of 400 bore-holes originally intended to be put down in all the fourteen villages comprising the survey:—

(1) Bisalahalli ..	15	(6) Gonehallu ..	12
(2) Beevanahalli ..	8	(7) Kolegal ..	10
(3) Haddinagunda ..	11	(8) Bellary ..	8
(4) Sridaragadda ..	32		
(5) Sanganakallu ..	16		
		Total ..	107

The water diviner could not indicate the quantity or quality of the water likely to be met with or the depth at which water was likely to be struck, but he indicated with the help of his divining rod the sites where water was likely to be tapped, thus minimising unsuccessful borings. In addition to the selection of sites, the water diviner marked out the underground water-courses in Bisalahalli and a portion of Sanganakallu and a map of these water-courses has also been prepared. Of the above 107 sites selected, bore-holes ranging from 40 to 165 feet in depth have been put down in 53 sites and 14 borings are now in progress. The great majority of the bore-holes have struck water in a greater or less degree, the number of unsuccessful borings being about 10 per cent. Considering the nature of the area selected for the experimental survey and the great scarcity of water which existed even for drinking purposes, this result may be considered satisfactory.

A. McG. C. TAMPOE,
Secretary to Government.

[6th August 1929]

APPENDIX XIX

[Vide item XII—Papers laid on the table of the House at page 93 supra.]

DEVELOPMENT DEPARTMENT.

COMMUNICATION TO THE COUNCIL.

With reference to the answer given to the supplementary question to question No. 1853 at the meeting of the Legislative Council held on 25th March 1929 the following information is laid on the table:—

*Legislative Council Question No. 1853 answered on
25th March 1929.*

The five weaving parties that were at work during 1927–28 were stationed at Samalkot, Gudiyattam, Tiruchengodu, Madura and Melapalaiyam practically throughout the year. Since 1925, these parties directed their efforts chiefly towards the improvement of the preparatory processes and the demonstration of the departmental hand-sizing machines in selected centres of the Presidency. These machines could not be carried about easily from door to door of the weavers as in the case of fly-shuttle slays. Consequently the weaving parties engaged in the demonstration of these machines had to work for a considerable length of time at one particular centre until an organization was set up to provide sized warps for the benefit of the weavers.

25th June 1929.

A. McG. C. TAMPOE.

APPENDIX XX.

[Vide item XII—Papers laid on the table of the House at page 93 supra.]

PUBLIC WORKS AND LABOUR DEPARTMENT.

COMMUNICATION TO THE COUNCIL.

[SUBJECT.—*Traffic on the Narasapur-Razole ferry, West Godavari district.*]

With reference to the answer given to question No. 1627 at the meeting of the Legislative Council, dated 2nd March 1929, the following report is laid on the table:—

*Resolution of the Board of Revenue (Land Revenue and Settlement),
Rout. No. 3627, dated 1st June 1929.*

The Collector of West Godavari reports that the particulars called for in clause (a) of the Legislative Council question No. 1883 by Mr. J. Bheemayya are not available either in his office or in the office of the District Board, West Godavari.

13th June 1929.

A. G. LEACH,
Secretary to Government.

[6th August 1929]

APPENDIX XXI.

[Vide item XII—Papers laid on the table of the House at page 93 supra.]

REVENUE DEPARTMENT.

[Prices—Madras—Firewood—Rice in price due to the closure of the Buckingham Canal.]

With reference to the answer given to Question No. 1751 at the meeting of the Legislative Council held on 15th March 1929 the following papers are laid on the table:—

(i)

Letter from P. C. DUTT, Esq., I.C.S., Collector of Madras, to the Secretary to Government, Revenue Department, dated the 20th March 1929 No. D. Dis. A. 854/29.

The existing sale price of casuarina broken firewood ranges from Rs. 26 to Rs. 30 per ton according to quality; and this price has been prevalent during the last one week. This reduction in price is indirectly due to the orders of the Government to open the canal for traffic. Though sufficient stock has not been received through boats, still the apprehension of the firewood exporters in Nellikuppam, Mannargudi, Alapakam and other places who have been sending the firewood by rail that, if the canal is kept open, the demand for their stock will go down, has lowered the prices. The Tahsildar reports that as the canal has been closed again and as the existing stock is insufficient for the requirements till the reopening of the canal, the date of which has not been exactly announced, the depot-keepers say that the prices are likely to go up again. They therefore state that the exact date of closing and opening the canal should be fixed by Government and given wide publicity to all the casuarina tope owners living in villages from Adyar to Marakanam near Pondicherry. If this is done they state that the boats containing the firewood will be kept ready and used for to and fro journeys as soon as the canal is declared open and that the prices will go down more as they will then make arrangements in advance for supply of adequate stock.

(ii)

*Official Memorandum No. 6454-D/29-1, P.W. & L., dated
23rd March 1929.*

A copy of the letter from the Collector of Madras, No. D. Dis. A. 854/29, dated 20th March 1929, is forwarded to the Executive Engineer, Chingleput division, and he is requested to communicate to the Tahsildars concerned copies of all notifications issued by him in regard to the closure and the opening of the canal, specifying clearly the reaches of the canal that are affected during each closure period.

2. The Board of Revenue is requested to instruct the Tahsildars concerned to publish the notifications by beat of tom-tom in all the villages in their jurisdiction.

C. A. SOUTER,
Secretary to Government.

[6th August 1929]

(iii)

*Proceedings of the Board of Revenue (Land Revenue and Settlement),
Routine No. 3123, dated 8th May 1929.*

Khan Bahadur MUHAMMAD BAZL-UL-LAH SAHIB Bahadur, C.I.E., O.B.E.,
Commissioner of Land Revenue and Settlement.

Read—the following paper :—

Letter from P. C. DUTT, Esq., I.C.S., Collector of Madras, to the Secretary to Government, Revenue Department, dated the 6th May 1929, D. Dis. No. A-1, 1929/29.

The price of firewood (broken) ranges from Rs. 23 to Rs. 26 per ton according to quality after the 21st April 1929.

Resolution—Routine No. 3123, dated 8th May 1929.

Submitted to Government.

(iv)

Letter from R. D. RICHMOND, Esq., I.F.S., Chief Conservator of Forests, to the Secretary to Government, Development Department, dated the 27th May 1929, D. Dis. No. 1924/29.

[Legislative Council Question No. 2136 (1751)—Firewood—
Supply—Madras City.]

Clause (b) of the Legislative Council Question.—The quantities of firewood brought into the city during the past three years from Government forests were—

	TONS.
1926-27	18,621
1927-28	26,257
1928-29	33,298

Clause (c) of the Legislative Council Question.—During the year 1928-29, 3,481 acres of Government forests suitably situated for the extraction of fuel to Madras were leased to 28 persons but no definite purpose was specified in the leases. The leased areas often contain small timber, which is locally used, as well as fuel.

Clause (d) of the Legislative Council Question.—There has been no complaint of the coupes being too big for small lessees. The area of the coupes varied from 50 to 184 acres.

Clause (f) of the Legislative Council Question.—There are no casuarina plantations owned by Government. Under the new working plan for the Sriharikota Forests in Nellore district it is expected that an area of 500 acres will be planted with casuarina at the rate of 50 acres per year from the current year.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Wednesday, the 7th August 1929.

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

PRESENT:

Usman Sahib Bahadur, Kt., The hon. Khan Bahadur Sir Muhammad.	Khadir Mohidin Sahib Bahadur, Muhammad.
Moir, K.C.I.E., C.S.I., I.C.S., The hon. Sir Thomas.	Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.
Krishnan Nayar, The hon. Diwan Bahadur M. Campbell, C.S.I., C.I.E., O.B.E., V.D., I.C.S., The hon. Mr. A. Y. G.	Koti Reddi, Mr. K.
Subbarayan, The hon. Dr. P.	Krishnan, Mr. K.
Muthiah Mudaliyar, The hon. Mr. S.	Krishnaswami Nayakar, Mr. K. V.
Seturathnam Ayyar, The hon. Mr. M. R.	Kumaraswami Reddiyar, Diwan Bahadur S.
Abdul Hameed Khan Sahib Bahadur.	Kuppuswami Mr. J.
Abdul Hye Sahib Bahadur, K.	Leach, I.C.S., Mr. A. G.
Abdul Razaq Sahib Bahadur, Khan Bahadur S. K.	Leach, Mr. A. J.
Adinarayana Chettiyar, Mr. T.	Madhavan Nayar, Mr. K.
Ahmed Miran Sahib Bahadur, Moulvi Hafiz Anumanthakudi Mustafa.	Maharaja of Jaipur.
Anjaneyulu, Mr. P.	Maharaja of Pithapuram.
Appavu Chettiyar, Mr. C. D.	Mahmud Sohamnad Sahib Bahadur.
Ari Gowder, Mr. H. B.	Mallayya, Dr. B. S.
Arogyaswami Mudaliyar, Diwan Bahadur B. N.	Manikkavelu Nayakar, Mr. M. A.
Arpudaswami Udayar, Mr. S.	Marudavanam Pillai, Mr. C.
Ichutan, Mr. A.	Moidu Sahib Bahadur, Khan Sahib T. M.
Jasheer Ahmad Sayeed Sahib Bahadur.	Muniswami Nayudu, Rao Bahadur B.
Shanoji Rao, Mr. A. V.	Muniswami Pillai, Mr. V. I.
Sheemayya, Mr. J.	Muppil Nayar of Kavalappara alias Kumaran Raman, The
Biswanath Das Mahasaya, Sriman.	Murugappa Chettiyar, Diwan Bahadur A. M. M.
Bhidambaranatha Mudaliyar, Mr. T. K.	Muthulakehmi Reddi, Dr. (Mrs.).
Botterell, C.I.E., I.C.S., Mr. O. B.	Muthuranga Mudaliyar, Mr. O. N.
Davis, O.B.E., Mr. J. A.	Nagan Gowds, Mr. R.
Dorai Raja, Mr. S. N.	Nanjappa Bahadur, Subadar-Major S. A.
Itthirajulu Nayudu, Diwan Bahadur P. C.	Narayana Raju, Mr. D.
Koulkes, Mr. R.	Narayana Rao, Mr. Mothay.
Kangadhara Siva, Mr. M. V.	Narayanan Nambudripad, Rao Bahadur O. M.
Kanavaram Pillai, Mr. P. J.	Narayanaswami Pillai, Mr. T. M.
Kopala Menon, Mr. C.	Parasurama Rao Pantulu, Mr. A.
Kovindaraja Mudaliyar, Mr. C. S.	Parthasarathi Ayyangar, Mr. O. B.
Kray, O.B.E., I.C.S., Mr. J.	Patro, Kt., Rao Bahadur Sir A. P.
Kampayya, Rai Sahib M.	Premayya, Mr. G. B.
Krisarvottama Rao, Mr. G.	Rajan, Mr. P. T.
Kearson, Mr. H. F. P.	Rameshchandra Padayachi, Mr. K.
Ilton Brown, I.C.S., Mr.	Rameshchandra Reddi, Mr. B.
Kmes, Mr. F. E.	Ramamurti, I.C.S., Mr. S. V.
John, Mr. V. Ch.	Raman Menon, Mr. K. P.
Kaleswara Rao, Mr. A.	Ramanath Goenka, Mr.
Kaleswara Rao Nayudu, Mr. V.	Ramasomayajulu, Mr. C.
Karant, Mr. K. K.	Ramjee Rao, Mr. V.
Kesava Pillai, C.I.E., Diwan Bahadur P.	Ramaswami Ayyar, Mr. U.
	Ranganatha Mudaliyar, Mr. A.
	Ratnasabapathi Mudaliyar, Rao Bahadur C. S.
	Robertson, Mr. B. J. C.

[7th August 1929]

PRESENT—cont.

Saldanha, Mr. J. A.
Sami Venkatachalam Chetti, Mr.
Sarabha Reddi, Mr. K.
Satyamurti, Mr. S.
Shetty, Mr. A. B.
Sitarama Reddi, Rao Bahadur K.
Siva Raj, Mr. N.
Siva Rao, Mr. P.
Soundarapandian, Mr. W. P. 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.
Tajudin Sahib Bahadur, Syed.

Thomas, Mr. Daniel.
Tulasiram, Mr. L. K.
Uppi Sahib, Mr. 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.
Wood, Mr. G. E.
Zamindar of Mirzapuram.
Zamindar of Seithur.
Zamindar of Singampatti.

I

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Agriculture

Action taken on the report of the Royal Commission on Agriculture

* 51 Q.—Mr. K. R. KARANT: Will the hon. the Minister for Development be pleased to state whether Government or any committee appointed by them have come to any and if so, what decision or decisions on the various points raised by the report of the Royal Commission on Agriculture?

A.—The Agricultural Advisory Committee appointed by this Government to consider the recommendations of the Royal Commission on Agriculture have considered some of the recommendations. The decisions of the Committee will be taken into consideration in passing orders on the recommendations.

The minutes of the meetings of the Committee held on the 11th January, 14th February, 14th May and 15th June are placed on the table.*

Mr. K. R. KARANT:—“May I know whether it is intended to take the opinion of this House on the decisions come to by this Advisory Committee?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“If necessity arises, it will be consulted, I think.”

Mr. K. V. R. SWAMI:—“May I know from the hon. Minister why the opinion of the Advisory Committee is needed at all when the Royal Commission has recommended?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“On the question of giving practical effect to the recommendations of the Royal Commission, the Committee is being consulted.”

Mr. K. V. R. SWAMI:—“For how long the recommendations of the Royal Commission are under consideration?”

* Printed as Appendix I on page 229–237 infra.

7th August 1929]

The hon. Mr. M. R. SETURATNAM AYYAR:—“As long as all the recommendations are considered.”

Mr. K. V. R. SWAMI:—“May I know whether the Government is not going to take any steps at all before the consideration of all the recommendations is completed?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“Steps are being taken as things are ripe enough.”

Mr. J. A. SALDANHA:—“May I know how many meetings of this Committee have been held?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“The hon. Member can find it out from the proceedings given in the appendix to the answer.”

Action taken on the recommendations of the Royal Agricultural Commission.

* 52 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Development be pleased to state what measures Government have taken or propose to take for carrying out the various recommendations of the Royal Agricultural Commission so far as it lies within their powers?

A.—The Government have appointed a committee of officials and non-officials to consider the various recommendations and place before Government suggestions as to the manner and extent to which these recommendations are applicable to this Presidency and the measures by which effect may be given to them. The Committee have had time to consider some of the recommendations, and the others will be taken up in due course.

Co-operative Societies

Organization of a Central Weavers' Society.

* 53 Q.—Mr. A. RANGANATHA MUDALIYAR: With reference to the answer to question No. 1604, answered on 2nd March 1929, will the hon. the Minister for Development be pleased to state—

(a) whether the Government have since received the proposals of the Registrar regarding the question of organizing a Central Weavers' Society for the purchase of yarn and sale of finished products; and

(b) if so, the nature of those proposals and the orders of the Government thereon?

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

(b) The proposals are under the consideration of Government.

Mr. T. ADINARAYANA CHETTIYAR:—“May I know in what stage the matter now is?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“The Registrar of Co-operative Societies has sent in his report, and it is under consideration.”

Mr. T. ADINARAYANA CHETTIYAR:—“When was the report sent, Sir?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“Some time back, Sir.”

[7th August 1929]

Industries

Scope, etc., of the new industrial and trade schools sanctioned for Bellary, Calicut, etc.

* 54 Q.—MR. J. A. SALDANHA: Will the hon. the Minister for Development be pleased—

(a) to place before the Council the Government Orders sanctioning the establishment, scope, location and programme of the new industrial and trade schools sanctioned for Bellary, Calicut and Mangalore; and

(b) to state what development of these institutions is sought by the citizens or their representatives in those towns or is contemplated by Government?

A.—(a) The attention of the hon. Member is invited to G.O. No. 691, Development, dated 12th April 1929, which was placed at the disposal of the Press.

(b) The attention of the hon. Member is invited to the answer given in January 1929 to clauses (b) and (c) of question 1208 regarding the subjects that will be taught in the schools at Calicut and Mangalore. Future developments of these schools as well as of the one at Bellary will, however, depend upon the local demand for instruction in any particular subject and it will not therefore be possible precisely to indicate or determine at present what those developments should or will be.

Industrial and trade schools in the Presidency.

* 54-A Q.—MR. J. A. SALDANHA: Will the hon. the Minister for Development be pleased to state—

(a) how many and which new industrial and trades schools have been established in the year 1929-30 in the Presidency;

(b) with what courses of teaching and training and with what staff of teachers;

(c) whether the courses include or are intended to include in the near future teaching and training in cottage industries especially ceramic or pottery, coconut coir, glass bangle and beads, hand-loom and hand-spinning industries; and

(d) if not, why Government have not taken steps to see they are included?

A.—(a) 1. Government Industrial School, Bellary.
2. Government Industrial School, Calicut.
3. Government Trades School, Mangalore.

(b) As regards courses of teaching, the attention of the hon. Member is invited to G.O. No. 691, Development, dated 12th April 1929, which was placed at the disposal of the Press; the Staff sanctioned for the three schools is shown in the statement appended.

(c) & (d) The attention of the hon. Member is invited to the answer to clause (ii) of question No. 189.

* Printed as Appendix II on page 237 infra.

[7th August 1929]

MR. J. A. SALDANHA:—"May I inquire whether Government or the Director of Industries did not consult the local bodies concerned as to the scope of these schools?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"I do not think so, Sir."

MR. A. RANGANATHA MUDALIYAR:—"Is not the hon. Minister aware that there is a great demand for a mechanical engineering course being introduced in the school?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"I do not remember Sir."

Excise

Recruitment of ex-service men as Sub-Inspectors in the Excise Department.

* 55 Q.—SRIMAN BISWANATH DAS MAHASAYO: Will the hon. the Minister for Public Health be pleased to state—

(a) whether there are ex-service men already in service in the Waltair Circle who have been in the Excise Sub-Inspector's list for the last two years and are also educationally qualified;

(b) whether new persons have been recruited to the cadre of Sub-Inspectors to the detriment of these ex-service men who are already in the department;

(c) the number and names of such persons; and

(d) whether a new Agency Circle is going to be formed, and if so, from what date?

A.—(a) to (c) The hon. Member presumably refers to the Waltair division. The Government have not the information but have called for it.

(d) No such proposal is under the consideration of the Government.

Collection of arrears of tree-tax from the ryots.

* 56 Q.—MR. K. R. KARANT: Will the hon. the Minister for Public Health be pleased to state—

(a) whether it is true that, if a tenant who leases a coconut or palmyra tree for tapping is unable to pay the dues to Government, the ryot himself is being compelled to pay such dues; and

(b) if so, on what authority such collection is made?

A.—(a) Yes; in the South Kanara district.

(b) Under section 19 of the Madras Abkari Act and by virtue of a notification issued by the Government under that section.

MR. K. R. KARANT:—"May I know whether the landlord after payment of the arrears to Government has any remedies open to him to collect the amount from the tenant?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Under the law of the land just as any other money due to him, he can recover it."

[7th August 1929]

Education*Grant of scholarships to students outside this Presidency.*

* 57 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

- (a) the number of scholarships awarded to students outside this Presidency by the departments of Education and Industries;
- (b) the basis on which these are distributed;
- (c) whether in giving scholarships the needs of different language areas are taken into account; and
- (d) if not, why not?

A.—(a) In the Department of Education two scholarships tenable in the United Kingdom are annually awarded. A statement is appended * showing the number of scholarships awarded by the Department of Industries.

Department of Education.

- (b), (c) & (d) Scholarships granted by the Education Department are awarded on the basis of the academic attainments and capacity for research or post-graduate work of candidates; the candidates selected have to bind themselves to serve the Education Department, if required to do so, for a period of five years on their return to India. Candidates from the different language areas are equally eligible for the scholarships.

Department of Industries.

Qualifications have been prescribed in the case of all scholarships awarded by the Industries Department. Information as to the minimum qualification required is given in the statement referred to above. In distributing the scholarships with reference to these qualifications, due regard is paid to the needs of different language areas in the Presidency.

Sriman BISWANATH DAS Mahasayo:—"With reference to the answer to clause (a), may I know the number and names of the candidates that have been selected from the various language areas of this province, of course with due regard to efficiency and educational and other qualifications?"

The hon. the PRESIDENT:—"Asking for the names of candidates is not in the public interest. The portion of the question relating to the number in language areas may be answered."

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

Sriman BISWANATH DAS Mahasayo:—"The answer says, 'due regard is paid to the needs of different language areas in the Presidency.' From Appendix II, I find that the minimum qualification for admission into the Victoria Jubilee Technical Institute is the Secondary School Leaving Certificate. May I know the reason why graduates in science who applied for the same have not been selected?"

The hon. Dr. P. SUBBARAYAN:—"Perhaps the reason was that there were other better candidates."

* Printed as Appendix III on page 238 infra.

[7th August 1929]

Mr. ABDUL HAMEED KHAN:—"May I know from the hon. the Minister for Education the subjects for which these scholarships are awarded?"

The hon. Dr. P. SUBBARAYAN:—"I want notice, Sir. The scholarships have been awarded by the Department of Industries, and the question is better known to my hon. Colleague, the Minister for Development."

Mr. ABDUL HAMEED KHAN:—"May I know when these scholarships were instituted and how many scholarships have been awarded up to date, and whether there is any increase in the number of scholarships since or whether the Government has been sticking to the same number ever since they were instituted?"

The hon. Dr. P. SUBBARAYAN:—"I can only answer with regard to the Department of Education. Two scholarships are awarded tenable in the United Kingdom."

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR:—"May I know whether in granting scholarships the claims of backward communities are taken into consideration?"

The hon. Dr. P. SUBBARAYAN:—"The interests of backward communities are taken into consideration, Sir."

Sriman BISWANATH DAS Mahasayo:—"With reference to technical scholarships, may I ask the hon. Minister how many candidates were awarded scholarships in the different language areas, their qualifications and the reasons why they were considered better?"

The hon. Dr. P. SUBBARAYAN:—"I should like to know if my hon. Friend refers to the Department of Education or the Department of Industries."

The hon. the PRESIDENT:—"The hon. Member will have to address a separate question to the hon. the Minister for Development with regard to the scholarships in the Department of Industries."

Sriman BISWANATH DAS Mahasayo:—"The answer to the question also refers to the Department of Industries, Sir."

The hon. the PRESIDENT:—"But this question is addressed to the hon. the Minister for Education?"

Sriman BISWANATH DAS Mahasayo:—"I want to have the number, etc., from the Department of Industries."

The hon. the PRESIDENT:—"Then he will have to give notice of it?"

Mr. MAHMUD SCHAMNAD:—"May I know whether any preference is given to backward communities in awarding scholarships?"

The hon. Dr. P. SUBBARAYAN:—"As I said, it depends upon the qualifications of the candidates."

Mr. S. SATYAMURTI:—"May I know whether the possession of academic training and the capacity for post-graduate research work also vary according to communities?"

The hon. Dr. P. SUBBARAYAN:—"I do not think so."

[7th August 1929]

Delay in the payment of teaching grants to the managers of aided schools in Ganjam and Vizagapatam.

* 58 Q.—Sriman BISWANATH DAS Mahasayo : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) the number of teaching grant cheques that were to be issued to the managers of aided schools by the District Elementary Education Councils of Ganjam and Vizagapatam each separately during the years 1926-27 to 1928-29, both inclusive ;

(b) how many such cheques were issued to the teacher-managers before the 31st March in each of these three years ;

(c) whether any complaints have been, at any time, made regarding undue delays in respect of payment of these teaching grants in these two districts ;

(d) whether any money had to be lapsed in consequence of such undue delay in any one of these two districts in any of these three years ;

(e) whether any enquiries have been made into this question ; and

(f) whether the Government have taken or propose to take any action to minimise the recurrence of such delays ?

A.—(a) & (b) The Government have no information but have called for it from the District Educational Councils concerned.

(c) At the meeting of the Council held on 8th September 1928, the Hon'ble Member's interpellation in regard to the delay in the disbursement of teaching grants for 1927-28 by the District Educational Council, Ganjam, was answered. Besides this, no complaint has been received by Government.

(d) The unspent balances at the end of a year out of the allotments for teaching grants placed at the disposal of District Educational Councils do not lapse.

(e) An enquiry was made with reference to the interpellation referred to in the answer to clause (c).

(f) Instructions have been issued in May last to District Educational Councils with a view to facilitate the disbursement of teaching grants before the close of the year to which they relate.

Sriman BISWANATH DAS Mahasayo :—“ May I know the reason why clauses (a) and (b) have not been answered ? ”

The hon. Dr. P. SUBBARAYAN :—“ For the simple reason that Government have not got the information.”

Sriman BISWANATH DAS Mahasayo :—“ With reference to clause (c), it was said on a previous occasion that Government would call for information. May I know whether Government have called for the information and whether they will lay it on the table if they have any information ? May I know also the reason why the grants have not yet been disbursed ? ”

The hon. Dr. P. SUBBARAYAN :—“ I do not understand what the hon. Member refers to.”

Sriman BISWANATH DAS Mahasayo :—“ Regarding the disbursement of grants to managers of aided elementary schools ? ”

The hon. Dr. P. SUBBARAYAN :—“ As I said, the Government have no information on this point.”

[7th August 1929]

Mr. S. SATYAMURTI :—“ With reference to the answer to clause (d) of the question, may I know whether block grants are given year after year ? ”

The hon. Dr. P. SUBBARAYAN :—“ They are not block grants, but they are teaching grants placed at the disposal of District Educational Councils.”

Mr. S. SATYAMURTI :—“ Are the grants given in lump amounts to District Educational Councils ? ”

The hon. Dr. P. SUBBARAYAN :—“ Yes.”

Sriman BISWANATH DAS Mahasayo :—“ Will the hon. Minister be pleased to lay on the table the information asked for when he gets it ? ”

The hon. Dr. P. SUBBARAYAN :—“ I will consider it, Sir.”

Provision for teaching Urdu to Muhammadan boys in the Board High School, Harpanahalli.

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

(a) the number of boys whose vernaculars are Telugu and Kanarese respectively in the Board High School, Harpanahalli, Bellary district ;

(b) the number of Muhammadan boys in the said school and the arrangements, if any, that exist for teaching them Urdu as an optional subject ; and

(c) whether any memorial was received from the Muhammadans of Harpanahalli requesting that provision should be made for teaching Urdu in the school, and, if so, what are the orders passed by the Government thereon ?

A.—(a) The number of pupils studying Telugu as their vernacular is reported to be 42 and the number studying Kanarese 340.

(b) The number of Muhammadan pupils in the school is reported to be 47. The Government understand that the employment of a trained Muhammadan teacher has recently been sanctioned by the District Board and that a start has been made from 1st July 1929 to teach Urdu to the Muhammadan pupils from the 4th class.

(c) No.

Mr. ABDUL HAMEED KHAN :—“ May I know from the hon. the Minister for Education how long the school has been going on without a teacher for the teaching of Urdu ? ”

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

Mr. ABDUL HAMEED KHAN :—“ May I know why there was such a delay in appointing an Urdu teacher for the school ? ”

The hon. Dr. P. SUBBARAYAN :—“ It is a matter under the control of the Bellary District Board.”

Mr. ABDUL HAMEED KHAN :—“ Will the hon. the Minister make an enquiry into the matter ? ”

The hon. Dr. P. SUBBARAYAN :—“ As I said, we have called for information.”

[7th August 1929]

Establishment and recognition of Catholic and Muhammadan schools in the Presidency.

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

(i) to place before the Council the orders and rules for giving facilities for the establishment, recognition and grant-in-aid of Catholic and Muhammadan schools in this Presidency; and

(ii) to state—

(a) whether representations have been made by Catholics or Muhammadans since last January urging the vagueness and inadequacy to meet the requirements of the orders and rules passed; and

(b) if so, what action has been taken thereon?

A.—(i) G.O. No. 104, Education, dated 15th January 1929, laying down certain principles to be followed in granting recognition to Catholic schools in the South Kanara district and paying grants-in-aid to them is placed on the table*. No such special orders or rules have been issued in regard to Muhammadan schools.

(ii) (a) Representations have been received from Catholics.

(b) Action will be taken on receipt of the report on the working of the policy referred to in G.O. No. 104, dated 15th January 1929.

MR. J. A. SALDANHA:—"With regard to sub-paragraph (1) of the Government Order (Mis. No. 104, Education, dated 15th January 1929), published as Appendix III, may I know what is meant by the phrase 'reasonable number' mentioned there? May I ask what number would be reasonable?"

THE HON. DR. P. SUBBARAYAN:—"Notice, Sir."

MR. J. A. SALDANHA:—"With regard to sub-paragraph (3), may I enquire whether, in case where there is only one school in a locality for Muhammadans, recognition is given or not to a such separate Muhammadan school?"

THE HON. DR. P. SUBBARAYAN:—"Muhammadans differ from Christians in this respect, that unlike Muhammadans Christians can talk the language of the locality."

Assent of His Excellency the Governor and His Excellency the Governor-General to the Madras University Amending Bill.

* 61 Q.—MR. S. SATYAMURTI: Will the hon. the Minister for Education and Local Self-Government be pleased to state whether there has been any correspondence between this Government on the one hand and His Excellency the Governor or Governor-General or the Government of India on the other regarding the Madras University Amending Bill and whether this Government know why the Bill has not yet been assented to by His Excellency the Governor and by His Excellency the Governor-General?

* Printed as Appendix IV on pages 238-239 infra.

[7th August 1929]

A.—As required by rule 2 (b) of the Reservation of Bills rules the Madras University (Amendment) Bill was reserved by His Excellency the Governor for the consideration of the Governor-General. The Government of India have taken the view that the reference to the Indian Universities Act, 1904, in clause 2 (ii) (e) of the Bill is not in order as that Act has ceased to be in operation so far as the Madras University is concerned. It is therefore proposed to return the Bill to the Legislative Council for further consideration under section 81-A (2) (a) of the Government of India Act with suitable amendments.

MR. S. SATYAMURTI:—"May I know when this Bill is proposed to be brought to this Council for further consideration?"

THE HON. DR. P. SUBBARAYAN:—"I believe it will be on 9th of this month."

MR. S. SATYAMURTI:—"May I know whether I can put a question to you, Sir, on the point?"

THE HON. THE PRESIDENT:—"The hon. Member can come to me in my room and put the question. He cannot do it now."

Prevention of smoking in schools and colleges.

* 62 Q.—MR. A. B. SHETTY: Will the hon. the Minister for Education and Local Self-Government be pleased to lay on the table of the House a summary of the reports received from the Director of Public Instruction regarding the effect of his circular of 1925 in preventing smoking in schools and colleges?

A.—A copy of the circular issued by the Director of Public Instruction in 1925 was placed on the table in answer to question No. 1528 asked at the meeting of the Legislative Council held on the 27th February 1928. Reports as to the effect of the circular were received from 24 District Educational Officers, the Inspector of European Schools and Principals of forty-six colleges. The majority of reports were stereotyped and were to the effect—

(i) that the circular was put into force;
(ii) that there was no difficulty in putting it into force; and
(iii) that the circular had been instrumental in varying degrees in checking the habit of smoking by students in school premises and play-grounds. In a few cases it was reported—

(i) that though smoking in college premises and on play-grounds had been greatly checked, smoking 'on the sly' was still going on outside;
(ii) that home influence and moral persuasion would prove more effective in checking the evil than anything that could be done by school authorities; and

(iii) that occasional lectures by doctors who were specialists on the subject would be beneficial.

[7th August 1929]

The general conclusion to be drawn from the reports is that smoking is not much in evidence in school and college premises and on play-grounds and that smoking outside is not widespread except in the Telugu districts, parts of Coimbatore, Malabar and the Nilgiris.

Prevention of smoking in schools and colleges.

* 62-A Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to place on the table of the House a summary of the reports and other information received regarding the effect of the circular of the Director of Public Instruction along with a copy of the circular regarding prevention of smoking in schools?

A.—The attention of the hon. Member is invited to the answer to question No. 62.

Mr. G. HARISARVOTTAMA RAO:—"In view of the answer given in item (iii) and also the recommendations made, may I know whether in view of the fact that smoking outside the school does exist to a large extent in the Telugu districts and one of the recommendations—the third is 'that occasional lectures by doctors who were specialists on the subject would be beneficial'. May I know if any arrangements have been made for such lectures in the Telugu districts as are referred to in the answer?"

The hon. Dr. P. SUBBARAYAN:—"Not yet."

Mr. G. HARISARVOTTAMA RAO:—"May I know whether Government propose to make such provision early?"

The hon. Dr. P. SUBBARAYAN:—"It depends on the proposals of the Director of Public Instruction."

Mr. G. HARISARVOTTAMA RAO:—"May I know whether the Director of Public Instruction has been asked to give his opinion on this subject and to make any recommendations?"

The hon. Dr. P. SUBBARAYAN:—"As I said, he will make the recommendations he thinks necessary."

Mr. G. HARISARVOTTAMA RAO:—"May I know whether Government have asked him to make any recommendations?"

The hon. Dr. P. SUBBARAYAN:—"The proposals are to emanate from the Director of Public Instruction."

Mr. A. KALESWARA RAO:—"May I know whether Government will issue instructions to teachers to give moral education to students including the evils of smoking?"

The hon. Dr. P. SUBBARAYAN:—"I believe it has already been done."

Mr. G. HARISARVOTTAMA RAO:—"May I know whether the hon. Minister will ask the Director of Public Instruction to send up proposals?"

The hon. Dr. P. SUBBARAYAN:—"The Director will send it of his own accord."

Mr. C. V. VENKATARAMANA AYYANGAR:—"May I know whether smoking is prevalent among school-boys in Coimbatore?"

The hon. Dr. P. SUBBARAYAN:—"I am not acquainted with the topography of the Coimbatore district as much as the hon. Member."

[7th August 1929]

Mr. C. V. VENKATARAMANA AYYANGAR:—"Cannot the hon. the Minister give some information? The Director's report is there with him."

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

Prevention of teachers from smoking in the presence of their pupils.

* 63 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Education and Local Self-Government be pleased to state whether any circular has been issued or is proposed to be issued directing that teachers should not smoke in the presence of their pupils in the class-room or in the school or college premises?

A.—A circular in the following terms was issued by the Director of Public Instruction in April 1929:—

"The heads of all educational institutions are hereby informed that teachers should not be allowed to smoke in class rooms."

Mr. K. KOTI REDDI:—"Will the hon. the Minister be pleased to issue instructions to the Director of Public Instruction to see that teachers ought to be informed that smoking should not be indulged in by them not only inside the class-room but also outside the class-room within the school premises?"

The hon. Dr. P. SUBBARAYAN:—"I believe that is the instruction."

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR:—"Will the hon. the Minister be pleased to bring forward legislation on the subject?"

The hon. Dr. P. SUBBARAYAN:—"I do not think a case has been made out for such legislation."

Mr. G. HARISARVOTTAMA RAO:—"May I know if the hon. the Minister will issue instructions to the effect that smoking should not be indulged in by the teachers in the precincts of the school? Because it is mentioned here in the answer that the instructions are only in regard to the class-room?"

The hon. Dr. P. SUBBARAYAN:—"That will be done."

Opening of girls' schools in South Kanara.

* 64 Q.—Mr. A. B. SHETTY: With reference to my question No. 1682 answered on 11th March 1929 regarding the opening of girls' schools in South Kanara, will the hon. the Minister for Education and Local Self-Government be pleased to lay on the table of the House the information received from the Director of Public Instruction?

A.—The report received from the Director of Public Instruction is placed on the Council table.*

Local Boards

Introduction of Bills to amend the Local Boards Act, District Municipalities Act, etc.

* 65 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education and Local Self-Government be pleased to state when he proposes to introduce in the Council—

(1) the Bill to amend the Local Boards Act;

[7th August 1929]

- (2) the Bill to amend the District Municipalities Act;
 (3) the Bill to amend the Hindu Religious Endowments Act; and
 (4) the Bill to amend the Elementary Education Act?

A.—(1) & (2) In the October meeting of the Council. It was hoped to introduce the Bills in this meeting but there was not time to obtain the Government of India's sanction.

(3) & (4) When ready.

11-15
a.m.

Mr. S. SATYAMURTI:—"With reference to clauses (3) and (4) of the question, may I know whether the Government can give any idea approximately of the time when they expect these Bills to be ready?"

The hon. Dr. P. SUBBARAYAN:—"Perhaps the Elementary Education Bill may be ready by October, but not the Religious Endowments Bill."

Mr. G. HARISARVOTTAMA RAO:—"May I know from the hon. Minister how long this Endowments Bill has been under consideration?"

The hon. Dr. P. SUBBARAYAN:—"As far as I am concerned, for the last one year."

Mr. A. KALESWARA RAO:—"May I know, Sir, whether there is any order from the Government of India that private Bills should not be opposed on the ground that the Local Government are going to introduce their own Bills?"

Mr. P. C. VENKATAPATHI RAJU:—"May I know whether the Government have applied for the sanction of the Government of India?"

The hon. Dr. P. SUBBARAYAN:—"It is in the process of going to the Government of India."

Mr. P. C. VENKATAPATHI RAJU:—"May I know whether they are going to apply for sanction for all the provisions?"

The hon. Dr. P. SUBBARAYAN:—"Yes. For all the provisions that require the sanction of the Government of India."

Mr. P. C. VENKATAPATHI RAJU:—"Does the hon. the Minister propose to apply for sanction for all the Bills which require the Government of India's sanction?"

The hon. Dr. P. SUBBARAYAN:—"Yes."

Municipalities

Liability of railway administration to pay property tax to the concerned municipalities.

* 66 Q.—Mr. C. RAMASOMAYAJULU: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) with reference to the Memorandum No. 33278-2/B-L. & M., dated 6th November 1926, whether this Government moved the Government of India to issue a revised notification declaring the liability of railway administrations to pay property tax to the concerned municipalities and whether the revised notification has been issued and, if so, when; and

(b) if the answer to (a) is in the negative, whether this Government will secure the issue of the necessary revised notification by the Government of India?

[7th August 1929]

A.—(a) & (b) The Government of India have issued the requisite revised notifications in February 1929. They were republished in the *Port St. George Gazette* of 19th March 1929.

Mr. C. RAMASOMAYAJULU:—"May I know if this notification has got any retrospective effect? Does it refer to collections already made?"

The hon. Dr. P. SUBBARAYAN:—"Notice."

Religious and Charitable Endowments

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

* 67 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state when the Bill to amend the Hindu Religious Endowments Act will be introduced by the Government in the Council?

A.—The Bill to amend the Hindu Religious Endowments Act is undergoing final scrutiny and will be introduced in the Council when it is ready.

Mr. A. RANGANATHA MUDALIYAR:—"The Government say that they cannot exactly say when the Bill will be ready. May I ask them if they will give facilities for a private Bill?"

The hon. Dr. P. SUBBARAYAN:—"It depends on what is contained in the private Bill."

Collection of contributions to the Temple Committees.

* 68 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Education and Local Self-Government be pleased to state whether the Government have any proposals for the collection of contributions to the Temple Committees and to the Board more easily and more satisfactorily than now and if so, what they are?

A.—The matter is under consideration and nothing has been decided as yet.

Mr. A. B. SHETTY:—"How long has the matter been under consideration and when does the Government expect to come to a decision?"

The hon. Dr. P. SUBBARAYAN:—"It is impossible to say when a decision will be reached."

Tours

Work done by the hon. the Chief Minister in his tour to the Ganjam district.

* 69 Q.—Sriman BISWANATH DAS Mahasaya: Will the hon. the Minister for Education and Local Self-Government be pleased to state the official work transacted in his recent tour (in April) to the district of Ganjam?

A.—(1) Visited the Aska bridge.

(2) Opened an elementary school building at Kukkudakhandy.

(3) Travelled all the way from Berhampur to Waltair by road and saw the condition in which the trunk road was.

[7th August 1929]

Land Assignment*Assignment of certain lands in Maddilingathahalli village.*

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

(a) whether Kuruba Mukanna has been occupying and enjoying about an acre of land in S. No. 86-A of Maddilingathahalli, Alur taluk, Bellary district, for about the last 25 years;

(b) whether before his occupation it was overgrown with prickly-pear and much money and labour was spent on its reclamation;

(c) whether about 1924 or 1925, the District Labour Officer got him to agree to its assignment to a member of the depressed classes;

(d) whether the said consent was voluntary on the part of Mukanna and if so, what the consideration was for which he agreed to part with a land on the reclamation of which he had spent time, money and labour;

(e) whether subsequently the Tahsildar ordered, for any reason, that the piece of land should not be entered upon by any of the depressed classes;

(f) whether Mukanna wanted the land for himself on patta and whether his application was rejected;

(g) whether the whole or part of S. No. 86-A is included in the list of lands reserved for depressed classes; and

(h) if so, when that list was first prepared, and whether at that time any attempt was made to exclude from it lands in the occupation of sivajama cultivators for more than three years and if not, whether such lands have been excluded since?

A.—(a) to (h) The Government have not the information asked for, but have called for a report.

✓ *Representations regarding the treatment of Catholic Churches in South Kanara.*

* 71 Q.—MR. J. A. SALDANHA: With reference to my questions Nos. 353 and 1778 answered on 8th October 1928 and 19th March 1929 respectively, will the hon. the Member for Revenue be pleased—

(i) to place before the Council a statement of all the representations received from various ecclesiastical authorities, missionaries, parish-priests, church boards or other bodies as to the grievances based on the alleged treatment of Catholic churches in South Kanara as if they were alien bodies and subjected to the disabilities of aliens to acquire lands in British India without sanction of Government and the orders passed thereon and the grounds therefor, and

(ii) to state

(a) why Government have not considered it necessary to take legal opinion on the point whether the properties in the possession of any of the churches mentioned in clause (b) of question No. 353 above mentioned are vested in His Holiness the Pope as owner or supreme administrator or in the churches in question as owners and administrators with reference to any of the representations received by Government; and

(b) if so, what view Government have taken on the question?

A.—(i) A statement is annexed.*

* Printed as Appendix VI on page 241 infra.

[7th August 1929]

(ii) (a) & (b) The Government have been advised by their legal advisers that properties attached to Roman Catholic churches in India are vested in the Pope. Assignments of lands made in favour of Roman Catholic churches in India are in effect, therefore, assignments made in favour of the Pope. The Government consider that whether the Pope is regarded as the owner or as the supreme administrator of the lands assigned, there would be no justification for any change in the rule which requires the sanction of Government for the assignment of lands to Roman Catholic Missions, and that therefore it is unnecessary to take legal opinion on the point raised by the hon. Member.

Land Revenue*Assignment of certain lands in Kirimanjeshwar village.*

* 72 Q.—MR. K. R. KARANT: Will the hon. the Member for Revenue be pleased to state—

(a) whether in the village of Kirimanjeshwar in the Coondapoor taluk of South Kanara any rule is in force to the effect that no land within two chains from the high water mark of the sea should be assigned;

(b) how long this rule has been in force;

(c) whether in virtue of this rule portions of warg lands wrongly left out at the last survey are being treated as encroachments by the Revenue Department and ordered to be removed; and

(d) what steps Government propose to take to see that in the case of such mistakes in survey the ryots are not unnecessarily harassed?

A.—(a), (b), (c) & (d) The Government are not aware of the existence of such a rule. A report has been called for.

Levy of subdivision fees for separating joint pattas in South Kanara.

* 73 Q.—MR. K. R. KARANT: Will the hon. the Member for Revenue be pleased to state—

(a) whether in the case of separating joint pattas a subdivision fee of Rs. 2 is levied from each party concerned; and

(b) whether the fee being exorbitant, there are a large number of joint pattas in South Kanara the parties being unwilling to pay the fee?

A.—(a) The total amount collected altogether from all the parties concerned is Rs. 2 for each newly formed subdivision, calculated according to the following formula:—

“If a field is divided into a certain number of subdivisions, this number minus one will represent the number of newly formed subdivisions. Fees should be collected at Rs. 2 for each new subdivision in which the applicant is interested provided that when the applicants are interested in all the subdivisions formed, any one subdivision may be treated as not new.”

(b) From such figures as the Government possess it does not appear that the fact is as suggested by the hon. Member,

[7th August 1929]

Mr. K. R. KARANT.—“With reference to clause (b), may I ask the hon. the Revenue Member to call for a report?”

The hon. Mr. A. Y. G. CAMPBELL:—“I think, Sir, it would be very difficult to get a report on this point as we have no means of knowing in what cases ryots have refrained from applying for the division of joint pattas owing to the fact that they may be called on to pay certain fees.”

Levy of fees for subdivision of assessed lands in South Kanara.

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

- (a) what are the fees paid for subdivision of assessed lands in South Kanara;
- (b) under what law, by whom and for what purposes are such fees levied;
- (c) to whom these fees are credited and how they are distributed;
- (d) from what year these subdivision fees are levied and what is the annual income for the past five years in the district of South Kanara therefrom; and
- (e) whether Government contemplate any relief to ryots, especially Christian ryots, in South Kanara?

A.—(a) Two rupees per subdivision.

(b) The Survey and Settlement Retrenchment Committee composed of officials and members of the Legislative Council, which met on 18th August 1922, recommended that subdivisions made at the request of ryots after survey or between surveys might be charged to the ryot. It was in accordance with this recommendation that the levy of subdivision fees was sanctioned by the Government, in consultation with the Board of Revenue. The purposes for which the fee is levied are described in the answer to clauses (d) and (e).

(c) The fees collected are credited in the accounts under ‘XXXV. Miscellaneous—Recoveries of service payments.’ Half the fee levied is given to the karnam provided that the Revenue Inspector certifies to the correctness of the karnam’s work after checkmeasuring the subdivision.

(d) The scheme for the levy of fees for making subdivisions was introduced early in 1924. Information about the amount of fees realized annually in the South Kanara district as far as available is given below:—

				RS.
Calendar year 1924	...	...	...	10,863
Do. 1925	...	...	...	15,010
Do. 1926	...	...	...	10,988
Official year 1926-27	...	...	...	8,835
Do. 1927-28	...	...	...	10,305

(e) The Government have called for a report on the system; the report is due from the Board of Revenue next year and on its receipt the results of its working will be considered.

7th August 1929]

Assessment on the wet lands of certain villages of Rayadrug taluk.

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

(a) whether the Government are levying any special rate on the wet lands of Vyaparalla, Kasipuram and Kenchanapalli of Rayadrug taluk, Bellary district, for doing necessary work to the spring channels in the Hagari river and are assuring a better supply to the tanks concerned;

(b) if so, the date of introduction of the rate, the conditions of its levy and the tank or tanks, and the year or years respectively in which those conditions were fulfilled; and

(c) whether the fee was remitted with reference to the tank or the year in which the conditions were not fulfilled, and, if not, why not?

A.—(a) to (c) A report has been called for.

Public Service

Exemption to unpassed clerks in the High Court.

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

(a) whether, with reference to G.O. Mis. No. 47, Public, dated 18th January 1927, the High Court compiled and sent to the Government a list of unpassed permanent clerks and examiners whom they considered fit for exemption; and

(b) if so, when the said list was received by the Government and what orders were passed by them thereon?

A.—(a) Yes.

(b) On the 27th June 1928: the matter is under consideration.

Inadmissibility of second appeals by public servants against departmental punishment.

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

(a) the reasons why the Government declared about July 1928 that second appeals by public servants against departmental punishment were inadmissible;

(b) whether the Government have ascertained as to whether such a rule obtains in other provinces;

(c) whether Government have considered the hardship which these rules are likely to entail, especially in the case of officers in the Police service; and

(d) whether the Government propose to rescind this order; and if not, why not?

A.—(a) The classification rules provide for only one appeal as of right and the Government in 1927 saw no particular necessity for statutory provision of a second, having regard to the fact that access by memorial remained unaffected.

(b) No.

(c) & (d) The Government do not consider that any hardship is being caused to subordinate officers, including Police subordinates, by the existing rules. They do not therefore propose to modify them.

[7th August 1929]

Mr. S. SATYAMURTI :—" With reference to the answer to clause (b) of this question, may I ask whether the Government will ascertain as to whether such a rule obtains in other provinces ? "

The hon. Mr. A. Y. G. CAMPBELL :—" I shall consider the matter. "

Mr. S. SATYAMURTI :—" With regard to answer (a) of the question, may I know whether access by memorial was there even when second appeals were provided for ? "

The hon. Mr. A. Y. G. CAMPBELL :—" Yes, the access by memorial was in existence before. "

Mr. S. SATYAMURTI :—" May I know, whether in the case of access by memorial it is absolutely optional on the part of the Government either to consider or not to consider it, whereas in the case of second appeals they are bound to consider and pass orders on them ? "

The hon. Mr. A. Y. G. CAMPBELL :—" Yes, if the appeals are in time and in order. "

Mr. S. SATYAMURTI :—" May I know the reasons why the rights of these aggrieved officers to have their representations considered by Government finally by second appeal and orders passed have been taken away, as what remains is merely a memorial which may or may not be considered by Government ? "

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

Mr. S. SATYAMURTI :—" With reference to clauses (c) and (d), may I know if the answer is based on any inquiry made by the Government, or it is a mere expression of opinion of the Government ? "

The hon. Mr. A. Y. G. CAMPBELL :—" It is based on the experience of the Government. "

Mr. S. SATYAMURTI :—" How long has the experience lasted after the second appeal has been abolished, and what are the facts on which the Government have come to the conclusion that no hardship is being caused to these officers ? "

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

Settlement

Resettlement operations in the South Kanara district.

* 78 Q.—Mr. K. R. KARANT : Will the hon. the Member for Revenue be pleased to state the nature, extent, area, etc., of the resettlement operations that have so far taken place in the district of South Kanara ?

A.—A statement showing the progress of resettlement operations in and up to the end of the quarter ending 31st March 1929 in the South Kanara district is appended. *

Mr. K. R. KARANT :—" May I take it that except what is stated in items 1 to 9 of the appendix, no sort of resettlement work was done in that district ? "

The hon. Mr. A. Y. G. CAMPBELL :—" Yes. "

* Printed as Appendix VII on page 242 infra.

[7th August 1929]

Mr. J. A. SALDANHA :—" May I enquire whether the settlement officers are going to publish reports from time to time of their operations so that the public may know of the progress they are making ? "

The hon. Mr. A. Y. G. CAMPBELL :—" Settlement officers do not publish reports, but when the reports are received by Government they will decide whether the reports should be published or not. "

Mr. J. A. SALDANHA :—" Have the Government received any reports at all ? "

The hon. Mr. A. Y. G. CAMPBELL :—" I must ask for notice. "

Mr. J. A. SALDANHA :—" May I know whether the Government have laid down any principles as to the rates of increase that should be paid after the resettlement ? "

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

Village Establishments

Jamabandi allowances to village officers in ryotwari areas.

* 79 Q.—Mr. A. B. SHETTY : With reference to my question No. 1673, answered on 11th March 1929, will the hon. the Member for Revenue be pleased to state whether the Government have come to any decision regarding the giving of jamabandi allowances to village officers in ryotwari areas ?

A.—The question has not yet been settled as the financial results of the restoration of the village officers have not yet been finally worked out.

Mr. A. B. SHETTY :—" May I know by which time approximately Government expect to work out the financial results of the restoration of the villagers ? "

The hon. Mr. A. Y. G. CAMPBELL :—" I cannot give a definite answer. "

Wild Animals

Rewards for killing wild animals in South Kanara.

* 80 Q.—Mr. A. B. SHETTY : Will the hon. the Member for Revenue be pleased to state—

(a) how many cattle have been killed by wild animals in South Kanara in 1927 and in 1928 ;

(b) what is the total amount of rewards given for killing tigers in 1927 and in 1928 ;

(c) what is the amount of reward given at present for killing a tiger and whether a larger sum was given at any time in previous years ; and

(d) if so, why it has been reduced now ?

Year.						Number of cattle killed.
A.—(a)						4,516
1927	...	...	...	...	...	Figures not available.
1928	...	...	...	...	...	Amount of rewards given in the South Kanara district.
(b)						Rs.
1927	...	...	...	...	...	441
1928	...	...	...	...	...	360

[7th August 1929]

(c) & (d) The attention of the hon. Member is invited to Board's Standing Order No. 196, paragraph 1. There has been no reduction by the Government in recent years in the scale of rewards.

Mr. A. B. SHETTY :—" May I know why with regard to 1928 figures are not available ? "

The hon. Mr. A. Y. G. CAMPBELL :—" No report has been received. "

Mr. K. R. KARANT :—" May I know what steps are being taken to stop this terrible loss year after year ? "

The hon. Mr. A. Y. G. CAMPBELL :—" The Government give rewards for the destruction of certain wild animals and also have permitted the villagers to have access to the forests in certain seasons of the year. "

Mr. J. A. SALDANHA :—" May I enquire whether it is a fact that the forests in South Kanara are so dense that they are impenetrable ? "

The hon. the PRESIDENT :—" It is asking for an opinion. "

Mr. K. R. KARANT :—" As the number of deaths is still increasing, may I know what further steps do the Government propose to take to reduce the number ? "

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

Civil Justice

Alleged inconveniences of jurors and assessors.

* 81 Q.—Mr. J. A. SALDANHA: With reference to the inconveniences to which jurors and assessors are put to as specified in representations already made and the assurances given during the Budget debates on 19th March last, will the hon. the Law Member be pleased to state—

- (a) whether the High Court have reported on the subject; and
- (b) what action Government have taken thereon?

A.—(a) & (b) The High Court's reply is awaited.

Proposed direct recruitment of District and Subordinate Judges.

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

- (a) whether there is any proposal to create new additional District Judgeships, for which there will be direct recruitment; or
- (b) whether there is any proposal to directly recruit to Sub-Judges' places;
- (c) if so, the reasons therefor; and
- (d) whether in making such appointments the claims of those already in service will be strictly kept in mind; and if not, why not?

A.—(a) No.

(b) The hon. Member is referred to the answer to question No. 365; given at the meeting of the Legislative Council held on 8th October 1928.

(c) & (d) Do not arise.

[7th August 1929]

Mr. S. SATYAMURTI :—" Taking the answers to (a) and (b) together,—I am referred to a previous question—may I know whether at present there is no proposal before the Government to directly recruit to sub-judges' places or to create new additional district judgeships ? "

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

Memorials against the direct recruitment of Subordinate Judges.

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

(a) whether the Government have received memorials from District Munsifs protesting against the direct recruitment of Subordinate Judges and thereby depriving District Munsifs of their legitimate claims for promotion; and

(b) whether Government will consult public opinion before finally making up their mind on the matter?

A.—(a) Yes.

(b) The hon. Member is referred to the answer to question No. 365 given at the meeting of the Legislative Council held on 8th October 1928.

Criminal Justice

Action taken on the judgment of the High Court in the Collett's case.

* 84 Q.—Mr. K. R. KARANT: Will the hon. the Law Member be pleased to state—

(a) whether Government have received a copy of the judgment of the High Court in the Collett's case; and

(b) what action they have taken or propose to take in regard to the Chief Presidency Magistrate?

A.—(a) Yes.

(b) The Government have the matter under consideration.

Mr. L. K. TULASIRAM :—" May I know from the hon. the Law Member whether Government will place the report in regard to this matter on the table of the House ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I shall consider the suggestion. "

Mr. ABDUL HAMEED KHAN :—" Are the Government aware that in the judgment in the Collett's case there is a material difference between the judgment of Justice Waller and that of Justice Anantakrishna Ayyar ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" In what respect ? "

Mr. ABDUL HAMEED KHAN :—" With regard to the Chief Presidency Magistrate ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The judgment of Justice Anantakrishna Ayyar is silent with reference to the Chief Presidency Magistrate. There are observations in the judgment of Justice Waller, and they have been the subject of several interpellations in this House. "

[7th August 1929]

Separation of Judicial from Executive functions*Separation of the Judicial from Executive functions.*

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

(a) when this Government addressed the Government of India on the question of the separation of the judicial from executive functions and what the reply of the Government of India was; and

(b) whether this Government propose to take any further steps in the matter; and if not, why not?

A.—(a) On 28th February 1927. The reply of the Government of India is the same as the answer given to a question on the subject in the Council of State on the 11th September 1928. The answer is as follows:—

“The hon. Mr. H. G. Haig: As the hon. Member is aware, the question of the separation of judicial and executive functions has been under the consideration of Government for some time, and it is desirable that I should explain the position fully with reference to recent events. On the 9th March 1921 the hon. Mr. G. M. Bhurgri moved in this House a resolution recommending to the Governor-General in Council to make a definite declaration that the time had arrived for the complete severance of judicial from executive functions and that early steps would be taken to accomplish the severance almost immediately. The Resolution was withdrawn on an undertaking being given on behalf of Government that if any Local Government decided to take up this question which related to a Provincial subject, the Government of India would raise no objection, and would proceed to make such legislative changes as might be necessary to give effect to the proposals of the Local Government. In pursuance of this policy which was announced in the Resolution of the Government of India in the Home Department, No. F. 196, Judicial, dated the 7th December 1921, and in response to local public opinion, certain Provincial Governments proceeded to prepare schemes of separation, which were submitted to the Government of India. On a consideration of these schemes the Government of India came to the conclusion that as the present system of judicial administration is a uniform system, so any alterations should be planned on uniform lines with a view to maintaining uniformity of system in essential principles. They are no longer able to hold that the problem is one for each province to settle on lines of its own choice, or that the responsibility of the Central Government could be restricted to facilitating such legislation as might be required to give effect to Provincial decisions. They have, therefore, decided with the concurrence of the Secretary of State, that though minor variations in the provinces might conceivably be accepted,

7th August 1929]

the problem must be dealt with on lines substantially uniform. At the present time, however, in view of the inquiry by the Statutory Commission and possible changes in conditions which may result therefrom, it has been decided that it is not possible to reach conclusions on the main question, and a decision must therefore be postponed until the factors that will condition the problem in the future have become more plain.”

(b) No.

Mr. S. SATYAMURTI:—“With reference to the answer to clause (a), may I know whether this Government received any reply from the Government of India?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“Yes, Sir.”

Mr. S. SATYAMURTI:—“May I know whether it merely included an extract from the answer given in the Council of State or whether there was any other reply from the Government of India?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“I am sorry that without the permission of the Government of India I am not at liberty to disclose the contents of that document.”

Mr. S. SATYAMURTI:—“I ask for your ruling on this matter, Sir. Unless the matter is a matter of controversy between this Government and the Government of India, this Government is bound to answer these questions. I think the question came up some time ago and you were pleased to rule that unless it be a matter of controversy—it would not do if it is a mere matter of correspondence—the Government are bound to answer the questions put to them. I want to know what are the public interests that would be affected by telling us what the reply of the Government of India was.”

The hon. the PRESIDENT:—“I do not think the hon. Member said that it would not be in public interests.”

Mr. S. SATYAMURTI:—“May I know what are his reasons?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“The practice is that without the permission of the Government of India, we are not at liberty to disclose the contents.”

Mr. S. SATYAMURTI:—“What is the rule under which he claims this privilege?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“That is the practice and convention.”

The hon. the PRESIDENT:—“The hon. the Law Member again wants a ruling from me, though I have already given a ruling; and my memory is that in my opinion ruling was agreed to by the Members of Government. This is what is stated in rule 9 of the Council Rules:

“In matters which are or have been the subject of controversy between the Governor-General in Council or the Secretary of State and the Local Government, no questions shall be asked except as to matters of fact, and the answer shall be confined to a statement of facts.”

“Here taking the statement of the hon. the Law Member himself, the present case is not one where there is a controversy between this Government and the Government of India, or the Secretary of State. Nor did he make the convenient reply ‘In the State interests I won’t disclose information.’

[7th August 1929]

He says it is a matter of etiquette that he cannot give out the contents of certain correspondence without the permission of the Government of India. In the circumstances I would suggest to him to answer the question under rule 9."

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"What is contained in the answer forms the only contents of that letter from the Government of India."

Mr. S. SATYAMURTI:—"In the course of the answer, the Government have stated 'They have, therefore, decided with the concurrence of the Secretary of State, that though minor variations in the provinces might conceivably be accepted, the problem must be dealt with on lines substantially uniform'. I am asking whether this Government have considered or propose to consider any minor variations dealing with the problem at least to the extent to which it has become very urgent?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Minor variations have already been introduced by the establishment of stationary sub-magistrates' courts"

Mr. S. SATYAMURTI:—"Has any other thing been done?"

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

Mr. S. SATYAMURTI:—"Has Government under contemplation any other minor variations?"

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

Mr. D. THOMAS:—"May I know if the suggestion of this Government is in the direction of separation?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Yes."

Mr. D. THOMAS:—"Do not the stationary sub-magistrates continue under the control of the District Collectors?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Their being under their control has nothing to do with the separation of the judicial and executive functions."

(Mr. S. Satyamurti:—Live and learn.)

Mr. S. SATYAMURTI:—"With regard to the last sentence 'At the present time, however, in view of the inquiry by the Statutory Commission, etc., etc.', may I know whether this Government agrees with the view that large reforms like this should await statutory changes?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"That is a matter of opinion."

Mr. S. SATYAMURTI:—"I am not asking his opinion, I am asking in regard to the Government of India's statement, whether this Government considered this question and then agreed with the Government of India view that large constitutional changes must await the introduction of new reforms?"

[7th August 1929]

Railways

Construction of a new railway line from Mangalore to Malpe.

* 86 Q.—Mr. K. R. KARANT: Will the hon. the Member for Finance be pleased to state—

(a) whether Government are aware as to which of the railway lines, viz., Mangalore-Moolky-Malpe (South Kanara district) or the alternative route Mangalore-Karkal-Malpe, has been decided to be constructed; and

(b) if so, when the work will commence?

A.—(a) No. The Government understand that a preliminary survey for a line between Mangalore and Malpe has been sanctioned.

(b) The Government have no information.

Mr. K. R. KARANT:—"With reference to the answer to clause (b) of this question may I ask whether the Government will be pleased to get some information on the point?" 11-30 a.m.

The hon. Sir THOMAS MOIR:—"I am afraid that no information will be available until the preliminary survey has been completed."

Mr. J. A. SAIDANHA:—"May I ask whether the Local Government has to be approached by the Government of India as a condition precedent to the construction of the railway from Moolky to Malpe?"

The hon. Sir THOMAS MOIR:—"I must ask for notice of the question."

Elections

Introduction of the Bombay system of voting by representation by symbols.

* 87 Q.—Mr. K. R. KARANT: Will the hon. the Home Member be pleased to state—

(a) whether Government have taken any steps to know the working and result of the Bombay system of voting by representation by symbols and, if not, why not; and if they have, what information they have on the matter;

(b) whether it is intended by them to introduce that or any other system by which the secrecy of the ballot may be secured at the coming Council elections; and if not, why not;

(c) whether Government are aware that at election times even literate people are forced by threats of influential people to vote to their dictation; and

(d) if so, what steps Government intend taking to see that the secrecy of the ballot is maintained in the case of the vast masses of our illiterate people?

A.—(a) The Government are not aware of how the cross and symbol system worked in Bombay during the 1926 elections and have not thought it necessary to enquire.

(b) The Government have in the past carefully considered every aspect of this question and the existing regulation 24 (1), formulated after the experience of the last elections, is the result.

(c) The suggestion that even literate people are thus affected surely shows that the remedy does not lie in the use of symbols or other device specially designed for the illiterate.

(d) See the answer to clause (b).

[7th August 1929]

Mr. K. R. KARANT :—" With reference to clause (a), may I ask whether this Government will take some trouble to study the Bombay system of voting ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" The question will be considered."

Sriman BISWANATH DAS Mahasaya :—" May I ask whether the Government have considered the statements made in the course of the discussion of this very question in March 1927 ? I made a complaint and various hon. Members including the hon. Diwan Bahadur Krishnan Nayar who was then sitting with us complained that even the elementary school teachers, not to speak of illiterate people, were forced by the threat of the candidates and their agents, to declare that they were illiterate and give out the names of the candidates for whom they were voting. Have the Government enquired into this question and do they think that the Bombay system of voting would obviate this difficulty ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I should like to have notice of the question."

Mr. R. NAGAN GOWDA :—" May I know whether the Government are aware that this Regulation 24 (1) has been considered by the House to be unsatisfactory ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" The Government think that there is no other alternative."

Mr. R. NAGAN GOWDA :—" Are the Government aware that in the resolution passed by this House, the Government were asked to consider the methods of voting in vogue in other provinces and whether they have done so ? "

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

Mr. K. KOTI REDDI :—" Does not the Government consider that it is absolutely necessary in the public interest that secrecy of ballot should be maintained by some means or another ? "

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

Mr. K. KOTI REDDI :—" May I know what steps the Government are taking to see that the secrecy of the ballot is maintained ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" The difficulty, as I have said, is that there is no better method available than the one described in Rule 24 (1). If hon. Member would propose a better method, I am prepared to consider it."

Mr. R. NAGAN GOWDA :—" Recently the Mysore Government adopted the method of voting by single system. Is he aware of it ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" No. I am not aware of it."

Mr. J. A. SALDANHA :—" May I enquire whether the Government propose to issue orders, in view of the extension of life of this House, to the authorities to prepare the list more carefully ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" No there is no necessity for it."

[8th August 1929]

Mr. S. SATYAMURTI :—" As regards the electoral roll for the University constituency, may I ask whether the Government have any intention of having the roll revised with a view to include men and women who will become qualified owing to the postponement of the elections but who would not be qualified if the elections had been held in due course ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I should like to have notice of the question."

*Preparation of electoral rolls for the election of M.L.C's.
and M.L.A's. in this Presidency.*

* 88 Q.—Mr. J. A. SALDANHA : With reference to my token motion in connexion with the budget grant for elections on 16th March 1929 (L.C.P. LVIII-297), will the hon. the Home Member be pleased to state what steps have been taken for the preparation of up-to-date, full and correct electoral rolls for the election of M.L.C's. and M.L.A's. in this Presidency ?

A.—The procedure laid down in the Electoral Rules and Regulations has been followed in the revision of the electoral rolls. The Government have impressed on all Registration Officers the importance of seeing that the rolls are as complete as possible and

* (i) Notification No. 33 on page 961 of Part I of the Fort St. George Gazette, dated 21st May 1929.

(ii) Notification No. 37 on page 1010 of Part I of the Fort St. George Gazette, dated 28th May 1929.

(iii) Notification No. 38, dated 27th May 1929, in the Supplement to the Fort St. George Gazette, dated 4th June 1929.

(iv) Notification No. 68, dated 22nd July 1929, on page 1394 of Part I of the Fort St. George Gazette, dated 23rd July 1929.

that all persons appearing to be entitled to be registered as electors are included in them.

The attention of the hon. Member is also invited to the circulars issued by the Government from time to time on the subject which have been published in the Fort St. George Gazette (notification cited in the margin).

Interference of Government servants in elections.

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

(a) whether any instructions have been issued definitely to all officials under Government and under local bodies not to interfere in the ensuing elections ;

(b) whether Government have instructed their own officers not to transfer their subordinates with a view to help candidates of particular parties ; and

(c) whether the instructions issued by the Government will be laid on the table of this House ?

A.—(a) Such instructions were issued before previous elections and the issue of similar instructions before the next election will be considered when the date of that election has been decided.

(b) & (c) See the answer to clause (a).

Mr. S. SATYAMURTI :—" May I ask whether the instructions suggested in clause (b) of my question were issued last time and whether such instructions are proposed to be issued this time also ? "

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

[7th August 1929]

Postal concessions to Members of the Legislative Council.

* 90 Q.—Mr. J. A. SALDANHA : With reference to my question No. 1801 answered on 20th March 1929, will the hon. the Home Member be pleased to state what orders have been received from the Government of India on the resolution of the House Committee and the recommendations made by the Local Government in regard to postal concessions to Members of the Legislative Council?

A.—The Government of India have declined to sanction the proposal of the House Committee.

Mr. J. A. SALDANHA :—“ May I enquire what other concessions are Government prepared to give the Members of the Legislative Council in view of the refusal of the Government of India to grant postal concessions ? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
“ None, Sir.”

Mr. J. A. SALDANHA :—“ May I enquire whether the Government have referred to the House Committee to propose an alternative ? ”

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

Mr. J. A. SALDANHA :—“ May I ask, why ? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
“ There is no necessity for such reference.”

Police*Increase of the pay and prospects of the Indian members of the City Police Force.*

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

(a) whether he has received any proposals from the Commissioner of Police for the increase of the pay and prospects of the Indian members of the City Police Force;

(b) if not, whether he proposes to ask him to send up those proposals; and

(c) if not, why not?

A.—(a) No.

(b) No.

(c) The hon. Member is referred to the answer given on 28th November 1928 to clauses (d) and (e) of question No. 760-C.

Mr. S. SATYAMURTI :—“ May I know whether the hon. the Home Member has received any memorials or representations or petitions from the Indian members of the City Police Force complaining about the inadequacy of their wages, etc. ? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ As far as I remember I have not received any; but I shall enquire into it.”

7th August 1929]

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

II

THE MADRAS UNIVERSITY (AMENDMENT) BILL—MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.

* The hon. the PRESIDENT :—“ His Excellency the Governor of Madras with the consent of His Excellency the Governor-General, has returned the Madras University (Amendment) Bill for further consideration by the Legislative Council with the recommendation that the Council shall consider the following amendments :—

AMENDMENTS*Clause 2.**Sub-clause (ii).*

Omit item (ee) and re-letter item (eee) as (ee).

*(ii) Clause 15.**Class III—Other members.**Sub-clause (4).*

(a) After the words “second-grade colleges” insert the words “affiliated to the University”; and

(b) *Omit* the words “and situated within the jurisdiction of the University” occurring at the end.

*(iii) Clause 22—Class II—Other members.**Sub-clause (5).*

Omit the words “and situated within the jurisdiction of the University” occurring at the end.

The amendments are explained in the memorandum below :—

Memorandum.

“The form of the definition of ‘Jurisdiction of the University’ in clause 2 (ii) (ee) of the amending Bill is not in order in that it refers to the Indian Universities Act, 1904, and the notification thereunder. That enactment by virtue of the preamble and section 2 (1) thereof forms part of the Madras University Act—Act XXVII of 1857—which was completely repealed by the Madras University Act, 1923. The Act of 1904 should *ipso facto* be deemed to have been repealed in so far as it applied to the Madras University. It follows that neither the Act of 1904 nor any notification issued thereunder can be made use of for the purpose of the definition in question.

“It is further observed that under section 16 (9) of the Madras University Act, 1923, and clause 4 (9) of the amending measure the operations of the Madras University are not limited to colleges situated within the Presidency of Madras. The present legislation is not territorial but is one relating to the creation of an educational corporation which, though established within the territorial jurisdiction of the local legislature, can operate outside that jurisdiction. The University continues to discharge its obligations in respect of colleges outside the Presidency which are already affiliated to it and has power to affiliate new colleges in such areas.

[The hon. the President] [7th August 1929]

"The retention of the expression 'situated within the jurisdiction of the University' occurring in two places in the amending Bill, namely, *clause 15—Class III—Other members—Sub-clause (4)* and *clause 22—Class II—Other members—Sub-clause (5)*, is thus incompatible with the view set out above. It is accordingly proposed to delete it in both the places. The definition of jurisdiction of the University in *clause 2 (ii)* thus becomes unnecessary and will be omitted.

"The words 'affiliated to the University' will be inserted after the words 'second-grade colleges' in sub-clause (4) of *clause 15—Class III—Other members—to secure greater precision.*"

III

THE HOUSE COMMITTEE.

* The hon. the PRESIDENT :—"Regarding the election of six Members to the House Committee, I have to announce to the House that the following candidates have been duly nominated for election to the Committee :—

1. Rao Bahadur C. S. Ratnasabhapati Mudaliyar.
2. Mahmud Schamnad Sahib Bahadur.
3. Mr. F. E. James.
4. " C. S. Govindaraja Mudaliyar.
5. " C. Venkatarangam Nayudu.
6. " A. V. Bhanoji Rao.

As the number of candidates for election is equal to the number of vacancies to be filled, viz., six, I hereby declare the abovementioned members to be duly elected under Regulation II (4) of the Regulations for the holding of elections by means of the single transferable vote.

"Under Standing Order 80, I have nominated Mr. P. T. Rajan and Mr. W. P. A. Soundarapandian to be Members of the Committee."

IV

THE FINANCE COMMITTEE.

* The hon. the PRESIDENT :—"I have to announce that the following candidates have been duly nominated for election to the Finance Committee :—

1. Dr. (Mrs.) S. Muthulakshmi Reddi.
2. Mr. R. Nagan Gowda.
3. " Basheer Ahmed Sayeed.

As the number of candidates exceeds the number of vacancies, viz., one, there will be an election by means of the single transferable vote. I appoint to-morrow between 2 p.m. and 4 p.m. as the time for the election."

V

A BILL TO AMEND THE MADRAS ABKARI ACT, 1886.

Mr. J. A. SALDANHA :—"Sir, I have received a communication from Government that one of the clauses of my Bill to amend the Madras Abkari Act, 1886, requires sanction of the Government of India. I do not therefore make the motion that the Bill be passed into law. I propose making that motion at another sitting."

The motion was by leave withdrawn.

7th August 1929]

179

VI

A BILL TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920, THE MADRAS LOCAL BOARDS ACT, 1920, AND THE MADRAS GENERAL CLAUSES ACT, 1891.

Mr. J. A. SALDANHA :—"Sir, I beg to present the ^a Report of the Select Committee appointed to consider the Bill to amend the Madras District Municipalities Act, 1920, the Madras Local Boards Act, 1920, and the Madras General Clauses Act, 1891, and move that the Bill, as amended by the Select Committee, be taken into consideration."

Mr. K. R. KARANT :—"I second the motion."

The motion was carried and the Bill was taken into consideration.

* The hon. the PRESIDENT :—"Clause 1 is for the consideration of the House."

Mr. A. B. SHETTY :—"Mr. President, I move that in line 2, after the figure '1920', the words 'and the Madras Local Boards Act, 1920' be inserted."

* The hon. the PRESIDENT :—"Order, order. I wish to know before the hon. Member proceeds further, how his amendment is relevant to this Bill. The scope of the Bill is only to amend the District Municipalities Act. He is going beyond the scope of the Bill."

* Mr. A. KALESWARA RAO :—"Sir, I beg to submit that Mr. Saldanha introduced the Bill to amend the Madras District Municipalities Act, the Madras Local Boards Act and the Madras General Clauses Act. But when it was referred to the Select Committee, that body confined the scope of the Bill to a declaration instead of a statement that all wells, tanks, etc., that are vested in and are maintained by municipalities should be open for the use and enjoyment of all castes and creeds and that anyone who obstructs such use and enjoyment should be punished with a fine not exceeding Rs. 100. Now, we propose to go back upon the Report of the Select Committee and include similar provisions in the Local Boards Act also. I submit that it can be done."

* The hon. Dr. P. SUBBARAYAN :—"As a matter of fact Mr. Saldanha's original Bill referred to both the Madras District Municipalities Act and the Madras Local Boards Act and there is a dissenting minute of Mr. A. Kaleswara Rao with regard to this provision."

The hon. the PRESIDENT :—"Mr. Shetty may go on with his speech."

Mr. A. B. SHETTY :—"Sir, my hon. Friend's object was to throw open to all citizens without distinction of caste, creed or colour, the use of streets, tanks or other public places maintained out of public funds by a municipality or a local board. The Select Committee, while making the provision more effective have sought to restrict its scope to the District Municipalities Act as Mr. Veerian's Act of 1927 has already dealt with this matter in regard to the Madras Local Boards Act. As my hon. Friend, Mr. Kaleswara Rao, points out in his dissenting minute, Act I of 1927 confines itself to roads and markets. If the right of all classes of people to the use of wells and tanks maintained by local boards is to be established, amendments similar to those made in the District Municipalities Act should also be made in the Local Boards Act. My hon. Friends, Rao Sahib R. Srinivasan and Mr. Kaleswara Rao, have given notice of amendments proposing to add a new clause to this

^a Published in the *Fort St. George Gazette*, dated 21st February 1928, as Bill No. 5 of 1928.

[Mr. A. B. Shetty]

[7th August 1929]

Bill for this purpose. If that amendment is to be accepted, then the preamble should be amended as proposed by me"

* The hon. the PRESIDENT :—"No. We have first to move amendments to clause 1. The preamble will be looked into later on. I requested the hon. Member to move amendment No. 2."

Mr. A. B. SHETTY :—"Sir, it is necessary that clause 1 also should be amended as proposed by me."

* The hon. the PRESIDENT :—"The preamble will be taken up later on."

11-45 a.m. Mr. A. B. SHETTY :—"I do not see any reason why you should restrict the scope of this Bill. In answering question No. 763 which was asked on the 16th March 1929 the Government said that a number of wells, tanks, etc. . . ."

* The hon. the PRESIDENT :—"I think it will meet the convenience of the House if we postpone the consideration of clause 1 till amendments Nos. 8 and 9 are carried out. If they are carried out then the necessity arises to amend clause 1 as well as the preamble of the Bill. If those amendments are not carried but if these are carried it will be an inconsistency."

* The hon. Dr. P. SUBBARAYAN :—"I move that the consideration of clause 1 be postponed till we dispose of amendments Nos. 8 and 9."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I second it."

The motion was carried.

Clause 2.

Mr. K. V. R. SWAMI :—"I beg to move—

'In line 4, after the words "vested in" the words "or to be vested in" be inserted.'

"This is only a verbal amendment. I want to bring under this Bill not only all the roads that are at present vested but also all the roads that are to be vested hereafter."

Mr. ABDUL HAMEED KHAN :—"I second it."

The amendment was carried.

Mr. K. V. R. SWAMI :—"I beg to move the amendment standing in my name which runs as follows :—

'In line 5, after the word "open" insert the words "at all times".'

"Sir, this is an amendment to widen the scope of the Bill. I want that the tanks, springs, wells or roads should be kept open not only at a particular time but at all times of the day."

Mr. L. K. TULASIRAM :—"I second it."

* The hon. Dr. P. SUBBARAYAN :—"I should like to know the scope of this amendment because I think it is quite unnecessary as it stands. The fact that the tank or the well or the spring is kept open the whole day amply meets the ends of the case."

Mr. ABDUL HAMEED KHAN :—"I am afraid the hon. the Minister has not known cases where the tanks are kept open only during particular parts of a day. I think an amendment of this sort is absolutely necessary."

Mr. A. KALESWARA RAO :—"I submit that the amendment is quite unnecessary, because any well or tank that is maintained by a municipal council or a local body will be kept open at such time as is necessary for the

[7th August 1929]

[Mr. A. Kaleswara Rao]

use of the public. I therefore think that an amendment of this sort is quite unnecessary. If we add a new phrase like the one that has been proposed, it may import some new meaning and consequently some serious consequences may result."

The amendment was put and negatived.

Clause 2, as amended, was put, passed and added to the Bill.

Clause 3.

Mr. K. V. R. SWAMI :—"I beg to move—

'In line 5, after the word "creed" insert the words "except where special facilities are available for such creeds and castes".'

"My idea in proposing this amendment is that the changes proposed by this House may not be acceptable to the outside public. My object in moving this amendment is to enable the depressed classes to have full access to wells and tanks so that they may enjoy water facilities along with other classes of people. But wherever there are such facilities they need not encroach upon the rights of other people simply because the wells or the tanks have been maintained by the local boards for the revenues of which all classes of people have contributed their respective shares. Of course I recognize the rights of every class of people to enjoy these wells and tanks but for the present to avoid trouble I propose this amendment."

The hon. the PRESIDENT :—"The motion is lost for want of a seconder."

Mr. S. ARPUDASWAMI UDAYAR :—"I second it."

The hon. the PRESIDENT :—"The hon. Member has not been alert."

Clause 3 was put, passed and added to the Bill.

Clauses 4 and 5 were successively put, passed and added to the Bill.

New clause 6.

Rao Sahib R. SRINIVASAN :—"I beg to move the amendment which stands in my name and which runs as follows :—

'After section 124 (1) of the Madras Local Boards Act, 1920, the following section shall be inserted, viz. :—

"124. (1) (a) All such public and private springs, tanks and other places set apart for any of the aforesaid purposes, shall be open to person or persons of whatever caste or creed."

'In Schedule VIII to the said Act, after item relating to section 124, the following item shall be inserted, viz. :—

"124-A. Obstructing any person or persons in using the water set apart for public use. Fifty rupees".'

"I formally move it."

Mr. N. SIVA RAJ :—"I second it."

[7th August 1929]

The hon. Dr. P. SUBBARAYAN:—"I am afraid I must oppose this amendment, because the word 'private' is used. With regard to the use of public wells and tanks, I am quite willing to accept the amendment, but with regard to private wells, etc., I am afraid I cannot accept the amendment."

Rao Sahib R. SRINIVASAN:—"I have no objection to delete the word 'private' from the amendment."

The amendment was put and negatived.

Mr. A. KALESWARA RAO:—"I beg to move the amendment standing in my name which runs as follows:—

'Add a new clause 6 to the Bill, namely:—

"6. (i) After section 124 of the Madras Local Boards Act, 1920, the following section shall be inserted, viz.:—

124-A. All public springs, tanks, wells and water courses vested in or maintained by any local board shall be open to use and enjoyment by persons of whatever caste or creed.

(ii) In Schedule VIII of the Madras Local Boards Act, 1920, after the item relating to section 124 (2), the following shall be inserted, namely:—

124-A. Obstructing a person in the use and enjoyment of a public spring, tank, well, or water course. Fifty rupees."

"Sir, in moving this amendment I beg to submit that it is necessary that we should recognize the right of all castes and creeds to the use and enjoyment of all public wells, tanks and water courses and springs that are vested in the local boards. In villages the difficulties of these depressed classes are very many in their not being allowed the use of public wells, etc. Local bodies are maintained by taxes raised from all classes of people irrespective of their castes and as such the tanks, wells, springs, etc., maintained by those bodies should be thrown open to all classes of people for their use. I submit that the time has come when the Legislative Council should pass such a law and throw open all public wells, tanks, etc., to all castes and creeds, and punish any person who tries to obstruct the people on mere grounds of sentiment."

Mr. V. I. MUNISWAMI PILLAI:—"I second it."

* Mr. A. RANGANATHA MUDALIYAR:—"Sir, I am not quite sure whether hon. Members of this House are fully cognizant of the implications involved in this amendment if this Bill is passed into law. The amendment refers to public wells, springs, tanks, etc. Now a public spring or a well or a tank continues to be a public spring or a well or a tank even though all people may not be entitled or are not permitted to use it.

12 noon. "For example in many villages where there are public wells their use is restricted to one class, viz., the caste people of the village. As regards the depressed classes, it has been the immemorial custom in such villages for the caste people to take out water from these wells and pour it out for the use of the depressed classes. I do not say that that custom is a good one or a bad

7th August 1929]

[Mr. A. Ranganatha Mudaliyar]

one. Personally I think this custom must go and all distinctions must disappear. But we are not speaking here as private individuals; we are concerned with the public well-being of the people and what is more important with the preservation of peace and order among the different classes and peoples of this country. I for one think that if a rule of this sort is enforced it is bound to cause friction between class and class and lead to ill-will and class hatred instead of harmony among them."

* The hon. the PRESIDENT:—"Before the discussion proceeds further I wish to have one doubt cleared. The original Bill of Mr. Saldanha, which was sent up to the Government of India for sanction, did not contain any penal provisions. These penal provisions were inserted by the Select Committee in their Bill. The Governor-General has given sanction to him but it related only to offences committed in municipalities. It is proposed now to introduce penal provisions with regard to local bodies also. The question is whether the amendment before the House requires the previous sanction of the Governor-General. If hon. Members are not prepared now to consider the question, it is better to postpone the consideration of this amendment to a future date and examine the question."

Mr. SAMI VENKATACHALAM CHETTI:—"Sir, I have a doubt and I hope the hon. the Minister will clear it up. It is suggested that all public springs, tanks, etc., should be thrown open to the public to whatever class or creed they may belong. Municipalities must have the power to prevent the use of certain springs, etc., by the public during certain seasons of the year. If there should be epidemics, the municipality or the local board will be within its right to prevent the public to whatever class or creed they may belong from using the tanks. As the motion is worded, it makes the municipal councils, which promulgate sanitary regulations, liable to the payment of fine . . ."

* The hon. the PRESIDENT:—"The hon. Member is speaking on the merits of the question. Is he raising any point of order?"

Mr. SAMI VENKATACHALAM CHETTI:—"I would like the hon. the Minister to say whether it is the intention of the Government that such municipalities or local bodies should be fined."

* The hon. the PRESIDENT:—"The hon. Member was not alert enough when the previous clauses of the Bill were considered. The amendment refers to corresponding provisions with regard to rural areas."

The hon. Dr. P. SUBBARAYAN:—"The Government of India have accorded sanction to the amendment of Rao Sahib R. Srinivasan."

* The hon. the PRESIDENT:—"The hon. the Minister himself was instrumental in throwing that amendment out."

Mr. A. KALESWARA RAO:—"Mr. President, Sir, I have given notice of a Bill with exactly the same wording and I have got the sanction of His Excellency the Governor and His Excellency the Governor-General of India. If that sanction is enough, I may be permitted to move my amendment."

The hon. the PRESIDENT:—"On a previous occasion I had held tentatively that the sanction obtained for a Bill cannot be utilized for the purpose of bringing in the provisions of that Bill by way of amendment. I am re-examining that question. Perhaps it may not be convenient for the House also to use the sanction which has been obtained for a Bill to make an amendment to another Bill the scope of which may be quite different."

[7th August 1929]

MR. P. C. VENKATAPATHI RAJU :—" Sir, with your permission I move—
'that the further consideration of this business be adjourned till the
next meeting of the Council'."

MR. K. KOTI REDDI :—" I second it."

* MR. P. SIVA RAO :—" Sir, as you have ruled that the sanction obtained
for the introduction of a Bill should not be made use of for an amendment,
I do not think that the course proposed by my hon. Friend, Mr. Venkata-
pathi Raju, is the right one to be adopted in a case of this sort. I suggest
that this amendment may kindly be dropped by the hon. Member from
Bezawada, and that, if he is so advised, he may take steps to introduce his
Bill and to go on with the further stages of that Bill. There is absolutely
nothing gained by holding in abeyance the consideration of the present Bill
because the original Bill formulated by the hon. Member for South Kanara
made no reference whatever to this provision regarding public wells and
springs. By no stretch of imagination can it be said that this provision
could be considered in connexion with the Bill before the House. The best
course for the hon. Member from Bezawada will be to drop the amendment
altogether and to move for the introduction of his Bill which has obtained the
sanction of His Excellency the Governor-General. In that view I oppose
the motion."

MR. A. KALESWARA RAO :—" I beg to submit that I have no objection
to withdraw the amendment and proceed with my Bill which is ready for
introduction. I have already obtained the sanction of Their Excellencies the
Governor and the Governor-General for my Bill and I promise to introduce
it if the House has no objection."

MR. P. C. VENKATAPATHI RAJU :—" I press my motion."

The hon. the PRESIDENT :—" The question is that the consideration of
this business be adjourned till the next meeting of the Council."

The motion was put and declared lost.

A poll was demanded and the House divided thus :—

Ayes.

- | | |
|--|--|
| 1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 21. Mr. P. J. Gnanavaram Pillai. |
| 2. " Sir Thomas Moir. | 22. " Mahmud Sohamnad. |
| 3. " Diwan Bahadur M. Krishnan Nayar. | 23. " Muppi Nayar of Kavalappara. |
| 4. " Mr. A. Y. G. Campbell. | 24. The Zamindar of Singampatti. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 25. Subadar Major S. A. Nanjappa Bahadur. |
| 6. " Mr. S. Muthiah Mudaliyar. | 26. Mr. T. M. Narayanaswami Pillai. |
| 7. " Dr. P. Subbarayan. | 27. " K. Krishnan. |
| 8. Dr. (Mrs.) S. Muthulakshmi Reddi. | 28. " N. Siva Raj. |
| 9. Mr. Hilton Brown. | 29. " M. V. Gangadhara Siva. |
| 10. " H. A. Watson. | 30. " V. I. Muniswami Pillai. |
| 11. " A. G. Leach. | 31. " S. Subrahmanya Moopanar. |
| 12. " J. Gray. | 32. " S. Venkiah. |
| 13. " S. V. Ramamurti. | 33. " S. V. Vanayudaiya Gounder. |
| 14. " C. B. Cotterell. | 34. " Daniel Thomas. |
| 15. " V. Ch. John. | 35. Rao Sahib E. Srinivasan. |
| 16. " M. A. Manikkavelu Nayakar. | 36. Mr. G. E. Premayya. |
| 17. " Syed Tajuddin Sahib. | 37. Khan Bahadur P. Khalif-ul-lah Sahib Bahadur. |
| 18. " Ari Gowder. | 38. Mr. K. Ramachandra Padayachi. |
| 19. " Shetty. | 39. " U. Ramaswami Ayyar. |
| 20. " Premayya. | 40. " S. Arpudaswami Udayar. |
| | 41. " S. N. Dorai Raja. |

7th August 1929]

Ayes—cont.

- | | |
|--------------------------------------|--|
| 42. Mr. P. C. Venkatapathi Raju. | 64. Mr. K. Uppi Sahib. |
| 43. " K. Koti Reddi. | 65. " M. Narayana Rao. |
| 44. " R. Srinivasa Ayyangar. | 66. " B. Venkataratnam. |
| 45. " Sami Venkatachalam Chetti. | 67. " A. Ranganatha Mudaliyar. |
| 46. " S. Satyamarti. | 68. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 47. " C. V. Venkataramana Ayyangar. | 69. Mr. K. P. Raman Menon. |
| 48. " J. A. Saldanha. | 70. " R. Nagan Gowda. |
| 49. " G. Harisaravottam Rao. | 71. " C. R. Parthasarathi Ayyangar. |
| 50. " Basheer Ahmed Azeed Sahib. | 72. " Chavadi K. Subrahmanya Pillai. |
| 51. " C. S. Govindaraja Mudaliyar. | 73. The Maharaja of Pithapuram. |
| 52. " Abdul Hameed Khan. | 74. Mr. B. Ramachandra Reddi. |
| 53. " L. K. Tulasiram. | 75. Rao Bahadur Sir A. P. Patre. |
| 54. " K. V. R. Swami. | 76. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 55. " D. Narayana Raju. | 77. Khan Bahadur Abdul Razaek Sahib Bahadur. |
| 56. " K. R. Karant. | 78. Mr. Kadir Muhi-ud-din Sahib. |
| 57. " K. Madhavan Nayar. | 79. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 58. " P. Anjaneyulu. | 80. Mr. T. M. Moidoo Sahib. |
| 59. " A. Parasurama Rao. | 81. Rao Bahadur K. Sitarama Reddi. |
| 60. " C. Ramasomayajulu. | 82. " B. Muniswami Nayudu. |
| 61. " T. Adinarayana Chettiyar. | |
| 62. " Ahmed Miran Sahib. | |
| 63. " Sriman Biswanath Das Mahasayo. | |

Noes.

1. Mr. P. Siva Rao.

Neutral.

- | | |
|--------------------------------|--|
| 1. Mr. C. E. Wood. | 6. Mr. A. Kaleswara Rao. |
| 2. " A. J. Leach. | 7. " C. N. Muthuranga Mudaliyar. |
| 3. " F. E. James. | 8. " K. Krishnaswami Nayakar. |
| 4. " R. J. C. Robertson. | 9. " Rao Bahadur C. S. Ratnasabhapati Mudaliyar. |
| 5. " T. C. Srinivasa Ayyangar. | |

Ayes 82.

Noes 1.

Neutral 9.

The motion was carried and the consideration of the business was adjourned.

VII

A BILL TO AMEND THE MADRAS DISTRICT MUNICIPALITIES
ACT, 1920.

MR. A. KALESWARA RAO :—" Mr. President, Sir, I beg to present the
Report of the Select Committee on Bill No. 17 of 1928, that is, a Bill to amend
the Madras District Municipalities Act, 1920, and move that the Bill be
taken into consideration."

MR. T. ADINARAYANA CHETTIYAR :—" I second it."

The hon. the PRESIDENT :—" The question is that the Bill as amended by
the Select Committee be taken into consideration."

* The hon. Dr. P. SUBBARAYAN :—" Mr. President, Sir, I rise to oppose
this measure, not merely on the ground that the Government have a Bill
under consideration, but on the general principle that the amendments
proposed by the Select Committee are not acceptable to the Government and
such people as I have consulted in other parties are also against many of the
provisions which are contained in Mr. Kaleswara Rao's Bill. (An hon.
Member: Have you consulted the parties?) Wait and see when they vote.
Sir, the first important point on which I propose to oppose this Bill is in
regard to the question of adult suffrage. I do not think it will be possible to
have adult suffrage in the present circumstances of this country. Even in
advanced countries like England, the franchise is more restricted in regard to

[Dr. P. Subbarayan]

[7th August 1929]

local self-governing bodies than for the House of Commons. In such a case, I do not see why we should proceed further with regard to the adult suffrage. That is one of the important grounds on which I propose to oppose this Bill.

"The second point is this: The hon. Member wants to take away every power the Government possesses in the matter of supervision over municipalities in spite of the Government finding large funds for such municipalities in the matter of grants. I do not mean to say that the municipalities should not be given the largest possible development within themselves, but I think eventually there ought to be certain power vested or reserved in the Government, so that they will be able to pull up any municipality when its administration is going on in such a manner as it will not be possible for the people to get the maximum benefit from the municipal administration. That, I think, is a very important point to be taken into consideration. Even in western countries which are advanced in matters of local self-government, there is such a power reserved to the Government in order that the Government may intervene and put a stop to any standstill in municipal administration that may be brought about, for instance, due to factions in the municipal council or because the elected councillors have lost the confidence of the public for the simple reason that having got themselves elected, they proposed to do what they liked instead of paying any heed to public opinion. When such is the case, I think such a power ought to be in the Government to get rid of such an irregularity in local self-governing bodies.

"Sir, these are the two important points on which Mr. Kaleswara Rao's Bill seeks to amend the District Municipalities Act. Under these circumstances, I oppose the taking up of the consideration of this Bill."

* Mr. S. SATYAMURTI:—"Mr. President, Sir, I should have expected the Minister to have opposed the introduction motion on one ground, viz., that he has got a Bill dealing comprehensively with the Madras District Municipalities Act, and that he has given a promise this morning in answer to a question of mine that he would definitely introduce that Bill in the October meeting of the Council. That would have been, Sir, an intelligible position. And although I do not agree that because the Government have got a Bill and have been having it for the last so many months (An hon. Member: so many years!)—so many years—I stand corrected—therefore private legislation should be blocked, still it would have been an intelligible ground. But, Sir, it has been reserved to the hon. the Chief Minister, as he is called, to enunciate a new theory of parliamentary legislation, that the Opposition ought not to initiate legislation unless all the provisions contained therein are acceptable to the hon. the Minister and his Government. I do not think, Sir, if my friend had weighed the value of his words—which he often does not, I regret to say—he would have used those words, namely that the Opposition which is admittedly in a minority, and is an Opposition because it is in a minority, ought not to introduce legislation unless it gets the previous approval of the Government. It seems to me, Sir, an absurd proposition for any Minister or any Government to put forward.

"Then, Sir, he suggested that he has consulted the members of some other parties, and that they are against some of the provisions of this Bill and therefore this ought not to be introduced. And when interrupted and asked whether he has consulted some of them, he said 'you had better wait and see when they vote'. I know too much of the reasons for which votes are given

7th August 1929]

[Mr. S. Satyamurti]

in this House to take that argument seriously. I suggest, Mr. President, that my hon. Friend should face this Bill, put down his amendments on the paper as he has put down several amendments, and take the vote of the House after using his arguments and his voting strength and after we have used our arguments and our voting strength. If this House were to accept his proposition, it comes to this: that legislation can never come up before this House except with the approval of the Government and the unanimous assent of all the parties in the House or of such members of the parties as are in the confidence of the hon. the Chief Minister. That seems to me, Sir, to be a negation of all Parliamentary legislation. After all, we in a minority, we in Opposition, want our legislation to be considered by the House. We may succeed, or we may lose, it does not matter to us. If we succeed, we shall be able to put on the statute-book a legislation which the House accepts; if we do not succeed, we shall have placed before the House an opportunity of legislating on what we consider sound lines of legislation, and the country and the electorate will decide whether the Government or we were right in dealing as we did with the legislation which we have introduced.

"Then, Sir, my hon. Friend in opposing the motion said by a cursory examination of the amendments as he looked at them—that there are two provisions to which he takes strong exception. The first is adult franchise. He said that even in England in the municipalities the suffrage is more restricted than even for Parliament and therefore he cannot accept it here. I should like him, Sir, to consider whether he thinks that we ought to repeat the mistakes of England, because the mistakes are committed by Englishmen. Is it seriously suggested that while in England the franchise is restricted—I do not know if it is, I should like to examine that carefully—more restricted than even Parliamentary franchise, we should not in our own country progress towards adult franchise, if we believe in progress by stages—which by the way I do not concede—which should begin with district municipalities? I can conceive of no more congenial area in which to start the experiment of adult suffrage than district municipalities. They are, after all, compact areas and there is a larger percentage of educated men and women who know the value of the vote than in other places, and if we have any faith in adult franchise, it seems to me that political expediency should dictate to us that we ought to start with district municipalities and watch the results of adult suffrage. Then, Sir, why should my hon. Friend be so much against adult franchise as not even to give this House an opportunity of pronouncing upon it? Sir, we are anxious to have that question discussed and voted on on the floor of this House; for, we are told in other places that other parties have got the monopoly of the democratic instinct, that they represent the millions of the people of this country, that their hearts are bleeding for their sorrows and that they are anxious to serve them. We say it is best for each man or woman to decide for himself or herself what is good or bad for himself or herself. We say adult suffrage will give all the adult citizens of this province a right to share in the management of his or her civic or municipal affairs. I should like to know what argument the other parties are going to advance against such adult suffrage. It seems to me, Sir, to say that there should not be adult suffrage, and to add that 'I shall not allow this House an opportunity of discussing and voting on adult suffrage,' are certainly not consistent with the ordinary canons of fair play which the Opposition has got a right to expect at the hands of any responsible Government.

[Mr. S. Satyamurti]

[7th August 1929]

"Then, Sir, my Friend waxed eloquent over the provisions which reduce Governmental supervision over municipalities. There I say he does less than justice to a Select Committee which sat long and laboured over the provisions of this District Municipalities Act. There, we have not eliminated Government supervision altogether at all. We have provided for such supervision as we considered necessary in the interests of efficiency, consistent with the full freedom of municipalities to govern their own affairs. After all, Mr. President, is it clear, so clear that we cannot even be allowed to discuss it, that the remedy for the excesses of elected members, their acts of commission and omission, lies in a supervising authority set above them? Is it not the lesson of history that after all, democratically elected bodies must find their own correctives in themselves, and they must learn to look to the electorate and that the electorates must be careful to cashier the members if they do not continue to deserve the confidence of the electorates?"

12-30
p.m.

"I was somewhat surprised to hear the last argument of my hon. Friend the Chief Minister. He said that elected members, after they are elected, cease to be responsible to the electorate, disobey their mandates, and yet continue in office, and that therefore there ought to be power in the Government to cashier them. That argument comes with very ill grace from my hon. Friend the Chief Minister. If he merely turns to his left, he will see two colleagues there who after having been elected with a particular mandate of the electorate, sit with him on the Treasury Bench. There is no power to cashier them! It seems to me, Sir, that when he can tolerate two such colleagues to his left and rejoice in their confidence and they in his, it ill suits his lips to suggest that in the case of smaller municipalities, if perforce the elected members cease to deserve the confidence of the electorate, there ought to be some power in this Government to remove them. Why should this Government have that power? I would sooner leave it to the electorate who will, after all once in three years, have a chance of teaching these people, who betray them, a lesson. It seems to me, it will be an appeal not from Philip drunk to Philip sober, but from Philip sober to Philip drunk. I would therefore prefer that the electorate should have the power of dealing with those people, and not leave it to this or to any other Government.

"I have only one more word before I sit down. The Select Committee sat for many days. The meetings were attended by the hon. the Chief Minister as often as he found time to attend and to take part. He moved amendments and he voted. Now he has also given notice of amendments. At the same time, it is less than fair to this House, after having done all this and raised expectations in the minds of hon. Members of this House that this Bill is going to be considered, to suddenly jump up and say 'I will not have this Bill discussed.' Then, why did he give notice of the amendments which you find on the notice paper? When did he change his mind, and if so why did he change his mind? I think it is a matter concerning the dignity of the House, that when a Bill has been reported on by the Select Committee, and when amendments have been tabled by the Government, the Bill ought to be discussed, before it is voted upon. Even in any private legislation, are Government to dictate by their majority of voting strength what Bills shall come first and what Bills shall not? It will be a serious interference with the rights of the Opposition, which I trust no Member of the House would tolerate.

7th August 1929]

[Mr. S. Satyamurti]

"Further, as a mere matter of correct parliamentary convention, I plead with this House to vote for the motion of my hon. Friend from Bezwada that the Bill be taken into consideration and not to support the view of my hon. Friend the Chief Minister that this Bill ought to wait because he is going to introduce a Bill in October, for which Government sanction is in the process of being asked for in some Secretariat; and, secondly, because he says that these amendments may not commend themselves to him. Whether they commend themselves to him does not matter. The only question is whether they commend themselves to the House. I hope the House will not show its dependence on the Minister so obviously as to say that the amendments are opposed by the Minister and therefore they ought not to be supported. Let the House have a chance of hearing and then decide once for all whether they are going to accept these amendments, or whether they are going to accept the Bill or not."

*MR. F. E. JAMES:—"Mr. President, we find ourselves in a somewhat difficult position with regard to this Bill. We have all along held that we should have a more comprehensive Bill. But we are in the dark as to what the nature of the Government's proposal will be in regard to their legislation. I suggest that it would have set matters right if Dr. Subbarayan as a Member of the Select Committee had sent in a note of dissent conveying his general views. I think I do remember a supplementary note which was circulated after the publication of this report, but even in that note of Dr. Subbarayan, there was no indication of the general policy for which he stood. Nor have we any indication in the speech he made to-day of the lines on which his Bill will differ from the Bill of Mr. Kaleswara Rao. Therefore I submit that he is placing every party in this House in a difficult position. No one wants to obstruct any Bill to amend either the Municipalities Act or the Local Boards Act. On the other hand, we do not want to encourage piece-meal legislation which will only amend certain sections of an Act, and leave others which also require amendment. We feel that this Bill deals only with certain aspects of the Municipalities Act and leaves out certain other aspects which are of vital importance. Furthermore, the Bill as it emerged from the Select Committee, is in my opinion, unfair to certain persons serving in municipalities. It will make it almost impossible for non-official Europeans to serve on these municipalities. I believe, I do not know, if I remember correctly, that there are some fifty or sixty non-official Europeans at present serving in different district municipalities and I think they are doing valuable service. Therefore, any proposal which comes before the House should not deprive our community of the opportunity of serving on these bodies. Once more, I ask the Government to give this House some indication as to the policy which they propose to pursue as an off-set to the proposals in this Bill. Otherwise, it is very difficult for the House to make up its mind."

MR. ABDUL HAMEED KHAN:—"Sir, it is really deplorable that at this stage the hon. the Chief Minister should have come forward with a motion for adjourning the consideration of this Bill or rather for opposing the motion for the consideration of this Bill. As has been pointed out, the Minister himself was a Member of the Select Committee and that Committee sat from day to day to consider important questions with regard to which he has taken objection at this meeting. I remember, if I recollect rightly, that the hon. the Chief Minister was present when these two important questions of adult franchise and control of the Government over municipalities were considered

[Mr. Abdul Hameed Khan]

[7th August 1929]

by the Select Committee. If he desired to put before the Committee the point of view of Government, it was open to him to do so before the Select Committee. Sir, with regard to the question of adult franchise, my hon. Friend Mr. Satyamurti has also stated that if we should begin to introduce adult franchise at all in any system of administration in this country, it should be in the district municipalities. It will be futile to take cases obtaining in other countries which are far more advanced than our own country. He says that in England and other advanced countries, in municipalities, they do not have adult franchise, or rather they have a more restricted franchise than that is obtainable for parliamentary elections. Well, Sir, I beg to differ from that attitude, because from our experience of things obtaining in our municipalities, I feel that if justice has to be done to all the communities that inhabit those municipal areas and if we have to educate our people politically, it is incumbent on our part to introduce adult franchise in the district municipalities to begin with.

"With regard to the question of control of the Government over district municipalities, I am afraid my hon. Friend the Chief Minister has not given the necessary attention to the provisions in the Bill. If he has, he would have seen that enough control has been conceded to the Government over the municipalities.

"With regard to the question of Government introducing a Bill, not only this Council but the Presidency is aware of the way in which the Government has been contemplating the introduction of Bills to amend the various Acts and the time that Government has taken in the matter. One cannot rely on the assurance of the Government with regard to the time that they might take in introducing this Bill or any other Bill. I do not see the reason why we should postpone the consideration of matters of such importance on the assurance which is not quite reliable of the Government at any time introducing a Bill or not.

"I was not able to understand the attitude taken by the European Members of this House as expressed by Mr. James, the hon. Member for the Planters. While I thought that Mr. James was supporting the Bill I ultimately found that by supporting this side or that side at the same time he came to the conclusion that this Bill ought not to be considered. If the European community wants places in the district municipalities, it cannot be done by supporting the obstructive tactics on the part of the Government but by trying to see that their case is placed before the people. If this Bill is allowed to be considered by the House now, I am sure that the case of the Europeans will not go by default. Now, if the European community comes forward with any amendments and if the European community wants representation on district municipalities, certainly, we are prepared to consider their case, but it cannot be done by co-operating with the Government and obstructing and preventing the consideration of a Bill from a non-official member. The European community knows how difficult it is for non-official members to bring forward legislation—they are also non-officials. They do not have with them the drafting section which the Government have for preparing Bills, but they have to depend on their own resources and when once a Bill is prepared, it has to go through the ballot and after it comes through the ballot, it comes before the Council and it takes time for the consideration of all these things. But, when once a Bill of this nature has passed through all these stages and it

7th August 1929]

[Mr. Abdul Hameed Khan]

has to be considered with amendments that have been given not only by non-official members but by the hon. the Chief Minister also, I do not see that any purpose will be served by any section of the House opposing the consideration of this Bill.

"The hon. the Chief Minister said that he consulted some of the members or rather leaders of parties—I do not know which party has been consulted. As a matter of fact, I do not think that we have been consulted and I do not even think that our party consulted the Minister on this matter. I therefore appeal to my Friends, the Fellow Members of the Council on the other side of the House and the Justice party, not to allow the Government to adopt such tactics so far as this legislation is concerned. It is not only the Congress party that will suffer, but also the other parties which occupy the position of non-official members of this House equally. Therefore, do not make this a precedent. Do not support the Government in their attitude of obstruction. On the other hand, support the non-official members of this House in carrying through this piece of non-official legislation. I appeal therefore to the non-official members here not to join with the hon. the Chief Minister and oppose the consideration of this Bill."

12-45
p.m.

Rao Bahadur B. MUNISWAMI NAYUDU :—"Sir, I just rise to say that it is not just now that the hon. the Chief Minister announces that he proposes to introduce a Bill amending the District Municipalities Act, for the matter has been under consideration for some time past. I may bring to the notice of the House that there was a conference of some Members of the House where the Chief Minister considered the amendments that seemed necessary. Suggestions were made and decisions were taken at that conference in pursuance of which a Bill has been drafted. As a member of the Advisory Committee I got a copy of it. I understand that the Bill itself will be introduced early, from what the hon. the Chief Minister said at question time, in October. Sir, I am one of those who are against piecemeal legislation especially in a Bill as the one relating to the District Municipalities Act. And if a comprehensive Bill will be introduced by the Government as early as possible there will be nothing more satisfactory than that. With a view to give the Government a chance to fulfil their promise, I propose that the consideration of the present Bill be adjourned till October. Within which time the Government will be in a position to say whether they will actually introduce a comprehensive Bill or not. If they introduce a Bill we shall proceed with it; if not, we shall take up the present Bill and go on with it. With your permission, Sir, I therefore move—

"That the further consideration of this Bill be adjourned till October 1929."

Rao Bahadur K. SITARAMA REDDIYAR :—"I second it."

Mr. C. V. VENKATARAMANA AYYANGAR :—"I am sorry that we are driven to this position to-day of not being able to discuss this Bill. I entirely agree with Mr. James on one point, namely, the result of excluding Europeans from becoming members of municipalities. Nobody on this side of the House will ever say that the European should necessarily be excluded. In my own district of Coimbatore, there was my friend Mr. Stanes as an elected member of the municipality for a very long time and after him, some member or

[Mr. C. V. Venkataramana Ayyangar] [7th August 1929]

other of Messrs. Stanes & Co. has been nominated to the municipal council. The proper course to remedy that defect in this Bill will be to bring in an amendment to enable Europeans being on the council. Now they depend on the sweet will and pleasure of the Collector who makes recommendations to the Government in this respect. Leaving aside this single mistake, if it be considered a mistake at all, there are some very good proposals in the Bill. Let us look at the way in which this Bill has been treated by the Government. The hon. the Chief Minister told the House this morning that this matter had been before the country and the Government for the past one year, whereas the truth is that hon. Members know that for the last nine years the question of amending the District Municipalities Act has been under the consideration of the Government. Every time the Government have been saying that a Bill would be introduced. I believe sometime ago a Bill was introduced but it had to lapse as the Council was prorogued. Then again, it was very often said that the Bill would very soon be introduced. With regard to the history of this Bill itself, when the hon. Mover introduced it here, the hon. the Minister opposed it on the one ground that he was going to bring in a comprehensive Bill. But this Council voted against his opposition and allowed the introduction. That is a point which we ought to remember. Does the House want to be consistent or does it want to eat its own resolutions. I especially appeal to the European Members of this Council to see that the dignity and consistency of this House is maintained and that they do not help in the destruction of such an understanding. We know, Sir, that in spite of the hon. the Chief Minister's opposition, this Bill was introduced in this House. It was then referred to the Select Committee. We do not know what took place during the deliberations of the Select Committee. The hon. the Chief Minister attended a number of its meetings and in spite of his having the Secretariat at his disposal he was not able to send his minute of dissent in time. He took very long time over it. Even on the last occasion when the consideration of the Bill came up before the House, I remember a motion was brought, the same as is now proposed by Mr. Muniswami Nayudu. The hon. Minister then said: My Bill is ready, almost ready and therefore wait. The next meeting of the Council has come, Sir, and the Bill has not yet seen the light of day. What is more, even to-day what does the hon. the Chief Minister say? He says that he expects, he is certain—if any weight could be attached to his certainty—that the Bill will be introduced in October. What are the considerations necessary before the Bill could be introduced? The sanction of the Governor-General should be got. After the advice given by the Secretary to the department, the sanction has to be applied for. The hon. the Minister said that it was in the process of being sanctioned. We do not however know how long the Secretariat which has taken so long to apply for sanction will take before the Bill could actually come up before the House. That will certainly be two or three months. Then, Sir, where is the guarantee that the sanction will be accorded. It may take a long time to apply and before the sanction is got further time would be lost in correspondence. And all this will take us on to two or three years more. The hon. the Chief Minister sent as I said his minute of dissent at a very late stage and he has also given notice of the amendments put down on the paper. He raises objection now before the House to the principle of adult suffrage contained in the Bill. Has the Minister raised this objection in his minute of dissent? So far as I have been able to understand his minute, he has not. Nor has he

7th August 1929] [Mr. C. V. Venkataramana Ayyangar]

raised any such objection in the amendments of which he has given notice. So, one of the important points in the hon. the Minister's objection has never been considered by him or by the Secretariat up till now. I do not think it is fair at this stage for the hon. the Chief Minister to attempt to postpone consideration of this Bill. As I said, Sir, there may be other considerations involved, but I will say just one word. Even this Bill which may be so full of mistakes from the Government point of view has got some very good provisions. I will just mention the instance of lady candidates finding a place in municipal councils. I ask the learned Deputy President whether she wants the provision which enables lady candidates to enter the council to be delayed. Is there to be no doctor, no lady public worker in the councils of the municipalities? Are they not fit to represent any ward on the council? If we postpone consideration of the Bill at present, the only possible result will be that we will have no amending Bill at all for during the past ten years, the Government have not been able to bring one for our consideration excepting of course one or two piecemeal measures. I therefore appeal to the European members here and to the hon. the lady Deputy President, not to throw away the Bill but to suggest amendments, discuss them and try to improve the measure in that way. The Government and their supporters command a huge majority who are perhaps prepared to be inconsistent with themselves and nullify their previous resolutions but it is our duty to take this measure now into consideration. With these words, I strongly object to the postponement of the consideration of this Bill."

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

Mr. P. ANJANEYULU:—"On a point of order, Sir. The hon. the Minister has no right to address the House again at this stage."

The hon. the PRESIDENT:—"The hon. Minister is speaking on the motion for adjournment."

The hon. Dr. P. SUBBARAYAN:—"Sir, I am willing to have this adjourned as Mr. Muniswami Nayudu suggests. And I think it is only fair that I should answer the question that Mr. James propounded in his speech."

The hon. the PRESIDENT:—"The hon. Minister will have an opportunity to speak again when this motion has been disposed of and when the mover of the substantial motion has replied. His attention is drawn to the Standing Orders."

* Mr. K. R. KARANT:—"Mr. President, Sir, I beg to oppose the motion for adjourning this Bill. My hon. Friend Mr. Muniswami Nayudu said that he wanted to know what the views of the Government were on the proposed Bill. The two points on which the hon. the Minister has now opposed the Bill are adult franchise and the power of Government to get rid of bad municipalities. On the first question, I may say, Sir, that the hon. Minister called a conference of representatives of all parties of this House and at this conference in which my hon. Friend, Mr. Muniswami Nayudu himself was present this question of adult franchise was discussed and adopted. And in the copy of the Bill which was prepared in accordance with the resolutions of this conference provision is made for adult franchise. This Bill has been circulated to us. The hon. Minister's argument was that in England there was no adult franchise for these smaller bodies; whether that is right or wrong, I may just tell him, Sir, that in this country in the case of village panchayats,

[Mr. K. R. Karant]

[7th August 1929]

taken as the smallest unit, we have gone the other way and have adopted adult franchise. It was the opinion of most of the members who were present at the conference that it was high time to make a trial of adult franchise at least in the case of municipalities. The other point the hon. Minister raised was the power to get rid of bad municipalities. I think, Sir, the present Bill as amended by the Select Committee gives ample power in that direction. Clause 23 of the Bill, instead of giving a long period of two years to supersede any bad council fixes only one year within which attempts should be made to reconstitute the new municipality. I do not therefore think that the objection was seriously raised. I think, Sir, that even if the points which the Government say they would bring in a measure of their own are taken up, it will be found that this Bill covers almost all of them. The summary of the main changes which were set down in the Bill which was prepared by Government after the conference to which I have referred mentions some of these and I may briefly state them. One was the abolition of the system of nomination to the municipal councils. Both in this Bill and in the old Bill the Minister was anxious to abolish this system of nomination and he only wanted that the power of nomination should be taken away. Now the present Bill as amended by the Select Committee accepts that principle. The second is the enfranchisement of adults in municipal areas. I do not know whether the hon. Minister has changed his mind after this Bill was circulated to us. The third point is the removal of disqualification of women on the ground of sex to stand for election. The present Bill removes that disqualification and so does the Bill which the Minister proposes to bring. The fourth point is the general quinquennial election. It is not a serious matter whether it is three years or five years. It is a matter which by a simple amendment to the present Bill we can remedy. The fifth point is the entrusting of functions connected with elections to officers of Government. I am not sure what the provision of the Bill in this respect is but that does not seem to be a very important matter.

1 p.m.

"Then, Sir, the provision for a vote of no-confidence in the chairmen or vice-chairmen of the municipal councils is also found in the present Bill. There is absolutely no difference between the points accepted by him and the points laid down under the present Bill. There is one other point which I may submit, and that is that in the first Bill that was brought forward by the hon. the Chief Minister—and I take it that that was the policy of the Government—there was a provision that there should be executive officers appointed for all municipalities. He went back on that position as he found it was opposed by all or most of the municipalities. I myself thought that that provision was necessary in the interests of good and efficient administration. But this only illustrates how the hon. the Chief Minister has no mind or opinion of his own on any point, because this important point which he urged in the first Bill he omitted in the second Bill. At any rate when the conference was called he acceded to all these points, and I say most of them can be made to come in by means of amendments into the present Bill itself. I think it is hardly fair that the hon. the Minister or my hon. Friend Mr. Muniswami Nayudu should now put off the consideration of this Bill. There were no controversial points, and so far at any rate as I know when the conference met, all the contentious points were agreed to. We did not sit at that conference as so many parties, but we were all interested in seeing that the administration of the municipalities was improved.

7th August 1929]

[Mr. K. R. Karant]

"One other point. I do not know what the Government Bill is going to do about the exclusion of Europeans. On this point I may assure you, Sir, there are many amendments; there are three amendments at least, one by my hon. Friend Mr. Kaleswara Rao himself which says that Europeans also may be included along with Anglo-Indians. Then, there is my own amendment in the Bill which suggests the method of co-option so that anybody can come by that method of election to the Council. Then there is the amendment of the hon. the Chief Minister to the effect that Europeans can come in as supernumerary members on the Council. It seems to me, if I may say so plainly, that the hon. the Minister may fail to bring in his Bill until the very close of the life-time of this Council. When friends come to me and ask me when his Bill would come up, I tell them that the hon. Minister would bring it up at the eleventh hour as, if he does not succeed in getting his Bill through, he is afraid he will have to resign. Therefore he is putting off the evil day. I submit, Sir, that this consideration should not weigh with this hon. House. I assure hon. Members that there are many good points in this Bill and most of the points on which the hon. Minister has brought in his Bill have been incorporated in the present Bill, and it is up to us to improve this Bill by means of proper amendments and see that we go on with the consideration of this measure which has been hanging for a long time. I think he has now opposed one or two points because he could not come forward with his stale old argument that he was not ready with his own Bill, which was used again and again by him in the case of several other Bills. Then, Sir, so far as the Government control is concerned, I do not think any very serious change has been made at all in the present Bill. I myself in the Select Committee, as the hon. the Minister will bear me out, said that I was not against Government control at all. My short experience has taught me that we spoil our Councils more by our internecine fights rather than by Government interference. If the hon. the Chief Minister is against any of the provisions in the present Bill, it is up to him to bring in amendments and not stop the Bill at this stage by not allowing any other party to bring in any measure when he is not himself prepared to bring forward any."

* The hon. Sir THOMAS MOIR :—"Mr. President, I do not propose to deal with the merits or demerits of the present Bill, but I would like to say one or two words with reference to the attack which I think has most unjustly been made on the hon. the Chief Minister. Now, Sir, may I point out that the Bill now before the House is a private Bill and, necessarily, is subject to those disadvantages which apply to private legislation. In the first place, much has been made by the hon. Member for the University of the fact that this Bill has gone through a Select Committee. But may I point out that the Select Committee was almost entirely representative of only one party in the House. (Voices :—"No, no.") I have, Sir, the names in front of me. Now, of course it may be said . . ."

Mr. G. HARISARVOTTAMA RAO :—"On a point of order, Sir, is the hon. Member aware that he is reflecting on the conduct of the House which elected this Select Committee?"

The hon. the PRESIDENT :—"He is only describing the members of the Select Committee; that is all. He never attacked the vote of the House."

[7th August 1929]

* The hon. Sir THOMAS MOIR :—" Now, Sir, it was suggested by the hon. Member for the University that by the fact of the hon. the Chief Minister having served on that committee, he in some mysterious way is bound to allow this report to come before this House. Now, it has been a custom for the Government Members concerned to serve on the Select Committees of private Bills, but if that argument were to be used, it seems to me that the Government would have seriously to consider the question as to whether any of its Members should sit on the Select Committees for private Bills. It is, I think, desirable that at least in some cases they should do so because it means that they are able to keep the Select Committee in touch with the attitude of the Government and possibly make good any defects attaching to useful private legislation so that when the Bill comes up before the House the Government would be able to accept it. But in this case, I can only go by the Minute of Dissent of the hon. the Chief Minister and from that . . . "

Mr. S. SATYAMURTI :—" On a point of order, Sir, under the Rules and Standing Orders, Minutes of Dissent have got to be sent within a specified time, and if they are so sent, your office would be in a position to print and circulate them to all of us. But in this case, as far as my information goes—I make this statement subject to correction by your office—this so-called Minute of Dissent was not sent within the time prescribed by the Rules and Standing Orders. By some authority—I do not know which—it got printed and it got circulated . . . "

* The hon. the PRESIDENT :—" Was it circulated to Members of the Council ? "

Mr. S. SATYAMURTI :—" No, it was not. "

* The hon. the PRESIDENT :—" I only request the hon. Member to ignore the Minute of Dissent if it has not been circulated to Members. "

* Mr. S. SATYAMURTI :—" But my point of order is that a paper which is not circulated to hon. Members is being referred to by the hon. the Finance Member. "

* The hon. Sir THOMAS MOIR :—" Whether technically it comes within the definition of a Minute of Dissent or not, here is a printed paper which fully explains the objections of the hon. the Chief Minister which I believe he had also urged in the Select Committee. And if it is not already placed on the table of the House, I am perfectly prepared to place it on the table now. "

* The hon. the PRESIDENT :—" Order, order. Discreetly I kept silent with reference to this Minute of Dissent. But I think the hon. the Chief Minister has not given the full history of this Minute of Dissent to his Colleagues. This Minute of Dissent was published by the Law (Legislative) Department in the Gazette, and it was brought to my notice. I requested the hon. the Chief Minister to explain the circumstances to me, and he has written an apology saying that by inadvertence it was published in the Gazette, and that it ought to have gone through the Legislative Council Secretary to the Gazette. That is quite a different matter. But I think it is better not to refer to that document because it does not form part of the proceedings either of this Council or of the Select Committee. "

* The hon. Sir THOMAS MOIR :—" Then, Sir, I will content myself with saying that I believe I have the authority of the hon. the Chief Minister for the statement that in the Select Committee he raised the objection, and it was

7th August 1929]

[Sir Thomas Moir]

only after raising such objection that he had seriously to consider whether he could accept that Bill or recommend it for the acceptance of the Government. Now, Sir, there are two courses which are open to the hon. the Chief Minister . . . "

Mr. G. HARISARVOTTAMA RAO :—" On a point of order, Sir, has the Minister the right to disclose the discussions in the Select Committee, and has the hon. the Finance Member the right to refer to them ? "

* The hon. the PRESIDENT :—" I think the report of the Select Committee is placed on the table of the House. "

Mr. G. HARISARVOTTAMA RAO :—" It is not the report that he is referring to, but conversations and discussions in the Select Committee. "

* The hon. the PRESIDENT :—" Anything not published cannot be referred to. "

* The hon. Sir THOMAS MOIR :—" Then Sir, at least I take it I am entitled to say that the hon. the Chief Minister was entirely opposed to this Bill, (Voices : ' No, no '), at least materially. Now, Sir, there were two courses which were open to him. The one was to oppose the report of the Select Committee being taken into consideration. That was perfectly legal and perfectly justifiable on his part. But the hon. Member for the University made much capital of the fact that he tabled amendments. Why should he not table amendments without waiving in any way his right to oppose the taking of the report into consideration ? The taking of the report into consideration is a matter before this House. That is the question which is being discussed now and on which the House will proceed to vote. He considers that he was justified in opposing even the motion for the report of the Select Committee being taken into consideration. The decision on that issue rests with the House and why should he not table amendments against the possibility of its being taken into consideration ? I do not see that this in any way is inconsistent with his position or his rights with reference to this Bill. Then the other question which has been raised by the hon. Member for the University and I think by some other Members likewise is the question as to whether it is desirable or convenient to have two Bills which cover the same field, and which may take up practically the same time. Now, Sir, the hon. the Chief Minister has been invited to lay before the House now the scheme of his own Bill. I, of course, can have no objection if he chooses to do so, but I would suggest to the hon. Member Mr. James that it is hardly a reasonable request to make of the hon. the Chief Minister that he should now, two months before the date on which he proposes to introduce it, unfold the scheme of his Bill. And I think it is evident from the debate that has so far taken place, that this course would lead to the greatest inconvenience and the greatest confusion if, while one Bill was under Legislative discussion, we should be informally considering another Bill. And I would recommend to the House that under these circumstances they should at any rate consider the advisability of postponing the discussion of this Bill. And even though there might have been some delay as regards the introduction of this comprehensive Bill, I have not the slightest doubt that it will be introduced at the next meeting, but if not the House has its remedy. "

" I would suggest therefore that we may follow the course which has been proposed by the hon. Member, Mr. Muniswami Nayudu, and postpone the consideration of this question. I am perfectly sure that if we are to have two

[Sir Thomas Moir]

[7th August 1929]

conflicting sets of proposals one contained in this private Bill and the other contained in the comprehensive measure of my hon. Colleague the Chief Minister, forming the subject of a miscellaneous debate in the House, we shall not really be furthering the business of the House, or the discussion of those proposals advocated by such hon. Members as are in favour of this Bill."

* Mr. SAMI VENKATACHALAM CHETTI :—" Mr. President, Sir, while I admire the chivalry of the hon. the Finance Member, Sir Thomas Moir, for the defence he has put up in favour of his ever-erring colleague, the hon. the Chief Minister, I am afraid I must also ask the House to have some commiseration for the hon. the Finance Member for the somewhat inconvenient situation he landed himself in, in trying to defend his Colleague. This is the first time I see when the hon. the Finance Member has slipped into several inconsistent statements. That is no doubt due to his want of information with regard to this subject that ought to have been supplied by the hon. the Chief Minister. Sir, Sir Thomas Moir referred to the fact that this Bill which is brought forward by a private Member will have the disadvantages natural to such a measure. Nobody denies this statement of fact. But the Bill is far advanced in spite of the handicaps which a private Member is put to in pressing legislation in this House. It has had the co-operation of the opposing party headed by the hon. the Chief Minister in the course of the Select Committee stage. Several objections have been raised in regard to several points, and there were differences of opinion between both sides. Evidently the Chief Minister was over-ruled in all those objections of his. But the result has been the present Bill. I am afraid, Sir, the fear the Government has in allowing this Bill to go forward lies in the weakness of the Minister. If the Ministry can possibly marshal all its forces in favour of the proposals they have in view, they could themselves bring forward an amending Bill. The inherent defect is in the lack of strength of the Ministry in pushing on a measure of their own or in opposing a measure coming from the Opposition, on its merits. It has necessarily to depend on the good-will and favour of the various parties. I doubt if my hon. Friend Mr. Muniswami Nayudu has done the Chief Minister any service in bringing forward this motion before the House, probably the hon. the Chief Minister would have wriggled out of the situation by merely stating the purpose of the Bill which he is going to introduce hereafter. But, instead of leaving the hon. the Chief Minister to have his say, my hon. Friend Mr. Muniswami Nayudu wedged in this amendment, which necessitated a longer discussion over this question.

" Sir Thomas Moir referred to one thing, namely, the composition of the Select Committee, which he said was all one-sided. I am afraid here again he was speaking without the book. The Select Committee consisted of thirty-one members of which eighteen did not belong to our party. (Hear, hear)."

The hon. Sir THOMAS MOIR :—" On a point of personal explanation, Sir, I never said that the entire committee consisted of one party. (Mr. G. Hari-sarvottamma Rao : "One party, you said)."

* Mr. SAMI VENKATACHALAM CHETTI :—" Be that as it may. As has been already pointed out by previous speakers, the only two objections now trotted out by the Government are with regard to adult suffrage and the control of the Government over erring municipalities. My attention is drawn to what

7th August 1929] [Mr. Sami Venkatachalam Chetti]

happened in the Select Committee, when the hon. the Chief Minister did not raise any objection with regard to adult suffrage. That statement is borne out.

The hon. Sir THOMAS MOIR :—" On a point of order, the hon. Member is referring to the Select Committee proceedings."

The hon. the PRESIDENT :—" I have already requested hon. Members not to make any further reference to that."

Mr. SAMI VENKATACHALAM CHETTI :—" I may refer, Sir, to the amendments which have been sought to be moved by the hon. the Chief Minister. There is absolutely no amendment tabled by him on that subject. Then, it is only the Government control that is left. Many of the Members on this side of the House do realize that erring municipalities ought to be checked by means of a minimum authority being reserved by Government. I have no doubt Mr. Kaleswara Rao has made ample provision in regard to that matter. It seems to me, therefore, that the object in obstructing the further procedure of this Bill is the realization by the Government that it has not got enough strength to push their point of view in this House. If that be so, it is an unfortunate circumstance for which we are not responsible, and we cannot wait until he sees that a strong party is gathered on his side."

* Mr. K. MADHAVAN NAYAR :—" In opposing the proposal of my hon. Friend, Mr. Muniswami Nayudu, to adjourn the consideration of this Bill to the October session, I may say first of all that it may practically mean the postponement of this Bill indefinitely. It is not possible now to decide whether there will be time enough in the October session or in the subsequent sessions of this Council to take up this Bill and discuss it completely and thoroughly. The postponement, therefore, must be on adequate grounds, and the only reasons that my hon. Friend has advanced are the reasons mentioned by the hon. the Chief Minister. I therefore propose to answer the arguments that have been mentioned by the Chief Minister for the adjournment of the Bill. One of the most important reasons that were advanced by the Chief Minister was that the Bill as formulated by Mr. Kaleswara Rao and as emerged from the Select Committee does not give power to the Government to control municipalities. That certainly is a very valid objection if, as a matter of fact, there is any truth in that objection. So long as Government grants funds to municipalities, it is necessary and it is essential that the Government should have control over municipal bodies, and if the Bill that is now before the Council does not give that power to the Government, the Bill to that extent is certainly bad. But, when we examine the Bill of Mr. Kaleswara Rao, we see that as a matter of fact the Bill gives such power because he deletes only one clause in section 36 which gives that power, and the rest of that whole section 36 and section 37 with a slight modification are kept intact. Clause (1) of section 36 is,—

"The Governor in Council may, by an order in writing, suspend the execution of any resolution of a Municipal Council or of any order issued by a Council or chairman, or cancel such resolution or order, or suspend or cancel any licence or permission granted by a Council or chairman, and may prohibit the doing of any act which is about to be done or is being done in pursuance or under the colour of this Act if, in his opinion, such resolution has not been legally carried, or such resolution, order or act, or the grant of such licence or permission is in excess of the powers conferred by law, or the execution of such resolution or order or the doing of such act or the continuance in force of such licence or permission is likely to cause danger to human life, health or safety, or is likely to lead to a riot or affray."

[Mr. K. Madhavan Nayar]

[7th August 1929]

"That clause is retained in Mr. Kaleswera Rao's Bill, and the only clause that is deleted is clause (2) of the section which says, 'If the District Collector considers that immediate action is in his opinion necessary in the public interests, he may suspend the resolution or order, licence, permission or act,' and so on. So, it is only the power of the District Collector that has been taken away, and not the power of the Government. So long as the Government considers the executive subordinates as Government itself, I am sure such arguments will be forthcoming. The Collector is not the Government, though he is part of the Government. Government is composed of the executive heads of the administration, but not the subordinate officers of the Government. So long as this power is retained by Government of controlling municipalities, the argument advanced by the Chief Minister on this point loses all its force.

"Now, the only modification made in section 37 of the Act is that for the words 'the District Collector', the words 'the Governor acting with the Ministers' are substituted. Section 37 says, 'The District Collector may, in cases of emergency, direct or provide for the execution of any work,' and so on. By substituting 'the Governor acting with the Ministers' for 'the District Collector,' the power of the Government has not been taken away, so that the most important argument of my hon. Friend the Chief Minister that the control of the Government has been taken away, falls so far as it relates to this section also.

"The Council will also realize that the Bill placed before it is a comprehensive Bill, and that Bill has been drafted by a person who has very wide experience of municipal administration, who has been Municipal Chairman for four or five years. He knows the difficulties of the administration, and, as other previous speakers have pointed out, it is very seldom that a private Member of this House is able to exercise his right of getting legislation passed through this Council. And when after the Bill has been referred to a Select Committee, and, after the Select Committee has spent a good deal of its time and labour over it, when it comes back to the Council, for the hon. the Chief Minister to get up, for a man who occupies the responsible place of the head of the non-officials in this Council to get up and oppose this Bill, is nothing but scandalous. I cannot find less strong language to condemn such an attitude, to condemn the attitude of the Government and of the non-official Chief Minister, who gets up and merely says, 'My Bill is being prepared and that will be placed before the Council'. When are you going to place it before the Council, Sir? Is it after the dissolution of this Council, next year, or the year after that? For three years, he has been sleeping, and when non-official members have spent time and labour over a private Bill, and when that Bill has passed through the Select Committee stage, and when that Bill comes up for consideration in the Council, the Chief Minister says, 'No, Sir. Let it be adjourned. I will think of a better Bill. I am preparing a Bill, and I will bring it up at any time I choose'. Is that the answer, Sir, to be given by a responsible Minister to a private Member who brings forward a Bill before this House, especially when it has reached the stage that Mr. Kaleswera Rao's Bill has reached? Sir, I fail to see the force of the argument of the Chief Minister. There are so many wonderful things in this Government; but the most wonderful of them all is its Chief Minister. He has no policy; he has no programme. To simply sit in his place and to say 'No' to every-

7th August 1929]

[Mr. K. Madhavan Nayar]

thing that is done or attempted to be done by non-official members, is this the sole object and function of the Chief Minister of this Council? He does not concern himself with legislation; he does not care whether the whole world goes to dogs, but he must continue to occupy that seat with the help of friends and allies honourable or traitorous."

* The hon. the PRESIDENT :—"The hon. Member will continue his speech on the next proper occasion. The Council will now adjourn for lunch and re-assemble at half past two."

(After Lunch—2-30 p m.)

VIII

ADJOURNMENT MOTION re GOVERNMENT SANCTION TO PROSECUTE
MR. M. ANNAPURNAYYA.

* Mr. P. ANJANEYULU :—"Mr. President, Sir, I move—

'That the business of this House do stand adjourned to discuss a definite matter of urgent public importance, to wit, the recent action of the Government in granting sanction to prosecute Mr. M. Annapurnayya (Editor of 'the Congress'), under sections 124-A and 153, Indian Penal Code.'

"Sir, I thank you and the House for giving me an opportunity of bringing this matter to be discussed on the floor of this House. I know, Sir, the disadvantage of one who speaks on a matter like this, because it is very much limited in its scope, and from the way in which discussion took place yesterday, before you were pleased to give your permission to move this, I knew that it would be almost impossible for any one to be within the limitations prescribed by you yesterday. I hope and trust that with the limited capacity I have got I shall not transgress any of those limitations. My object in moving this motion is two-fold. One is to bring before this House and to the notice of the Government the feeling in the country; the other is to give an opportunity to the hon. the Law Member and the other Members of Government to fully and freely explain any policy there may be behind this particular action in granting sanction to prosecute Mr. Annapurnayya.

"Mr. Annapurnayya, Sir, is a young man, affable, frank, brave in his speech and bold in his behaviour. These are qualities which any civilized Government, I expect, would appreciate, qualities which they would ask their young men to foster, and cultivate. Especially the Madras Government which even with its bureaucratic traditions had recently given opportunities to this country to appreciate it in its exposition about the coming reforms, I thought, would equally appreciate such qualities and would be the last to launch a policy bordering on repression."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"I am reluctant to interfere, but is my friend at liberty to discuss the policy? I think you expressly overruled it yesterday."

[7th August 1929]

* The hon. the PRESIDENT :—" He is only making preliminary remarks."

* Mr. P. ANJANEYULU :—" I am only stating in a general way that when an action like this is taken, there must be something behind the back of the Government. Generally, as we all know, in cases of sedition, when sanction for prosecution is granted, it is in the interests of the State or the country. That being the case—I am saying in a general way without going into the speeches of Annapurnayya or the particular speech which brought him into this trouble—I am simply saying that I expect that this Government would exert all its possible resources to see that when it prosecutes a man for sedition, for saying something which in their opinion is sedition, they had considered all the circumstances in favour of the man. I am constrained to say this for the reason that elsewhere no less a person than Sir Mitra prosecuted a person of such high standing as Mr. Ramananda Chatterjee for publishing a book which in other lands would have been valued as a treasure simply and read by every student of politics with avidity. And when questioned in the court of law, the hon. Gentleman had to admit that he never read the book himself but accorded sanction for prosecution. I trust that such things will not be said of the hon. the Law Member in this particular case. I trust that he at least has read the speech or the speeches for which this young man is being prosecuted. It is possible, and I have a shrewd suspicion, that the hon. the Law Member might have acted on belief or trust in reports of lower officers that it was a seditious speech, and in that way might have accorded his sanction. If it was otherwise, we shall be glad so far.

" But in an action like this, when only members following a particular political persuasion are being prosecuted or persecuted, it is up to every one of us to draw inferences which are not to the credit of the Government. The Government of Madras has had a reputation, we must admit, that it is very reluctant to launch on a policy of repression. In recent years, when other provinces are taking measures which are highly repressive, the Madras Government had so far curbed itself, though it might have caught the contagion from other provinces. I do not say that it did not go into error at all, but it tried to correct itself as early as possible.

" In this particular matter, this Annapurnayya has been the Editor of a paper called the *Congress*. He is a congressman and he has been a congressman. The policy of the Congress is very well known not only to this Government but all the world over. It is non-violent non-co-operation; any element of violence is strictly eschewed from the policy of the Congress, and this Annapurnayya who is an ardent congressman and who belongs to that cult or political faith could not be suspected of any violent motives. And when an article is published or a speech delivered, if the Government should run after the man and incarcerate him, then the very purpose of all progress in politics will be defeated. I hope and trust that there must be something particularly bad in this particular case which prompted the Government to accord its sanction. Before such sanction is given, I take it, Sir, the Government is expected to see what effect it will have on the public at large. It is not because Mr. Annapurnayya said something or wrote something against the Government that he should be prosecuted. What effect that particular act of the Government will have on the province, is a most pertinent question which I desire to address myself to.

[7th August 1929]

[Mr. P. Anjaneyulu]

" I fear seeing that in many places it is only the Congressmen that are being pursued, that are being prosecuted, and that, at a time when it is expected that even the Government would lend its helping hand to the frank and free expression of political views without bringing them within the four walls of Indian Penal Code, it is unfortunate that this Government should have accorded this sanction. A great authority has said that the Government should always be very careful in granting sanction in matters like this and should not do it if their action is likely to create alarm in the democratic party and is calculated to retard for considerable time the progress of legitimate and democratic views. The hon. the Law Member was saying that a matter like this need not be considered by this House because there is a case pending in the court. So far as the action of the Government in granting sanction is concerned, I looked up some of the reports of the High Court, and 27 Madras (p. 54) says that Government when granting its sanction does not act in a judicial capacity in matters of this kind. Therefore on that score it cannot be called *sub judice*. As far as their actions are concerned, this House has every right to discuss them, and I thank you, Mr. President, for taking that view and allowing this motion to be discussed in this House.

" I should like to say one or two other words on this subject. There is a fear that, when Government takes action in matters like this, it is getting confused in its ideas and confuses political agitation with constructive treason. Political agitation, in all civilized countries is permissible, provided it is not violence or revolutionary activity. I hope and trust, Sir, that the Government has fully exercised its mind on this subject, and is not at all inclined to stifle all legitimate political agitation, especially at a time like the present one. If the country is to be thrown into alarm by prosecutions like this, there is no meaning and purpose in saying that we are on the eve of getting another large instalment of reforms. The Government ought to take into consideration not only the person concerned, but also the times we are passing through. We are at the dawn of a new era of political advancement in this country. At that time, it is possible for young and fresh minds which are full of enthusiasm for their country and full of patriotic spirit, sometimes to say things, which may be construed as bordering on sedition. Is it not right on the part of the Government to give a large margin for enthusiastic young men and not construe that simply because it is technically wrong, therefore it must be morally wrong? I hold that in cases like this the Government should take all these aspects of the question into consideration but should not easily come to the conclusion that this particular individual was also morally wrong. If mere agitation, mere freedom of speech, possibly in the heat of the moment, or mere writing possibly with a historic perspective, if everything like that is to be construed as sedition, I trust that at least one political party in the land, and every one belonging to that party must be prosecuted. All Congressmen must be prosecuted, for, one time or other, at the beach meetings, or in Congress conferences, or in other public meetings, they must have said things very much like those said by Mr. Annapurnayya. But unfortunately, I cannot go, and I shall not go into the speeches or the particular speech made by him as it is forbidden ground.

" I hope and trust that when the hon. the Law Member makes his speech he will tell us definitely that there is no such policy behind this action, and that the Government do not intend to incarcerate a political party like this and that the Government are willing to hear us fully and frankly. Is it not to

[Mr. P. Anjaneyulu]

[7th August 1929]

the interest of Government also that we should frankly express our opinions, instead of allowing our displeasure at some of the actions of the bureaucratic Government to rankle in our minds? Sir, this sort of action is only an evil wind that blows nobody any good. If, on the other hand, the Government is strong, if the Government is righteous, if the Government is good, they must welcome all strong and good views and expressions. Our co-operation and our views are not welcomed by the Government, and that is why we have become non-co operators. If the Government want real co-operation, let them give us freedom of expression. Let them not be alarmed at every statement we make in a patriotic spirit. Let them not think that we are going to obstruct the whole administrative machinery. But if such a time comes, neither the Government nor the people can do anything to prevent its happening. We do not know what is in the womb of the future. The fate of our country is on the knees of the Gods. Are the speeches of Mr. Annapurnayya such that a big Government should hasten to grant sanction for prosecution? I hope that this particular action of the Government is not the beginning of a series of actions like this. But whatever the merits of the particular case may be, it is not merely the interest of Mr. Annapurnayya that is at stake. In this case a larger question is involved. And I am asking the Government whether this is a single solitary case where justice requires that sanction should be accorded or whether it is a test case and a forerunner of other sanctions and other prosecutions yet to come. At the same time, I may tell the Government, Sir, that no one on this side is afraid of prosecution or jail, provided we are able to lead our countrymen aright. Sir, I would ask the Government, through you, to see that when they launch prosecutions of this kind, to restrict the liberty of a citizen of this land all individual personal elements are eliminated. They are there to administer law and justice. Let them administer justice and law, lawfully and justly. Let there be no political prejudice behind any action. If we were there on the Treasury Bench and the hon. the Law Member here in the opposition, and supposing he says something about the tenants and janmis, would he expect us to prosecute him under section 153-A for creating class hatred between the tenants and janmis by putting his case as strongly as possible? Similarly, it may be that some Congressmen say things as emphatically as they can and write things as strongly as they can. Are you to take action against them all, by twisting the provisions of the Indian Penal Code? I submit respectfully that in that case no one belonging to the Congress party at least, will be safe in this Presidency. I hope and trust that the assent of this Government was given in this matter after carefully studying all the literature for which he was prosecuted. I suspect that the hon. the Law Member or those that are concerned in granting sanction may not have had opportunities of reading the particular speeches complained of. Possibly they must have read a translation of the speeches. Sir, we all know that translation always suffers either by exaggeration or by under-statement of the original. If they have not read the original and granted sanction as in Bengal, I trust that at least there will be no more cases like this. I appeal to Members of Government through you, Sir, again, not to be guided by personal prejudices in this matter. I request them to show some latitude to the spirit of the times instead of letting loose the sections of the Indian Penal Code on the people. After all these speeches are made in the interest of the country. Is not the hon. the Law Member an Indian Member? Does he not love his own country? Possibly in his mature age with his finished style he might say things and give

7th August 1929]

[Mr. P. Anjaneyulu]

expression to his intentions in a polished manner which intentions when expressed by young men might appear less careful and therefore somewhat dangerous. It is not the language alone that should be taken into consideration in these cases. It is the spirit behind it that should be considered. Before the Government gives sanction in a case of this kind, they should see what is the spirit behind the speech complained of. They should ascertain whether it is love of country or treachery to the Government. These are matters which I am quite sure all the Members of Government should take into consideration. But yet, it is quite possible that they may not have done so, especially in a case like this when every one of the Members of the Government Benches is afraid that any speech might upset this Government. I hope and trust that this sort of alarmist views will not be taken by the Members of Government and that they will not alarm the people by unnecessarily giving sanction to prosecute young men for noble expressions of views, unless they are sure that such speeches are calculated to create disturbance of the peace.

"One word more. Although I am tempted to refer to the speech, I shall refrain from doing so. Let us admit for the sake of argument that this is a highly seditious speech. Let us also grant the Government Member read the original of the speech and properly understood it in spirit and in letter. Even then, what is the policy behind the act of this Government in granting sanction? Is it a general policy that a particular progressive political party's views should not be allowed to be heard in the country? Is it to retard whatever progress is attained by that party? Or, is it merely an act against this individual Congressman? I request the hon. the Law Member, through you, to be pleased to give us a clear enunciation of his policy in granting such sanction. I shall not take more of the time of the House. I hope the Government will consider this motion in the spirit in which it is adumbrated. If the Government means business, then every act of theirs must be above board; they should not run in these young men but should show enough of latitude. I would even take the liberty of advising the Government through you, Sir, that they may even sin on the verge of latitude rather than run in people whose freedom of expression on political questions is unpleasant to them."

* Mr. G. HARISARVOTTAMA RAO :—"Mr. President, Sir, as I rise to second this motion, I do not for one moment feel that I should put in any special pleading either for myself or for Mr. Annapurnayya. Sir, in this year of Grace 1929, in this age of democracy, on this day when from every platform the official mind is being expressed in the direction of giving more responsibility to this country, I feel sure that in such an age as this, any civilized Government which had to care for its reputation would have thought thrice before it utilized its power of sanction to prosecute an individual under section 124-A. I want the hon. the Law Member to specially note the character of the section under which he is giving sanction. The history of 124-A is well known and the opinion expressed upon this section by eminent authorities is before the world. Every civilized man has had to hold that this section is one which is so wide in its application, so ambiguous in its interpretation and so exceedingly harmful to the interests of freedom that it has been held even by authorities convicting eminent personages that they had no option but to convict. I remember the memorable reference that the judge made in the case of Mahatmaji himself. He had no option. Mahatmaji was

[Mr. G. Harisarvottama Rao] [7th August 1929]

such a great man, such a good man, such a good soul and such an ahimsa spirit and yet the convicting judge had no option left to him under section 124-A. This section was framed for use by the bureaucratic side of the Government in this land when the bureaucratic side was ruling the country and had no idea that they would ever have to hand over the reins of Government to the sons of the soil. The times have changed, and it will also be noted that in the history of the use of this section 124-A, there has been an evolution towards widening the interpretation thereof and towards restricting the powers of magistrates in dealing with it. All the same, it appears as though the judges even to-day are inclined to look upon this section as a very ordinary section which can be easily used. That is the impression created by judgments given in other parts of the country. When the Madras Government had to sanction this particular prosecution, I believe it was the duty of the hon. the Law Member who in addition to being the Law Member is an Indian with wide experience of dispensation of justice in this country and who was in the Opposition Benches, to have carefully considered the matter. This is a section which has been condemned by all patriotic sections in this country and by all right-thinking men in the world. I am surprised that he should have chosen to act in the manner in which he has acted and given sanction for prosecution under section 124-A knowing full well that this section has wrought a great deal of mischief in this country.

3 p.m. "It will be remembered that prosecutions took place under this section for very wonderful sentiments expressed. In my own case, I remember that for my saying that the autocratic British Government was drying up at the mere breath of Indian nationalism, I had to serve three years of imprisonment. The section was used and is used in a most pernicious manner. It is quite possible that out of zeal for the advancement of the country and also in consideration of the meagre nature of the reforms which the Government are going to grant to this country, that people might express opinions which are antagonistic to those of the Government. Therefore, it was up to the hon. the Law Member of the Government of Madras to have carefully considered this question, viz., whether or not he should have exercised his power in according sanction under section 124-A. My contention is that no civilized Law Member who deals with questions of affection and disaffection in this 20th century, in this period of democratic evolution, would have thought of utilizing section 124-A for sanctioning a prosecution. Then, Sir, what was the time at which the hon. the Law Member chose to give sanction? He knew perfectly well—I do not think that he is such a hole and corner man that he does not read anything beyond those papers that are on his table—what was going on in other parts of India and the policy of repression that was launched. He also knew that there was hue and cry against that policy of repression, and should he not have calculated, before giving his sanction for this particular prosecution, whether his action would not be open to the charge that he was likely to introduce repression in this part of the country? Did he for one moment consider this aspect of the question? Did he carefully consider whether he was right in sanctioning a prosecution of this sort at a time when the whole country was undergoing a trial in other parts of India and it was likely that his action would be misunderstood in this part of the country? We on this side of the House do feel that the Government—more especially the hon. the Law Member who till yesterday belonged to a party

7th August 1929] [Mr. G. Harisarvottama Rao]

which was in power and who to-day occupies the position of Law Member—attempted to support their own view of the Reforms in the coming constitution-making, and we feel that he had attempted to put a ban on free expression of views, however extreme those views might be. In a free country there must be room enough for free expression of views. If a man like Mr. Annapurnayya, who admittedly to the knowledge of many of us is a fair, frank and a good man, to the knowledge of many of us is a man committed to the Congress creed of Ahimsa, if a man like him had to be prosecuted, was it not incumbent upon the hon. the Law Member to have considered for a moment whether this step would be considered a step in the right direction, and whether it would not be considered as a step in the direction of repressing altogether opinion which was unpalatable to his party and the Government? I fear for these reasons the step which the Government have taken is a step in a very wrong direction. To characterize it with the lowest possible indignation, I may say it is a very unwise step. Wisdom in Government counts for a great deal. It sometimes comes too late—my friends remind me—but nevertheless I should be glad if it comes at all. I feel that it is incumbent upon the hon. Law Member—because he is an Indian, because I believe that in his heart of hearts he must be feeling the iron rod of repression, because I feel that in his heart of hearts he must be aspiring for that freedom which every Indian truly aspires for,—that he must desist from applying section 124-A and withdraw the prosecution that has been launched."

* The hon. the PRESIDENT :—"I think I cannot allow the hon. Member to refer to that. He is at perfect liberty to comment upon the sanction that has been accorded."

* Mr. G. HARISARVOTTAMA RAO :—"I am sorry, Sir. I will not refer to it."

"Sir, let him rectify the mistake that has been committed. Of course we are prepared to face such a policy, and we are not in any way afraid of it. But what I submit is that he as an Indian will earn the everlasting gratitude of his countrymen by withdrawing this prosecution, and I dare say that his name will go down to posterity as a person who understood his own men properly and exercised his discretion in the right manner. I have no hesitation in thinking that my friends on all sides of this House will appreciate the point of view that this section 124-A must go, that this section has been long referred to as one that is put down mercilessly in the Indian Penal Code, and vote with us in order that the hon. the Law Member who per chance, by an oversight, by a mistake of judgment, has sanctioned the prosecution, might retrieve his position as an Indian and as one who was on our side at one time in the Opposition."

* Mr. C. RAMASOMAYAJULU :—"In supporting this motion, I may say clearly that it is not with a view that this sanction of prosecution should be revoked that we have tabled this motion, but it is due to a feeling created in the country that the Government are pursuing only one policy namely of repressing a particular political school of thought namely the Congress creed. It is that idea that has impelled us to table this motion. I say so, Sir, because that in recent days the Government have launched upon a policy of prosecution of persons belonging to one particular section in the country. I say this policy of the Government is most ill-advised."

[Mr. C. Ramasomayajulu] [7th August 1929]

3-15
p.m.

It is just possible during these active days of controversy, during days when the whole constitutional machinery is being overhauled, when revolutionary ideas are getting into men's minds and when new political parties are being formed, it is just possible to transgress section 124-A. After all, Mr. President, it is desirable that any political party in these days of political controversies should be given freedom for a full and free expression of their opinion, and I hope and trust that the hon. the Law Member will rise equal to the occasion and deal with the matter in a statesmanlike manner, because it lies in the discretion of the Government to sanction prosecution or not. This discretion has got to be exercised in view of the exigencies of the situation, in view of the changing circumstances in the country. As regards prosecutions under section 124-A, they have been going on in our country day after day and year after year. The question is whether in a country like ours it is possible to go on with our propaganda work strictly within the limits. Even Members of Government are not able to do it. Section 124-A is a provision which was included in the Penal Code when the several political parties that are contributing to the mental disturbance that now exists were not existing. Therefore, Sir, with these evolving factors before them, the Government ought not to sanction such prosecutions. That is the view I beg to submit, and it is with that particular object in view that this motion has been brought before this House. In these circumstances, the policy of 'let go' is absolutely necessary if the Government are anxious that there should be a free and full expression of opinion of the public belonging to different schools of political thought. My point is that Government ought to stop its hands and ought not to think of section 124-A. I may say that Government have got a special objective in matters of this sort, viz., of destroying a particular school of political thought. Nevertheless, I may assure the Government that this objective would never weigh with the other side. On the other hand, it would increase reaction in the country and strengthen the very forces that the Government want to keep down. This policy of repression has never succeeded. It is a strange irony that the present hon. the Law Member happened to be a Congress Member himself. I saw him on the Congress platform once. I met him once when he was speaking in the Congress on the South African Question. He was a Member of the Congress party, and he cannot deny it now. In his younger days we were looking upon him as a staunch Congressman. As Mr. Harisavottama Rao put it, to-day he may be the Law Member. All the same he is an Indian. He was in the Opposition Benches, he was a Congressman; to-day he is Law Member. But he was born an Indian and continues to be an Indian. He is an Indian first and then anything else.

"Another point which I wish to bring home to him is this. If there are breaches of sections 124-A and 153-A, and if these speeches are likely to bring disturbance in the public life of the country, if the speeches are having a deleterious effect upon the public peace of the country, I can understand the Government granting sanction. Mr. Annapurnayya is a devoted disciple of Mahatma Gandhi who has for his creed the first article of non-violence. Is it pretended that in his case there will be breach of peace or disturbance of the public tranquillity? If the Government feel that these speeches will set one political party against another or that there will be breach of peace, I can understand the Government exercising discretion in favour of the grant of

7th August 1929] [Mr. C. Ramasomayajulu]

sanction. It is out of the question in a case of this sort, in the case of a dramatic production referring to the year 1857 published in a certain paper, perhaps in a particularly high class literary style. It is too much to expect that a sanction once given would be revoked. We wish to be assured that he would not take the ill-advised course of launching upon a course of prosecutions against a particular political party. I warn the Government. They are bound to remove the suspicion that they are making common cause with this or that political party in the country and that they are destroying this or that party. It is their duty to let people have their voice in the matter of the future of their country, to give them the right of free expression with regard to what they consider to be the best interests of the country. Let not the Government do such things as to make the people believe that they are against any political party. It is with that view that this motion is moved, and I support it."

* Mr. D. THOMAS :—"Sir, I have listened very carefully to the eloquent and fervid arguments adduced in support of this motion by my hon. Friends sitting on the opposite benches, and I am sorry to say that no substantial reason which is worthy of acceptance has been urged by any of those hon. Members. Under the limitations under which we have to discuss this motion, we are not in a position to enter into the merits of the matter and consider whether the Government have granted the sanction on proper and substantial materials or not. On the other hand, we have to come round and round one proposition and bring in a number of considerations which, I think, are not absolutely relevant to the question. One of my hon. Friends has referred to the state of political agitation in this country. He even went so far as to say that revolutionary ideas are in the air. Far from this fact being an argument in favour of the motion, I think that that is a reason which goes the other way. Especially in this case when political evolution is in the air, when things are going so far as to be favourable for the inculcation of revolutionary ideas, I think it is the elementary duty of the Government to see that law is observed, that law is not transgressed, and that any transgression of law to whichever party the person transgressing may belong should be put down. Hon. Members on the opposite side seem to say 'Section 124-A is indeed on the statute book; but it must not be used.' Section 124-A makes speeches of certain character culpable under the law of the land. But still the Government should see that when such cases are reported to them and when prosecutions in such cases are recommended to them by their Law officers, they take no action thereon. I think that is a position which will not commend itself to any law-abiding citizen who is interested in the upkeep of law and order. I think that so long as section 124-A is on the statute book, the Government are committed to see that this section and other sections are utilized in proper cases. My hon. Friend, Mr. Harisavottama Rao referred in very eloquent terms to the undesirability and backward character of the offences penalized under section 124-A. That is very well in its way. But then so long as the section is in the statute book, the Government should do their duty. In view of the fact that the country is in a state of political agitation, in view of the fact that new and radical changes in the constitution are being contemplated and according to the observation of one of my hon. Friends that even revolutionary ideas are in the air, all these circumstances go to show that the duty, the strong duty of the Government is to see that law is maintained, that

[Mr. D. Thomas]

[7th August 1929]

law is observed. I submit that one of the duties of all civilized Governments—the words ‘civilized Governments’ were used by so many of my hon. Friends—is to see that law is maintained, that no individual is greater than the law and that no individual by reason of his individual character or qualities or position is exempt from the operation of the punishments which he justly earns by a transgression of the law.

“One of my hon. Friends referred to the fact that the Government are sympathetic in their attitude towards reforms. That is all the more reason why the Government should, while sympathizing with the just and legitimate aspirations of the people, as in duty bound endeavour to maintain the observance of law and order.

“My hon. Friend, the Mover of the motion, referred to the individual and personal qualities of Mr. Annapurnayya. I believe the fact that he is a patriot, the fact that he is a young man, the fact that he possesses very many amiable qualities does not exempt him from the operation of section 124-A, if he has committed an offence against that section. My hon. Friend also said that he has not offended the law either in spirit or in intention. I think these questions of intention and spirit need not be considered by the Government. They can only take into consideration the fact that certain speeches prima facie of a seditious character have been made, and very probably those speeches have been reported to them as speeches containing seditious matter by their law officers. I am not sure on that matter. That is my impression. If, as I take it, the Government have consulted their law officers, and the law officers have expressed the opinion that the speeches are seditious they are in duty bound to order prosecution without caring as to which political party the person belongs.”

3-30
p.m.

* Mr. C. E. Wood :—“Sir, it is only necessary for me to say very little because Mr. Thomas who has just spoken has expressed my sentiments fully and has probably expressed them very much better than I could do myself. The points which I think the Mover and the seconder of the motion tried to make were firstly that Government were pursuing a policy of oppression against one particular political party. If that argument is advanced, it should be developed further; otherwise it ceases to carry any weight. The speaker should prove his contention by pointing to cases in which persons of other political parties have transgressed the law and have not been dealt with. It is no argument to say that there is unjust treatment of one party because the other party is not being similarly treated. I consider that if the Congress Party subject themselves to this treatment it is entirely their own fault. As Mr. Thomas pointed out, the Mover of the motion also said that the person arrested was a nice fellow and therefore should not have been arrested. Such statement cannot carry any weight in this House; it has nothing to do with the question whether the Government was right or wrong in sanctioning the prosecution. Such pleading may be of benefit to the accused in a court of law; the judge may agree with it and deal leniently in consequence; but I imagine that in this case the accused's past record will be against him.

“It seems to me that there can be nothing more to be said on this debate; it is a question as to whether Government were in their rights or not in sanctioning the prosecution, and I hope the Law Member will be able to explain to the House whether his action was right or not. If the debate proceeds, it can only be because some hon. Members wish to make

[7th August 1929]

[Mr. C. E. Wood]

derogatory remarks generally about Government, quite apart from this case, and I am sure, Sir, you will not permit this to be done. I hope therefore that the hon. the Law Member will take an early opportunity of explaining Government's position.”

* Mr. S. N. DORAI RAJA :—“Mr. President, Sir, I rise to oppose this motion for adjournment. Every act done by the Government unfortunately has the same effect on our Swarajist members as a red rag to a bull. It has become a habit, a very unpleasant habit with the Opposition to discuss in an adjournment motion on the floor of this House the actions of the Executive taken in the legitimate exercise of their functions and thus cause demoralization and discontent detrimental to the due discharge of their duties. Law is no respecter of persons. Any Government that does not see to their laws and regulations being respected is not fit to exist as such and is not worth the name of Government. Just to say that because this particular gentleman is prosecuted because of his political persuasion and attribute unworthy motives to the Government is not only becoming of an hon. Member of this House but vitiates the political atmosphere of this Presidency. It is for the court to decide whether the interpretation given to the speeches by the accused is correct or not and not for the Council to arrogate that power under the guise of a privilege of this House. It is unfair and unjust. It seems to me, Mr. President, that this adjournment motion is only another attempt to gauge the intentions of this Government as to how far it affects the electioneering tactics of the Opposition.”

* Mr. K. V. R. SWAMI :—“Mr. President, Sir, it was really surprising to hear the two speeches made by Mr. Thomas and Mr. Dorai Raja. I am not surprised at the speech made by Mr. Wood; I expected no other thing from him. He would not have been here, if he had not held such opinions. But I am very sorry for Mr. Thomas, an Indian gentleman who has been given good education, talking like that, without understanding the politics of either this country or any other country and saying that the law must be no respecter of persons and that it should be pursued with all rigour. That is a very real surprise to me. Of course he must have earned the encomiums of the European Members of this House. (Hear, hear.) I appreciate his qualifying himself for that, but he will not be a true son of India if he really feels what he says. He would not be allowed to talk like that in any country, even in England or in Ireland much less. What had happened in this case? We know that Mr. Annapurnayya is a young man with culture and education which will not be any way behind the education received by any Member of this House including Mr. Thomas. What crime has he committed? I wonder whether Mr. Thomas has gone into this question at all. No, the blessed Government has sanctioned his prosecution and that is sufficient for Mr. Thomas, and he says that the man must be condemned. He has not looked into the facts at all. What is the offence committed by this young man? Would he have been prosecuted in any other country except in this unfortunate country of ours which is being ruled by the foreigner for the time being? Two charges have been made against him; one is that he sold some pictures and the other is that he published an article in his paper called, ‘The Congress’, and on these charges he has been prosecuted. Supposing the article is seditious . . .”

[7th August 1929]

* The hon. the PRESIDENT :—" I do not think I will be justified in allowing the hon. Member to refer to the materials of the prosecution. He has entirely to confine himself to the circumstances under which the Government had to exercise its discretion in granting the sanction. I do not think he can be allowed to refer to any of the circumstances under which Mr. Annapurnayya was prosecuted."

* Mr. K. V. R. SWAMI :—" Sir, I grant that the article is seditious, I grant that to distribute the portraits of the heroes of 1857 is seditious. I also grant that the distribution of photographs of Rani Lakshmi Bai, a girl of 22 who fought and died so bravely in 1857 is seditious. Assuming all that, is that enough justification for sanctioning the prosecution? Mr. Thomas says 'Yes, why should he not be prosecuted'. I take up the challenge. I ask this House, 'Is not every political speaker in this country committing the same offence under section 124-A? If you are an honest Government, if you want to put a law into force, prosecute them all.' Then let us see what the fate of this Government will be. You have not the courage to do that; you only pick up a man here and a man there and prosecute them. I admit and everybody admits that we should see that this policy of the Government is not the right policy, that the sooner it is ended the better. Either it should be mended, or it should be ended; we are not asking, as the hon. Mr. Wood thought, that members of the other parties also should be prosecuted. We are not for prosecution of anybody whatsoever. So far as section 124-A is concerned—I do not know whether my friend Mr. Thomas reads any paper at all—my hon. Friends will see that there are greater things going on in this country. Why do you trouble yourselves at this stage with 124-A? There is revolution going on in the north, it may come to the south some day, and it may pick you up and eat you up. Change your form of Government or walk out. That is the challenge given by the young men of India. Of course, there may be here and there persons like my friend Mr. Thomas and a few others; but that is not the question. The reason why this motion has been brought is this: just to find out how many more Thomases are here (laughter), to find out whether there is any unpatriotic man in this House who would vote against this motion. Let them go to the country and explain the position and tell the country that they were all for prosecutions of men like Mr. Annapurnayya. If he had cared to stand for election, if he had cared for this House, he would have been the first person to be elected. How is it that he does not care for all these things? He wants a better form of Government in this country. He says that the present form of Government is a rotten one; it only produces men who cringe before a foreign Government and ask for favours. It cannot produce brave men as in other countries. My friend Mr. Thomas says that in any civilized country such men ought to be prosecuted. Does he know what happened in Ireland in 1913? The Home Rule Bill for Ireland was proposed by Mr. Lloyd George. Loyal Ulster men who have got greater respect for law than my friend Mr. Thomas or anybody else here, drilled and trained men to oppose His Majesty's Government in case they granted Home Rule for Ireland. Such a great man as Sir Edward Carson was drilling men. For what purpose? To dethrone His Majesty's Government by force of arms. What did the Government do? What did the English Government do in this matter? Was there any law prohibiting that kind of thing? Yes, there was enough law in that country to prohibit it. There was the Treason and Felony Act, also the Unlawful

[7th August 1929]

[Mr. K. V. R. Swami]

Drilling Act of 1890; but all the same, Sir Edward Carson and others were not prosecuted at all. Why? Why did the Englishmen have no respect for law in their own country? Because they knew where it will lead to. Sir Edward Carson had actually got weapons and drilled men prepared to dethrone the Government established by law made by themselves, not any law made by any foreign Government; and yet the Government did not prosecute him, they kept quiet. What did Nationalists do? They drilled their own men to fight the Ulster volunteers. When they did not prosecute Sir Edward Carson, they could not prosecute the Irish nationalists. The Government knew that if they prosecuted those nationalists, there would be revolution in Ireland."

Mr. N. SIVA RAJ :—" On a point of information, Sir."

* The hon. the PRESIDENT :—" No information can be asked for now. The hon. Member will kindly resume his seat."

* Mr. K. V. R. SWAMI :—" Again, in 1916 there was rebellion in Dublin. In that rebellion, 124 soldiers, Englishmen, were killed and 385 men were wounded. What did the Government do? The Government did prosecute certain persons, but within three years they had to release all of them. Why was that? Was not the Englishman a respecter of law? Yes, but the Government knew that if they had kept them in jail, their days would have been counted and that they would have to lay down their office in a few days. So, the best way was to release them. On so many occasions the English Government has done the same thing. From the year 1820 to 1916 there was not a single case of execution of anybody for high treason, although, according to the law of the country, anybody who was convicted of high treason could be given the extreme penalty and be executed. Yet, the Government of that country did not do it. During that period some men were, no doubt, convicted but soon after they were given free pardon. Some of them became hon. Members of the House of Commons. They ruled the country, they made laws and became also Cabinet Members. My Friends here say that law is not a respecter of persons or parties. We do not seek for favours. We do not want to go before the Law Member and say that when you were a Congressman you were a good fellow, but why did you now prosecute Mr. Annapurnayya.' But we say, if you are an honest man and if you want to put the law into force, enforce it against all. If you are a brave man, don't choose one man here and another man there, put them in prison, give them no food, starve them and torture them. That is not the sort of thing you ought to do. We only want to test the Members of this House, and see how many of them are with us, and how many are against us. We do not want to seek favours. Even my hon. Friend the Law Member would feel like me if he were here, but unfortunately he does not feel like me on account of certain circumstances. So long as those circumstances exist, his feeling will be adverse to us. Perhaps it may be said that the reforms are coming, and so this atmosphere should calm. I do not believe even in that. The reforms may come or they may not come. The reforms may or may not be useful. Perhaps under the new regime, there may be greater conflagration after the present period. There may be freedom or there may be independence. Whatever might happen in future, that is a concern of ours;

[Mr. K. V. R. Swami] [7th August 1929]

we are only discussing things as they exist now. We only say that if the Government are honest, let them put the law into force against us all and try their chance and not pick up a man here and another man there. With these few words, I support the motion."

* Mr. A. KALESWARA RAO :—" Mr. President, I congratulate the Government for having got a Daniel for judgment. We do not want to enter into the merits of the article of Mr. Annapurnayya published in the 'Congress'. Let it be seditious or let it not be seditious. Of course that is the question now before the court. The Government side says that it is seditious and that it transgresses section 124-A of the Indian Penal Code. On the other side, Mr. Annapurnayya says that only the historical fact was depicted. He never meant that violence should be used now by anybody. Of course, Mr. Annapurnayya is a non-violent man, and there is no question about that. He belongs to the Congress, and the creed of the Congress is avowedly non-violence, and no heads have been broken and no riot took place. No violence occurred anywhere. There was only some freedom of expression and some freedom of speech or some writing in a newspaper. The question now is whether this discretionary sanction for prosecution by the Government is justifiable or not. After all, laws exist, particularly laws like sections 124-A and 153 are discretionary. In every case they are not being put into force. That is why policemen would not arrest persons, the courts would not prosecute persons unless the matter goes up to the highest Government in the land which considers well and sanctions prosecution. We are now considering the policy underlying this sanction for prosecution. The Government of late has been pursuing a policy of repression which is insane and short-sighted. Of course, from the point of view of Government itself, there has been a regular conspiracy between the hon. the Home Member and the Law Member, and the police have been running amok and shadowing everybody, every congressman, every political worker and everybody who is likely to be a little active in these days of agitation and unrest."

* The hon. the PRESIDENT :—" I request the hon. Member to leave that point and to go to the question at issue."

* Mr. A. KALESWARA RAO :—" This is only an act of this repressive policy that is being carried on by Government. It is to condemn that repressive policy and to say that the Government is following a mad policy, that repression will not pay, that repression in every country has failed, and that it will fail even in this country also, except that it will produce more and more agitation in the country and more and more unrest and that more and more of these young men will go out of our hands, that this motion is made. Thanks to Mahatma Gandhi. In spite of this repressive policy of the Government and in spite of its mad acts, the country has not gone to violence. It is not on account of the fear of the jails or the swords of the Government that the country is calm at this very juncture when there is so much agitation, but it is due to the preachings of non-violence and ahimsa of that great soul, the greatest man living on earth—Mahatma Gandhi. You must thank him really, otherwise the country would have gone out of your hands and even out of our hands, who believe in a policy of non-violence and ahimsa for achieving our Swaraj. We believe that the foreign Government is an unmixed evil. As civilized men, as men of all civilized countries like

7th August 1929] [Mr. A. Kaleswara Rao]

England, France, Germany, Poland and the United States, do, as civilized Indians, educated Indians, we all believe that the foreign Government is an unmixed evil. This foreign exploitation cannot go on for a long time, and therefore it must be put an end to, and we must get Swaraj. But if the British Government comes to peace with us, let us have dominion status, and if the British Government is stubborn and does not care for the aspirations of the people and on the other hand goes on with repression in this fashion

* The hon. the PRESIDENT :—" Order, order. I am afraid the hon. Member's remarks are not at all relevant to the present discussion."

* Mr. A. KALESWARA RAO :—" And if this repressive policy is continued, I am afraid, there will be revolt, and independence will be declared, and then the Government will have greater troubles. Therefore, instead of following this policy, it would be better for the Government if it is to continue in this country to go behind the unrest and to examine the causes of the unrest and recommend to Government in Great Britain to remove these causes and to give us dominion status at once. There is no use of prosecuting Mr. Annapurnayya . . ."

* The hon. the PRESIDENT :—" I think the hon. Member is giving a wrong turn to the whole debate."

* Mr. A. KALESWARA RAO :—" Let the Government take a warning. I condemn, we all condemn the policy. We are not sorry that members of our party are prosecuted. Of course we welcome that sort of thing. After all, it will be in the long run good for the country, though not good for the Government. It is very good for the development of nationalism quickly in the country. We do not believe in prosecuting anybody. When we get Swaraj and when we sit on the opposite benches, even then we do not believe in prosecuting members of other parties including Mr. Wood for exploiting our country. Therefore, I submit, it is time for the Government to think well and to reverse its policy. I do not say that they can withdraw sanction that has been given, but at least they can withdraw the prosecution. It is not too late for them to do so. I therefore appeal to Government that it is time for them to withdraw the prosecution."

* Mr. J. A. SALDANHA :—" Mr. President, Sir, I am rather at a loss to understand the mentality of my hon. Friend Mr. Thomas and other friends who oppose this motion. Now, if the law is to be respected and enforced, I am sure, the hon. the Law Member will also agree with me, that all those people who proposed the independence resolution at the Madras Congress and later on and all those who supported it will have to be prosecuted for sedition and inciting the people to revolt against the established Government. They will not be few, but they will come in hundreds and thousands and has the hon. the Law Member the courage to prosecute them? People nowadays talk openly that we must shake off the British allegiance and throw off the British Government, and that we must have independence. I am wondering why the Law Member has been sleeping without prosecuting them. When he was a Member on this side, I think he made speeches fostering a spirit of discontent among the tenants of Malabar which almost amounted to sedition. In any case it is not affection to the British Government but disaffection against the British Government as constituted at present and against the laws in

[Mr. J. A. Saldanha] [7th August 1929]

Malabar that he then consciously or unconsciously roused among the tenant classes. He even went to the extent of threatening a French revolution in Malabar if the demands were not granted, while I myself threatened something like a Bolshevik revolution in the country if his Malabar Tenancy Bill was not passed.

"Then, take the report of the Simonite Committee, which has been signed by my hon. Friend Mr. Thomas. It does not breathe affection towards the British Government as constituted, but on the other hand there is much in it to arouse a lot of disaffection which can come under section 124-A of the Indian Penal Code if the law, defective as it is, is enforced. I do not know how he can claim immunity if he is prosecuted so far as this document is concerned. Now, Government single out a man here and another there for prosecution leaving out thousands of others. There would be really justice if Government prosecuted many more of the offenders among all parties not merely the Swaraj party. But I consider the present policy a real stupidity on the part of Government. It is the same stupidity of the British Cabinet and a Liberal Government that prosecuted men just on the eve of the revolution in Ireland. I forgot the name of that famous Mayor (I think his name was Mr. MacSwiney) who was prosecuted and imprisoned and who died on hunger strike. It was the prosecution of many such like Irish patriots that sounded the death-knell of the policy. What is the meaning of this sort of prosecution here and there? It is only causing unnecessary vexation all over the country. A prosecuted man becomes a martyr, who otherwise might have been unknown to many. As a matter of fact, very few had heard of the name of this gentleman, but there are thousands who know and admire him. So many Congressmen are prosecuted and convicted of sedition in these days and go in for hunger strike and become heroes like Mr. MacSwiney whose martyrdom brought about the practical exit of the British Government from Ireland. Mr. Tilak's prosecution made him a hero, and Mahatma Gandhi's prosecution brought in another hero, and so many other heroes are being created and put forward before us. This sort of repression must recoil on the British Government. I for one do not want at all the end of the British Government. On the other hand, I swear by the British Crown. But if you persist in following this present repressive policy, I am sure it will accelerate the end of the British Empire in India. If my hon. Friend Sir Patro and his committee demand changes which the British Government at one time considered revolutionary, what is it due to but to the atmosphere created in the country by the Congressmen? If you have got the courage, you should prosecute all the Congressmen. I am sure, Sir, that if the policy of repression be persisted in, we may have to walk out once more, and preach to the country the boycott of Government. How many of us are you then going to prosecute? Are you going to check us by this policy? I am afraid if you persist in this policy, you will only be driving all the moderates among us into the fold of extremists. You are already driving out even the few people who are now with you and who are of moderate persuasion. And the day will come when you will have to repent it and repent seriously. Men who are sworn friends of the Empire, men who would stand by it, men who would support the British Empire like myself, men who would die for the Empire, it is they who are driven to the extremist camp. In the name of the people of this country, I utter this warning to you that by following this

4 p.m.

7th August 1929] [Mr. J. A. Saldanha]

policy you are accelerating the disruption of the Empire, as you have seen it done in the case of Ireland. What is Ireland now for you, and what are your colonies to you? In Canada and South Africa, the British flag is hardly respected now. And as years go on, every colony will be practically independent."

The hon. the PRESIDENT :—"The hon. Member will please address the Chair. In a debate of this kind it is always safe to do so."

* MR. J. A. SALDANHA :—"I have not much to say, Sir. In fact, I did not intend to take part in the debate on this occasion but the speech of my hon. Friend, Mr. Daniel Thomas, an Indian Christian, has made me rise to make these observations."

MR. P. C. VENKATAPATHI RAJU :—"Mr. President, Sir, we are here this afternoon to discuss the action of the Government in sanctioning the prosecution of an honourable and honest worker in the country, Mr. Annapurnayya, a man who has got the courage of conviction and has expressed views which I take it are shared by every son of the country who loves his Motherland. The views he expressed were not the views either of the Government or of the country. Unfortunately, it was an occasion on which we were reminded of the plight to which the country is doomed by an unprepared, unready and unsystematized revolt of the country as that in the year 1857. Had it then succeeded, there would have been no occasion for celebration in this way. Mr. Annapurnayya reminded of the sad plight of the country on that occasion, and had the boldness to express views as I said already that are entertained and expressed by every son of the country who loves his Motherland. The Government in sanctioning the prosecution for expression of such views is not acting in the best interests even of the existing Government. No Government, even the most autocratic Government of Czarist Russia, was able to suppress the views which have been the result of the system of government. If they want to change the views prevailing, it is not by sanctioning such prosecutions but by changing the system of government. I know they can prevent to some extent the open expression of views. I have myself believed that the views of my hon. Friend, the hon. the Law Member are not different from those expressed either by Mr. Annapurnayya or any Member of this House. I cannot for a moment believe that there is no Indian who in his heart of hearts welcomes the foreign domination for ever, especially when it is carried on in the way in which it is being carried now. If my hon. Friend, Mr. Saldanha says that we are still for the British Government, I know he really means, as honourable partners thereof and not as co-operating in any way with the present form of government. I believe a leading vakil as my hon. Friend Mr. Thomas is, an expert in Indian Penal Code and the Code of Criminal Procedure, he has not taken into consideration the safeguards that are provided even by the framers of this infamous section relating to sanction for prosecution in the Penal Code. They do not say that every man, every expression of view that may be construed as sedition by an alien, bureaucratic foreign government should be prosecuted. They thought that there would be better sense, better discretion in the Government. Even though there may be expressions of sedition, they do not give the power to every policeman or a magistrate to take cognizance of this offence. What is the object? The object is that even though some views may be against the Government, the Government should consider whether in their own interests or in the interests

[Mr. P. C. Venkatapathi Raju]

[7th August 1929]

of the country that a prosecution should be launched for such expression of views which cannot be naturally suppressed from the minds of the people who are being brought from a high state of civilization to this unfortunate condition by foreign domination for a century. And the hon. Member Mr. Daniel Thomas thinks that simply because there is a provision in the Indian Penal Code, it is the bounden duty of the Government to prosecute every man. Laws are made, especially such sections in the Act, in the interests, I cannot say of good government or better government of the country but in the interests of the party that is being benefited by having a country like India under its domination. I am referring to the sections dealing with sedition and kindred offences. Such sections my hon. Friend Mr. Thomas wants to be put into operation against any and every one. I do not join with some of my hon. Friends in the complaint that these prosecutions are mainly directed to one political point of view. It is natural, and one must be glad to receive the brunt of the blow from the enemy's camp. Every one must be prepared to receive these blows, and I know the time will come when the other parties here will not grudge coming in a line with our party in the country, and I feel confident that the time will come when there will be one political party whose sole object will be to redeem this unfortunate country from foreign domination."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, my Friend Mr. Anjaneyulu was putting a series of questions to me and I shall now answer them. He wanted to know whether prosecutions like this are intended to be only against the members of the Congress party. I may tell him that the Government make no distinction between one party and another so far as prosecutions under section 124-A are concerned."

"Then, my hon. Friend asked whether it is the intention of the Government to repress political agitation in the country. I may tell him that it is not. My Friend then asked me whether the Government are against a frank expression of views on political questions. I may tell him that the Government are not. And then my hon. Friend wanted to know whether the Government got alarmed, in other words, I suppose what he meant to say was whether the Government were really panicky in according sanction to prosecute in this case. I may tell him that the Government were not panicky at all and that they were not alarmed. I may tell my hon. Friends, Mr. Anjaneyulu and Mr. Ramasomayajulu, who in their speeches constantly referred to the policy of the Government in according sanctions under section 124-A, that there is no policy at all and that each case will depend upon its own merits and, in the present case, the highest law officer and adviser on questions of law to the Government strongly expressed his opinion that the article for which this particular sanction was accorded was highly seditious."

* The hon. the PRESIDENT:—"I think the discussion should be confined to the conduct of the Government in granting the sanction, and I do not think it is advisable that Government should quote any opinions regarding the merits of the articles under adjudication. I think, in order not to prejudice the trial that is going on, that it would be best not to refer to the material that induced the Government to accord sanction, the political atmosphere and the considerations that weighed with the Government. The Government may say that in the individual case they took into consideration the political atmosphere

[7th August 1929]

[The President]

and other considerations and that they were satisfied. In order to prevent the prejudicing of the trial, I think it is desirable on the part of the Government as well as of the Opposition not to refer to the merits of the case."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"As a matter of fact, 4-15
I entirely agree with you, and I consider it extremely unfortunate that in the P.M.
interests of the accused person this motion has been tabled by my hon. Friend (Voices: 'Oh, oh'), so that I will not refer further to that aspect, and in fact I do not want to."

"As I said, Sir, the Government have the best of reasons for granting sanction in this particular case for the prosecution of this particular gentleman. And, as a matter of fact, I go further and say that if in this particular case, having regard to the facts before the Government, the Government had not granted sanction to prosecute this particular person under section 124-A, the Government would have been wanting in their duty, and the Government would have grossly failed in their duty to themselves and to the people. And having regard to one particular circumstance which also was before the Government, namely, that this gentleman was already prosecuted for sedition under section 124-A and was sentenced to one year's rigorous imprisonment, the Government would be totally unfair to themselves and to the public if on the facts before them they had failed to grant sanction for this prosecution. I submit, Sir, the only question before this House now is, in the words of the adjournment motion, the recent action of the Government in granting sanction to prosecute Annapurnayya. I may state with considerable respect to what has been said by my hon. Friends from the other side, that most of what they said was irrelevant. They wandered to America, to Ireland and all over the world (A voice: 'To Malabar?'), and to Malabar also, but they avoided the only question that could be legitimately discussed under this adjournment motion, namely, the action of the Government in granting sanction for prosecution in this case. That is the one point on which they did not speak. They referred to all other points and all other subjects. And especially, I submit that Government would not have been perfectly justified, in fact, if they had not granted sanction for this prosecution. I have nothing more to say, Sir."

Mr. SAMI VENKATACHALAM CHETTI:—"Mr. President, Sir, I rise to speak on this motion only with a view to answer one or two points raised by the hon. the Law Member. If anybody had misconceived the scope of this motion in spite of your reminders, it is the hon. the Law Member himself. Hear, hear.) The Opposition was perfectly right in not referring to this individual case of prosecution but to the conduct of the Government in having prompted this prosecution. It was perfectly within its legitimate rights and in perfect consonance with the dictum that you have laid down in discussing his question to have referred to similar circumstances in other countries for the edification of the Government and the hon. the Law Member."

"Mr. President, the hon. the Law Member prefaced his speech by saying that in the matter of these prosecutions there was no question of party considerations and that the distribution of this generosity of prosecutions was fairly even amongst all parties. I challenge that statement, Sir, and point out to him that in his own regime here persons belonging to the Congress party who had been served with notices under section 144 were booked immediately under that section, while non-Congressmen who had been

[Mr. Sami Venkatachalam Chetti]

[7th August 1929]

similarly served with notices under section 144 were let off without being brought to court. (Hear, hear.) I would commend this particular action of the Government for the consideration of those European gentlemen who are sitting there and ask them to see whether the Government were right in showing this kind of discrimination as between parties and parties in not bringing certain persons belonging to other parties to book when they serve notices on them under section 144, while they would punish or bring to book Congress workers who have been similarly served. Sir, I am not surprised at the defence put forward by my hon. Friend Mr. Dorai Raja, Rajkumar. He said it was an unfortunate circumstance that every executive act of the Government should be condemned by the Opposition, and he felt the unfortunate circumstance in which the Opposition was placed in having to raise objections to executive actions from time to time. Well, Sir, I am afraid there are only two parties who are always unfortunate. One is the Opposition and the other is Mr. Dorai Raja, Rajkumar, himself. It is his unfortunate lot to defend every action of the Government (Hear, hear) and after all he earned his Kudos in doing that. And I suppose we are entitled to the same kind of Kudos from our constituencies for opposing every act of the executive of this nature.

"Sir, there is no use of repeating the arguments which have been advanced in advising the Government not to have launched this prosecution. It seems to me that the Government members are impervious to public opinion, that they take this debate in a very light-hearted fashion and in a spirit of levity. I do not know if the hon. the Law Member has realized that among those persons who have spoken in favour of the action of the Government there is not a single hon. Member from the party from which he has been sent to this Government, there is not one single member of the Justice party who went to the rescue of the hon. the Law Member in defending his action, the action of the Government. It was left to the representative of the Indian Christian community, Mr. Daniel Thomas and to the nominated gentleman, Mr. Dorai Raja, Rajkumar, to have defended the action of the hon. the Law Member. That, I submit, should serve as an indication that he has not got the support of even his own party in this connection. Sir, the hon. the Law Member said that there was no policy behind the Government in launching on these repressive prosecutions of political workers. May I remind him that this is not the first prosecution which has been launched under his regime? What about Mr. Sambamurti? And in answer to an interpellation put on the floor of this House, the hon. the Law Member had the hardihood to admit that Mr. Sambamurti was made to walk two miles, his own baggage being carried by himself. I should like the hon. the Law Member to forget for a moment that he is the Law Member and remember that he is a common individual and compare his own merits and demerits with those of Mr. Sambamurti, and I want to know whether it would lie in his mouth to have defended the action of the Government in compelling Mr. Sambamurti to carry his own luggage and walk a distance of two miles. Sir, whatever be the differences in our political views, we must respect the individuals holding opposite views. We must have respect for those who are sacrificing themselves for the cause they believe in. For some of us, our flesh is so weak that we do not put ourselves to sacrifices of that nature. But to such of those great men to whom it is given to sacrifice themselves on the altar of mother India we must show

7th August 1929]

[Mr. Sami Venkatachalam Chetti]

our respect. And the one way of showing our respect is to treat them as gentlemen and not as convicts. They are suffering punishment not on account of any offences involving moral turpitude but on account of principles. To such men our greatest respect is due, and it is simply deplorable that during his short tenure of office as Law Member, his tenure should synchronize with a policy that is distasteful not only to the Opposition but also to the members of his own party who are so discreetly silent over this matter."

* Mr. S. SATYAMURTI:—"Sir, the tragedy of this Government is that they are able to get Indian supporters for the most extreme and reactionary steps they want to take. My hon. Friend the Law Member was a member of the Opposition for a very long period and has been translated to this high office only the other day. Already he has become such an adept in bureaucratic language that without the qualifications of a finished bureaucrat he imitates the manners of the bureaucracy which really reduces him to the position of impotence and ridicule. When this question is raised now, he gets up and says that the Government have the best of reasons. The Opposition asked him, what are those reasons? He smiles and passes on. That is because either the reasons do not exist or he does not know them, or it may be because he carries out his invisible masters' orders. Why does he not say what those reasons are? He says 'the best of reasons'. What are those reasons? He does not give any. He adds that if the Government had not given sanction the Government would have abdicated its functions. Does he take us all to be people wanting in intelligence? Does he take this House seriously? Does he simply think that if he merely says 'No' to every question asked and ends by saying that the Government have the best of reasons which he does not know and which he cannot disclose, he has made out a case for the Government? It seems to me, Mr. President, that the question raised by this motion is so important that the Government should have given some definite answer to it. I entirely agree with the sentiments expressed by my hon. Friend the Member for the City of Madras who spoke just before me, and I do challenge this Government and state that this Government have been using, especially after he became Law Member, the penal sections of the law of this country for supporting one party and fighting another party. I make that deliberate charge against him, and I ask him to lay his hand on his heart and say whether the Government has not pursued that policy.

"Then he says that each case is examined on its own merits. Now, Sir, what are the merits in this case which according to him justify the Government in giving sanction for this prosecution? He simply makes a statement, and passes off by saying, 'We have done so, and if we had not done so, we would not have done the proper thing'. This is a mere syllogism which would only impress boys who are carried away by words, but not serious men. By saying this, he merely exhibits the hollowness of his position and the spirit of irresponsibility in which he takes the duties of the high office which was thrust upon him almost without his knowing it.

"So far as the merits of this motion are concerned, Mr. President, this section 124-A is the 'prince of sections' as Mahatma Gandhi has called it. Lokamanya Tilak and others have been sentenced under it. But the scheme

[Mr. S. Satyamurti]

[7th August 1929]

of the whole Criminal Procedure Code is that with regard to certain specific offences it is not every member of the public that can set the machinery in motion for trial by courts of law; it is not everybody who can set the courts of law in motion. It is reserved in some cases to the Government to decide whom they should prosecute, as it is reserved to certain persons in marital offences to take action or not against the culprits. It is so reserved, because the law-makers of this country even in those old primitive times considered that it would be a dangerous power in the hands of irresponsible people if every time the offence is committed the courts of law are set in motion. It was therefore reserved to the Government to give or not to give sanction. One of my hon. Friends asked the hon. the Law Member to state his policy in respect to this matter, and he said he had no policy in the matter, and he repeats it thrice, without even knowing the implications of that statement. This is the kind of statement, I often hear, from that Treasury Bench, a statement made with much complacency and satisfaction, 'I have no policy.' Then what are you there for? Is it to act as the head clerk of the office of the Government? Are you put in that responsible position drawing Rs. 5,333-5-4 a month to sign the orders of your Secretary? What are you there for if you have no policy? I think you must be ashamed to make a statement like that.

"Then, Sir, I want to make one point. This is a transitional stage, and even the Madras Government say that they are for provincial autonomy. And what happens when full provincial autonomy comes into force, when seven or eight Members will be Ministers? To attack them will be the only occupation of a serious opposition. Our constant attempt will be to bring them into hatred and contempt before the people, to use the words of this section. Otherwise, how can we criticise them and displace them? Are we to praise them always and say 'these are the paragons of ministerial virtue?' If so, they can never be displaced. The whole idea of responsible Government is for the opposition to attack the Government and bring it into hatred and contempt. Parties change, and they are replaced by better and more patriotic men. Now, is this the thing for which the Madras Government stands? Is this the Government, which in a moment of forgetfulness wrote the Simon Memorandum, that is going to usher in a new era? They do not understand the elements, the A B C of responsible Government. Otherwise, they would not go about sanctioning prosecutions of this kind.

"Then, Sir, I want to refer to what my hon. Friend from Godavari said with so much feeling and pathos. It is not as if we are asking for mercy. We are fighting to displace this Government. We must pay the price for it. But why don't you play the game like sportsmen? Let them by all means fight with clean weapons, with honest weapons, with honourable weapons. Let them not hit below the belt. Let them not make sport of one party by manipulating the Penal Code. That is the game which this Government has been playing, and which is stinking in the nostrils of every distinguished politician in this province.

"Then, Sir, I am asking the hon. the Law Member, if he is capable of answering this question, whether this prosecution does any one any good. Does it increase the prestige of the Government? Sir, if this Madras Government is continually brought into hatred and contempt, it is not by the

[7th August 1929]

[Mr. S. Satyamurti]

speeches of men like Mr. Annapurnayya but by the performances of men like Mr. Krishnan Nayar, men who ought not to be on the Treasury Bench of any Government, who have no idea of responsible Government, who go about sanctioning prosecutions without knowing what they are doing, without being able to give an intelligent and intelligible answer. Sir, if this Government has been brought into contempt and hatred more by its performances than by the speeches of Mr. Annapurnayya, can there be any more contemptible Government than this, which gives a Law Member of this kind, who does not know what it is to prosecute, who does not know what the Government's duty is in a matter like this?

"Then, Sir, so far as the prestige of the people who are prosecuted is concerned, I am sure you know as every Member knows that to-day the vast number of people in this country, excepting the doubting Thomases, hail as a national hero the man who has been in the jail. He is the man who commands the confidence of the House, of the country, and that shows that when there is real democracy in this country the Treasury Bench will be filled mostly by men who have been in jail sometime or other. To-day, we have got at least four or five such men in the British Cabinet. (A voice: 'Six.') I want to put it to my hon. Friend Mr. Krishnan Nayar that he will be forgotten as an accident in the history of the Madras administration. The names of those people whom he is now prosecuting will be written in letters of gold, and posterity will remember them as the saviours of the country's honour and freedom. I therefore pause to ask my hon. Friend to reconsider his decision. Only he does not encourage anybody to support him.

"I have only one word more to say, especially to my hon. Friend, the leader of the European group. Sir, when a great nation has made up its mind to attain its freedom, there is no power on earth, not even Great Britain, to stand in its way. The only question is whether that freedom is to be won by friendly co-operation between Britain and India or in spite of Great Britain. By all means, let the Europeans support this Government. But this Government will go. As friends and colleagues, I appeal to them to look upon us as the future Government of this country. I should tell this to my European friends. Mr. Lloyd George, Mr. President, in the House of Commons, when he was treating with Mr. De Valera, was asked by certain members, 'How dare you treat with a murderer?' Mr. Lloyd George replied, 'Mr. Speaker, I can only deal with those who can deliver the goods.' I tell the European Members, 'Don't stand in our way. If you will stand by me, we shall stand by you.' So, it is not necessary that my European friends should support this Government in its usual 'chivalrous' action. I would ask my European friends again to remember that the seditious people of to-day, as they are called, will be the rulers of India tomorrow.

"With these words, I would ask every hon. Member of this House to support this motion."

* The hon. Sir THOMAS MOIR :—"Mr. President, the debate this afternoon has suffered very much from the necessary limitations which were placed upon it. But perhaps, I might preface my remarks by calling in the attention of the House to the real issue, which we have been discussing. Section 124-A of the Indian Penal Code is to the effect, that 'whoever by words, either spoken or written, or by signs or visible representation or otherwise, brings or attempts to bring into hatred or contempt or incites or attempts to incite

[Sir Thomas Moir]

[7th August 1929]

disaffection towards His Majesty or the Government established by law in British India' shall be subject to a certain penalty. Now, several Members opposite have argued that that section should be abolished. That section was not introduced into our penal code merely as an exercise in legislation. It was to meet undoubted evils and abuses, and, unfortunately, we are debarred on the present occasion, or perhaps I should rather say, necessarily debarred from considering on its merits the actual case, which is the subject of this motion. That issue is under consideration by the court, and I will only say that if the decision is adverse to the person concerned, his remedy lies in an appeal to a higher court. We have heard from various members arguments put forward as to why Government should not, either in this case in particular or in all cases in general, have given sanction to the prosecution. To me, it seems that the question is not one of the charming manner of an individual or any such personal consideration. It is whether he has offended against this or that section of the penal code.

"A further question has been raised as to whether the Government have, by their action, taken against this particular individual, manifested a distinct change of policy. The hon. Member for the University twitted my hon. Friend the Law Member with the fact that he only stated certain reasons, and that when he was asked for other reasons he only smiled. (Mr. S. Satyamurti: 'He gave no reasons.') 'He did give certain reasons.' But he was obviously debarred from touching on other reasons by the very limitations of our debate. Otherwise, he would have to refer to and examine in detail the speeches made by Mr. Annapurnayya. Then, the hon. Member for the University also twitted the hon. the Law Member with the fact that he said that he had no policy. Now, this is simply another instance of the utter incapacity of the Member for the University to understand what other men say. What the hon. the Law Member said was that he had no policy in the matter—he was interrupted; he again said he had no policy—and was again interrupted,—he continued to say that there was no policy underlying this prosecution and that each case is examined on its merits. That is exactly the point on which the hon. Members opposite asked for an assurance whether he had examined the case on its merits and whether he had such a policy as they feared, namely, the deliberate intention of using that section of the penal code in order to oppress the party opposite. Some member of that party used a peculiar argument that because certain people have signed the Simon report or are in favour of further reforms they would come under this section. Really, it seemed to me that the argument suggesting that Sir Parasuram Patro brought himself within the mischief of this section, when he expressed the view as the head of a committee of this House, that reforms ought to be introduced in the Government of this country and that the reforms which he suggested should be on such and such lines was puerile. I do not think that Sir Parasuram Patro has any apprehensions. Mr. Wood, speaking on this motion, justifiably asked the House, 'Why is it that other parties are not subject to this section?' The hon. the Leader of the Opposition himself gave the answer. He said and admitted that it is his party owing to its principles and its policy is most likely to be brought within the mischief of the section. Why should we desire to persecute the Opposition party in this way? Every one knows that cases of this kind are most unpopular with the Government itself. Every one knows that we would be glad if we had no occasion to sanction such

7th August 1929]

[Sir Thomas Moir]

prosecutions, and I think every one knows that it is only in cases where we feel that our responsibility compels us either to take action or to be guilty of a dereliction of duty, that we do take action. For every case that has come under our consideration and on which action is taken, I assure this House, there have been a dozen on which we have stayed our hands, and with reference to which we have allowed every consideration. If hon. Members opposite suggest we do prosecute where there is the slightest ground for doing so, Heaven knows that our courts would be full. (Hear, hear.) But we do not. We consider the circumstances, and still more we consider the results that are likely to follow (Hear, hear) before sanctioning any prosecution. It is a duty charged upon us. The hon. Members opposite seem to think that when reforms come they will be able to wipe out all these laws from the statute book. May I say that you will have an even more difficult task than we have? (A voice: Hand it over) And I can see no prospect of your being able to allow indiscriminately any individual to bring into hatred or disaffection the Government that will then exist.

"In this motion, we are under considerable limitations but, on behalf of the Government, I emphatically repudiate any suggestion that in sanctioning the prosecution either of Mr. Annapurnayya or any one else, we have been actuated by motives of prosecuting our political opponents, or attempting to hamper the expression of true political opinion."

Mr. K. KOTI REDDI:—"I move that the question be now put."

Mr. BASHEER AHMED SAYEED:—"I second it."

The motion was put and declared lost.

A poll was demanded by Mr. G. Harisarvottama Rao and the House divided thus:

Ayes.

- | | |
|------------------------------------|--|
| 1. Mr. P. C. Venkatapathi Raju. | 23. Mr. A. Kaleswara Rao. |
| 2. " K. Koti Reddi. | 24. " K. Uppi Sahib. |
| 3. " R. Srinivasa Ayyangar. | 25. " M. Narayana Rao. |
| 4. " Sami Venkatachalam Chetti. | 26. " C. N. Muthuranga Mudaliyar. |
| 5. " S. Satyamurti. | 27. " O. Marudavauam Pillai. |
| 6. " C. V. Venkataramana Ayyangar. | 28. " K. V. Krishnaswami Nayakar. |
| 7. " J. A. Saldanha. | 29. " C. Venkatarangam Nayadu. |
| 8. " G. Harisarvottama Rao. | 30. " B. Venkataratnam. |
| 9. " Basheer Ahmed Sayeed Sahib. | 31. " A. Ranganatha Mudaliyar. |
| 10. " C. S. Govindaraja Mudaliyar. | 32. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 11. " Abdul Hameed Khan Sahib. | 33. The Zamindar of Seithur. |
| 12. " L. K. Tulasiram. | 34. Mr. K. P. Raman Menon. |
| 13. " K. V. R. Swami. | 35. " It. Nagan Gowda. |
| 14. " D. Narayana Raju. | 36. " C. R. Parthasarathi Ayyangar. |
| 15. " K. R. Karant. | 37. " K. R. Venkatarama Ayyar. |
| 16. " K. Madhavan Nayar | 38. " P. Siva Rao. |
| 17. " P. Anjaneyulu. | 39. " C. E. Wood. |
| 18. " A. Parasurama Rao Pantulu. | 40. " A. J. Leech. |
| 19. " C. Ramasomayajulu. | 41. " F. E. James. |
| 20. " T. Adinarayana Chettiyar. | 42. " S. N. Dorai Raja. |
| 21. " Ahmed Miran Sahib. | 43. " G. R. Premayya. |
| 22. Sriman Biswanath Das Mahasaya. | |

[7th August 1929]

Noes.

- | | |
|--|--|
| 1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 26. Mr. K. Krishnan. |
| 2. " Sir Thomas Moir. | 27. " N. Siva Raj. |
| 3. " Diwan Bahadur M. Krishnan Nayar. | 28. " M. V. Gangadhara Siva. |
| 4. " Mr. A. Y. G. Campbell. | 29. " V. I. Muniswami Pillai. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 30. " W. P. A. Soundara Pandian. |
| 6. " Mr. S. Muthiah Mudaliyar. | 31. " Daniel Thomas. |
| 7. " Dr. P. Subbarayan. | 32. " S. Arpudaswami Udayar. |
| 8. Mr. Hilton Brown. | 33. Khan Bahadur P. Khalif-ullah Sahib Bahadur. |
| 9. " H. A. Watson. | 34. The Maharaja of Pithapuram. |
| 10. " A. G. Leach. | 35. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. |
| 11. " J. Gray. | 36. Rao Bahadur Sir A. P. Patro. |
| 12. " S. V. Ramamurti. | 37. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 13. " C. B. Cotterell. | 38. Mr. P. T. Rajan. |
| 14. " V. Ch. John. | 39. " T. K. Chidambaramatha Mudaliyar. |
| 15. " M. A. Manikkavelu Nayakar. | 40. Khan Bahadur S. K. Abdul Razaak Sahib Bahadur. |
| 16. Syed Tajudin Sahib Bahadur. | 41. Kadir Moideen Sahib Bahadur. |
| 17. Mr. H. B. Ari Gowdur. | 42. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 18. " J. Bheemayya. | 43. Khan Sahib P. M. Moidu Sahib Bahadur. |
| 19. " R. Foulkes. | 44. Rao Bahadur K. Sitarama Reddiyar. |
| 20. " P. J. Gnanavaram Pillai. | 45. Rao Bahadur B. Muniswami Nayudu. |
| 21. Mahmud Shamsad Sahib Bahadur. | 46. The Zamindar of Mirzapuram. |
| 22. Mr. Muppil Nayar of Kavalappara. | |
| 23. The Zamindar of Singampatti. | |
| 24. Subadar-Major S. A. Nanjappa Bahadur. | |
| 25. Mr. T. M. Narayanaswami Pillai. | |

Ayes 43. Noes 46.

The motion for closure was lost.

* Rao Bahadur Sir A. P. PATRO :—" Sir, I had no desire to take part in this discussion, but I noticed a great deal of heat and excitement which has been infused into this debate by a section of the House. Specially, I was very much taken aback by the extraordinary vehemence, not unusual, which has been exhibited this evening by the hon. Member representing the University. He is a clever advocate, and we know his forensic ability: he can make an argument quite plausible though absolutely unreal and has no case. He is more vehement when he has less argument. In this particular instance, he has been in a very unfortunate position, a position where he knows to be unreal therefore spent all his fury and energy in attacking the Law Member saying that there is no policy of the Government. When there is no case, abuse the opponent is a well known saying. From his speech the only thing one could gather, from his attacks on the Government in this matter of prosecutions, is that he criticised the Government as having no policy. He might have been a little more patient or a little more reasonable. As Sir Thomas Moir pointed out, they are not following a policy of repression, nor do they intend to terrorise any particular political party. That is a clear and definite statement made by Government in answer to what the hon. Member representing Guntur (Mr. Anjaneyulu) had said. If the hon. Member for the University as well as the Mover of the motion are impeaching the conduct of the Government in sanctioning a particular prosecution, it is for them to make out how the Government have erred and place before the House the facts and circumstances which would go against the grant of such sanction, it is for them to make out a case; and I ask in all seriousness, have they been able to place before the House any convincing facts to show

7th August 1929]

[Sir A. P. Patro]

that a case has been made out against Government? I quite sympathize with the feeling and sentiment that no political party should be prosecuted unnecessarily and unreasonably: it would be a worst form of administration if any political party is persecuted because it is progressive and radical or because the Government policy is not agreeable to the present administration. I stand for the principle, namely, that equal political justice should be meted out to all political parties, and there should be no discrimination whatever in the matter. If I am convinced this moment that this Government is making such discriminations in granting prosecutions, that this Government has followed the policy of political repression, I would be the first person to take up the cudgels against the Government. (Voices: Oh, Oh.)

"I have listened to the very eloquent speeches made this evening, but I have not heard a single argument or allegation to show that there has been any such policy or principle underlying the prosecutions, though it has been suggested that the Government have been actuated by malicious intentions and desires. I regret very much that this motion has been tabled at all this evening while the courts of justice are still considering the matter on its merits. Owing to the restrictions imposed on the motion we are prevented from going into the merits of the case. But when a question was asked whether there is a policy of repression underlying all this, the straightforward reply came that there is no such policy of repression on the part of the Government. Therefore I am unable to support this motion."

MR. BASHEER AHMED SAYEED :—"I move the question be now put."

MR. G. HARISARVOTTAMA RAO :—"I second it."

The motion was put and carried.

The main motion was then put and declared lost.

MR. G. Harisarvottama Rao demanded a poll and the House divided thus :—

Ayes.

- | | |
|------------------------------------|--|
| 1. Mr. P. O. Venkatapathi Raja. | 20. Mr. T. Adinarayana Chettiyar. |
| 2. " K. Koti Reddi. | 21. " Ahmed Meeran Sahib. |
| 3. " R. Srinivasa Ayyangar. | 22. Sriman Biswanath Das Mahasayo. |
| 4. " Sami Venkatachallam Chetti. | 23. Mr. A. Kaleswara Rao. |
| 5. " S. Satyamurti. | 24. " K. Uppi Sahib. |
| 6. " C. V. Venkataramana Ayyangar. | 25. " M. Narayana Rao. |
| 7. " J. A. Saldanha. | 26. " C. N. Muthuranga Mudaliyar. |
| 8. " G. Harisarvottama Rao. | 27. " C. Marudavanam Pillai. |
| 9. " Basheer Ahmed Sayeed. | 28. " K. V. Krishnaswami Nayakar. |
| 10. " C. S. Govindaraja Mudaliyar. | 29. " O. Venkatramam Nayudu. |
| 11. " Abdul Hameed Khan. | 30. " B. Venkatratnam. |
| 12. " L. K. Talasiram. | 31. " A. Ranganatha Mudaliyar. |
| 13. " K. V. R. Swami. | 32. Diwan Bahadur B. N. Arogyaswami Mudaliyar. |
| 14. " D. Narayana Raja. | 33. The Zamindar of Seithur. |
| 15. " K. R. Karant. | 34. Mr. K. P. Haman Menon. |
| 16. " K. Madhavan Nayar. | 35. " B. Nagan Gowda. |
| 17. " P. Anjaneyulu. | 36. " C. B. Parthasarathy Ayyangar. |
| 18. " A. Parasurama Rao Pantulu. | 37. " T. E. Venkatarama Ayyar. |
| 19. " O. Ramasomayajulu. | 38. " P. Siva Rao. |

[7th August 1929]

Noes.

- | | |
|--|---|
| 1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 26. Mr. K. Krishnan. |
| 2. " Sir Thomas Moir. | 26. " N. Siva Raj. |
| 3. " Diwan Bahadur M. Krishnan Nayar. | 27. " V. I. Maniswami Pillai. |
| 4. " Mr. A. Y. G. Campbell. | 28. " W. P. A. Soundarapandian. |
| 5. " M. R. Setaratnam Ayyar. | 29. " S. Subrahmanya Moopanar. |
| 6. " S. Muthiah Mudaliyar. | 30. " Daniel Thomas. |
| 7. " Dr. P. Subbarayan. | 31. " C. E. Wood. |
| 8. Mr. Hilton Brown. | 32. " A. J. Leesh. |
| 9. " H. A. Watson. | 33. " S. N. Dorai Raja. |
| 10. " A. G. Leach. | 34. " S. Arpudawami Udayar. |
| 11. " J. Grey. | 35. Khan Bahadur P. Khalifulla Sahib Bahadur. |
| 12. " S. V. Kamamurti. | 36. Mr. G. B. Premayya. |
| 13. " C. B. Cotterell. | 37. The Maharaja of Pithapuram. |
| 14. " V. Ch. John. | 38. Rao Bahadur C. S. Ratnasapathi Mudaliyar. |
| 15. " M. A. Manikkavelu Nayakar. | 39. Rao Bahadur Sir A. P. Patro. |
| 16. Syed Tajudin Sahib Bahadur. | 40. Mr. P. T. Rajan. |
| 17. Mr. J. Bheemayya. | 41. " T. K. Chidambaranatha Mudaliyar. |
| 18. " B. Foulkes. | 42. Abdul Razaq Sahib Bahadur. |
| 19. " P. J. Gnanavaram Pillai. | 43. Khadir Mohidia Sahib Bahadur. |
| 20. Muhammad Sahamnad Sahib Bahadur. | 44. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 21. Mr. Muppil Nayar of Kavalappara. | 45. Khan Sahib T. M. Moidoo Sahib Bahadur. |
| 22. The Zamindar of Singampatti. | 46. Rao Bahadur K. Sitarama Reddiyar. |
| 23. Subadar-Major S. A. Nanjappah Bahadur. | 47. The Zamindar of Mirzapuram. |
| 24. Mr. T. M. Narayanaswami Pillai. | |

Neutral.

- | | |
|------------------------------------|---|
| 1. Mr. S. Venkiah. | 4. Rao Bahadur B. Maniswami Nayudu. |
| 2. Rai Sahib M. Hampayya. | 5. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 3. Diwan Bahadur P. Kesava Pillai. | |

Ayes 38.

Noes 47.

Neutral 5.

The motion was negatived.

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

IX

PAPERS LAID ON THE TABLE OF THE HOUSE.

(1) *Copy of the report regarding the annual income from the Narasapur-Razole Ferry from 1896 to 1927 (vide answer to question No. 1628 answered on 2nd March 1929).^a*

(2) *Copy of the report from the Director of Industries regarding the production of cotton yarn and cloth in the Presidency (vide answer to supplementary questions to question No. 1209 answered on 31st January 1929).^b*

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

^aPrinted as Appendix VIII on page 243 infra.

^bPrinted as Appendix IX on page 244 infra.

7th August 1929]

APPENDIX I.

[Vide answer to question No. 51 asked by Mr. K. R. Karant at the meeting of the Legislative Council held on the 7th August 1929, page 148 supra.]

Minutes of the Agricultural Conference.

A conference was held at Government House on 11th January 1929 at 5-30 p.m. His Excellency the Governor presided.

Present:

- The hon. the Chief Minister.
" Minister for Public Health.
" Minister for Development.
" the Finance Member.
The Director of Agriculture.
" Director of Veterinary Services, Madras.
" Registrar of Co-operative Societies.
" Director of Public Instruction.
" Chief Conservator of Forests.
" Secretary, Development Department.

2. The formation of a Provincial Committee for implementing the recommendations of the Royal Commission on Agriculture in India in so far as they relate to this Presidency was discussed and the conclusions detailed below were arrived at.

3. In paragraph 57 of their report, the Royal Commission on Agriculture in India recommended the formation in each province of a local advisory committee. His Excellency the Governor after consultation with his Ministers and heads of departments has appointed an Agricultural Advisory Committee in Madras Presidency which will consist of the following members:—

- (1) His Excellency the Governor as President,
- (2) The hon. the Minister for Development,
- (3) " the Minister for Local Self-Government,
- (4) " the Finance Member,
- (5) The Director of Public Instruction,
- (6) " Director of Public Health,
- (7) " Registrar of Co-operative Societies,
- (8) " Director of Agriculture,
- (9) " Director of Veterinary Services, Madras,
- (10) " Director of Industries,
- (11) " Director of Fisheries,

and four non-officials to be nominated by His Excellency.

The Secretary to Government, Development Department, will act as Secretary to the Committee.

4. The Committee will hold regular meetings on the first Wednesday of each month at which His Excellency will endeavour to preside and such other subsidiary meetings as they may decide to be necessary. The Committee will have power to co-opt members, both official and non-official, for the consideration and examination of special subjects, to consult officials

[7th August 1929]

and non-officials on such subjects as they deem fit, and to appoint sub-committees of their own members and such officials and non-officials to examine special subjects.

5. The first duty of the Committee will be to examine the recommendations of the Royal Commission on Agriculture in India which have a provincial bearing and to decide which of these recommendations it is advisable to adopt in this Presidency and the best ways and means of carrying them out. In cases where the adoption of these recommendations involves the appointment of staff and expenditure of money the Committee will draw up a considered scheme and detailed estimate for submission to Government through the regular channels.

6. One object of this Committee will be to ensure that co-operation between the different departments concerned with rural welfare which the Royal Commission desire and were so anxious to secure.

7. On the suggestion of the President it was also resolved that any important subject connected with agriculture which also had any connexion with other departments of Government should be submitted by the Development Secretariat to this Committee for joint discussion and its recommendation. Such files should not, as is now the case, be circulated to the departments concerned and noted upon by such departments. The above procedure will not apply to cases in which only the Agricultural and Finance Departments are concerned. Such cases need not be submitted to the Committee.

8. A case of the nature now pending is that relating to the rates of grazing fees levied by the Forest department. With this may be linked perhaps the general question of grazing grounds and the file relating to the point raised recently by the Director of Veterinary Services, Madras, as to whether the Livestock section may not with advantage be transferred *en bloc* to the Veterinary department, excluding of course the Central Farm at Coimbatore.

9. In the same way the Committee will deal in the first place with all important proposals made by non-official agencies and now submitted to different Development Departments and in this way co-ordination will be ensured and definite policies formulated.

10. The first meeting of the Committee will be held on Thursday the 14th February 1929 at 5 p.m. at Government House.

Minutes of the meeting of the Madras Agricultural Advisory Committee held on 14th February 1929 at 5-30 p.m. at Government House.

Present :

His Excellency the Governor—*President*.

The hon. the Minister for Development.

„ the Finance Member.

The Director of Veterinary Services, Madras.

„ Chief Conservator of Forests.

„ Director of Agriculture.

„ Director of Industries.

„ Director of Fisheries.

„ Director of Public Health.

„ Secretary to Government, Development Department.

7th August 1929]

Agenda.

(1) Proposal for standardizing forest grazing fees and improving the grazing facilities generally.

(2) Proposal by the Director of Veterinary Services, Madras, that all cattle-breeding and cattle work should be transferred to the Veterinary department from the Agricultural department.

(3) To consider the recommendations made in Chapter IV of the Royal Commission's report—particularly the following :—

(8) The collation and publication of all the available information regarding the composition and characteristics of Indian soils (paragraph 76).

(5) & (6) The necessity for the appointment of a Soil Physics Expert (paragraphs 77 and 78).

(12) The expansion of subsidized manurial experimental stations on the lines of that now being started at Marteru (paragraphs 80 and 81).

(24) The necessity for the establishment of activated sludge plants (paragraph 84).

(29) The possibility of remission of water charges for growing green dressing crops (paragraph 86).

(31) The possibility of extending the oil-crushing industry (paragraph 87).

(36) An investigation of the economics of the bone-crushing industry (paragraph 91).

(39) Railway concessions on fertilizer transport (paragraph 95).

(42) Hybridization work (paragraph 97).

1. It was resolved to drop the first item on agenda—Proposal for standardizing forest grazing fees, etc.

The Director of Agriculture also suggested the formation of a sub-committee to examine items (1) and (2) which had much in common, in a comprehensive manner.

As it was considered both possible and desirable to consider item (2) by itself, and without recourse to any assistance from departments other than the three concerned, namely, Forests, Agriculture and Veterinary, it was decided to take up the consideration of item (2) by itself.

For this purpose, the Director of Veterinary Services, Madras, and the Director of Agriculture were requested to forward to the Secretary to the Committee memoranda giving such previous history of the proposal as was available in the official records of their respective departments, and the grounds on which they would urge for or against the proposal.

When the main issue, as to which of these two departments is best equipped to undertake the duties pertaining to cattle-breeding and livestock generally, has been settled, it is proposed to take up the question of grazing which is the only aspect of this question in which the Forest department is concerned.

2. Recommendations contained in Chapter IV of the Royal Commission's Report—Collation and publication of information, already available, regarding composition and characteristics of Indian soils.—The Director of Agriculture pointed out that a very considerable amount of work had already been done on this subject, but that the results of this work had never been collected and published.

[7th August 1929]

The hon. the Finance Member then drew attention to the very comprehensive classification of soils available in the settlement reports of districts, and observed that to collect all this into one treatise dealing with the subject, would entail an amount of work rather out of proportion to its value.

The hon. the President held that publication of the results of research, was part of the duties of any Central Committee for research, and that this question may wait the formation of such a committee.

(5) & (6) As this item—the appointment of a soil physics expert—had already been included in the scheme of reorganization submitted by the Director of Agriculture, it was resolved not to consider it now.

(12) *Subsidized Manurial Experimental Stations.*—The Director of Agriculture explained briefly the nature of such stations, which would be under the control and in the charge of the Agricultural department. The collaborating firms would pay for the actual cost of the trials on a pro rata basis. The only cost to Government would be in connexion with staff. An extra assistant would be needed on each such station opened. The firms participating in the scheme were desirous, partly to improve their own manures by the help of local expert experience with them, but chiefly to market manures with a definite and authoritative recommendation behind them.

The hon. the Finance Member thought that there was no objection to the scheme from any financial point of view, as Government was not asked to pay for the manure used. It was resolved that the formation of such stations might with advantage be encouraged by Government.

(29) Postponed.

(31) The Director of Industries was asked to submit a memorandum relating to the previous history of this question.

The Director of Agriculture agreed to collaborate in its preparation, as the question had an agricultural as well as a purely industrial aspect.

(36) The Director of Industries was asked to prepare a note on this.

(39) As Railways had already offered concessions, and as the question of Railway transport was really a central subject, it was resolved not to go further into the question.

(42) *Hybridisation work.*—Briefly discussed.

The following questions were discussed in connexion with grazing:—

(1) Whether the Forest department had ever made any efforts to improve grazing in forests by the introduction either of fresh varieties of grass, or by improving the strains of existing grass.

The Chief Conservator referred to attempts made in the Silent Valley and in Tinnevely (Tirukurangudi Hills, near Manohalai and Navalkadai) to introduce Guinea grass. He was asked to submit a brief memorandum containing such information as was available in his department on that subject.

The Forest Panchayat Officer informed the Committee that apart from improvement of water facilities in Panchayat reserves, and the preservation of existing grass-supplies by a more judicious system of regulating grazing in such reserves, nothing had hitherto been done.

[7th August 1929]

(2) With regard to certain departmental objections that had been raised regarding the status of this Committee reference was made to the fact that its functions were purely of an advisory nature, as had been indicated in its resolution No. 7, dated 11th January 1929.

The President further pointed out that no information should be asked for from other departments of Government until such information was essential with reference to some specific question before the Committee. The Development Department had committed an error in procedure in asking for information from other departments, merely on the basis of the commission's recommendations, before such information was really needed for the purposes of the Committee.

Minutes of the meeting of the Agricultural Advisory Committee.

A meeting of the Agricultural Advisory Committee was held at the Secretariat, Stonehouse Hill, on 14th May 1929, at 11-30 a.m. His Excellency the Governor presided.

Present:

The hon. the Finance Member.

„ the Minister for Development.

The Director of Agriculture, Madras.

„ Director of Veterinary Services, Madras.

„ Director of Public Instruction.

„ Chief Conservator of Forests.

„ Director of Industries.

„ Director of Public Health.

„ Secretary to Government, Local Self-Government Department.

M.R. Ry. Rao Sahib V. Krishna Menon Avargal.

„ B. P. Sessa Reddi Garu.

„ Rao Bahadur K. S. Venkatarama Ayyar Avargal, B.A.

The Under Secretary to Government, Development Department.

Agenda for the meeting:—

(1) Proposal of the Director of Veterinary Services that all cattle-breeding and cattle-work should be transferred from the Agricultural department to the Veterinary department.

(2) Grazing. Whether the Forest department has ever made any efforts to improve grazing in forests by the introduction either of fresh varieties of grass or by improving the strains of existing grass.

(8) The establishment in all provinces of regulated markets on the Berar system as modified by the Bombay Legislation is recommended.

The system of regulated markets should be extended to products other than cotton.

Regulated markets should only be established under provincial legislation.

(Paragraphs 329 and 330 at pages 390 to 392 of the Royal Commission's Report.)

[7th August 1929]

(4) The desirability of appointing an officer of the grade of Deputy Director of Agriculture to work under the Registrar of Co-operative Societies as recommended by the Madras Committee on Co-operation might be examined. (Chapter XIII—Recommendation No. 38, based on paragraph 388 at pages 472–478 of the Report of the Royal Commission on Agriculture.)

(5) *Agenda for the June meeting:—*

His Excellency the President called upon Mr. Ware to open discussion on the first subject on the agenda. After a detailed discussion, in which most of the members present took part as to the merits of the proposal, the Committee were finally of opinion that for the present there was no case for changing the system now existing.

The second subject on the agenda was then taken up for discussion. Mr. Richmond stated that nothing effective had been done so far in the Forest department to improve the quality of grass grown in grazing areas. He challenged the note submitted by the Director of Agriculture and said that he thought that the note could not be considered as accurate. Mr. Anstead admitted his note was subject to correction and that it was meant to help the Chief Conservator with such facts as would be useful to him in drawing up the note submitted by him. After some discussion it was decided to call upon the Forest department to prepare a note for the Committee showing how the existing grazing areas could be better utilized than at present for grazing purposes.

The third subject was then taken up and it was decided that a draft Bill should be prepared to introduce a general Act for examination by the Committee and that if such an Act be introduced its application should be confined to cotton in the first place.

The fourth subject, as it was not ready for discussion, was postponed to the next meeting.

It was decided that the next meeting should be held on Monday, the 17th June 1929.

Minutes of the meeting of the Agricultural Advisory Committee.

A meeting of the Agricultural Advisory Committee was held at the Secretariat, Stonehouse Hill, on 15th June 1929 at 12 noon. His Excellency the Governor presided.

Present:

The hon. the Finance Member.
 „ the Minister for Development.
 The Director of Agriculture.
 „ Registrar of Co-operative Societies.
 „ Director of Public Instruction.
 „ Director of Industries.
 „ Director of Veterinary Services.
 „ Director of Public Health.
 M.R.By. B. P. Sessa Reddi Garu.
 „ Rao Sahib V. Krishna Menon Avargal.
 „ Rao Bahadur K. S. Venkatarama Ayyar Avargal.
 The Under Secretary to Government, Development Department.

[7th August 1929]

The first subject on the agenda was:—

Item 1—Grazing in forests—

Continuation of the discussion at the May meeting. Consideration of further points on which notes were called for at that meeting.

This subject was adjourned as the note called for by the Committee from the Chief Conservator was not ready.

Item 2.—The desirability of appointing an officer of the grade of Deputy Director of Agriculture to work under the Registrar of Co-operative Societies as recommended by the Madras Committee on Co-operation might be examined (Chapter XIII, recommendation No. 38, based on paragraph 388 at pages 472–478 of the Report on the Royal Commission on Agriculture).

It was agreed that a Deputy Director of Agriculture may be lent to the Co-operative Department for a period of two years as an experimental measure, that his activities should be confined to cotton in the first instance and that at the end of the two years a full report on both the purely agricultural side of his activities and on the problem of marketing should be submitted to the Committee.

Item 3.—Seeds, seedling plants and cuttings of exotic varieties of indigenous species imported for experimental sowing or planting should be exempted from import duty.

The Director of Agriculture was for removing the duty on barley to start with. The hon. the Finance Member pointed out that it would be better to get the exemption for all seeds.

The necessity for exemption from duty was agreed upon. It was suggested that the matter may be taken up with the Council of Agricultural Research. As this is a subject in which almost all the provinces, if not all are likely to be interested, the Director of Agriculture, who is proceeding to Simla, was asked to ascertain at Simla and report as to the procedure to be adopted in cases like this.

Item 4.—No new variety should be put out unless it has been thoroughly well established that it possesses marked advantages over those already grown.

The Committee emphasized the importance as recommended by the Royal Commission on Agriculture of not introducing new varieties unless it has been thoroughly well established that it possesses marked advantages over those already grown and also that improved varieties should be thoroughly tested in the conditions under which they would be grown by the cultivator, a policy which the Madras Agricultural Department has already adopted and desires to extend.

Item 5.—In all provinces in which pumping and boring operations are in progress on a considerable scale, the engineering section should be divided into two branches, one for work on agricultural machinery and implements and the other for pumping and boring.

Before taking up this item, His Excellency the President wished to know whether immediately after the Industries Department had finished their work in boring operations the Agricultural Department were stepping in and developing further the improvements effected by the former department. The Director of Industries said that this was not being done and that in future this would be carried out.

[7th August 1929]

As action on these lines is being taken at present in this province no further action is considered necessary on these two items.

Item 6.—The preparation of suitable text-books for use in primary schools in rural areas is a matter of the greatest importance. It is essential that Text-book Committee should be so constituted as to command confidence.

The Director of Public Instruction explained the functions of the Text-book Committee and stated that there were very few books of the kind contemplated. A special officer would be required to prepare books of the kind contemplated.

Finally the Committee were of opinion that it was undesirable to attempt teaching agriculture to pupils who usually would be below twelve years and that no action need be taken on the recommendation.

Item 7.—The only method by which the advantages of the supply of combined nitrogen available in the large groups of oil seeds grown in India can be secured, is by the natural development of the oil-crushing industry and the possibilities of an extension of the industry should be investigated.

The Director of Industries pointed out that the only way to retain the oil seed manure would be to supply better methods of extracting oil so that the export of the by-products would be discouraged. The hon'ble the Finance Member stated that about twenty years ago the groundnut crop was practically unknown and that it was because there was foreign demand for the same that the ryots have taken to its cultivation on a large scale. If export was discouraged, it would induce the ryots to abandon this cultivation.

It was finally decided that it was best to leave the matter alone.

Item 8.—A thorough investigation of the economics of the bone-crushing industry is required before the establishment of bone-crushing factories at suitable centres can be recommended.

Mr. Venkatarama Ayyar instanced the case of the industry at Shiyali which turned out to be a failure.

The Director of Agriculture stated that, while about twenty years ago the price of bone-meal was Rs. 56, it is now about Rs. 120. He pointed out that if the price could be reduced to Rs. 85 there would be a ready demand for it from the ryots who could only then consider it as an economic proposition.

The Registrar of Co-operative Societies said that it was possible for some of the societies to purchase bones and sell them as bone-meal for about Rs. 85. The difficulty he found was in obtaining a demand for the same. The Director of Agriculture suggested raising export duty on these so that it may be prevented from leaving the country. He also pointed out that the price was being raised by the middlemen who were really being benefited by the high price obtained outside.

Hon'ble Finance Member pointed out that it would be difficult to prevent a ryot from selling the bone outside for Rs. 125 and compel him to utilize it for manure locally. He pointed out the fallacy in the remedy suggested inasmuch as it would be not Rs. 85, but Rs. 125 worth of manure that is used and accordingly cannot be considered an economic proposition.

It was agreed that nothing could be done to establish bone-crushing factories so long as the price of the bone-meal remained high.

[7th August 1929]

Mr. V. Krishna Menon enquired whether all the members of the Committee including the non-official members, were permitted to suggest subjects for discussion. This was agreed to.

Before the Committee adjourned, Mr. K. S. Venkatarama Ayyar on behalf of the Committee thanked His Excellency the Governor who is shortly leaving the Presidency for the great interest he has evinced in the agricultural development of this province, one of the results of which was the formation of this Committee.

His Excellency the President thanked the speaker and said that he was really glad to have been able to do something for agriculture in this province.

The meeting then terminated.

M. C. B. KOMAN.

APPENDIX II.

[Vide answer to question No. 54-A asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 7th August 1929, page 150 supra.]

- (1) Trades School, Mangalore—
 - One Superintendent on Rs. 200—20—500.
 - One lecturer in motor work on Rs. 125—5—175.
 - One instructor on Rs. 50—2½—70.
 - One clerk on Rs. 35—60.
 - Two peons on Rs. 12 to 18 each.
- (2) Industrial School, Calicut—
 - One Superintendent on Rs. 200—20—500.
 - One lecturer in motor work on Rs. 125—5—175.
 - One cabinet making instructor on Rs. 40—2½—60.
 - One smithy instructor on Rs. 40—2½—60.
 - One clerk on Rs. 35—60.
 - One store-keeper on Rs. 35—60.
 - Two peons on Rs. 12 to 18 each.
- (3) Industrial School, Bellary—
 - One Superintendent on Rs. 200—20—500.
 - One cabinet making instructor on Rs. 40—2½—60.
 - One smithy instructor on Rs. 40—2½—60.
 - One clerk store-keeper on Rs. 35—60.
 - Two peons on Rs. 12 to 18 each.

NOTE.—The above staff is sanctioned for a period of five years from 1st June 1929 and the posts will be filled up only as and when required.

[7th August 1929]

APPENDIX III.

[Vide answer to question No. 57 asked by Sriman Biswanath Das Mahasayo at the meeting of the Legislative Council held on the 7th August 1929, page 152 supra.]

Scholarships awarded by the Industries Department.

	Number of scholarships.	Minimum qualifications required of scholars.
State Technical scholarships (tenable ordinarily in the United Kingdom).	8 at a time.	Qualifications are prescribed by the High Commissioner for India after consulting the Universities or other bodies under whom the training is to be given. Candidates should at least be Intermediates in Arts.
Victoria Jubilee Technical Institute, Bombay. Engineering College, Benares Hindu University.	20 at a time in both the institutions.	Secondary School Leaving Certificate for the Victoria Jubilee Technical Institute. Intermediate in Science (first class or with distinction) for the Engineering College, Benares Hindu University.
Indian Institute of Sciences, Bangalore.	14 at a time.	Graduates in Physical Science or Chemistry.
Indian School of Mines, Dhanbad.	4 at a time (one in each of the classes in a four-year course).	Intermediates in Science who have passed in the first class or with distinction.

APPENDIX IV.

[Vide answer to question No. 60 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 7th August 1929, page 156 supra.]

G.O. Mis. No. 104, Education, dated 15th January 1929.

Representation has been received from the Catholic Hierarchy in Southern India that Catholic parents are bound to send their children to Catholic schools, impliedly imposing thereby a duty on Catholic parents to insist on having schools of their own wherever the number of Catholic children permits. It has also been brought to notice that the Roman Catholics in the South Kanara district find it difficult to obtain recognition and grants-in-aid in respect of elementary schools maintained by them. With a view to avoid the inconvenience complained of, the Government commend to the District Educational Council, South Kanara, the adoption of the following principles in the matter:—

(1) Where in any locality there is scope for more than one school and where there is a reasonable number of Catholic children, the Catholics should be allowed to maintain and get aid for a school under their management. In such cases it is left to the District Educational Council to restrict admission to Catholic children or not according as it is considered by the Council and the inspecting officers that admission of non-Catholics would or would not act prejudicially to the interests of the other school or schools in the locality.

[7th August 1929]

(2) In places where it is doubtful whether there is scope for more than one school, Catholic schools may be recognized subject to the condition that admission should be restricted to Catholic children only, but aid should not be given unless it is clearly demonstrated that there is room in the locality for more than one school.

(3) In cases where there is scope for only a single school in a locality and where the aiding of more than one school would be a waste of public funds and the Catholics desire to maintain their own school in such a locality, the school should be given the privilege of recognition but should have no claim for aid. Admission should in these cases also be restricted to Catholic children.

2. The President, District Educational Council, South Kanara, is requested to report at the end of one year how the policy commended above has worked.

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

J. VENKATANARAYANA,
Secretary to Government.

APPENDIX V.

[Vide answer to question No. 64 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 7th August 1929, page 159 supra.]

Letter from the Director of Public Instruction, R.C. No. 575-B/29, dated the 23rd June 1929, to the Secretary to the Government of Madras, Law (Education) Department.

[Legislative Council question—Location of girls' schools in portions of boys' schools—South Kanara district and other districts.]

The question of the overlapping of elementary schools is wider than that contemplated in the question referred to me. There may be overlapping as between any one or more of the following classes of schools:—(1) boys and girls, (2) boys and boys, (3) local authority and local authority, (4) aided and aided, (5) local authority and aided. The question referred to me concerns class (1) which may include classes (3), (4) and (5).

It does not of necessity follow that the existence of girls' schools in the same building as, or in the close neighbourhood of boys' schools involves the payment of 'double' grants or grants in excess of what would be paid to a combined school. If in an amalgamated school the same number of teachers are required as in two separate schools, no saving of teaching grant will be effected by such amalgamation. Whether it would be possible to effect a saving in provincial subsidy or in expenditure from the funds of the management by the amalgamation of schools under the management of local authorities is a matter for separate consideration. Moreover, before action can be taken with a view to the amalgamation of boys' and girls'

[7th August 1929]

schools, it has first to be ascertained whether, and if so how far, such amalgamation will result in a reduction in the attendance of girls. And where the amalgamation of schools under different managements is proposed, the opposition that is likely to be offered by one or both has first to be overcome.

4. The following statement gives the number of girls' schools located in portion of boys' schools and the number of girls' schools held in close neighbourhood of boys' schools in each local board area of the South Kanara district. As regards other districts, if the hon. Member specifies cases, enquiries will be made.

Name of local body.	Number of girls' schools held in boys' schools.	Number of girls' schools held in close neighbourhood of boys' schools.
Mangalore Municipality	2	8
" Taluk Board	1	11
Udipi Taluk Board	8	23
Puttur Taluk Board	1	7
Kasaragod	Nil.	7
Karkal	Nil.	6
Coondapoor	Nil.	3

5. In respect of Board and Municipal Elementary schools, excess payments can be avoided only in cases where these schools are opened with the aid of provincial funds. Such schools number 39 in the South Kanara district. There is unnecessary expenditure from local funds. This is equally undesirable.

6. The particulars furnished above appear to indicate that the amalgamation of certain boys' schools and girls' schools in the South Kanara district could be made without detriment to the educational efficiency of the institutions concerned and with a reduction of expenditure from public funds. Enough has been said to show that the question is not one that can be disposed of summarily. The cases of apparent overlapping now brought to notice will be considered in consultation with the District Educational Officer and the Inspectress. Also the Deputy Director for Elementary Education is about to make a comprehensive investigation into the whole question.

7th August 1929]

APPENDIX VI.

[Vide answer to question No. 71 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 7th August 1929, page 162 supra.]

Representation received.

Orders passed.

- (1) From the Right Rev. Dr. Paul Perini, S.J., dated 7th December 1927.

The memorialist's request for the transfer to him of certain lands which had been alienated to him by a third party without the sanction of Government, was sanctioned.

- (2) From the South Kanara Indian Christian Civic League, dated 11th February 1928, and from Mr. J. A. Saldanha, M.L.C., dated 19th May 1928.

The Government held that as they were advised that the legal position is that the properties attached to Roman Catholic churches or other Roman Catholic institutions in British India are vested in the Pope, the previous sanction of Government will be necessary to assignment of land to Roman Catholic churches, dioceses and other Roman Catholic institution and to alienation to such churches, dioceses and institutions of lands.

- (3) From the Right Rev. Dr. Paul Perini, S.J., dated 22nd February 1928.

The Government declined to interfere with the order of the Collector of South Kanara cancelling the assignment of certain lands made to one Ganapathi Shanbogue for breach of the condition regarding alienation to a non-British subject.

- (4) From Mr. J. A. Saldanha, M.L.C., dated 21st February 1929.

The Government held that assignments of lands made in favour of Roman Catholic churches in India are assignments in favour of the Pope. They considered that whether he is regarded as the owner or Supreme Administrator of the lands assigned there would be no justification for any change in the rule which requires their sanction for the assignment of lands to Roman Catholic missions.

[7th August 1929]

APPENDIX VII.

[Vide answer to question No. 78 asked by Mr. K. R. Karant at the meeting of the Legislative Council held on the 7th August 1929, page 166 supra.]

Items of work.	South Kanara district.					
	Old Kasaragod taluk now included in					
	Kasaragod, 114 villages, 761·87 square miles.		Mangalore, 25 villages, 74·16 square miles.		Pattur, 31 villages, 169·33 square miles.	
	In the quarter.	Up to the quarter.	In the quarter.	Up to the quarter.	In the quarter.	Up to the quarter.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. Number of villages for which records have been received from the Survey Department for check and scrutiny ..	..	97	..	Completed.	..	Completed.
Area in square miles ..	..	480·07	..	Do.	..	Do.
2. Completion of preliminary accounts—						
By subordinates ..	..	97	..	Do.	..	Do.
Checked by superior officers ..	..	97	..	Do.	..	Do.
3. Preparation of rough obittas and pattas—						
By subordinates ..	..	97	..	Do.	..	Do.
Checked by superior officers ..	..	97	..	Do.	..	Do.
4. Appeal hearing completed ..	..	27	..	Do.	..	Do.
5. Field work enquiry into objection petitions—						
Completed by classifiers ..	1	97	..	Do.	..	Do.
Completed by Special Deputy Tahsildars ..	2	97	..	Do.	6	31
Passed by officers ..	1	96	..	Do.	10	30
6. Number of villages the records of which were handed over to the Survey Department ..	..	95	..	Do.	11	26
Area in square miles ..	..	397·73	..	Do.	59·57	113·06
7. Number of villages the records of which were finally received from the Survey Department ..	..	95	1	25	11	18
8. Correction of accounts ..	..	95	1	25	11	18
9. Tahsildar's accounts—						
Completed by subordinates ..	3	94	4	25	14	18
Checked and despatched to Tahsildars ..	3	94	4	25	11	18

[August 1929]

APPENDIX VIII.

[Vide item IX—Papers laid on the table of the House at page 228 supra.]

PUBLIC WORKS AND LABOUR DEPARTMENT.

COMMUNICATION TO THE COUNCIL.

[SUBJECT.—*Annual income from the Narasapur-Razole ferry from 1896 to 1927.*]

With reference to the answer given to Question No. 1628 at the meeting of the Legislative Council, dated 2nd March 1929, the following report is laid on the table :—

*From the Board of Revenue, Land Revenue and Settlement,
No. E. 1210/29, dated 3rd July 1929.*

(1) *Clauses (a) and (b) of Question No. 1628.*—No information regard to the collections made for the period from 7th January 1896 (the date of establishment of the ferry) to 31st March 1913 is available. From 1st April 1913 the ferry was leased out by the old istna District Board to Mr. Atmuri Subba Rao of Narasapur free rent for fifteen years.

(2) *Clause (d) of the question.*—No information is available.
3rd July 1929.

A. G. LEACH.

[7th August 1929]

APPENDIX IX.

[Vide item IX—Papers laid on the table of the House at page 238 supra.]

DEVELOPMENT DEPARTMENT.

COMMUNICATION TO THE COUNCIL.

With reference to the answers given to the supplementary questions to question No. 1209 at the meeting of the Legislative Council on 31st January 1929, the following information is laid on the table :—

*Legislative Council Question No. 1209 answered on
31st January 1929.*

The Government addressed the Director of Industries for figures of production of cotton yarn and cotton cloth in the various districts of the Presidency and he has reported that

- (1) Statistics of cotton spinning and weaving in Indian mills are available in the monthly bulletin published by the Department of Commercial Intelligence and Statistics,
- (2) particulars of mill yarn consumed by the handlooms are not recorded in any official returns,
- (3) particulars of hand spun yarn and of cloth produced from such yarn are not available, and
- (4) it will not be possible to collect the information required unless a special staff is engaged for the purpose.

22nd July 1929.

A. McG. C. TAMPOR,
Secretary to Government.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Thursday, the 8th August 1929.

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

PRESENT:

Usman Sahib Bahadur, Kt., The hon. Khan Bahadur Sir Muhammad.	Leach, I.C.S., Mr. A. G.
Moir, K.C.I.E., C.S.I., I.C.S., The hon. Sir Thomas.	Leach, Mr. A. J.
Krishnan Nayar, The hon. Diwan Bahadur M. Campbell, C.S.I., C.I.E., C.B.A., V.D., I.C.S., The hon. Mr. A. Y. G.	Madhavan Nayar, Mr. K.
Bubbarayan, The hon. Dr. P.	Maharaja of Jeypore.
Muthiah Mudaliar, The hon. Mr. S.	Maharaja of Pithapuram, C.B.A.
Seturatnam Ayyar, The hon. Mr. M. R.	Mahmud Sahannad Sahib Bahadur.
Abdul Hameed Khan Sahib Bahadur.	Mallayya, Dr. B. S.
Abdul Hye Sahib Bahadur, K.	Manikkavelu Nayakar, Mr. M. A.
Abdul Basak Sahib Bahadur, Khan Bahadur S. K.	Marudavanam Pillai, Mr. C.
Abdul Wahab Sahib Bahadur, Munshi.	Moidoo Sahib Bahadur, Khan Sahib T. M.
Adinarayana Chettiyar, Mr. T.	Muniswami Nayudu, Rao Bahadur B.
Ahmed Miran Sahib Bahadur, Moulvi Hafiz Anumantakudi Mustafa.	Muniswami Pillai, Mr. V. I.
Anjaneyulu, Mr. P.	Muppil Nayar of Kavalappara alias Kumaran Raman, Mr.
Appavu Chettiyar, Mr. C. D.	Murugappa Chettiyar, Diwan Bahadur A. M. M.
Ari Gowder, Mr. H. B.	Muthulakshmi Reddi, Dr. (Mrs.).
Arogyaswami Mudaliyar, Diwan Bahadur B. N.	Muthuranga Mudaliyar, Mr. C. N.
Arpudawami Udayar, Mr. S.	Nagan Gowda, Mr. R.
Bashoor Ahmad Sayeed Sahib Bahadur.	Nanjappa Bahadur, Subadar-Major S. A.
Bheemayya, Mr. J.	Narayana Raju, Mr. D.
Biwanath Das Mahasayo, Sriman.	Narayana Rao, Mr. Mothay.
Dottorelli, C.I.E., I.C.S., Mr. C. B.	Narayanan Chettiyar, Mr. A. I. Ar.
Durai Raja, Mr. S. N.	Narayanaswami Pillai, Mr. T. M.
Ethirajulu Nayudu, Diwan Bahadur P. C.	Parasurama Rao Pantulu, Mr. A.
Foulkes, Mr. E.	Parthasarathi Ayyangar, Mr. C. R.
Jangadhara Siva, Mr. M. V.	Patro, Kt., Rao Bahadur Sir A. P.
Inanavaram Pillai, Mr. P. J.	Premayya, Mr. G. R.
Jopala Menon, Mr. C.	Raja of Kallikota.
Jovindaraja Mudaliyar, Mr. C. S.	Rajan, Mr. P. T.
Iray, C.I.E., I.C.S., Mr. J.	Ramachandra Reddi, Mr. B.
Iampayya, Bai Sahib M.	Ramamurthi, I.C.S., Mr. S.V.
Iarivarttama Rao, Mr. G.	Raman Menon, Mr. K. P.
Icarson, Mr. H. F. P.	Ramanath Goenka, Mr.
Iilton Brown, I.C.S., Mr.	Ramasomayajulu, Mr. C.
Iames, Mr. F. E.	Ramanwami Ayyar, Mr. U.
Iohn, Mr. V. Ch.	Ranganatha Mudaliyar, Mr. A.
Ialeswara Rao, Mr. A.	Ratnasabhapati Mudaliyar, Rao Bahadur C. S.
Iarent, Mr. K. B.	Robertson, Mr. B. J. C.
Iasava Pillai, C.I.E., Diwan Bahadur P.	Saldanha, Mr. J. A.
Iahdir Mohidin Sahib Bahadur, Muhammad.	Sami Venkatachalam Chetti, Mr.
Ialif-ul-Jah Sahib Bahadur, Khan Bahadur P.	Sankaran Unni, Mr. E.
Ioti Reddi, Mr. K.	Sarabha Reddi, Mr. K.
Iishnan, Mr. K.	Satyamurti, Mr. S.
Iishnaswami Nayakar, Mr. K. V.	Shetty, Mr. A. B.
Iumaraswami Reddiyar, Diwan Bahadur S.	Sitarama Reddi, Rao Bahadur K.
Iuppuswami, Mr. J.	Siva Raj, Mr. N.
	Siva Rao, Mr. P.
	Soundarapandian, Mr. W. P. A.
	Srinivasa Ayyangar, Mr. R.
	Srinivasa Ayyangar, Mr. T.C.
	Srinivasan, Rao Sahib R.
	Subrahmanya Moopanan, Mr. S.

PRESENT—cont.

Subrahmanya Pillai, Mr. Chavadi K.
Swami, Mr. K. V. R.
Tajudin Sahib Bahadur, Syed.
Thomas, Mr. Daniel.
Uppi Sahib Bahadur, K.
Vanavudaiya Goundar, Mr. S. V.
Venkatapati Bajji, Mr. P. C.
Venkatarama Ayyar, Mr. K. R.
Venkatarama Ayyangar, Mr. C. V.

Venkatarama Nayudu, Mr. C.
Venkataratnam, Mr. B.
Venkiah, Mr. S.
Watson, I.C.S., Mr. H. A.
Wood, Mr. C. E.
Zamindar of Mirsapuram.
Zamindar of Seithur.
Zamindar of Singampatti.

[18th August 1929]

I

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Motor Vehicles Act

Regulation of motor traffic in the districts.

* 92 Q.—Mr. A. B. SHETTY: Will the hon. the Home Member be pleased to lay on the table of the House the information received in regard to my question No. 1864 answered on 25th March 1929 regarding the regulation of motor traffic in the districts?

A.—The information is laid on the table.*

Mr. A. B. SHETTY:—"May I know whether, in view of the fact that the number of motor accidents has increased in almost all places except in Madras, the Government propose to take any further steps for the control and regulation of motor traffic?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"As I have already replied the other day, the question is under the consideration of the Government and the Inspector-General of Police."

Mr. ABDUL HAMEED KHAN:—"May I know whether the Government has done anything in the matter to see that the speed is uniform in all the districts?"

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

Mr. G. HARISARVOTTAMA RAO:—"May I know whether in regard to the restrictions that have been mentioned in column 4 of the appendix the Government have considered the provisions that exist in Kurnool where the number of accidents has decreased from 10 to 2 owing to the restrictions that have been placed on the drivers' qualifications?"

The hon. the PRESIDENT:—"The hon. Member will please resume his seat. This is not the occasion to make a speech."

Mr. J. A. SALDANHA:—"May I enquire why the special conditions that are given in the 'G' permits are not published in the Local Government Gazette?"

The hon. the PRESIDENT:—"The question is not admissible."

* Printed as Appendix I on pages 329-331 infra.

QUESTIONS AND ANSWERS

8th August 1929]

Speed limits of motor cars and buses in the presidency.

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

(a) what orders or notifications have been issued to fix the speed limits of motor cars and motor buses in several parts of the presidency outside the Madras City; and

(b) what the various speed limits are for the several motor vehicles?

A.—(a) The attention of the hon. Member is invited to column 3 of the statement annexed to the answer to the Legislative Council question No. 92.

(b) The attention of the hon. Member is invited to rules 25-A and 41 of the Madras Motor Vehicles Rules, and to Notification No. 711, dated 12th September 1928, published at page 1375 of Part I of the *Fort St. George Gazette*, dated 18th September 1928. The District Magistrates and local boards also prescribe speed limits in the G permits and licences issued by them as they deem fit.

Police

Appointment of the Deputy Superintendent of Police.

* 94 Q.—Mr. K. R. KARANT: Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that there is a vacancy of the post of Deputy Superintendent of Police and whether the same is intended to be filled up soon;

(b) whether it is a fact that Government have decided to appoint the son of a late Judge of the Madras High Court to the post; and

(c) whether the Staff Selection Board is also inviting applications for the post; and why?

A.—(a) There were three vacancies. The undermentioned persons were appointed on 22nd June 1929 to two of them:—

M.R.Ry. P. Dhanarajulu Nayudu Garu and Y. Roshan Sahib Bahadur.

Appointment to the third vacancy is under consideration.

(b) No.

(c) The Staff Selection Board as usual invited applications for appointment under orders of Government and the final selection was made by Government from the list of candidates submitted by the Staff Selection Board.

Civil Justice

Removal of the bar of 13 years' permanent service rule for Subordinate Judges and District Munsifs.

* 95 Q.—Mr. C. RAMASOMAYAJULU: Will the hon. the Law Member be pleased to state with reference to the answer given to question No. 1582, dated 1st March 1929, regarding the removal of the bar of 13 years' permanent service rule for Subordinate Judges and District Munsifs—

(a) whether the Government have come to a decision thereon; and

(b) if so, what the decision is?

[8th August 1929]

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

Mr. K. R. KARANT :—" May I know when the Government are likely to come to a decision on this matter ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I hope to do so in the course of a month or so. "

Removal of bar of 13 years' permanent service rule for increment in the case of Subordinate Judges and District Munsifs.

* 96 Q.—Mr. K. R. KARANT: Will the hon. the Law Member be pleased to state—

(a) whether Government have come to any and, if so, what decision in regard to the removal of the bar of 13 years' permanent service rule for increment in the case of subordinate judges and district munsifs referred to in my question No. 1582, dated 1st March 1929; and

(b) if not, why not ?

A.—The hon. Member is referred to the answer to question No. 95.

Delays in the disposal of cases in Civil Courts.

* 97 Q.—Mr. J. A. SALDANHA: Will the hon. the Law Member be pleased to state whether, with reference to the observations in G.O. No. 30, Law (General), dated 3rd January 1929, as to delays in the disposal of suits in the Courts of District Munsifs and Subordinate Judges the High Court has taken any measures to reduce the long pendency of litigation in the courts ?

A.—The Government have no reason to believe that the hon. the Judges have not taken any measures with reference to the suggestion of the Government.

Mr. J. A. SALDANHA :—" May I enquire whether the Government have enquired as to what steps have been taken by the High Court ? "

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

Mr. A. RANGANATHA MUDALIYAR :—" May I know whether there has been any increase effected in the disposal of cases ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" It is not possible to know. "

Mr. R. SRINIVASA AYYANGAR :—" Apart from the nature of the answer, may I ask whether the Government have satisfied themselves that the High Court has taken steps in the matter ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The Government have no information. "

Mr. J. A. SALDANHA :—" Will the hon. Member make the necessary enquiry and find out whether the High Court has taken the necessary steps ? "

[8th August 1929]

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The Government have no reason to believe that the High Court has not taken the necessary steps. "

Forests

Memorial from the villagers of Vangal in the Trichinopoly district about their forest grievances.

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

(a) whether he has received any memorial from the villagers of Vangal in the Trichinopoly district about their forest grievances; and

(b) what action the Government propose to take in the matter ?

A.—(a) No such memorial has been received.

(b) Does not arise.

Removal of the reserve boundary line away from the holdings of the ryots in South Kanara.

* 99 Q.—Mr. A. B. SHETTY: Will the hon. the Law Member be pleased to state whether the Government have at any time considered the question of removing the reserve boundary line half a mile or any distance away from the holdings of ryots in South Kanara ?

A.—Yes. The question was also considered in connexion with the budget debates of 1928-29. The policy of Government on the general question is contained in G.O. No. 30, Development, dated the 6th January 1922, which has been placed on the Editors' Table. In pursuance of that policy all legitimate grievances which were brought to notice have also received attention.

Mr. K. R. KARANT :—" May I know whether there has been any instance in the district in which the reserve boundary has been put back ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Notice, Sir. "

Mr. J. A. SALDANHA :—" Will the hon. the Law Member be pleased to lay on the table once again the Government Order which was placed on the table in the year 1922 ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I think it is unnecessary to do so. "

Mr. K. R. KARANT :—" May I know whether the question of putting back the reserve boundaries was also one of the subjects included in the question of reorganization of the Forest Department ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" That was not; but the whole forest policy will be considered. This also along with the rest will be considered. "

Jails

Age-limit for the detention of adolescents in Borstal schools.

* 100 Q.—Mr. F. E. JAMES: Will the hon. the Law Member be pleased to state—

(a) whether in spite of the fact that 23 is regarded as the maximum age for the detention of adolescents in Borstal schools, certain courts continue to give sentences which necessitate detention in Borstal institutions beyond this age-limit; and

[8th August 1929]

(b) if so, what action it is proposed to take to remedy this defect, either by instructions to magistrates or by amendment of the Borstal Schools Act of 1926?

A.—(a) & (b) Under the Madras Borstal Schools Act courts can sentence an adolescent offender (who is not more than 21 years of age at the time of conviction) to a maximum term of five years' detention in a Borstal school. The suggestion to fix 23 as the maximum age for detention in a Borstal school involves legislation and the desirability of amending the Act will be considered.

Temporary detention of adolescent offenders in jails.

* 101 Q.—MR. F. E. JAMES: Will the hon. the Law Member be pleased to state—

(a) whether he is aware that adolescent offenders under the Borstal School Act are not committed direct to Borstal schools, but are detained temporarily in jails prior to committal; and

(b) what steps he will take to rectify the procedure?

A.—(a) & (b) With reference to section 12 of the Madras Borstal Schools Act, every adolescent offender sentenced to detention in a Borstal school by a court is sent to a Borstal school. But some time must elapse between the delivery of judgment and the arrangement of the police escort. Enquiry has also to be made by courts whether accommodation is immediately available or not in the school. During this period the adolescent offender has necessarily to be kept in custody. In order to minimize this period of custody as far as possible, magistrates have been informed that accommodation will always be available in the Borstal schools and that there is no need to make any previous reference on this point to the Superintendent of the school.

MR. F. E. JAMES:—"May I ask the hon. Member to be pleased to state who is responsible for sending the adolescent offenders to Borstal custody?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Will my hon. Friend speak a little louder."

MR. F. E. JAMES:—"May I know who is responsible for arranging to send the adolescent offenders to Borstal?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I think it is the Inspector in charge, but I am not certain."

MR. F. E. JAMES:—"Will the hon. Member be pleased to take some action which will minimise the length of time during which these youthful offenders are in police custody even after they have been committed to the Borstal School by Magistrates?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I shall take the necessary steps."

8th August 1929]

Marine

Excess expenditure in harbour works.

* 102 Q.—MR. A. RANGANATHA MUDALIYAR: Will the hon. the Law Member be pleased to state with reference to the Accountant-General's letter to the Secretary to Government, Finance (Marine) Department, dated 12th/15th December 1928, No. T. H. 702—

(a) the several items in the harbour scheme which have exceeded their estimated provision together with the reasons therefor, the cost in respect of the two rival schemes, one at Hare Island and another at Tuticorin and the financial implications of the stoppage of the capital works at Tuticorin, pending the preparation of the detailed estimates;

(b) the loss, in all ways, sustained by the Government owing to the non-use of the dredger 'St. David' for nearly 3½ years except for short periods; and

(c) the steps, if any, taken or proposed to be taken by the Government in the matter?

A.—(a) A statement* is laid on the table showing the items of the sanctioned Tuticorin Scheme estimates on which excesses have already occurred or are expected to arise by the end of 1929-30 together with the reasons for the excesses. The revised estimates have been sanctioned by Government.

According to the estimates prepared by the Harbour Engineer in Chief, the cost of the schemes for Tuticorin is as follows:—

Tuticorin Town Scheme.

	Estimated cost.
	LAKHS.
	RS.
With about 100 acres of reclamation	152½
With about 200 acres of reclamation as suggested by Advisory Committee	162½

NOTE 1.—No credit allowed for value of reclamation or surplus plant on completion of job.

NOTE 2.—Includes all expenditure incurred on old scheme.

Hare Island Scheme.

	RS.
With about 66½ acres of reclamation	120
Alternative recommended by the Harbour Engineer in Chief with 75½ acres of reclamation	128

½ In addition to spare land already there.

In each of above a sum of three lakhs has been provided for godowns to be given on favourable terms to applicants who at present hold godowns in Tuticorin.

In each of above a sum of Rs. 4.25 lakhs has been provided for road connexion between Hare Island and Tuticorin.

NOTE 1.—No credit allowed for reclamation or surplus plant on completion of job.

NOTE 2.—Includes all expenditure incurred on old scheme.

* Printed as Appendix II on page 332 infra.

[8th August 1929]

The Accountant-General has not yet reported to Government on the financial implications of the stoppage, as mentioned in the letter referred to.

- (b) According to an Inspection report furnished by the Accountant-General in July 1928 docking and repair charges incurred on the dredger "St. David" during the period of 3½ years referred to works out to Rs. 6,000 approximately for 1926-27 and 1927-28 and in addition there is a recurring monthly expenditure of about Rs. 35 towards the wages of watchmen, etc.

- (c) The steps to be taken depend on the decision as to the future work to be undertaken at Tuticorin.

Mr. J. A. SALDANHA :—"May I know who will shoulder the burden of 162½ lakhs for expenditure on the Harbour Works?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"The Port Conservancy Board ultimately."

Mr. J. A. SALDANHA :—"Is there a Port Trust Board at Tuticorin?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"There is a Port Trust Board."

Mr. J. A. SALDANHA :—"Have the Government made enquiries whether the Port Trust of Tuticorin are prepared to shoulder this burden?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"That is under correspondence, I think."

Assignment of Lands

Area of land reserved in the village of Chitrap, Mangalore taluk, for common village purposes.

* 103 Q.—Mr. J. A. SALDANHA : With reference to my question No. 1350 answered on 1st February 1929, will the hon. the Member for Revenue be pleased to state—

(a) what the area was in the village of Chitrap, Mangalore taluk, South Kanara, which has been reserved for common village purposes, grazing or straying about of cattle, for the meeting place of the villagers for recreation and other purposes, apart from roads and footpaths, before the recent assignments to particular communities;

(b) what area out of this village or common or waste has been assigned to depressed classes, Mogers (fishermen by caste), Billavars (tappers by caste) or any other community;

(c) whether any area and if so what remains at least for the roaming about of cattle and for other common purposes of villages after such assignments and apart from public village roads and paths, public schools and taverns;

(d) whether in 1925 the Collector had refused assignment of any portion of this waste on the ground that it was the only available waste in the village;

(e) if so, under what circumstances and for what reasons plots have been assigned to the three communities;

[8th August 1929]

(f) whether many of the villagers including Hindus and Christians have appealed to Government against the assignments on the above ground and that it will add to the insanitary condition of the village; and

(g) if so, what action have Government taken thereon?

A.—(a) 14.91 acres was formerly reserved for these purposes.

(b) On the 19th April 1929 the Collector reported that no part of this land had been assigned to any one, but certain areas had been reserved for assignment to the Mogers, Billavars and Adi-Dravidas as noted below :—

Mogers	...	...	...	...	...	3.52 acres.
Billavars	...	...	...	...	...	3.54 "
Adi-Dravidas	...	...	...	...	...	3.01 "

(c) 4.84 acres.

(d) Yes.

(e) The extents mentioned have been set aside for assignment to the classes mentioned in the answer to clause (b) in pursuance of the policy of Government to assign lands to the depressed and poorer classes. The Mogers and Billavars belong to the locality. The extents proposed for assignment are not fit for use as a grazing ground as even after rain they are covered with only scanty herbage not affording much nourishment to cattle.

(f) Yes.

(g) The Government have declined to interfere with the orders of the Collector.

Mr. J. A. SALDANHA :—"With reference to clause (e) of this question, may I enquire whether the Government are prepared to give lands to the poorer classes of other communities than those mentioned in the answer?"

The hon. Mr. A. Y. G. CAMPBELL :—"I cannot say whether in any particular case they would or would not. In this case there were particular reasons. The fishermen were living in the immediate vicinity."

Mr. G. HARISARVOTTAMA RAO :—"May I know from the hon. the Revenue Member whether the Government, before reserving this land for the depressed classes, ascertained whether it was fit for cultivation at all?"

The hon. Mr. A. Y. G. CAMPBELL :—"I wish to have notice of the question."

Mr. J. A. SALDANHA :—"May I further enquire whether apart from the scanty herbage growing on this land, any representations have been made by the people of the locality that more land is necessary for the cattle to stray about for physical exercise? (Laughter.)"

The hon. Mr. A. Y. G. CAMPBELL :—"No, Sir."

Mr. G. HARISARVOTTAMA RAO :—"May I know from the hon. the Revenue Member whether he will enquire into the fitness of the land for cultivation and if it is not fit for cultivation . . .?"

The hon. the PRESIDENT :—"That is a hypothetical question."

Mr. K. R. KARANT :—"With reference to clause (e), may I know whether the 4.84 acres do not consist of lanes and pathways and no land at all?"

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

[8th August 1929]

Assignment of lands to ex-military men.

* 104 Q.—Mr. J. A. SALDANHA: Will the hon. the Member for Revenue be pleased to state in view of the Budget debate on 12th March last on the claims of ex-military service men—combatant and non-combatant—to assignment of lands by relaxation of the rules as to time-bar—what orders Government have passed thereon?

A.—The hon. Member's attention is invited to G.O. No. 758, Revenue, dated 16th April 1929. * The Government Order has been published in the *Fort St. George Gazette* and the District Gazettes and communicated to the principal newspapers.

Mr. J. A. SALDANHA:—“With reference to the term ‘non-combatants who served in the Indian Army’ appearing in the appendix, may I ask whether it includes the camp followers like post-men who accompanied the Indian Army?”

The hon. Mr. A. Y. G. CAMPBELL:—“I think they are not included.”

Court of Wards and Zamindaris*Management of the Sivaganga zamindari.*

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

(a) when the Sivaganga Zamindari was taken up for management under the Court of Wards and whether any period was then fixed for returning it to the Raja;

(b) whether there were any debts due from the estate at the time it was taken up or whether there was any cash and if so, how much;

(c) (i) whether the survey of the estate was taken up by the Court of Wards and if so, when, at what cost and at whose request;

(ii) whether the Raja was consulted or whether he agreed to the survey;

(d) (i) when the title of the Raja was conferred on the zamindar and why;

(ii) whether he asked for it;

(e) what was the annual income of the zamindari for every year from the time it was taken up by the Court of Wards till the survey and what has been the income for every year after the survey;

(f) what were the amounts borrowed by the Court of Wards every year for the zamindari and what were the amounts, if any, paid towards the debts;

(g) whether the Raja has expressed his readiness to arrange for the repayment of the loan at once if the zamindari is handed over to him and if so, why his request has not been granted;

(h) who are the creditors and what rate of interest is being paid every year for the debts; and

(i) whether the Government will be pleased to lay on the table a list of officers working in the zamindari under the Court of Wards and getting salaries of not less than Rs. 350 a month with their names, qualifications and salaries?

* Printed as Appendix III on page 333 infra.

8th August 1929]

A.—(a) The Sivaganga Zamindari was taken up for management by the Court of Wards in 1898. No period was then fixed for returning it to the Raja.

(b) The debt due by the estate was Rs. 1,11,252 and the cash balance was Rs. 256.

(c) (i) The survey was taken up in 1920 at the instance of the Estate Collector. The cost of the survey was Rs. 13,25,020.

(ii) The Government have not the information.

(d) (i) & (ii) The title was conferred on the 3rd June 1924. The Government have no information on the other point in the question.

(e) & (f) A statement is appended. *

(g) The Raja has so expressed himself but has not so far indicated to Government any practicable method of discharging the debt due by the Estate.

(h) The existing debts are due to the Imperial Bank of India. The rate of interest is 7 per cent per annum.

(i) —

	Names.	Qualifications.	Salaries.
			RS.
(1)	Mr. E. R. Wood ...	I.C.S. Permanent Sub-Collector.	1,925
(2)	Mr. E. D. Philip ...	B.A. ...	480
(3)	M.R.Ry. G. Ramachandra Ayyar	B.A. A qualified Civil Engineer.	550
	Avargal.		

Sriman BISWANATH DAS Mahasayo:—“May I know, with reference to clause (e) of this question, whether survey alone has been completed or whether the preparation of record of rights and settlement of rents have also been completed?”

The hon. Mr. A. Y. G. CAMPBELL:—“The commutation has been completed.”

Sriman BISWANATH DAS Mahasayo:—“May I know whether it is commutation under Chapter XI of the Estates Land Act or commutation under private settlement?”

The hon. Mr. A. Y. G. CAMPBELL:—“It is a private settlement.”

Sriman BISWANATH DAS Mahasayo:—“May I know the reason for the abnormal increase in the income of the estate from a few lakhs in the year when the survey was begun to 12, 14 and 16 lakhs at present? May I know whether private settlement of commutation had anything to do with this abnormal increase in the income of the estate?”

The hon. Mr. A. Y. G. CAMPBELL:—“I must ask for notice of the question. I understand the hon. Member wants to know why there was an increase from 12 lakhs in 1918 to about 16 lakhs in 1927-28. I must ask for notice of the question.”

* Printed as Appendix IV on page 334 infra.

[8th August 1929]

Sriman BISWANATH DAS Mahasayo :—" Sir, the income is much less than 12 lakhs in 1918 and may I know whether the Government have enquired into the causes of this increase and whether any representations have been made by the ryots in regard to this matter? A number of representations have been received by members of the House."

The hon. Mr. A. Y. G. CAMPBELL :—" I am not aware of any representation, but, if the hon. Member will give notice, I shall enquire? "

Irrigation

Need for protective works with regard to the sliding of Godavari bank near Kapileswarapuram agharam.

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

(a) whether the Godavari bank and the river margin near the village of Kapileswarapuram Agharam between 16th and 17th miles lower down Dowlaiswaram has been sliding and the village is in imminent danger ;

(b) whether, with a view to prevent erosion and sliding at the spot, provision has been made for constructing a revetment and digging a channel in the sand shoals of the river ;

(c) whether it is a fact that on 2nd May there was a sudden sinking and sliding of the bank and the margin and whether the Superintending Engineer visited the spot and recommended the protective works to be undertaken immediately ;

(d) whether it is a fact that such protective works have got to be begun and completed before the flood season begins in the middle of June ;

(e) whether the action of the river, if not properly checked, is a source of danger not only to the village, but to a large portion of the delta area ; and

(f) whether in view of the imminent nature of the danger the Government would issue instructions to take up protective works immediately ?

A.—(a) The left flood bank of the Gowtami Godavari between 16/0 and 16/7 miles was diverted two years ago as there was not sufficient margin between the deep course of the river and the bank. There is a tendency for the margin to slip in this length and there are three places where the sliding action is most marked. One of the slips has been protected and the other two will be, this year. The village is situated in three different sites and only a small part of it lies between the old and diverted flood banks and is liable to be affected by erosion.

(b) There are two current estimates to protect the bank in this portion, one for protecting the slips, at a cost of Rs. 40,400 and the other for connecting the high level 'paya' with the river, at a cost of Rs. 5,900. Revetment is provided for in the former.

(c) & (d) The Government are not aware on what particular day the sinking and sliding occurred, but the Superintending Engineer visited the spot on the 15th May 1929 and issued instructions for the necessary works to be carried out.

[8th August 1929]

(e) The delta area is protected by the diverted flood bank, but the small portion of the village referred to in answer to clause (a) is liable to be affected should there be much further encroachment by the river.

(f) The attention of the hon. Member is invited to the answer to clauses (a), (b), (c) and (d) above.

Mr. C. RAMASOMAYAJULU :—" With reference to clause (b), may I ask when the estimates was passed? From the answer I take it that it has been passed."

The hon. Mr. A. Y. G. CAMPBELL :—" I must ask for notice."

Mr. C. RAMASOMAYAJULU :—" May I know if the work was taken up in accordance with the estimates? "

The hon. Mr. A. Y. G. CAMPBELL :—" It is seen from the answer to clauses (c) and (d) that the Superintending Engineer issued instructions for the necessary works to be carried out."

Mr. C. RAMASOMAYAJULU :—" My question is whether the instructions given by the Superintending Engineer were acted up to and if so when? "

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

Mr. C. RAMASOMAYAJULU :—" May I know whether the Government are aware that this kind of work cannot be taken on hand when once the flood season begins and therefore it has got to be taken up before the flood season? "

The hon. Mr. A. Y. G. CAMPBELL :—" I think the officer is aware of it."

Mr. C. RAMASOMAYAJULU :—" May I know if the Government have issued instructions to expeditiously finish the work before the flood season began? " 11-15 a.m.

The hon. Mr. A. Y. G. CAMPBELL :—" I must ask for notice."

Mr. K. V. R. SWAMI :—" May I know whether any steps will be taken to protect the village referred to in the question from the ravages of floods? "

The hon. Mr. A. Y. G. CAMPBELL :—" I shall consider that question."

Mr. P. ANAJANEYULU :—" As regards answer to clause (e) 'but the village referred to in answer to clause (a) is liable to be affected', have the Government proposed or have they taken any precautions against such a danger? "

The hon. Mr. A. Y. G. CAMPBELL :—" Notice, Sir."

Mr. C. RAMASOMAYAJULU :—" With reference to the answer given in clauses (c) and (d), may I know what those instructions are specifically? "

The hon. Mr. A. Y. G. CAMPBELL :—" Notice, Sir."

Land Revenue

List of reserved trees in kumki areas in South Kanara.

* 107 Q.—Mr. K. R. K. ARANT : Will the hon. the Member for Revenue be pleased to state—

(a) what the trees are that a kumkidar may not cut in kumki areas (South Kanara) without the permission of Government ;

[8th August 1929]

- (b) whether nux-vomica is one of such ;
 (c) whether Government are aware that this is quite necessary for the ryots for the preparation of ploughs every year and that its leaves are a good manure for coconut palms ; and
 (d) whether Government propose to remove nux-vomica from the list of such classified or reserved trees ?

A.—(a) The kumkidar cannot cut the following trees in kumki areas without the permission of the Government :—

Description of trees.

Botanical name.	Kanarese name.	English name.
Tectona grandis ...	Saguvani ...	Teak.
Dalbergia latifolia ...	Biti ...	Blackwood.
Pterocarpus marsupium...	Benga ...	Kino.
Bassia longifolia and latifolia.	Ippa ...	...
Artocarpus hirsuta ...	Hebbalsu ...	Wild jack.
Artocarpus integrifolia ...	Halasu ...	Jack.
Diospyros ebenum and melanoxylon.	Karimara ...	Ebony.
Xylia dolabriformis ...	Tirwa or Jambe.	Ironwood.
Pongamia glabra ...	Honge ...	...
Myristica Malabarica ...	Ramapatri ...	Wild nutmeg.
Calophyllum elatum ...	Srihonne ...	Poonspur.
Hopea parviflora ...	Kiralbogi ...	...
Nux-vomica ...	Kasarka ...	...

(b) Yes.

(c) A low seigniorage rate was fixed for this tree in view of its usefulness to the ryots for agricultural purposes.

(d) The Government do not consider that such a course is necessary.

Mr. K. R. KARANT :—“ With reference to the answer given to clause (d), may I know the grounds on which the Government have given their answer ? ”

The hon. Mr. A. Y. G. CAMPBELL :—“ The Government see no reason to remove nux-vomica from the list of classified areas.”

Mr. K. R. KARANT :—“ With reference to the answer to clause (b), may I know whether the Government will be pleased to call for a report from the Collector to verify what he has stated is correct or not ? ”

The hon. Mr. A. Y. G. CAMPBELL :—“ Yes, Sir.”

Seigniorage fee for fuel trees in South Kanara.

* 108 Q.—Mr. K. R. KARANT : Will the hon. the Member for Revenue be pleased to state—

(a) whether a seigniorage fee of eight annas per cart-load is being charged in the case of darkhast in areas like Hebri in South Kanara for fuel trees ;

(b) whether it is a fact that the market value per cart-load of fuel in the locality will not even be two annas ; and

(c) whether Government propose to remove such anomalies and hardships ?

8th August 1929]

A.—(a) Yes.

(b) The Government are not aware that the fact is as suggested.

(c) The seigniorage rates were revised in August 1927 with reference to the marketing facilities of each locality. The Government see no reason to make any further revision at present.

Use of reserved trees in kumki lands.

* 109 Q.—Mr. K. R. KARANT : Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that permission to cut reserved trees of 3½ feet girth is not given to kumkidars for building houses, etc. ; and

(b) whether it is a fact that for building tenant-houses ordinarily trees of about a foot and a half girth are all that are necessary and useful, and further that most kumkis in South Kanara do not contain on an average trees of larger girth than 1½ feet to 3 feet ?

A.—(a) Yes ; permits are not as a rule issued for the removal of reserved or classified trees under 4 feet in girth from kumki lands.

(b) The Government have not the information.

Ryots may cut and remove unreserved and unclassified trees from unreserved lands free for bona fide agricultural and domestic purposes. The holder of land to which kumki privileges are attached may enjoy the same privilege in the kumki land free of charge.

Assignment of lands in Mecheri village.

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

(a) the total amount of assessed and unassessed wastes respectively (including land under sivayijama occupation) available for cultivation in fasli 1338 in Mecheri village, Rayadrug taluk, Bellary district ;

(b) whether out of the above extents roughly about 100 acres were under sivayijama occupation of Adi-Andhra ryots and 300 acres under that of caste ryots and whether the latter applied for patta of the lands in their enjoyment ;

(c) whether the Revenue Inspector went to the village and showed the sivayijama fields of the caste ryots to Adi-Andhras to know if they wanted any of them and whether the Adi-Andhras chose 100 acres out of the same and stated that they did not want the remainder and had no objection to its assignment to the caste ryots ;

(d) whether in addition to the above 200 acres of sivayijama land of caste ryots, there is yet about 500 acres of assessed waste land fit for cultivation, which the Adi-Andhras say that they do not need for their use and that it might be given to the caste ryots, and whether the Revenue authorities yet rejected all the applications of the caste ryots for the same ; and

(e) whether the average holding per head of the Adi-Andhras (including pattas and sivayijama) is double or treble that of the caste ryots ?

A.—(a) to (e) The Government have not the information asked for, but have called for a report.

[8th August 1929]

Public Service

Enquiry into the grievances of unpassed and unexempted clerks of the Registration department.

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

(a) whether he has enquired into the grievances of the few unpassed and unexempted clerks of the Registration department; and

(b) whether the usual increments have been given to them; and if not, why not?

A.—(a) & (b) The hon. Member apparently refers to the pay of the clerks he mentions; it is a general rule applicable to all departments that unpassed and unexempted men are eligible only for the minimum pay in the inferior time-scale, viz., Rs. 35 in the mufassal and Rs. 40 in the City. The clerks referred to in the question have therefore not been given any increments in pay.

Mr. S. SATYAMURTI:—“May I ask if the Government have any intention of treating the cases of these few men as special cases and deal with them on a more generous scale?”

The hon. Mr. A. Y. G. CAMPBELL:—“The cases of these few clerks will be considered specially.”

Education

Reorganization of the Superior Educational Service.

* 112 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Education and Local Self-Government be pleased to state whether any, and if so what, orders have been passed on the reorganization of the Superior Educational Services as to which the hon. the Chief Minister assured the House in reply to my question No. 1225-B answered on 31st January 1929 that orders would be issued as soon as the budget was passed?

A.—Orders have not yet been passed. The reply of the Government of India in regard to the reference made to them in respect of the Reorganization Scheme of the Men's Branch of the service has just been received. The scheme has to be placed before the Finance Committee. The Government of India's reply in respect of the Women's Branch of the service has not yet been received.

Mr. J. A. SALDANHA:—“With reference to the answer given to this question, may I know whether this reorganization scheme will be included in the next budget?”

The hon. Dr. P. SUBBARAYAN:—“If orders are passed before the next budget, they will be given effect to.”

Mr. ABDUL HAMEED KHAN:—“May I know when the reply from the Government of India was received?”

The hon. Dr. P. SUBBARAYAN:—“Only about 10 days ago.”

Educational and other qualifications of District Educational Officers.

* 113 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Education and Local Self-Government be pleased—

(i) to place before the Council

(a) the rules made by Government as to the educational and training and other qualifications required for the appointments of District Educational Officers; and

[8th August 1929]

(b) a statement showing the names of persons appointed as District Educational Officers in the years 1927, 1928, 1929 (up to date) with their religion, race, caste, antecedents, previous service (if any), qualifications as to educational attainments and training for teaching; and

(ii) to state whether Government contemplate making any rules in connexion with the proposed reorganization of the superior services, if no such rules as referred to in clause (a) have been made?

A.—(i) (a) & (ii) The framing of rules for recruitment to the superior educational services is under the consideration of the Government.

(i) (b) The information can be obtained from the quarterly lists of Gazetted officers in the Educational Department.

Mr. J. A. SALDANHA:—“May I know whether the district educational officers who are at present in the department have had any training in teaching? Are there any proposals before the Government prescribing the qualifications of these men?”

The hon. Dr. P. SUBBARAYAN:—“Appointments are made when vacancies arise. I cannot say whether there is any proposal before the Government on these matters.”

Mr. J. A. SALDANHA:—“May I enquire whether these men who have been appointed for the last three years and whose names are found in this quarterly list have all the requisite qualifications of training in teaching?”

The hon. Dr. P. SUBBARAYAN:—“They have been so qualified as to commend themselves to the Government.”

Local Boards

Nomination of Mrs. P. R. R. Punja to the District Board of South Kanara.

* 114-A Q.—Mr. K. R. KARANT: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether Mrs. P. R. R. Punja who was recently nominated to the District Board of South Kanara is the niece of Mr. A. B. Shetty, M.L.C.;

(b) whether she was nominated to the Board when there were already 13 members of her community (viz., the Bunt community) in the Board;

(c) what is the total number of members in the Board;

(d) what are the reasons for the nomination; and

(e) whether her husband has subsequently been nominated to the South Kanara Temple Committee?

A.—(a) The hon. Member is apparently referring to Srimati Shambhavi R. Punja. Yes.

(b) Yes.

(c) Thirty-six excluding the President.

(d) It was considered desirable for obvious reasons to appoint a lady to the Board.

(e) No.

[8th August 1929]

Representation of Indian Christians in the District Board of South Kanara.

* 114-B Q.—Mr. J. A. SALDANHA: With reference to my question No. 1912 answered on 26th March 1929 regarding the representation of Indian Christians in the District Board of South Kanara, will the hon. the Minister for Education and Local Self-Government be pleased to state what the special reasons are for appointing a lady to a vacancy caused by the retirement of an Indian Christian when she belongs to a community which has 14 members already represented in the Board?

A.—The hon. Member's attention is invited to the answer to clause (d) of question No. 114-A.

Mr. K. R. KARANT:—"With reference to the answer given to clause (c), of my question, may I know whether he was appointed to the Temple Committee previous to his wife's nomination to the District Board of South Kanara?"

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

Alleged illegal actions of the President, Kasimkota Union.

* 115 Q.—Dr. B. S. MALLAYYA: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Government have received a petition, dated 10th January 1929, from the rate-payers of Kasimkota union, Vizagapatam taluk board, making certain allegations against the President of the Kasimkota Union, one Kharulasha;

(b) whether any report has been submitted by the Revenue Divisional Officer to the District Collector regarding this President;

(c) whether the Government have made enquiries regarding the various illegal actions of the said President, such as tampering with the electoral roll and ballot papers, his highhanded action in the matter of the receipt of nomination papers, etc., mentioned in the petition and, if so, with what result;

(d) whether the Government have since taken from his hands the power of preparing electoral rolls as prayed for in the petition and appointed a deputy tahsildar for the purpose; and

(e) whether they will be pleased to amend the Local Boards Act vesting the power to prepare electoral rolls in the hands of a Revenue officer?

A.—(a) Yes.

(b) It appears so from the petition.

(c) District Board President's remarks have been called for.

(d) No.

(e) The matter is under consideration.

Nominations to the District and Taluk Boards of Salem, Coimbatore, etc.

* 116 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Education and Local Self-Government be pleased—

(i) to place before the Council a statement of all Muhammadans, Adi-Dravidas and Indian Christians (Protestants and Catholics) who have been nominated to the district boards and taluk boards during the last four years and are still holding those positions in the districts of Salem, Coimbatore, Nilgiris, Malabar and South Kanara; and

[8th August 1929]

(ii) to state (a) what the principle is on which nominations have been made in regard to such minor communities, (b) how many persons and who have been nominated in the abovementioned districts during the last four years from castes and communities who had been represented in district boards and municipalities by more than one elected member and on what grounds?

A.—(i) A statement giving the particulars required in regard to District Boards is laid on the table.* Government have no information in regard to taluk boards as the appointments thereto are made by the Presidents of District Boards concerned.

(ii) (a) & (b) It is impossible to lay down any other principles than those contained in section 9 (5) of the Madras Local Boards Act. The detailed information required by the Hon'ble Member is not readily available.

Mr. A. RANGANATHA MUDALIYAR:—"May I know whether there is any Adi-Dravida member on the district board of Coimbatore?"

The hon. Dr. P. SUBBARAYAN:—"Yes."

Mr. A. RANGANATHA MUDALIYAR:—"I do not find it in the appendix given here."

The hon. Dr. P. SUBBARAYAN:—"Perhaps there has been some mistake. But I know there is an Adi-Dravida member."

Mr. A. RANGANATHA MUDALIYAR:—"May I know how many elected Muhammadan Members there are on the Coimbatore District Board?"

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

Mr. A. RANGANATHA MUDALIYAR:—"May I know whether there is not a provision in the District Boards Act that only those communities who are not represented should be given nomination?"

The hon. Dr. P. SUBBARAYAN:—"I do not think there is any specific rule."

Mr. A. RANGANATHA MUDALIYAR:—"I do not want the exact number of Muhammadan elected members on the board. I want to know whether there is any Muhammadan elected member?"

The hon. Dr. P. SUBBARAYAN:—"I believe there is."

Mr. A. RANGANATHA MUDALIYAR:—"If there are elected members from that community, there was no reason to nominate from among them."

Religious and Charitable Endowments*Endowments in the Presidency vested in the Board of Revenue.*

* 117 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Government will be pleased to lay on the table of this House a statement showing all the endowments in this Presidency vested in the Board of Revenue under Madras Endowments and Escheats Regulation VII of 1817 with full information in regard to them on the following points:—

(i) Name of district, taluk and village,

(ii) Name of the original grantor,

* Printed as Appendix V on page 335 infra.

[8th August 1929]

- (iii) Date of endowment,
 - (iv) Nature of the deed executed,
 - (v) Particulars of the endowment,
 - (vi) Average annual income,
 - (vii) Purpose for which endowment was by the original grantor's wish to be applied,
 - (viii) Purpose for which they are now being applied,
 - (ix) Nature of supervision now exercised by the Board of Revenue ;
- and

(b) if any of the endowments had been transferred to local bodies under section 63 of the Local Boards Act, the name of such local boards or bodies and the nature of supervision and control exercised over them by the Board of Revenue or Government ?

A.—Government are not in possession of the information asked for and do not consider that any useful purpose will be served by the compilation of such a statement which cannot be done without an undue expenditure of time and labour.

Mr. T. ADINARAYANA CHETTIYAR :—" With reference to the answer given to this question that the Government are not in possession of the information asked for, may I know whether they will be pleased to call for the information at least as regards one district, namely, Tanjore ? "

The hon. Dr. P. SUBBARAYAN :—" As I have already said, it would involve time and undue labour."

Mr. T. ADINARAYANA CHETTIYAR :—" Since the property included in the purview of this question involves crores of rupees and very large interests are involved in this, may I ask the hon. Minister to call for the information ? "

The hon. Dr. P. SUBBARAYAN :—" I do not understand what the hon. Member is referring to."

Mr. T. ADINARAYANA CHETTIYAR :—" I am referring to the chatram funds in the Tanjore district. There is public feeling that these chatram funds are being mismanaged and, with a view to respect that feeling, may I ask the hon. Minister to call for the information ? "

The hon. Dr. P. SUBBARAYAN :—" There is no reference to the chatram funds in the question before us."

Mr. A. RANGANATHA MUDALIYAR :—" The question relates to endowments and the chatram funds come under endowments ? "

The hon. Dr. P. SUBBARAYAN :—" But there is no question about the Chatram funds."

Mr. A. RANGANATHA MUDALIYAR :—" Does the hon. Minister say that the funds referred to by my hon. Friend Mr. Adinarayana Chettiyyar do not come under this question ? "

The hon. Dr. P. SUBBARAYAN :—" As far as it refers to a particular class of endowment, I want notice of the question."

8th August 1929]

Excise

Location of a toddy shop near Dr. C. M. Pai's house at Nileshwar in Kasaragod taluk.

* 118 Q.—Mr. K. R. KARANT : Will the hon. the Minister for Public Health be pleased to lay on the table the report called for by Government with reference to my question No. 818 answered on 29th November 1928 in regard to the location of the toddy shop near Dr. C. M. Pai's house at Nileshwar in Kasaragod taluk, South Kanara district, and to state—

- (a) what steps have been taken upon the question and on the report ;
- (b) whether it is a fact that when the toddy shop in question was auctioned for the year 1928-29 the site was not the one complained against but some other ;
- (c) if so, why the shop was erected or allowed on the present site ;
- (d) whether it is a fact that within a 100 yards of this shop in question there are a number of dwelling houses, and also two Deivasthans frequented by the public ; and
- (e) whether the said shop is located on a lane on which there is a good deal of traffic going on between the Nileshwar railway station and the villages to its east ?

A.—The report is laid on the table^a.

- (a) The Government have not taken any action on the report.
- (b) & (c) A report from the Commissioner of Excise dated 18th January 1929 is laid on the table.^a
- (d) The attention of the hon. Member is invited to the report referred to in the answer to clauses (b) & (c). The Government have no further information on the subject.
- (e) The Government have no information on the point.

Mr. K. R. KARANT :—" Since this question was asked, has anything been done to select another site ? "

The hon. Dr. P. SUBBARAYAN :—" The report says that efforts will be made to select another site."

Medical

Scheme for training suitable candidates in service to act as a reserve under the Chemical Examiner to Government.

* 119 Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Minister for Public Health be pleased to state—

- (a) whether there is any scheme under his consideration for training suitable candidates in service to act as a reserve for future vacancies that may occur in the department under the Chemical Examiner to Government ; and
- (b) if so, at what stage, its consideration is at present ?

A.—(a) & (b) One permanent civil assistant surgeon was trained in the Chemical Examiner's department for six months during 1926-27. The Government have sanctioned the training of another civil assistant surgeon for six months during the current year.

[8th August 1929]

Grievances of the medical practitioners under the Rural Medical Relief Scheme.

* 120 Q.—MR. S. SATYAMURTI: Will the hon. the Minister for Public Health be pleased to state—

(a) whether his attention has been drawn to the grievances of the medical practitioners under the Rural Medical Relief Scheme;

(b) whether he is aware that they want to be treated as independent medical practitioners; and

(c) whether he proposes to improve their position and status and if so, when?

A.—(a) Yes; copies of resolutions passed at the Rural Medical Practitioners' Conferences held from time to time were received by the Government.

(b) The hon. Member's meaning is not understood.

(c) The Government have recently improved to some extent their position and status by increasing the subsidies payable to them under the scheme from Rs. 400 to Rs. 500 per annum and also by making their position under taluk boards more secure. Whenever taluk boards convert rural into regular dispensaries they have been asked to consider the claims of the rural medical practitioners already in charge for the posts of sub-assistant surgeons in the regular dispensaries.

MR. S. SATYAMURTI:—"May I know whether the Government are aware that these gentlemen do not want to be treated as servants of the taluk boards but want to be treated to independent medical practitioners?"

The hon. MR. S. MUTHIAH MUDALIYAR:—"They are giving them as much facilities as possible."

MR. G. HARISARVOTTAMA RAO:—"Have the Government considered the question of asking the taluk boards to make provision for travelling allowance for rural dispensary men when being transferred from one place to another? Are not Government's instructions in regard to rural medical practitioners being violated by the taluk boards?"

The hon. MR. S. MUTHIAH MUDALIYAR:—"If the taluk boards are not following the instructions of the Government, then there will be complaints against such taluk boards?"

MR. G. HARISARVOTTAMA RAO:—"Is the hon. Minister aware that the rural medical practitioners are sent for such special duties as cholera, malaria and so on?"

The hon. MR. S. MUTHIAH MUDALIYAR:—"If there is cholera in any particular place and if the taluk board desires to put these men on special duty there is nothing to prevent them."

MR. G. HARISARVOTTAMA RAO:—"Is it a fact that these men are not paid travelling allowance for going and doing such special work?"

The hon. MR. S. MUTHIAH MUDALIYAR:—"If they are asked to go on duty which they are not bound to perform and they go, it is a matter between those medical practitioners and the taluk boards themselves."

[8th August 1929]

Public Health

Disposal of S. No. 126 of Derebail village in Mangalore taluk reserved for communal purposes.

* 121 Q.—MR. J. A. SALDANHA: Will the hon. the Minister for Public Health be pleased to state whether Government have received a memorial from the residents of Derebail, Bolur, Kodialbail and Kadri villages in Mangalore taluk regarding the disposal of old Survey No. 25 (present S. No. 126) of Derebail village which was reserved for communal purposes, viz., grazing, manure leaves and fuel and what orders have been passed thereon?

A.—A memorial was received in May last from certain residents of Kavur, Bijai and Kadri villages of the Mangalore taluk protesting against the disposal of land called Haripadavu (S. Nos. 129 and 170-1) of Derebail village for use as a municipal trenching ground. This memorial has been referred to the Chairman, Municipal Council, and the Collector for remarks. No other memorial has been received.

Distribution of the allotment of Rs. 4 lakhs for temperance propaganda.

* 122 Q.—MR. S. SATYAMURTI: Will the hon. the Minister for Public Health be pleased to state—

(a) what steps he has taken to distribute the allotment of Rs. 4 lakhs for temperance propaganda;

(b) the names of the persons and of the associations to whom the money has been or is proposed to be distributed;

(c) the amounts to be given to each person or association; and

(d) what steps, if any, he has taken or proposes to take to prevent this money being used for electioneering purposes by individuals or associations?

A.—(a) to (c) A copy of G.O. No. 1597, P.H., dated the 26th June 1929, is laid on the table. Steps are being taken to give effect to the scheme sanctioned in the Government Order.

(d) There is no apprehension that the funds will be diverted to purposes not connected with the scheme and no steps have been found necessary.

MR. S. SATYAMURTI:—"May I know what is the definite object of the Government in this propaganda, whether it is to bring about prohibition or temperance?"

The hon. MR. S. MUTHIAH MUDALIYAR:—"The Government order is laid on the table."

MR. S. SATYAMURTI:—"The Government Order is ambiguous. I am asking whether the object of the Government is to bring about prohibition or only to bring about temperance?"

The hon. MR. S. MUTHIAH MUDALIYAR:—"If the hon. Member will kindly tell me which portion of the Government Order is ambiguous I shall explain as much as I can."

MR. F. E. JAMES:—"May I know whether any funds have been disbursed till now?"

The hon. MR. S. MUTHIAH MUDALIYAR:—"No, Sir."

[8th August 1929]

Mr. S. SATYAMURTI:—"I am asking with reference to second paragraph of the Government Order at page 26 of the appendix. This is what it says: 'The Committee was unanimously of opinion that the first essential step was the creation of an active public opinion throughout the Presidency against drink and the education of the masses on the evils of drink in order that temperance or prohibition legislation undertaken might have the co-operation and support of the general public.' I am asking what the object of the Government in carrying out this propaganda is? Is it for prohibition or for temperance?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"As it is, prohibition includes temperance."

Mr. A. KALESWARA RAO:—"May I know whether this propaganda includes the picketing of persons at the toddy and auction sales?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"The Government Order is laid on the table. If the hon. Member infers it is there, it is there: otherwise it is not."

Mr. B. RAMACHANDRA REDDI:—"May I know whether the question of distributing the funds by the local boards was considered and whether any decision was arrived at?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"That was considered, but in view of certain difficulties it was thought desirable that the work of distribution should be entrusted to district committees appointed for the purpose, who will consult the local boards also when so distributing."

Mr. ABDUL HAMEED KHAN:—"May I know if the Government are going to allot funds for organizations which have been doing temperance work for carrying on this propaganda work in their respective areas?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"The Government Order lays down that there will be district committees and they will arrange for the work of propaganda."

Mr. ABDUL HAMEED KHAN:—"Has he fixed any qualifications for these associations to enable them to draw these grants?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"There is no life limit fixed."

Diwan Bahadur R. N. AROGIA SWAMI MUDALIYAR:—"May I know whether the Government will allow the Central Board to allot funds to organizations who are doing prohibition work and not for temperance work?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Temperance also includes prohibition within its scope."

Mr. S. SATYAMURTI:—"The hon. Member has not referred to the first paragraph of the Government Order. This is what it states:—'The creation of an active public opinion throughout the Presidency against the use of alcoholic liquors and intoxicating drugs such as opium, ganja, etc., in order that any temperance or prohibition measures or legislation undertaken for attaining the goal of total prohibition may have the co-operation and support of the general public.' May I ask whether the Government have taken any steps to warn the people who bid at auctions that they are likely to suffer as the result of the propaganda of Government and, if not, why not?"

[8th August 1929]

The hon. Mr. S. MUTHIAH MUDALIYAR:—"The propaganda has been in the air for the last about a year and no complaint has been received from the public."

Mr. S. SATYAMURTI:—"Have the Government any apprehension about their loss in the excise revenue owing to this propaganda?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"That will be known only at the end of the year. Even if there is a loss the Government must be prepared for it."

Mr. A. RANGANATHA MUDALIYAR:—"Are not people who bid at the auction of these toddy shops apprehensive of this propaganda?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Probably—they may be."

Mr. G. HARISARVOTTAMA RAO:—"May I know the number of members of the Central Board and their functions and whether any preliminary arrangements have been made to carry out the object of the Government in relation to posters, literature, etc., and whether any practical steps have been taken to achieve their object?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"The Central Board has not yet appointed the district committees. The district committees will be appointed in the course of two or three days."

Mr. G. HARISARVOTTAMA RAO:—"May I know whether the Central Board will not take up the work of preparing temperance literature, etc., before the district committees are set up?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"The necessary preliminaries are being made."

Mr. J. A. SALDANHA:—"May I know whether the district committees will consist of Excise officers and, if so, whether they will be instructed to carry on their old policy of encouraging drink?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"No such instructions have been issued."

Mr. K. V. R. SWAMI:—"May I know whether there is any condition precedent to the appointment of the members of the Board that they should be tea-totallers?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"If the Central Board thinks that this question is important, they will take necessary steps."

Mr. K. V. R. SWAMI:—"I am asking whether the members of the Central Board should be tea-totallers?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Probably, persons who drink will know the evils of drinking much better than others."

Mr. S. SATYAMURTI:—"With reference to answer (d) and with reference to paragraph VII of the appendix, may I know if the Government have taken any steps or propose to take any steps to see that the Pracharakas who are to be appointed by the committees are not electioneering agents of the members of the Board?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"If it comes to the notice of the Government that any such misuse is being made, they will take necessary steps."

[8th August 1929]

Mr. B. VENKATARATNAM:—(in Telugu) “May I know whether picketing will be included in the propaganda work?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“I do not think that picketing is any propaganda. Picketing is action and not propaganda.”

Mr. A. KALESWARA RAO:—“May I know if ‘such other methods’ include propaganda not to bid at sales of toddy and liquor shops?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“A committee has been appointed to prepare literature; they will consider all these matters.”

Mr. G. HARISARVOTTAMA RAO:—“May I know from the hon. Minister whether any specific steps have been taken as a preliminary measure?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“Materials for preparing the literature and for having magic lantern pictures are being collected from various places.”

Government Orders on the recommendations of the Special Malaria Officer.

* 123 Q.—Mr. K. R. KARANT: Will the hon. the Minister for Public Health be pleased to state—

(a) whether any and if so, what orders have been passed by Government on the various recommendations made by the Special Malaria Officer in his report on the malaria survey conducted by him in the Puttur taluk (South Kanara) as per G.O. No. 2353, P.H., dated 7th November 1928;

(b) whether the said Government Order requires the said officer to continue his investigations in other taluks as well; and

(c) why such investigation or survey has not been extended to the said other taluks?

A.—(a) The report of malaria survey by the Special Malaria Officer in the Puttur taluk, South Kanara district, has been communicated to the Puttur Taluk Board. The Taluk Board has been asked to provide funds for the programme of anti-malarial measures prepared by the District Health Officer in the order of urgency and to appoint the necessary staff for the purpose.

(b) & (c) Yes. The Special Malaria Officer has subsequently been directed to carry out the investigation in the malarial tracts of other taluks, South Kanara district, in December or January next when the season will be suitable for the work.

Mr. K. R. KARANT:—“May I ask whether the Special Malaria Officer has not reported that this taluk which he inspected is the worst in the whole of the Presidency in respect of malaria?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“He has reported that it is a very bad taluk.”

Mr. K. R. KARANT:—“May I know whether the Government approve of the preventive measures suggested in the report?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“The Government have approved the measures and that is the reason why they have asked the taluk board to see that those measures are adopted.”

[8th August 1929]

Mr. K. R. KARANT:—“May I ask whether the hon. Minister is aware that those measures are such as cannot be carried out entirely by the taluk board, because one of the remedies suggested is the clearance of forest areas from at least two furlongs from human habitations? How can the taluk board deal with this question?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“If the taluk board will carry out certain measures and if they want the help of the Government in other matters, necessary steps will be taken.”

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—“May I know whether it is the intention of the Government to ask the taluk boards to carry out those measures from their own funds, or whether the Government will be prepared to allot funds for the purpose?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“In the first instance the taluk boards will be asked to carry out the measures but if they plead inability, then the question of allotting funds by the Government will be considered.”

Mr. K. R. KARANT:—“One of the suggestions of the Special Malarial Officer is that a second-class Health Officer should be appointed for this special work. May I ask whether this is not the business of the Government rather than that of the taluk board?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“If the taluk board starts work and asks for a second-class Health Officer, he will be sent. There is no use of appointing the officer if there is no work to be done by him.”

Mr. K. R. KARANT:—“May I know if the Government will provide funds necessary to carry out all the measures suggested?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“It has to be seen whether the taluk board will be able to carry out those measures themselves, whether it has not sufficient funds and if it wants help, to what extent.”

Mr. G. HARISARVOTTAMA RAO:—“May I ask whether the Government have studied the report submitted by the Special Malaria Officer before it was sent to the taluk board?”

The hon. the PRESIDENT:—“The question does not arise.”

Mr. A. RANGANATHA MUDALIYAR:—“May I know whether the Government have made any provision for this purpose and if so, how much?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“Provision will be made after we know the amount of money required.”

Mr. G. HARISARVOTTAMA RAO:—“With regard to the recommendations of the Malaria Officer which have to be carried out by other departments, may I know whether the Government have had correspondence with them and whether they have any definite measures or proposals formulated?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“The Government have asked all departments to co-operate with the taluk board in carrying out the recommendations of the Special Malaria Officer.”

Mr. K. R. KARANT:—“With reference to the clearance of the reserve forest areas, may I ask whether the Government have sent the proposals to the Forest Department for action?”

[8th August 1929]

The hon. Mr. S. MUTHIAH MUDALIYAR :—"All these things will be considered when action is taken finally when it is known what action is desired to be taken."

Report of the Special Malaria Officer on the investigation of malaria in the Puttur taluk.

* 124 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Public Health be pleased to state what action the Government propose to take on the report of the Special Malaria Officer on the investigation of malaria in the Puttur taluk of South Kanara.

A.—The report of the Special Malaria Officer on malaria survey in the Puttur taluk, South Kanara district, has been communicated to the Puttur Taluk Board for necessary action.

Mr. A. B. SHETTY :—"May I know whether the taluk board has applied to the Government to provide them with funds for carrying out this work?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I do not remember; I want notice."

Change of the composition and revision of the Advisory Committees constituted for the District Headquarters Hospitals.

* 125 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Public Health be pleased to state whether, in view of the unsatisfactory functioning of the Advisory Committees constituted for the district headquarters hospitals, the Government propose to change the composition and revise the functions of these committees so as to make them do better work?

A.—The hon. Member is referred to G.O. No. 1598, P.H., dated the 26th June 1929, laid on the table.*

Locally made cots and food wagons for the hospitals.

* 126 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Public Health be pleased to state whether the Government have examined the question of getting made locally cots and food wagons of the pattern required for hospitals?

A.—The question of obtaining hospital cots of local manufacture is being examined. As regards food wagons, it has been decided that those of local manufacture may be used and they are being used.

Registration

Appointments made by the Inspector-General of Registration within the last eighteen months.

* 127 Q.—Mr. P. ANJANEYULU: Will the hon. the Minister for Public Health be pleased to state whether the Government will be pleased to lay on the table all appointments made by Inspector-General of Registration within the last eighteen months?

A.—The information has been called for.

* Printed as Appendix VIII on pages 342-345 infra.

[8th August 1929]

Mr. P. ANJANEYULU :—"May I know when the hon. Minister asked the Inspector-General for this information?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I do not know exactly when the reference was made; it must be on receipt of the question."

Transfer of the officers of the Registration department.

* 128 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Public Health be pleased to state—

(a) whether there is any rule to the effect that officers of the Registration department should be transferred from a place after having served three years therein; and

(b) if not, why not?

A.—(a) & (b) No, and the necessity for such a rule has not been felt.

Particulars regarding the registration districts of Palghat, Calicut, Tellicherry and South Kanara.

* 129 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Public Health be pleased to give the following particulars in regard to each one of the registration districts of Palghat, Calicut, Tellicherry and South Kanara—

(a) the number of registration offices;

(b) average area of jurisdiction per office in square miles;

(c) average population per office;

(d) the number of registering officers;

(e) average area per officer;

(f) average population per officer; and

(g) the receipts, expenditure and surplus income, if any, during the last three years?

A.—The Government have called for the information.

Agriculture

Establishment of an experiment station for testing the utility of artificial manures.

* 130 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Development be pleased to state the progress made in the establishment of an experiment station for testing the effect of artificial manures on the yield of crops like paddy, cotton and cholam and their nutritive value?

A.—The Government have sanctioned the conduct of experiments with artificial manures for a period of five years at the Paddy Breeding Station, Maruteru, and work will for the present be confined to the paddy crop. The necessary land has been leased and the experiments have been started. The hon. Member's attention is invited to the Press Communiqué published at page 634 of the Fort St. George Gazette, dated 2nd April, for details of the scheme. No experiments on nutritive values are contemplated in this station.

[8th August 1929]

Mr. A. RANGANATHA MUDALIYAR :—" With reference to the last sentence of the answer, may I know if the experiment is proposed to be carried out in any other station ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Not now."

Mr. A. RANGANATHA MUDALIYAR :—" May I ask if the Government have not considered that question at all ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" If the trial proves successful, then that question will be considered."

Co-operative Societies

Registration of land mortgage banks in the Presidency.

* 131 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Minister for Development be pleased to state with reference to his answer to question No. 1993 answered on 27th March 1929—

(a) whether all the twenty land mortgage banks mentioned therein were registered after due consideration and assurance by the officers of the department that there were prospects of successful working of these banks ;

(b) why all of them except a few are not successful ;

(c) the dates on which, and the persons by whom the banks at Chengam, Bhavani and Tinnevely were registered and why they have not even started work ; and

(d) who is responsible for registering such nominal organizations ?

A.—(a) All the banks were registered after due consideration by the department that there were prospects of successful working. It is not for the officers of the department to give assurances, nor have these banks been promoted by them. The main points on which the department had to be satisfied were that there were persons available and willing to run the bank ; that the locality was such that there were reasonably valuable lands in the immediate vicinity, which could be accepted as security to such an extent that there would be ample scope for business for the bank, with crops not so precarious as to jeopardise its safety ; that there were reasonable prospects of selling debentures. On this last point, which seems to depend largely on the personal reputation of the principal promoters, it is impossible to be quite sure that debentures will actually be sold. One would expect that they would sell more readily in towns than in villages but in point of fact the most successful bank is at Gudlavaleeru, a small village. In every case there are very many assurances from the persons anxious to have a bank registered that there will be an ample sale of debentures ; that, in fact, there were numerous actual promises to take up a considerable quantity.

(b) The principal reason is that the promises and assurances by the promoters have not been so far realized and that the banks have in fact failed to sell any debentures.

(c) & (d) The banks at Chengam, Bhavani and Tinnevely were registered on 15th July 1927, 29th May 1928 and 2nd August 1926 respectively by the Deputy Registrars concerned with

[8th August 1929]

the Registrar's permission. The first two banks have since formally started work on 27th May 1929 and 4th April 1929 respectively. The reasons for the delay are said to be that in Chengam the prime mover had failed to secure debentures and even now there is no certainty of his hopes materializing. The future of the bank at Bhavani is not bright owing to factions. As regards the third bank, no steps are being taken to start it as there are no prospects of its successful working. The answer to clause (a) above explains how these banks happened to be registered.

Mr. T. ADINARAYANA CHETTIYAR :—" Will the hon. the Minister be pleased to give the names of the Deputy Registrars who registered the banks at Chengam, Bhavani and Tinnevely ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Notice, Sir."

Mr. T. ADINARAYANA CHETTIYAR :—" Has the hon. Minister satisfied himself that these banks were not started merely on communal grounds instead of blaming the people of the locality for not carrying on the work ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" I am not aware of that."

Reduction in the rate of interest on loans to land mortgage banks, etc.

* 132 Q.—Mr. A. B. SHETTY : Will the hon. the Minister for Development be pleased to state whether the Government have decided to reduce the rate of interest on their loans to land mortgage banks and building societies ?

A.—The matter is still under consideration.

Fisheries

Transfer of the control of fish-curing yards to the Government of India.

* 133 Q.—Dr. B. S. MALLAYYA : Will the hon. the Minister for Development be pleased to state whether the Government have taken any and if so what steps to hand over the management of the fish-curing yards to the Government of India ?

A.—The answer is in the negative.

Investigation of plankton, etc., on an all-India basis.

* 134 Q.—Dr. B. S. MALLAYYA : Will the hon. the Minister for Development be pleased to state whether the Government have addressed the Central Government in the matter of conducting the investigation of plankton, the migration and the oil contents, mackerels, etc., on an all-India basis ?

A.—No.

Abolition of the post of Socio-Economic Sub-Assistant in the Fisheries department.

* 135 Q.—Mr. MAHMUD SCHAMNAD : Will the hon. the Minister for Development be pleased to state—

(a) whether the post of the Socio-Economic Sub-Assistant in the Fisheries department has been abolished ; and

[8th August 1929]

(b) who is entrusted with those duties now and whether Government are satisfied that he possesses the necessary qualifications?

A.—(a) & (b) The post of Socio-Economic Sub-Assistant has not been abolished but his designation has been altered to Inspector of Fisheries. Socio-economic work among fishermen in the Malabar and South Kanara districts is now attended to by this Inspector and two other Inspectors as part of their regular duties. The Government have no reason to believe that these Inspectors do not possess the necessary qualifications for the performance of duties assigned to them.

Appointment of an officer for organizing Fisheries schools.

* 136 Q.—MR. MAHMUD SCHAMNAD: Will the hon. the Minister for Development be pleased to state—

(a) whether the Government have considered the necessity of employing a separate officer trained in teaching for the purpose of organizing and examining all the Fisheries schools of the West Coast; and

(b) whether they propose to appoint another officer to look after the economic condition, co-operative societies and such other work of the fisher-folk?

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

Industries

Purchase of 23 power drills by the Agricultural and Industrial Engineering department.

* 137 Q.—MR. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Minister for Development be pleased to state—

(a) whether it is a fact that 23 power drills for boring have been purchased by the Agricultural and Industrial Engineering department;

(b) the cost of each power drill and the cost of maintaining each;

(c) whether it is a fact that the use of power drills has so far proved a failure;

(d) if the answer to (c) be in the affirmative, why about 8 power drills have recently been purchased by the department; and

(e) whether the Government will lay on the table a report about the results achieved so far?

A.—(a) The Industrial Engineering section of the Department of Industries has a stock of 20 power drills inclusive of 8 purchased recently. The Agricultural Department has no power drills.

(b) The cost of each power drill is about £830, and the cost of maintaining a drill is about Rs. 100 per month.

(c) No.

(d) Does not arise.

(e) An account of the boring operations conducted by the department will be found in the annual administration reports.

MR. C. N. MUTHURANGA MUDALIYAR:—"May I know how many of these drills have been at work actually?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"All the twenty."

[8th August 1929]

MR. C. N. MUTHURANGA MUDALIYAR:—"Are they in charge of mechanics or maistris?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"The Assistant Industrial Engineer is in charge of these drills."

MR. C. N. MUTHURANGA MUDALIYAR:—"Are they put in charge of maistris?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"Sometimes; not always. The Assistant Industrial Engineer is supposed to be in charge of them."

Working of power drills.

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

(a) the number of power drills now on hand with them for sinking bore-holes;

(b) how many of them are in working order; and

(c) how many of them again are provided with any, and if so, what spare parts for use in an emergency more especially in the form of bell-screws, horn sockets, slip sockets, tools to bore true holes?

A.—(a) Twenty.

(b) All the twenty are in working order.

(c) Information has been called for.

Utilization of bore-holes for irrigation purposes.

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

(a) the average quantity of water per minute available from the bore-holes sunk in Bellary district; and

(b) whether the Government have demonstrated the possibility of successful utilization of the bore-holes for irrigation purposes?

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

MR. A. RANGANATHA MUDALIYAR:—"May I know if the information has been received?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"No."

Borings done in Malabar and South Kanara.

* 140 Q.—MR. A. B. SHETTY: Will the hon. the Minister for Development be pleased to state—

(a) how many borings have been done in Malabar and South Kanara;

(b) how many of these have been reported to have been successful; and

(c) in which districts boring has proved a success and where it has been found to be a failure?

A.—The information has been called for.

Public Works

Increase of the pay and prospects of draughtsmen.

* 141 Q.—SRIMAN BISWANATH DAS MAHASAYO: Will the hon. the Minister for Development be pleased to state—

(a) the reasons why the Government have increased the pay and prospects of draughtsmen (third and second grade) in this Presidency; and

[8th August 1929]

(b) the financial commitment resulting from such enhancement both present and future?

A.—(a) The reasons for revising the pay of the draughtsmen establishment are stated in G.O. No. 1083 W., dated 28th March 1929, a copy of which is laid on the table.*

(b) The ultimate extra cost per annum on account of the revision is Rs. 37,856. The extra cost during 1929-30 is estimated to be Rs. 16,873.

Supersession of the Anakapalle Municipality.

* 141-A Q.—Dr. B. S. MALLAYYA: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) what are the reasons which led to the supersession of the Anakapalle Municipality;

(b) whether the allegation that sanitation and communications in 1927-28 had not been properly attended to was one of such reasons;

(c) whether the then Collector of the district was well impressed with the condition of the roads;

(d) whether the composition of the municipal council is the same now (1929) as it was in 1927-28; if not, why the members of one council have been held responsible for the alleged wrongs of another council;

(e) whether the Government considered the desirability of taking any action short of supersession and if so, why they thought that supersession was necessary; and

(f) whether the chairman of the municipal council in 1927-28 had not followed the instructions of the Government or the Revenue Divisional Officer in regard to sanitation or road repair?

A.—(a) The reasons which led to the supersession of the Anakapalle Municipality were its persistent maladministration, characterized by an absence of efficiency in every department by neglect of roads, sanitation and drainage and by a financial confusion so complete as to lead to the non-payment of salary to its establishment for months on end;

(b) Yes.

(c) No. On the other hand, the Collector found that roads were, except in one instance, in a deplorable condition;

(d) The maladministration in question was not only in respect of 1927-28 but also of the subsequent period;

(e) Yes. But they considered that under present conditions the dissolution of the municipality and its immediate reconstitution was not likely to result in that change in its constitution which was urgently necessary in the interests of municipal administration. Further, they believed that the municipal affairs had reached such a pitch of mismanagement and inefficiency that a period of direct official control was essential to their recovery;

(f) Government have no information. From many reports they received subsequent to 1927-28 they were led to believe that both these matters have been grossly neglected.

* Printed as Appendix IX on pages 346-347 infra.

[8th August 1929]

* 141-B Q.—Mr. D. NARAYANA RAJU: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) the reasons for which Anakapalle Municipality was superseded;

(b) whether any explanation was called for from the municipal council; and

(c) if so, what the reply was?

A.—(a) The hon. Member is referred to the answer to question No. 141-A.

(b) The statutory notice to show cause against supersession was served upon the council and its reply was received;

(c) The Council's explanation was partly a denial of the allegations against it and partly a promise to amend, with neither of which the Government were sufficiently impressed.

* 141-C Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to state in reference to the order of supersession of the Anakapalle Municipality—

(a) the reasons for the supersession; and

(b) why the provisions of supersession have been utilized in preference to the provisions of dissolution?

A.—(a) & (b) The hon. Member is referred to the answer given to clauses (a) and (e) of the answer to question No. 141-A.

Mr. G. HARISARVOTTAMA RAO:—"May I know from the hon. Minister for Local Self-Government whether the composition of the Municipal Council in 1927-28 was the same as that in 1929?"

The hon. Dr. P. SUBBARAYAN:—"I believe it was."

Mr. G. HARISARVOTTAMA RAO:—"May I know, Sir, whether the municipal council was warned in 1927-28 as to their fate?"

The hon. Dr. P. SUBBARAYAN:—"Yes; I believe the chairman was told that, if mismanagement continued, the Government would have to take action."

Mr. G. HARISARVOTTAMA RAO:—"May I know whether the experiment of dissolution was tried at least once?"

The hon. Dr. P. SUBBARAYAN:—"Dissolution was not resorted to because after careful consideration and from the report of the Collector the Government found that dissolution would not bring about the desired change which we wanted."

Mr. P. C. VENKATAPATHI RAJU:—"May I know what was the change which the Government wanted?"

The hon. Dr. P. SUBBARAYAN:—"The desired change was to get a council which would think of administration and not of party factions."

Mr. P. C. VENKATAPATHI RAJU:—"May I ask whether the Government think that if there be change in the chairmanship that will be a change for the better in the administration?"

[8th August 1929]

The hon. Dr. P. SUBBARAYAN:—"The Government do not think that even a change in the chairman would effect any change for the better."

Mr. P. C. VENKATAPATHI RAJU:—"May I know if the Government are aware that, during the period of maladministration, the Revenue Divisional Officer was in charge of the municipality?"

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

Mr. P. ANJANEYULU:—"May I know whether the report received from the Collector was made after enquiry by himself or by his subordinate officers?"

The hon. Dr. P. SUBBARAYAN:—"After personal investigation by Mr. Bracken."

Mr. P. C. VENKATAPATHI RAJU:—"May I ask whether the Government are aware that the report of the Inspector of Local Bodies was in favour of continuing the present Chairman and giving him further time for remedying the defects?"

The hon. Dr. P. SUBBARAYAN:—"There was no report from the Inspector of Local Boards."

Mr. P. C. VENKATAPATHI RAJU:—"May I know if the Government are aware that the Inspector of Local Boards has recorded his remarks in the municipal records and that a copy of the same has been sent to the Local Self-Government Department?"

The hon. Dr. P. SUBBARAYAN:—"As the matter was gone into by the Collector of the district, naturally we take the report of the Collector."

Mr. G. HARISARVOTTAMA RAO:—"May I ask if the municipality has made any representation that if they are given an opportunity they would improve matters?"

The hon. Dr. P. SUBBARAYAN:—"It has been said already that they did not give proper explanation except saying that they would try to remedy maladministration."

Mr. P. C. VENKATAPATHI RAJU:—"May I ask which would carry more weight, the report of the Collector or that of the Inspector of Local Bodies?"

11-45
a.m.

The hon. Dr. P. SUBBARAYAN:—"I have already stated that there was no report either from the Inspector-General of Panchayats or Inspector of Local Boards."

Mr. K. V. R. SWAMI:—"May I ask whether the report sent by Mr. Bracken will be placed on the table of the House?"

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

Mr. K. V. R. SWAMI:—"Is it a secret document?"

The hon. Dr. P. SUBBARAYAN:—"It is not a question of secret document. Collectors would be nervous if all their reports are to be dissected."

[8th August 1929]

Mr. P. C. VENKATAPATHI RAJU:—"May I ask the hon. Minister whether the Collector of the district recommended supersession and, if so, is it for such a long period as two years?"

The hon. Dr. P. SUBBARAYAN:—"The Collector recommended supersession and that for the long period of two years."

Mr. G. HARISARVOTTAMA RAO:—"May I know whether the charges were intimated to the municipality, whether the municipality replied that they would improve the situation and whether they admitted maladministration?"

The hon. Dr. P. SUBBARAYAN:—"They never admitted maladministration; they simply said they would try to improve."

Mr. P. C. VENKATAPATHI RAJU:—"May I ask if the municipal council did not make any representation to the Government after receiving warning and point out the various improvements that have been effected by the council after the maladministration which existed before the advent of the present council?"

The hon. Dr. P. SUBBARAYAN:—"The report of Mr. Bracken does not point to any improvements; on the other hand things have become worse."

Mr. P. C. VENKATAPATHI RAJU:—"My question is whether the municipal council and its chairman pointed out the improvements that have been carried out in the administration when an explanation was called for from them?"

The hon. Dr. P. SUBBARAYAN:—"I have already stated that the explanation was not convincing."

Mr. K. V. R. SWAMI:—"May I know, Sir, whether Mr. Bracken lived in the municipality for any length of time?"

The hon. Dr. P. SUBBARAYAN:—"Mr. Bracken conducted the enquiry as I said."

Mr. K. V. R. SWAMI:—"May I know, Sir, whom Mr. Bracken examined, whether he examined any citizens there?"

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

Mr. D. NARAYANA RAJU:—"May I know whether there were any complaints from the citizens of the municipality?"

The hon. Dr. P. SUBBARAYAN:—"There were a good number of complaints."

Rao Bahadur Sir A. P. PATRO:—"With reference to clause (b) of the question, have the Government considered the necessity of suspending the municipality for a short time because the present council is not responsible for the state of things in 1927?"

The hon. Dr. P. SUBBARAYAN:—"We are not concerned with the state of things in 1927 alone; we are also concerned with the conditions in 1929."

Mr. G. HARISARVOTTAMA RAO:—"May I know whether the hon. the Minister is prepared to examine the question once again by an agency other than the Collector?"

The hon. Dr. P. SUBBARAYAN:—"I do not think any useful purpose will be served by such an examination."

[8th August 1929]

Mr. B. RAMACHANDRA REDDI:—"May I know whether at one time there was a hitch apprehended between the two contending factions of the municipality?"

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

Mr. A. KALESWARA RAO:—"When?"

The hon. Dr. P. SUBBARAYAN:—"At the beginning of this year."

Mr. A. KALESWARA RAO:—"May I know whether any severe strictures were passed on the administration report of the municipality for the years 1927-28 and 1928-29?"

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

Rao Bahadur Sir A. P. PATRO:—"May I know whether the question of the desirability of affording a chance to the present council to rectify what has been done by its predecessor has been considered?"

The hon. Dr. P. SUBBARAYAN:—"The council has had one whole year to rectify this, and it has done nothing."

Mr. P. ANJANEYULU:—"Is it not a fact that it was the Tahsildar who really conducted the enquiry, that the Tahsildar and the Revenue Divisional Officer differed and that Mr. Bracken did not go and personally conduct the enquiry? In view of this question, will the hon. the Minister be pleased to verify the facts?"

The hon. Dr. P. SUBBARAYAN:—"At least my impression is that Mr. Bracken conducted the enquiry."

Mr. P. C. VENKATAPATHI RAJU:—"Will the hon. the Minister be pleased to state whether he toured the district after the warning was given to the municipality to know what the views of the people were in regard to supersession?"

The hon. Dr. P. SUBBARAYAN:—"Yes, Sir, I did; and I had a long talk with Mr. Bracken who convinced me that nothing could be done to set matters right except by supersession."

Mr. P. C. VENKATAPATHI RAJU:—"Did the hon. the Minister take the trouble of personally making enquiries, so that he might know whether Mr. Bracken or the municipal council or the chairman was representing the real state of affairs?"

The hon. Dr. P. SUBBARAYAN:—"I have also consulted several citizens in Anakapalle who visited me at Vizagapatam."

Mr. A. KALESWARA RAO:—"May I know, Sir, whether the citizens of Anakapalle desired that the franchise of the Anakapalle citizens should be suspended for two years or did they want the Government to give the council another opportunity?"

The hon. Dr. P. SUBBARAYAN:—"As a matter of fact, most of the people whom I met told me that the best thing would be to supersede the council."

Mr. K. V. R. SWAMI:—"Who are they?"

The hon. Dr. P. SUBBARAYAN:—"Citizens of Anakapalle, but I cannot disclose their names."

Mr. G. HARISARVOTTAMA RAO:—"To what party do they belong?"

[8th August 1929]

The hon. Dr. P. SUBBARAYAN:—"I do not think they belong to any party."

Mr. B. Venkataratnam put a question in Telugu.

The hon. Dr. P. SUBBARAYAN:—"That has already been answered, Sir. I said that the Government did get a report on the working of the new council."

Mr. P. ANJANEYULU:—"May I know who the present chairman is?"

The hon. Dr. P. SUBBARAYAN:—"Mr. Alexander Wright."

Mr. P. ANJANEYULU:—"What was he before he entered this honorary service? Was he in Government service?"

The hon. Dr. P. SUBBARAYAN:—"I do not know. I believe he was a contractor."

Mr. G. HARISARVOTTAMA RAO:—"May I know if even now the hon. the Minister is not prepared to investigate into the matter once more and find out whether a sufficient opportunity has been given to the new council to put matters right?"

The hon. Dr. P. SUBBARAYAN:—"I think, Sir, a sufficient opportunity has been given."

The hon. the PRESIDENT:—"The Council will now pass on to the next item."

UNSTARRED QUESTIONS

Irrigation

Estimates and plans for the Kanchalamma tank project.

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

(a) whether the detailed estimates and plans are now ready for the Kanchalamma tank project; and

(b) if so, whether it will be taken up in the next official year?

A.—(a) Not yet. It is expected that the field work will be completed by the end of August.

(b) Until the estimates and plans have been received and examined, it cannot be said when the project will be taken up.

Improvement of irrigation facilities in Nellore district.

143 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Member for Revenue be pleased to state—

(a) what new schemes have been put forward and carried out to improve the irrigation facilities in Nellore district within the last four years and

(b) whether they have any comprehensive list of new works to be undertaken either to improve the existing projects or to bring in new areas under wet cultivation?

A.—(a) & (b) A statement is laid on the table.*

[8th August 1929]

Survey of the Tungabhadra project.

144 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Member for Revenue be pleased to lay on the table a brief history of the progress of the Tungabhadra project investigation ever since the Ceded Districts Irrigation Enquiry Committee Report was published, stating clearly whether the district of Nellore is included in the project as it is at present contemplated?

A.—The attention of the hon. Member is invited to the answer to question No. 1568 delivered on 1st March 1929. The Government have not received any further progress report.

The district of Nellore is not included in the project as at present contemplated.

Investigation of the Somasila project.

145 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Somasila project in the Nellore district will be taken up immediately; and

(b) to state the quantity of the Pennar water that is running into waste by not taking up this project;

(c) what is the extent that will be benefited by the project; and

(d) what is the financial aspect of the project?

A.—(a) There is no such intention.

(b) Roughly 100,000 million cubic feet per annum at Nellore on the basis of the average discharges at Sangam for the nine years ending with 1903-04.

(c) The Somasila project has not been considered apart from the Tungabhadra project. Mr. MacKenzie estimated that about 350,000 acres could be irrigated under the Somasila project with the Pennar water and water from the proposed Tungabhadra reservoir.

(d) According to Mr. MacKenzie's estimates the return anticipated would be somewhere between 1.91 per cent and 2.06 per cent on the assumption that the entire Tungabhadra project which was estimated to cost 17 crores was undertaken.

Education*Constitution of the Nellore District Secondary Education Board.*

146 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) how long the Nellore District Secondary Education Board was not functioning;

(b) when the elections were completed; and

(c) whether a president has been nominated or elected and when?

A.—(a) The term of office of the old members of the Board expired on 28th February 1929.

(b) The names of new members elected to the Board were notified in the *Fort St. George Gazette* on the 30th April 1929.

(c) M.R.By. P. Venkatasubba Reddi Garu was elected as president on 20th July 1929.

8th August 1929]

General*Alleged use of 'facsimile' in official correspondence.*

147 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Minister for Education and Local Self-Government be pleased to state whether officers serving in any one of the departments, the portfolio of which he holds, had been allowed to use their 'facsimile' instead of signature in their correspondence?

A.—No officer in any of my departments has been authorized by Government to use a facsimile stamp to sign his official communications.

Local Boards*Construction of bridges over rivers on the trunk roads.*

148 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Government have chalked out a policy to carry out the programme of constructing bridges over all rivers on the trunk roads, and if so, what it is;

(b) what amounts are going to be allotted every year for that purpose; and

(c) whether the question of classifying bridges as important and unimportant has been considered by the Government?

A.—The question of drawing up a programme is under consideration.

Agriculture*Reports on the working of the Chintaladevi Cattle Farm.*

149 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Minister for Development be pleased to state—

(a) whether detailed annual reports about the working of the Chintaladevi Cattle Farm are received by the Government regularly; and

(b) if so, whether the Government have any objection to furnish copies of the last two years to the Members of the Legislative Council?

A.—(a) Yes.

(b) Sufficient copies are not available for distribution to the hon. Members. Copies of the reports have been supplied to the Legislative Council Library.

Co-operative Societies*List of Deputy Registrars of Co-operative Societies selected in 1929-30.*

150 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Minister for Development be pleased to lay on the table a list of Deputy Registrars of Co-operative Societies selected during 1929-30?

A.—The following were appointed as Deputy Registrars of Co-operative Societies on the dates noted against their names:—

1. M.R.By. G. Viswanatha Chetti Avargal—16th January 1929.

2. „ C. Narayanan Nayar Avargal—9th April 1929.

3. „ V. S. Ramaswami Ayyar Avargal—2nd July 1929.

No. 1 was recruited directly to the service and Nos. 2 and 3 promoted from the cadre of Assistant Registrars.

[8th August 1929]

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

II

ADJOURNMENT MOTION re THE SUPERSESSION OF THE ANAKAPALLE MUNICIPALITY.

* Mr. A. KALESWARA RAO:—"Sir, I beg to request permission to move for the adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, namely, the supersession of the Anakapalle Municipality for two years."

* The hon. the PRESIDENT:—"The hon. Member must be aware that he has to take the consent of the President before he moves the motion in the Council."

Mr. A. KALESWARA RAO:—"I gave the requisition yesterday, Sir, and I waited."

* The hon. the PRESIDENT:—"It was for yesterday and not for to-day."

Mr. P. C. VENKATAPATHI RAJU:—"Yesterday the hon. the Minister was prepared to answer this question and wanted to have some time. It was mentioned to you, Mr. President, that if we found the answer of the hon. the Minister unsatisfactory, we would move the adjournment motion."

* The hon. the PRESIDENT:—"The hon. the Leader of the Opposition came to my room yesterday and said that he would move an adjournment motion. Afterwards he said he would put only a question to the Chief Minister and move for an adjournment after hearing his reply. I said he must himself choose his course of action and that I could not be a party to any bargain. Accordingly, while the questions were going on yesterday, this question for to-day was admitted by me, and the question of moving an adjournment motion yesterday was given up by him. He never came to me to-day and told me that he intended moving this adjournment motion to-day. Under these circumstances, I must refuse my consent."

Mr. P. C. VENKATAPATHI RAJU:—"Just a word of explanation, Mr. President, with your permission. Of course I admit I did not go to you to-day, but I was under the impression that with your permission I could move the adjournment motion if, at the time of the interpellations, there was an unsatisfactory answer. Just on that understanding"

The hon. the PRESIDENT:—"That was never the understanding."

Mr. P. C. VENKATAPATHI RAJU:—"Not about this matter, Sir, but"

The hon. the PRESIDENT:—"The hon. Member will kindly resume his seat."

III

THE ECONOMIC INQUIRY COMMITTEE.

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"Mr. President, Sir, I beg to move—

'That in modification of the resolution of this Council dated the 30th January 1929 regarding the Economic Inquiry Committee for the Godavari and Kistna districts, this Council authorizes the Committee to report to the Government by the 1st January 1930 instead of by the 1st October 1929.'

"The Committee, Sir, was constituted by a resolution of this House of January 1929 and it was asked to submit its report by the 1st October 1929.

[8th August 1929] [Mr. R. N. Arogyaswami Mudaliyar]

The Committee met at once and considered details of the work that must be undertaken and the organization that would be necessary to enable it to get through the work for which it was appointed. It met in February and again in March, and about the middle of March it sent up proposals to the Government for the necessary establishment and asking them for necessary funds to be allotted. It was not till the end of March 1929 that the orders of the Government were received as regards the establishment and funds placed at the disposal of the Committee. After receipt of the Government sanction, the Committee met again and decided to advertise for the requisite establishment. The Committee advertised for the establishment and the men appointed joined their posts somewhere about the second or third week of April. The Committee itself, despite the very adverse weather conditions, decided on starting the work immediately even in April, as I said, even in spite of the weather conditions in those districts which the Council must be very well aware of. They started touring the districts referred to above, and tried to have the preliminary work done as quickly as possible. Apart from this, the Government itself had, through the settlement parties, carried out some work in respect of the detailed enquiry into the conditions of these districts. The Government selected three villages in the East Godavari district, nine in West Godavari and thirteen in Kistna. The Committee, however, considered that the number of villages taken up by Government for detailed economic investigation was totally inadequate. Taking the case of East Godavari, for instance, I think the House will admit that it would be impossible to come to any conclusions regarding the economic condition of that district from an enquiry conducted only in three villages. Similar remarks will apply to the other districts also; for instance, in the case of West Godavari, the enquiry conducted by the settlement parties was only in nine villages. The Committee decided that for basing any conclusions, it would be necessary to make a more adequate survey in at least twenty villages in each of the districts, and that, in addition to the villages in East Godavari taken up by the settlement parties, the Committee should take up seventeen more villages, eleven more in West Godavari and seven more villages in Kistna, to make up the total of twenty villages in each of the districts as decided upon by the Committee. In addition to the detailed economic enquiry into the selected villages, the Committee also decided that there should be a separate enquiry, into the agricultural indebtedness. The settlement parties themselves made a sort of enquiry in thirty-one villages in East Godavari, thirty-nine villages in West Godavari and only eight villages in the Kistna district. The Committee again considered that it would be necessary to make an enquiry into agricultural indebtedness into a few more villages in each district besides the villages already taken up by the settlement parties. Of course, I might explain that the Committee is conducting an independent enquiry, not only into the new villages that have been decided to be taken up, but also in the villages that have already been taken up by the settlement parties. As regards the enquiry into agricultural indebtedness, I said that the settlement parties have taken up only eight villages in Kistna; and unfortunately all these eight villages happen to be in one taluk, viz., the Bandar taluk. So also, in the case of the villages taken up in other districts, the distribution is very uneven. The Committee therefore considered that in order to arrive at a satisfactory conclusion, it would be necessary to see that the distribution of the villages to be taken up was fairly even, with reference to the various 'zones' in these districts.

[Mr. R. N. Arogyaswami Mudaliyar] [8th August 1929]

The House will probably be aware that irrigation and rainfall conditions differ from place to place in these districts. Taking the Kistna district, for instance, the conditions in one taluk are quite different from those in another, in the matter of rainfall and irrigation conditions, etc. In the opinion of the Committee, it was therefore necessary that the distribution of the villages to be taken up either for the detailed economic enquiry or for the enquiry into the agricultural indebtedness should be fairly even. For these reasons it will be apparent that the amount of work the Committee have decided should be done, will be very much more than what was contemplated at the beginning of the operations, when the Committee was not in a position to know exactly how much work would have to be done to enable it to come to satisfactory conclusions and to make a report to the Government. The Committee have so far completed its preliminary enquiry into the conditions of the villages taken up for detailed economic enquiry and it has also completed the final enquiry in villages taken up in the Kistna district. There remains yet the enquiry to be conducted into the economic conditions of the villages of the East and West Godavari districts. The Committee also propose to examine a few of the prominent individuals in each of the districts besides the officials, for instance, officials of the Public Health Department, and the Agricultural Department, and a few others. All this work yet remains to be done and, considering the time at the disposal of the Committee according to the resolution of this House, the Committee is found rather reluctantly to come before the House to ask for some more time. As I have already explained, the Committee has done all that is humanly possible to get through the work as early as possible and as rapidly as possible. In spite of all that, it is not possible to finish the work considering the short time at the disposal of the Committee and considering the volume of work with which we are faced. Therefore we propose to ask for an extension of time. For these reasons, I propose that this resolution be agreed to by the House."

Mr. B. RAMACHANDRA REDDI:—"I second the resolution, Sir."

The motion was put to the House and carried.

IV

MOTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

COMPOSITION OF THE FINANCE COMMITTEE.

* Mr. J. A. SALDANHA:—"Mr. President, Sir, I beg to move—

'That this Council recommends to the Government that the Finance Committee annually appointed in pursuance of the resolution of the Council passed at its meeting on 1st April 1921 shall consist in addition to the three nominated members of whom one shall be the Finance Member of Government, of eight members to be elected by the Council according to the method of the single transferable vote.'

"Sir, in this connexion I may refer to the proceedings of the meeting of the Legislative Council on 1st April 1921 at which the hon. Sir Charles Todhunter, the then Finance Member of Government, moved for the appointment of the Finance Committee. He then proposed that the number should be 9, six of whom to be elected and three to be nominated. There was also a motion brought forward at that time by my hon. Friend, Mr. P. Siva Rao,

8th August 1929]

[Mr. J. A. Saldanha]

who proposed that the number should be 12, but the then Finance Member opposed the motion for want of notice. Otherwise that motion for increasing the number to 12 would probably not have been withdrawn and would have been discussed and passed. My reasons for increasing the number to 11—that is, three nominated and eight elected members—are these. The purposes for which the Finance Committee was appointed are described in the speech of the Mover on the 1st of April 1921, namely, first to scrutinize proposals of new expenditure and advise whether they should be accepted, etc. The second function was to go into the economics in regard to expenditure and whether retrenchment could be made, etc.

[At this stage Dr. (Mrs.) S. Muthulakshmi Reddi, Deputy President, occupied the chair.]

"I think that the present number of nine is not quite adequate to carry on the heavy duties of providing for expenditure and of seeing whether economies can be effected and whether retrenchment can be made in the various departments and whether unnecessary wastage can be avoided. It is intended to divide the work among a number of sub-committees, as it is not possible for every member to examine in detail all questions of expenditure. Considering the amount of work turned out in the Finance Committee, I wonder whether every member could devote as much attention as is required, because the subjects are so many. I have never found anywhere, in any of the reports of the Finance Committee so far, any proposal for retrenchment or economy. I therefore think that sub-committees will be necessary to examine the various questions. I therefore propose that the present number be increased by two. It is a very modest proposal. I think this question would have been accepted by Government in 1921 if Mr. Siva Rao had given timely notice, and it is high time that we should effect economies in our expenditure and it is therefore necessary that the number of members should be increased. I am sure this proposal will meet with the approval of the hon. the Finance Member as well as of the House."

* Mr. C. V. VENKATARAMANA AYYANGAR:—"Madam, I have very great pleasure in seconding this motion. I hope the Government will accept it. One of the chief reasons for my supposition is that the strength of the Council has been recently increased. Every year we see that whenever the elections take place, there is a large number of candidates coming up for this Committee. This shows that Members are quite willing to work and are willing to co-operate with the Government and so their services should not be thrown away by Government. We have also seen Government expressing gratification at the good work readily done at great sacrifice by the members of the various Committees and that also goes to show that the Members of this Council deserve better treatment and a larger representation. On this ground, Madam, I hope Government will accept this proposal."

* Mr. K. V. R. SWAMI:—"Madam, I have much pleasure in supporting this motion, because it will add to the strength of the Finance Committee. The Finance Committee is a small body but the work to be turned out by that body is voluminous and various subjects are brought before the Committee in a very short time. Seven days' notice is given for the study of a number of subjects that come before the Committee and the volume of work is such that it is hardly possible for members to get through in such short time. If the number of members is

[Mr. K. V. R. Swami]

[8th August 1929]

increased, there may be chances for the members to divide the work among themselves and help each other in studying the subjects. Anyhow, I may bring to the notice of the Council that the character of this Committee is only of an advisory nature and the decisions of this Committee are not binding on the Government. Wherever it suits their purpose they accept the advice given and wherever it does not suit them, they do not care for the advice or opinion of this body. If it is made a practice that the advice given by the Finance Committee is accepted by the Government it will facilitate work, as it may not be possible for the Council to go into all the details in certain matters as such things will be looked into at the Committee stage. At present the Committee consists of six elected members and three nominated members. So far as my experience goes, I always wished that the number were more, so that the work may be done better. It is true that these matters are looked into by Government officers and of course so much trouble is taken in the office. But the office does not care for the policy or the utility of the matter. This House is responsible for matters that come before it. It is very essential that the number should be increased to enable members to go into all the details of expenditure. It is also quite patent that this House consists of so many parties and that all the parties should have representation on the Finance Committee. With these words, I support the motion of my hon. Friend."

* Mr. K. KOTI REDDI:—"Madam, Deputy President, I have very great pleasure in supporting this resolution. Of all the committees that are appointed by this House, the Finance Committee is a very important one and the claim made by my hon. Friend to increase the number of elected members from six to eight is a very modest one and I believe that the hon. the Finance Member will agree to this proposal. It is in the Finance Committee that many questions involving expenditure and policies are frankly and freely discussed. From my experience I have found that usually the Government are free and frank in their discussions at the Finance Committee and it is consequently easy for us to suggest policies and clear the several doubts on various topics which sometimes occur. Although the Finance Committee is a purely advisory body, it is usual that ordinarily no item of expenditure which has been rejected by the Finance Committee is brought forward before this House by Government. And as such one realizes how the Finance Committee is a very important body. Besides from the way in which the budget discussions go on we always find that nearly one-half of the items of expenditure that are budgeted are generally voted upon en bloc in the House, for we rarely find time to discuss all the items in this House; and the only opportunity of discussing those items is before the Finance Committee. That being so, it is necessary that this Committee should be as representative a body of this House as possible. At present the elected number on the Committee is by no means large. And although it is necessary that a Committee of this kind should not be too large, eleven I think is a reasonable number, and I hope the hon. the Finance Member will not oppose the motion."

Mr. P. SIVA RAO:—"I have great pleasure in supporting the motion. The object of the hon. Member who has moved this resolution is to give expression to the feeling that the present strength of the Committee should be increased. Even in the year 1921 I had the honour of moving an amendment for increasing the total strength of the Finance Committee

[8th August 1929]

[Mr. P. Siva Rao]

to 12. And I then quoted as a precedent the state of things under the Minto-Morley Scheme of Reforms when we had 12 members—6 officials and 6 non-officials—on the Committee. And now I may say the responsibilities of the Finance Committee have increased much more and I may also say that the present number of elected members, viz., six is too inadequate to afford representation to all the interests and even to the groups of all the districts. Now it is well known that many momentous questions, sometimes very important questions, come up for consideration before the Finance Committee. They have to revise and frame the budget practically; every new scheme comes up before them for consideration. I think the time has come in view of the increased responsibility that we should strengthen the Committee up to 12. But the hon. Member is satisfied if the non-official elected element is increased to eight so that total ex-officio, nominated and the elected members, would come to 11. I have very great pleasure in supporting the motion."

* The hon. Sir THOMAS MOIR:—"Madam, I have listened with great attention to the arguments advanced for this resolution. The hon. mover of the resolution went back to find support for it to the proceedings of 1921, and he there found that when this Committee was originally appointed, Mr. Siva Rao moved a belated motion to the effect that it should consist of 12. That motion was not accepted. As the hon. the Leader of the House said on that occasion, the number which had been put down was the result of a very careful discussion in the Cabinet. There was very little debate on that occasion and that particular motion was opposed by Mr. R. Srinivasa Ayyangar to whom I am prepared in this matter to give quite as much weight as to Mr. Siva Rao. He said:

"I beg to oppose the amendment. So far as the number 9 is concerned, it will be very convenient

and then he added:

"and it is in accordance with the old tradition, the famous tradition of *Navagraham*."

"Now, I am not aware of anything which has occurred during the last eight years to raise any doubt as to the soundness of the one argument to which I will pay attention, namely, that of convenience. Mr. Saldanha summarised the two functions of the Finance Committee, to scrutinize proposals for expenditure and also to deal with the question of economy. So little does he know of the functions and the working of the Finance Committee that he said that he had never heard of the Finance Committee doing anything in regard to the question of retrenchment. Might I point out to him that at the beginning of the Reforms, when our finances were in a precarious condition, the Finance Committee constituted a Retrenchment Committee which produced a very long detailed and valuable report. I think the hon. Member might have refreshed his memory a little more on the subject before he urged that as one of the reasons why the Finance Committee should be altered. Another argument used was that the Finance Committee had an immense amount of work to do and that in a short time. May I say that no increase to the Finance Committee can possibly get away from the element of time? All the work has to be completed within a limited number of days and the budget programme has to be strictly followed and from that point of view it does not matter whether the Finance Committee consists of 5 or 9 or 12. They will have to do the work in exactly the same time. I would suggest that the larger the number of

[Sir Thomas Moir]

[8th August 1929]

members the more difficult their task in that respect will become. One hon. Member suggested that they should split up the work. But, that would do away with the whole concept of the constitution of the Committee. The Finance Committee as a general body of representatives of this House has to give its opinions on those points or those schemes which come before it. It will be no use to divide the Finance Committee into two or three sub-committees. Their recommendation will no longer carry weight, the weight that we attach to the opinions of the full Committee."

Mr. K. V. R. SWAMI :—" On a point of personal explanation. I never said that the Finance Committee should be split up and the subjects be divided. All that I said was that if the number was more, perhaps the members may take up certain subjects for specialization and help one another. It was not my idea that the Committee should be divided into sub-committees and decide the matters coming before them."

* The hon. Sir THOMAS MOIR :—" At any rate the idea is the same, the creation of informal sub-committees. I was suggesting that that was entirely opposed to the original constitution of the Finance Committee. Then, the same hon. Member, Mr. Swami, made a complaint that the Finance Committee was only advisory. I do not know whether he recommended that it should be given powers. It is no good complaining of the Committee. It must be either advisory or be given absolute powers. And I ask what Government could hand over its functions of framing the budget to a Committee? There is of course such a thing as government by committees, but it is not the one which is in operation in this House. And no Government could accept the proposal that they should abrogate their functions and hand them over to the Finance Committee. But let me say that this advisory power is so acknowledged that it is only with great hesitation that the Government enters in the budget a scheme which has been rejected or deferred for further consideration by the Finance Committee. And I venture to say that the records of the House would amply prove that assertion. Then, Mr. Koti Reddi, I think, showed himself under a misapprehension as to the position of the Finance Committee. He referred to it as formulating policies. That is not the function of the Finance Committee. The Committee's functions are critical. It has to express its opinion and pass its criticisms on the financial policy or proposals as formulated by the Government. I wish to make that quite clear. And, as I said, I do not know that there is anything in the history of the last eight years which would suggest that the Finance Committee as constituted has failed of its function. Personally I have more than once paid a tribute to the work on the Finance Committee. I think it has functioned admirably and personally I see no reasons to change its composition. But that is with regard to the existing order of things and the question may arise whether any change should be made in the future. Might I point out to the House here that it is very doubtful if the Finance Committee will in future be part of the machinery of this House. If as many of us expect and some of us hope we are reaching as the next stage in the provincial reforms at the development of a ministry without any official element to be in charge of the affairs of the House, a ministry—I believe there is no Parliamentary precedent for it—which is holding that responsibility will not be prepared to subject its budget, which is usually where full Parliamentary Government is in force kept a strict secret until the day it is presented, to subject

[8th August 1929]

[Sir Thomas Moir]

that budget to a Committee of the House. It seems to me therefore, that the Finance Committee while an admirable and perfectly logical expedient at the time of transition from one form of government to another, is not likely to maintain that position in the machinery of the future, and I would ask whether there is any real reason why now after it has been functioning for something like nine years for the next year, or it should be two years at the most, we should discuss or carry out any alteration in its composition."

* Mr. K. R. KARANT :—" I am surprised at the last argument of the hon. the Finance Member as to why we should have this addition after nine years. I may give him only one forcible reason and that is just the reason advanced by this Government for rushing through the Service Commission Bill after nine years when there is just one more year for the reforms to expire. I hope he will be satisfied with that answer. In fact, Madam, I am surprised at the opposition of the hon. the Finance Member for such a resolution as this. I for one having been on that Committee for one year, am not over-enthusiastic about its functions. Because I think at best it is a Committee used just to canvass some votes on the Government side. If 12-30 really there is a serious opposition to its proposals, such objections are all brushed aside, and without much ceremony they are brought forward in the budget before the House. In fact I was surprised to find one proposal which was withdrawn in the Finance Committee included in the last budget. When the question of a Labour Officer for Malabar was placed before the Finance Committee in January last, the then Labour Commissioner said that he was not satisfied with the staff which had been given him and Government withdrew the proposal. But ultimately I found it was incorporated in the budget. Two or three proposals having far-reaching effect on the finances of this province may also be referred to, i.e., the question of temperance propaganda at a cost of 4 lakhs a year and the question of the reorganization of the Agricultural Department at a recurring cost of about 4 lakhs a year and a capital expenditure of about 17 lakhs. There is also the question of increasing the salaries of the mufassal sergeants. All these questions were discussed and thrown out by the Finance Committee in January last, and one and all of them, on which the Government was very keen, were brought forward in this Council. As hon. Members know questions are decided not upon the merits of the case, but on account of certain party understandings. They are so voted upon, not on their merits, but simply because they are party motions and any opposition would amount to the throwing out of the Ministry. So all these proposals, though they have much far-reaching effect on the finances of the province, and are not really beneficial, were still passed. It is immaterial, Madam, whether the number in the Finance Committee is 6, 7 or 8 or any other number, but I say that if really important and tangible work is to be done by this Finance Committee, there should be no change in its membership from year to year. What happens is that every year there is a new set of members who hardly know what happened in the previous year, and the Government always takes advantage of this new set of members to bring up proposals before them which were thrown out by the previous Finance Committee. Therefore, whatever may happen to this resolution, one need not think that anything very serious is going to happen. I am only surprised that the hon. the Finance Member should oppose a small motion like this which proposes to add only two members to the Finance Committee. Heavens will

[Mr. K. R. Karant]

[8th August 1929]

not come down if the motion is adopted. In fact, if we had proposed the cutting down of two members from the present strength, he would have probably opposed that motion."

* Mr. J. A. SALDANHA :—" Madam, in reply to the hon. the Finance Member's objections to my proposal, I may briefly point out that the Finance Committee during the pre-reform years consisted of 12 members, as has been pointed out by my hon. Friend Mr. Siva Rao. And it was reduced to 9 and I do not know what were the serious reasons which induced the Government to so reduce the number. Those reasons were not given before the Council. The number 9 had some enchantment for Mr. Srinivasa Ayyangar at that time, and he might have probably thought that that number would be analogous to Navagrahas. Whatever the reason may be, the motion to increase the number to 12 made in 1921 was withdrawn by my hon. Friend Mr. Siva Rao because it was objected to for want of notice. It was not discussed and put to the House. And I am sure it would have been passed if it was put before the House, in spite of the objections of the Government.

"Now, as for the increase in the number, it is pointed out that such increase will not affect very much the deliberations of the Finance Committee or its output of work. It was pointed out to me by some friends that the present number of six elected members was too small altogether. It was also mentioned by some of my hon. Friends that the different parties in the House were not adequately represented on the Finance Committee and that some were not represented at all. I considered it very important that the interests of the different parties in the Council should be represented on the Finance Committee. So I thought it best to increase the number of elected members to 8. I should have proposed more, but I was content to increase the total strength to 11. Eleven has as much charm as 9, although 13 has no charm for us because it is considered an unlucky number. So I put the figure at 11.

"Then, as to the period for which the Finance Committee is to function and as to the point raised by the Finance Member that under the new reforms the Finance Committee would not be needed, I may say this. I am sure hon. Members will agree that this Committee will be more needed after the new reforms than it is at present, because there will be then, as now, elected Members, many more of them, and the different interests will require, and naturally the Ministers will require, a Finance Committee to check the figures and prepare the budget estimate. Who will prepare the budget estimate? The Ministers cannot do it and they will require a Finance Committee for that purpose. At present it consists of elected and nominated members, but in future it will consist wholly of elected members. Such a Committee may consist of 11, 15 or more. At present it is a mere advisory body. But in future the Ministers will be elected Members without much of professional or administrative experience, and surely they will need the assistance of the Finance Committee. There will be conflicting claims of different departments, and how can they be settled without a Committee? So, the Finance Committee will be all the more needed then than at present. At least in this transitional stage, I think it is advisable for us to have a Finance Committee with increased strength. Who knows if the reforms will

[8th August 1929]

[Mr. J. A. Saldanha]

come soon, and, as matters stand, this Council has two or three more years to function, and why should not the Finance Committee for the next three years consist of eleven members instead of nine? This is a very small change that is suggested. It is not like the Public Service Commission which costs some lakhs to the tax-payer. The hon. the Finance Member asked why should the Finance Committee be divided into sub-committees like so many water-tight compartments? Because there are so many subjects which have to be studied by the members of the Finance Committee, it is better that sub-committees formed out of the Finance Committee take up different departments and study them, so that they can explain the circumstances to the whole Finance Committee when they next meet together. It has also been said that the Finance Committee as amended would not consist of sufficient number of members to form sub-committees out of it. Why? There would be eleven members; one official member and three members can form one sub-committee; and so there can be three sub-committees."

The hon. Sir THOMAS MOIR :—" May I say, Madam, that there is only one official member altogether."

Mr. J. A. SALDANHA :—" As a rule, I think Government will nominate members who are in their confidence. So, one nominated member and three elected members can divide themselves into one sub-committee, so that there can be three sub-committees. These sub-committees may meet on the first day and study the various problems entrusted to them and report to the full Finance Committee on the next day when there is a full meeting. For one man to go and sift the figures and read all the connected papers is difficult and it may also be a waste of time. So, why not have a subdivision of labour? The individual members forming the sub-committees will be of better help to one another than they are now, for I have found from experience that we were given too much material and too many papers to study, so far as individual members are concerned. The subdivision of labour in the sub-committees will be very conducive to the practical working of the Committee. Therefore I would appeal to the House and to the hon. the Finance Member to let this motion be passed, because it is not a very controversial subject after all. I first wanted to bring it up in connexion with the Standing Orders, on a representation made by some friends that the number of elected members in the Finance Committee should be increased. But it was pointed out to me that the Finance Committee was not constituted under the Standing Orders, but under a resolution of this House like the one which was passed in 1921. I would appeal to the House to consider this question as a modest one, as a useful one and a good one."

The hon. the DEPUTY PRESIDENT :—" The question is

'That this Council recommends to the Government that the Finance Committee annually appointed in pursuance of the resolution of the Council passed at its meeting on 1st April 1921 shall consist, in addition to the three nominated members of whom one shall be the Finance Member of Government, of eight members to be elected by the Council according to the method of the single transferable vote.'"

The motion was declared lost.

[8th August 1929]

12-45 p.m. Mr. G. Harisarvottama Rao demanded a poll, and the House divided thus:

Ayes.

- | | |
|------------------------------------|--|
| 1. Mr. P. C. Venkatapathi Raju. | 25. Rao Bahadur O. S. Ratnasabapathi |
| 2. " K. Koti Reddi. | Mudaliyar. |
| 3. " E. Srinivasa Ayyangar. | 26. Mr. A. Ranganatha Mudaliyar. |
| 4. " S. Satyamurti. | 27. Diwan Bahadur R. N. Arogyaswami |
| 5. " C. V. Venkataramana Ayyangar. | Mudaliyar. |
| 6. " J. A. Saldanha. | 28. Mr. Ramanath Goenka. |
| 7. " G. Harisarvottama Rao. | 29. " K. P. Raman Menon. |
| 8. " U. S. Govindaraja Mudaliyar. | 30. " R. Nagan Gowda. |
| 9. " Abdul Hameed Khan. | 31. " C. R. Parthasarathi Ayyangar. |
| 10. " K. V. R. Swami. | 32. " T. C. Srinivasa Ayyangar. |
| 11. " D. Narayana Raju. | 33. " Chavadi K. Subrahmanya Pillai. |
| 12. " K. B. Karant. | 34. " C. Gopala Menon. |
| 13. " K. Madhavan Nayar. | 35. " B. Ramachandra Reddi. |
| 14. " P. Anjaneyulu. | 36. Rao Bahadur Sir A. P. Patro. |
| 15. " A. Parasurama Rao. | 37. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 16. " C. Ramasomayajulu. | 38. Mr. P. T. Rajan. |
| 17. " T. Adinarayana Chettiyar. | 39. " Kadir Mohideen Sahib. |
| 18. " Ahmed Miran Sahib. | 40. Diwan Bahadur S. Kumaraswami Reddi. |
| 19. " K. Uppi Sahib. | yar. |
| 20. " M. Narayana Rao. | 41. Khan Sahib T. M. Moidoo Sahib Bahadur. |
| 21. " C. Marudavanam Pillai. | 42. Rao Bahadur B. Muniswami Nayudu. |
| 22. " K. V. Krishnaswami Nayakar. | 43. " K. Sitarama Reddiyar. |
| 23. " C. Venkatarangam Nayudu. | 44. Mr. Abdul Rasack Sahib. |
| 24. " B. Venkataratnam. | |

Noes.

- | | |
|--|--|
| 1. The hon. Khen Bahadur Sir Muhammad Usman Sahib Bahadur. | 21. The Zamindar of Singampatti. |
| 2. " Sir Thomas Moir. | 22. Mr. J. Kappaswami. |
| 3. " Diwan Bahadur M. Krishnan Nayar. | 23. Subadar-Major S. A. Nanjappa Bahadur. |
| 4. " Mr. A. I. G. Campbell. | 24. Mr. K. Krishnan. |
| 5. " " M. R. Seturathnam Ayyar. | 25. " N. Siva Raj. |
| 6. " " S. Muthiah Mudaliyar. | 26. " M. V. Gangadhara Siva. |
| 7. " Dr. P. Subbarayan. | 27. " V. I. Muniswami Pillai. |
| 8. Mr. Hilton Brown. | 28. " W. P. A. Soundara Pandian. |
| 9. " H. A. Watson. | 29. " S. Subrahmanya Moopanar. |
| 10. " A. G. Leach. | 30. " Daniel Thomas. |
| 11. " J. Gray. | 31. " S. Venkiah. |
| 12. " S. V. Ramamurti. | 32. Rao Sahib R. Srinivasan. |
| 13. " C. B. Cotterell. | 33. Mr. Mahmud Schammad. |
| 14. " V. Ch. John. | 34. Khan Bahadur P. Khalif-ul-lah Sahib Bahadur. |
| 15. " M. A. Manikkavelu Nayakar. | 35. Mr. G. Premayya. |
| 16. " Syed Tajudin Sahib. | 36. " U. Ramaswami Ayyar. |
| 17. " J. Bheemayya. | 37. " S. N. Dorai Raja. |
| 18. " R. Foulkes. | 38. " S. Arpudaswami Udayar. |
| 19. " P. J. Gnanavaram Pillai. | 39. The Raja of Kalikote. |
| 20. The Muppil Nayar of Kavalappara. | 40. Mr. A. J. Leach. |

Ayes 44. Noes 40.

The resolution was carried.

TRIFURCATION OF THE RAJAHMUNDY TALUK BOARD.

Mr. B. VENKATARATNAM moved—

'This Council recommends to the Government that the present Rajahmundry Taluk Board be trifurcated into Amalapuram, Razole and Rajahmundry Taluk Boards contiguous with the Revenue taluks.'

In doing so, he made a speech in Telugu and commended the resolution

[8th August 1929]

Diwan Bahadur P. C. ETHIRAJULU NAYUDU:—"Madam, I second this resolution. In doing so, many words are not needed from me to convince the House of the need for trifurcation of the Rajahmundry Taluk Board. The hon. Mover has already referred to the real grievances of the people in regard to this matter. I therefore trust the Council will accept the resolution and pass it."

Mr. B. RAMACHANDRA REDDI:—"Madam, I move my amendment, and that is

'To substitute the word "conterminous" for the word "contiguous" in line 8.'

"It is only to explain the meaning of this resolution more clearly that I want to substitute the word 'conterminous' for the word 'contiguous' in the resolution. It is not at all necessary for me to make a long speech on this amendment. If this amendment is accepted, it will put the resolution in a more explanatory form, and I hope the House will agree to it."

Mr. Chavadi K. SUBRAHMANYA PILLAI:—"I second it."

Mr. B. Venkataratnam accepted the amendment in Telugu. The amendment was put and carried.

The hon. the DEPUTY PRESIDENT (Dr. MUTHULAKSHMI REDDI):—"The amended resolution is now before the House for discussion."

Mr. K. V. R. SWAMI:—"Madam, this question of trifurcation was started in 1918, and, in that year, the Government asked the several local boards that in case that a particular local board felt that the work it had to do was heavy the same was to be reported to the Government. Accordingly, the Rajahmundry Taluk Board reported to the Government that the work that had to be performed by that board was too heavy because it had to manage three taluks, namely, Rajahmundry, Amalapur and Razole, and recommended that the board might be divided into three boards, each of these taluks being constituted into a board. That recommendation was accepted by the district board also. In the year 1920, the Government passed an order on that, approving of the recommendation made both by the taluk board and the district board. It is true that there were some contradictory recommendations both from the taluk board and the district board. The Rajahmundry Taluk Board said that the Rajahmundry and Razole taluks should be formed into one board, Amalapur taluk forming a separate board altogether. Again, there was another proposal, which emanated from the district board, to the effect that Amalapur and Razole should be formed into one board and Rajahmundry into a separate board. Whatever that might be, finally the taluk board said that the Rajahmundry Board should be trifurcated. This was accepted by the Government, and they passed orders thereon in 1920. Unfortunately, thereafter, this subject had a chequered life. In 1921, about the 14th of March, a special wire was sent to the Rajahmundry Taluk Board by the Government, which said, 'Proposals, trifurcation of the Rajahmundry Taluk Board, should be deferred till new Local Boards Act comes into force.' That was the purport of the telegram sent by Government. Had it not been for that wire, the taluk board would have been trifurcated on the 1st April 1921, and it was on account of that wire, the trifurcation was deferred. Then in 1922, the Rajahmundry Taluk Board itself, which was a board newly formed under the new Act of 1920, passed a resolution that they did

[Mr. K. V. R. Swami]

[8th August 1929]

not want any trifurcation at all. Thereafter, in 1923, that proposal was accepted by the Government, for reasons which were best known to the Government, in spite of the approval of the Government to the previous proposal of the taluk board for trifurcation. However, the resolution which was passed by the taluk board formed under the Act of 1920 was accepted by the Government in 1923. The reason why this new board adopted this particular resolution was this: in 1922 and 1923, the Nationalist party boycotted the Legislative Council as well as the local bodies, and they did not take any part in local board administration, and this new Rajahmundry Taluk Board was formed by one particular community, and they thought that their own interests outweighed the interests of the taluk board, and that in their interest it would be better to have the Rajahmundry Taluk Board kept as it was and that it should not be separated. That is really a wrong view, because as stated by my hon. Friend Mr. Venkataratnam, it is a huge body of three taluks combined into one board. This Government a decade ago accepted the principle that other circumstances being equal each taluk should have a separate board. Though it was accepted in principle, somehow or other this matter was delayed. After that, again in 1923, the Rajahmundry Taluk Board passed a resolution that that board should be divided into three boards, viz., Rajahmundry, Amalapuram and Razole. The Rajahmundry Taluk Board and the district board, and the people also convened several meetings and stated as their settled opinion that there should be three boards, and that it would be impossible for any president to manage all the three taluks, the areas being too big with many elementary schools, sanitary and water works and other things. The feeling was very keen and they insisted on having separate taluk boards. Under those circumstances, I hope that the hon. the Chief Minister would accept this resolution because it is a policy once accepted by the Government but delayed for particular reasons that were prevailing at that time. But now, I do not think that any such reasons would stand in the way of the hon. the Minister accepting this resolution. With these words I commend this resolution to the acceptance of the House."

* Mr. R. SRINIVASA AYYANGAR :—"Deputy President," Madam, I rise to give my whole-hearted support to this motion lest it might be said that members coming from the southern districts are either lukewarm or indifferent so far as this resolution is concerned. All along I have been of opinion that the area of taluk boards should be small so as to ensure efficiency and proper administration. On many an occasion I brought this to the notice of the Government and tried to get the heavy taluk boards reduced to their proper and reasonable dimension, but without success. Humanly speaking, it is not possible for one individual who is in charge of three taluks to discharge the duties to the satisfaction of all concerned.

"In my district, the Tirukkoyilur Taluk Board passed a resolution in favour of bifurcating it and the same was accepted by the district board unanimously. And when I brought this matter to the attention of the Government and requested it to give effect to it, the Government replied that as the question of retaining or abolishing the taluk board was under consideration nothing could be done in the direction suggested by me. The motion to bifurcate the Tindivanam Taluk Board was lost by only one vote, as many as 15 voted for it and 16 against it. That really showed the intensity of the feeling in the matter and a desire on the part of the people to have a

8th August 1929]

[Mr. R. Srinivasa Ayyangar]

smaller compact board which will satisfy them all. And when I brought this to the notice of the Government supported by facts and figures, it contented itself with the old reply that pending the disposal of the question of the retention or abolition of the taluk board nothing could be done. I am glad to be able to know that the policy of the present Government is to reduce the area of the taluk boards as much as possible to ensure efficiency, and it is high time that the Government tackles this question in a right spirit and sets about bifurcating the boards wherever necessary throughout the Presidency. If this resolution is carried, as I hope it will, I would not have the slightest doubt that similar bifurcations may take place in respect of other taluk boards. And I am somewhat keen about Tirukkoyilur and Tindivanam Taluk Boards which on account of the unwieldy area and the heavy strain of work require immediate bifurcation. It is in that spirit I give my support to this resolution, and I do hope that the hon. the Chief Minister will, without further delay, inaugurate a new policy, so far as the area of the taluk boards is concerned."

* Mr. B. RAMACHANDRA REDDI :—"In support of this resolution I wish to convey to this House and the hon. Minister in charge of this portfolio a few facts which have an important bearing on this question. It has been twice decided by the district board and the taluk board concerned to have this particular taluk board trifurcated, and I do not know what reasons have prompted the Government to keep the whole thing in abeyance. In 1920, a Government Order was issued asking the district and taluk boards to fix a date for the dissolution of that particular board. Accordingly both the taluk board of Rajahmundry and the district board passed resolutions fixing the date, even giving more time to the Government to think about this question by requesting them to give effect to their intention in 1922 if not in 1921. Ever since this question was raised, as many as thirteen taluk boards in the Presidency have been bifurcated and trifurcated wherever necessary, and even in this particular district, namely, the East Godavari, two taluk boards have already been bifurcated. And it is really unthinkable why this particular taluk board, which is a vast and unwieldy one, has not been thought of for being trifurcated. It has an area of nearly 1,050 square miles and a length of 75 miles. The means of communication are either very slow or inadequate. It gets a revenue under general accounts of Rs. 1,18,000 and the receipts under elementary education come to Rs. 2,45,000. There are about 1,200 teachers working under this board, and about 400 schools are being run. With these facts and figures I wish to urge upon this Government the necessity for immediate trifurcation of this particular taluk board. It is really a non-party question and my enquiry in that district shows that men of all shades of opinion and all parties are anxious to see that the taluk board is trifurcated. It was not at all surprising for me to hear that at one stage the residents of this particular taluk board even thought of non-payment of taxes pending this trifurcation. In these circumstances, I urge on the hon. the Minister the necessity for trifurcating this particular taluk board in the interests of better administration."

* Mr. C. RAMASOMAYAJULU :—"Madam, in connexion with this resolution I wish to place a few facts and figures before the House with reference to the constitution of the taluk board. The Rajahmundry taluk consists of three important advanced taluks, viz., Rajahmundry, Amalapuram and Razole. Two of them are totally deltaic taluks and the third is partially

[Mr. C. Ramasomayajulu] [8th August 1929]

deltaic. They are cultured and advanced taluks, and they cover a long distance, the largest being 75 miles, with an area of 1,000 square miles. They administer nearly 400 schools and 1,000 teachers are under their control. Further, this vast jurisdiction has been for long under one revenue divisional officer. This revenue division was thought too much for one revenue officer and recently the Government published a Government Order to the effect that this division was going to be split up into two. If for purposes of revenue administration it was thought too big, it was but natural that for local boards purposes it was felt too heavy. That was why it was resolved upon to bifurcate it so long ago as 1920. It has not been given effect to. Ever since 1925 onwards, both the taluk board and the East Godavari District Board have been passing unanimous resolutions pressing this question on the attention of the Government, and the Government up to now have not heeded to their request. Remarks have been made incessantly about the large extent of the area under its jurisdiction, which are found in the administration reports, district and taluk reports, and yet the Government have not given any attention to the matter. The taluk board at present deals with a budget of Rs. 4,61,000 a year. The taluk board and the East Godavari District Board have unanimously recommended the trifurcation. I cannot see why the Government is playing hide and seek in regard to this important matter. It is up to the Government at least now to put into force this resolution without any more shilly-shallying."

Mr. A. RANGANATHA MUDALIYAR :—" Madam President, I am glad to hear from Mr. Ramachandra Reddi that this question was supported by him in a non-party spirit. May I appeal to the hon. the Minister that when he comes to dispose of this question finally he will deal with it similarly in a non-party manner? My apprehension was not altogether without foundation, if I may say so, speaking from my past experience. I know, for example, that the presidents of a district board and the taluk board under it were not getting on well, and the president of the district board wanted the trifurcation of the taluk board in order to get rid of the taluk board president. Madam, questions of this sort are likely to crop up hereafter. For instance, the South Arcot District Board or the Ohingleput District Board may come up with proposals for the bifurcation of the taluks under it. We do not know how many more may come up hereafter. I wish that the hon. the Minister for Local Self-Government will deal with such proposals when they come before him, in a strictly constitutional and non-party manner. And I do not think there can be a better method of dealing with them than by immediately throwing open the newly constituted boards for election. After all, there is nothing compelling the Government to have recourse to nomination in reconstituting these boards. My hon. Friend the Minister must be sufficiently tired of the troubles in the matter of making nominations, and I wish that at least at this fag-end of his tenure of office he would have the goodness not to entangle himself further into them but give the freedom to the people to elect their own presidents. I only want this assurance from him, for, personally, I am for each taluk to be constituted into a board so that people may take an active interest and deal with their own affairs more profitably and effectively than is the case at present."

The hon. Dr. P. SUBBARAYAN :—" Madam, I think the history of this question has been gone into by Mr. Ramachandra Reddi and Mr. Swami, as far back as 1926. The latest proposal about trifurcation was made in

8th August 1929] [Dr. P. Subbarayan]

1924. At that time, the hon. Minister in charge thought that trifurcation was not necessary but bifurcation would be beneficial and recommended that bifurcation might be resorted to. But the district board and the taluk board turned down these proposals although I think they were eminently reasonable, because Rajahmundry and Razole and Amalapur could easily become two taluk boards easy of management. If people were so keen on having a division of the taluk board, I think it was up to the district board and the taluk board to have then accepted the proposal of the then hon. Minister in charge of Local Self-Government. Since then there has been a proposal for trifurcation but the district board president was not in favour of the proposal and we have not been able to get from him schemes for the division of the financial liabilities of this board without which it has not been possible to accept the resolution of my hon. Friend. Those schemes have now come and we hope to give effect to the trifurcation at the beginning of the next financial year, i.e., April. If the proposal is to be given effect to now it would be very difficult to calculate the assets as they stand. So I think my hon. Friend, Mr. Ranganatha Mudaliyar, need not be under the impression that I am going to use it for party purposes. After all, trifurcation is going to be effected only in April next. What might happen between now and April next we do not know. The future is in the lap of Gods. When such is the case, there is no room for any apprehension on the part of Mr. Ranganatha Mudaliyar. It may even be that he himself may have to effect this trifurcation. But then I hope that he will bear in mind the dictum he laid down for me.

"As regards the question whether election or nomination should be resorted to, I think it is difficult to lay down any principles, because there are places where elections are difficult to hold. Perhaps my hon. Friend, Mr. Ranganatha Mudaliyar, was referring to Bellary when he talked of some president wanting to have a board bifurcated. I do not think that happened in our time, because my hon. Friend was also in the Government at that time and I do not remember any reference to Bellary in these matters. Evidently he refers to something that happened before. I am not aware of this proposal. But I can tell my hon. Friend that, as far as possible, it will be my duty to see that no party is helped and that all elected members who are on the board are nominated to the trifurcated taluk board when trifurcation takes place. With these words, Madam Deputy President, I will accept the resolution of my hon. Friend, Mr. B. Venkataratnam."

Mr. B. VENKATARATNAM :—(Spoke in Telugu).

The resolution as amended was put and carried.

The House then adjourned for lunch.

After Lunch (2-30 p.m.)

APPOINTMENT OF HIGHLY QUALIFIED WOMEN ON THE PUBLIC HEALTH STAFF.

* Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—" Mr. President, Sir, I beg to move that

'This Council recommends to the Government that highly qualified medical women should be appointed on the Public Health Staff to

[Dr. (Mrs.) S. Muthulakshmi Reddi] [8th August 1929]

organize and develop maternity and child-welfare work in the manner best suited to this Province to supervise midwives and dais and to attend to the medical inspection of school girls and women students.'

"Sir, in every country, in all and progressive and advanced countries, this work of maternity and child-welfare is done by women. That should apply with greater force to India where a good number of our women live in purdah and never would take medical aid from men and a great majority of them never even consult medical men for diseases associated with pregnancy and child-birth. I may bring to the notice of the hon. Members of this House the fact that an extraordinary amount of suffering and death during child-birth goes unrelieved in this country. The infant mortality rate and also the still-birth rate are very high. Yet there are no co-ordinated efforts made to organize child-welfare and maternity centres and reduce the sufferings of mothers and children. It is with a view to bring to the notice of this House the great needs for such welfare centres in this country that I have brought forward this resolution.

"Sir, I have got a copy of the report of the Public Health Department in my hand. It says 'In the year 1927 more than 88 per cent of deaths in infants from congenital debility and prematurity occurred in children under the age of one month.' It says 'there is a tremendous need for the development of pre-natal care—that is, care of the expectant mother.'

"Coming to maternity death rate it records 15 per 1,000; while in England and Wales it is 4.5 per thousand. Thirty thousand women died in this Presidency in the year 1927 as the result of child-birth, 50 per cent of whom could have been saved if skilled and scientific help were made available to them during child-birth, because the diseases to which they succumbed were largely puerperal sepsis, and hence preventable.

"In the rural areas the condition is still worse; because medical aid to women by women is administered only in cities and municipalities, while in districts and in rural areas only 3.4 per cent of the women are attended by trained midwives; whereas in civilized countries cent per cent of women are attended by trained midwives. The report itself says 'this figure of 30,000 mothers' deaths reveals the painful fact that the bitterest tragedy in life was enacted in such homes.'

"Just consider the serious consequence of a mother's death on other children in the family. Not only are the homes deprived of the mothers but the children are deprived of that love and care which a mother alone can bestow upon her children. It is these considerations which have induced other countries to devote so much care upon their mothers and children.

"Again in the year 1927 a conference was held in Delhi which was composed of expert experienced medical men and women and social workers, which conference passed this resolution unanimously:—'That a lady trained organizer for all work connected with infant welfare and maternity care, preferably an Indian, should be appointed on the public health staff in each province'. They were of opinion that greater association of women with public health staff would afford facilities for such medical relief being organized on a sound basis and on a larger scale. Again the association of medical men in India presented a memorandum the other day to Her Excellency Lady Irwin. They pointed out that a woman well-qualified and

8th August 1929]

[Dr. (Mrs.) S. Muthulakshmi Reddi]

trained should be appointed in every province on the public health staff as Assistant Director to the Director of Public Health. Further in the United Provinces they have already set a good example. There is a woman on the public health staff and she has turned out very good work. It is reported in that memorandum that she organized preventive work and she has greatly increased the maternity and child-welfare centres. She organizes lectures and visits many health centres personally. All this work is of the greatest value in a country like India where such a work could not be done by male workers. Further, my work on the Committee of the Madras Maternity and Child-Welfare Association has convinced me of certain facts which I would like to bring to the notice of this House.

"The Maternity and Child-Welfare division of the Provincial branch of the Indian Red Cross Society, is a voluntary association conducted by a Committee of missionary women and Indian women who are interested in the child-welfare and maternity work. They have already opened 69 centres in the districts and mufassal. This is how a centre is started: the Association sends out a missionary worker to enlist the sympathy of the local people and to find honorary workers, the Association itself giving a grant of Rs. 25 towards the expenses of a centre. The local committee is responsible for the appointment of the staff and appoints very often ill-qualified and untrained nurses. Very many defects have been brought to our notice and many of these centres are lacking in many things. In some centres the staff are not trained, and the proper equipment is wanting. Certain municipalities do not take interest in the work and their financial condition does not permit of their taking any steps in this direction even in places where they have been able to find honorary workers. It is reported that local people appreciate the work of these centres for the mothers and children. I may submit that these maternity and child-welfare centres ought to serve as educational institutions (they are not dispensaries) and as such they ought to be run by well-trained health visitors. A health visitor combines the qualification of a nurse and midwife and is also trained for public health work, as her work is more of prevention of diseases than cure. She educates the mother on the laws of hygiene and she educates her how best to take care of her children. In these days when medical science is very much advanced we ought to aim at prevention rather than cure. So these maternity and child-welfare centres should possess trained people to give the public expert advice for which work an officer experienced, well-qualified and well-trained is quite essential. The value of this work cannot be realized by the municipalities or local bodies unless it is pointed out to them. Hence the department ought to take the initiative in these matters. In England the Ministry of Health takes a full share in such health schemes. As the welfare of the mother is the welfare of the nation the cost of this maternity and child-welfare schemes forms the first charge on the finances of the State. They have appointed highly qualified medical officers to give advice to local bodies to organize and to develop the centres, on modern lines. These women doctors also carry on research and investigation into the causation of maternal and infantile deaths. Then the results of their enquiry are made known to the public, both through the Press and through a number of popular pamphlets and through special propaganda officers. These women officers visit the districts and enlist the sympathy of the local people that they may give their co-operation to such health schemes.

[Dr. (Mrs) S. Muthulakshmi Reddi] [8th August 1929]

2-45 p.m. "This is how maternity and child-welfare work is carried on in other countries. There is no use of giving treatment in hospitals after the disease has advanced. We must educate the people on the laws of health, so as to disseminate scientific knowledge among them and make that knowledge available to every father and mother in this country. To do this most effectively, we need well-qualified women, in the Health Administrative staff of the country, who would plan out schemes, see that the schemes are carried into practice and also convince the people and the Government as to the necessity for such work. *The report of the Ministry of Health in England says:*

'Now in the year 1924, when investigation showed that maternal mortality did not show any reduction in spite of repeated attempts, the Ministry got so much concerned with that position that they communicated with the local authorities up and down the country calling attention to the need of ante-natal work, maternity centres and maternity beds and such educational measures as will create an informed and enlightened public opinion in regard to the question of maternal mortality.'

"All that is possible here only if the State comes forward with finance and proper staff to help such health schemes. With these words, I commend the resolution to the acceptance of the House."

* The MAHARAJA OF PITHAPURAM:—"Mr. President, Sir, I have very great pleasure in seconding the resolution so ably moved by my esteemed friend, our honoured Deputy President. It is well known that our ladies fight shy of male doctors. There are some who would rather suffer and prefer death to consulting men doctors. The mover has dealt with the motion so thoroughly that very little more need be said by me. I only hope that every one of the Members of this House will support this motion and that the Government will not come forward with the plea that no funds are available for this purpose."

Mr. G. HARISARVOTTAMA RAO:—"Sir, I move that the word 'highly' be omitted and that the word 'Indian' be inserted before the words 'qualified medical women.' The reasons are obvious. I do not intend that the care of women and children should be handed over to unqualified women. The word 'qualified' is retained. It is sufficiently indicative of the quality of the women we want. I have introduced the word 'Indian' so that we may not, as we have hitherto done, commit the mistake of handing over the destinies of our people to the hands of foreigners. I have no intention of excluding any who are efficient or of including those who are inefficient. It is intended more in the interests of the nation and our women would be more communicative to one of themselves than to outsiders. This is the nature of the people in our country. It is best that the women who take charge of this work are Indians. I feel that this amendment will commend itself to the House."

Mr. O. S. GOVINDARAJA MUDALIYAR:—"Sir, I second the amendment."

Dr. (Mrs.) S. MUTHULAKSHMI REDDI:—"I accept the amendment."

The amendment was put and carried.

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Mr. President, Sir, the hon. Deputy President has moved a resolution, details of which are already under the consideration of the Government. Since July 1928, the question of

[8th August 1929] [Mr. S. Muthiah Mudaliyar]

appointing a separate department under the Public Health Department for looking after child and maternity welfare, for the purpose of organizing child-welfare and maternity centres in the various districts, to educate public opinion in favour of them, to induce local bodies to organize child and maternity centres, to induce people to take more interest in the matter, has been under the consideration of the Government. A scheme was drawn up by the Government and, as a matter of fact, it was put up before the Finance Committee as Part II scheme in December 1928. But unfortunately the Finance Committee did not probably fully go through the scheme and they thought that this might lie over. They said that this scheme might be put in Part IV as it was not absolutely urgent. In spite of this fact the Government have taken up the consideration of the question again and have recommended that the scheme might be placed before the Finance Committee for being included in the budget for 1930-31. So, the organization of a separate staff for carrying on maternity and child-welfare work is the object of the Government and they are doing everything in their power to get the scheme sanctioned by the Legislative Council. I hope that the Members of the Finance Committee will sanction the scheme and that the hon. Members of the House who are enthusiastic in supporting this resolution will sanction the necessary provision so that the Government will be able to make it an accomplished fact at least in the next year, though the Government are really anxious to introduce the scheme this year itself. The hon. Mover of the resolution suggests that qualified medical women should be appointed on the Public Health staff to organise and develop maternity and child-welfare work in the manner best suited to this province. That is the very object of the Government. The supervision of midwives and dais will be part of the work of the department when it is created. General supervision of dais is now to a certain extent done by the Midwives and Nurses Association. They have to register the dais and in so doing I dare say that they will take care to see that the persons who are registered possess the necessary qualifications. I know that they have not the necessary staff or facilities to train the dais. As regards medical inspection of school girls and women students, medical inspection in secondary schools is now optional and to make it compulsory we do not have sufficient number of medical officers. None of the suggestions put forward by the hon. Mover of the resolution is new and every one of them is receiving the attention of the Government. Nothing will be gained by pressing the resolution. I hope it will be withdrawn. Anyhow I have no objection to the resolution being passed."

The hon. the PRESIDENT:—"Does the hon. Minister accept the resolution?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I have no objection to accept the resolution. But I think that further discussion on the resolution is unnecessary and the hon. Mover told me that she would withdraw the resolution."

* Mr. F. E. JAMES:—"Sir, I suggest that the hon. Mover do press this resolution so that the Finance Committee may pass this scheme. I should like to know the names of the Members of Finance Committee who had the temerity to throw out this scheme last time! I hope they will now take note of the opinion of the House. I therefore suggest that the Mover do press the resolution."

[8th August 1929]

Dr. B. S. MALLAYYA :—"Sir, I have been listening carefully to the speech of the hon. Minister for Public Health. But I fail to understand how the appointment of one or two qualified Indian Medical women is going to help us out of the difficulty. The training of dais is a very intricate question. These women who are supposed to be in charge of child-welfare are only a wing of the Public Health Department; they are quite different from those working in hospitals and dispensaries in the districts and in the presidency town itself. This is a very intricate question and I think that, in the fitness of things, the hon. Minister for Public Health ought to refer the whole scheme to the Surgeon-General for a thorough examination and detailed report about carrying out all the suggestions contained in the resolution. The scheme is very important and quite necessary to improve the condition of lying-in women in distant and outlying parts of this presidency. The appointment of one woman is not going to solve the question in any way except to provide her with salary and make her a figure-head in the Surgeon-General's office. We have to make a detailed study of this question, provide facilities in maternity hospitals and make arrangements for training dais. Nothing will be gained by the Ministry appointing one or two highly qualified medical women."

Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—"Sir, the training of dais is bound up with the scheme of child-welfare and maternity work. One medical officer cannot train a large number of dais but when she goes to inspect the centres, she may also give instructions to the Health Visitor who is in charge of the centre on the subject of training the dais. I have already suggested that more than one qualified medical women is necessary for this work. One may be appointed to look after child-welfare work, another to supervise the training of the work of the dais and a third one for medical inspection of girl students. Perhaps when a beginning is made, we may know how many qualified medical women will be necessary."

The hon. the PRESIDENT :—"The question is that 'this Council recommends to the Government that qualified Indian medical women should be appointed on the Public Health staff to organize and develop maternity and child-welfare work in the manner best suited to this province, to supervise midwives and dais and to attend to the medical inspection of school girls and women students.'"

The resolution as amended was put and carried.

APPOINTMENT OF A COMMITTEE TO EXAMINE THE DISTRICT REPORTS ON THE SURVEY OF COTTAGE INDUSTRIES.

p.m. * Mr. G. HARISARVOTTAMA RAO :—"Mr. President, Sir, I beg to move the following resolution :

'This Council recommends to the Government that a committee consisting of three members of this Council and two experts be appointed to examine the district reports of the Special Officer appointed to survey "Cottage industries" and submit proposals for an effective organisation of such of those industries as deserve encouragement.'

"Sir, in moving this resolution, my intention is really to rouse the Government to action in this matter. As a matter of fact, the history of this survey has not a little to account for this motion. In the first instance

[8th August 1929] [Mr. G. Harisarvottama Rao]

the gentleman appointed to carry on this survey was a Deputy Collector, and he has after great effort produced a number of district reports. Now we have before us a consolidated report for the whole presidency. He has prepared it under a disadvantage. He himself accepts it at pages 215 and 216. He says that he has been a layman and to the best of his ability as a layman he has conducted this enquiry. Therefore, my fear is that the experts of the Government are very competent and so competent that they will turn down every proposal made by the so-called layman. It is therefore necessary that before the experts of the Government lay their hands upon these reports, a preliminary body should sit together and consider them, and that is why I have included experts in this committee in order to make recommendations that will be possible for the Government to carry out. That is the chief object of my moving this motion.

"Again, it will be observed that this report makes certain very good recommendations. With regard to the spinning industry as a special case, this report makes certain recommendations that have to be very carefully considered. No doubt the report is not entirely on the side of spinning as an industry for all people or for all time; but the report is sufficiently indicative that the spinning industry has a place in the economics of this land, though a subsidiary place. Whatever that is, it may have to be examined in spite of the opinion of experts, and I am really afraid that the consideration that has been given to the industry of spinning in this report will not be given to it by the Government experts if they are left alone to decide upon this report.

"Again, there are a number of other industries about which recommendations have been made in this report. As regards the hand-loom industry, there is a particular suggestion of collecting and disposing agencies being set up by the Government, and I am sure if there is not a push given to it by the united voice of this Council, the financial experts of the Government will possibly turn it down. Moreover, there are new industries mentioned in this report which deserve very careful consideration. I am sure that if the district reports are examined further, there will be found mentioned in them many more industries than what the special adviser has reported on, in this generalization. There are more industries there that deserve attention. I particularly notice the omission in the chapter on new industries in this comprehensive volume, of the bamboo industry in my own district which has got great possibilities. My district is a district of very good forests and there it is possible to have a bamboo industry dealing with the materials manufactured out of bamboo. But unfortunately, it has not been noticed in this report. There are a number of such industries that may be noticed, but instead of taking your time over the matter, I would leave it to the Committee to examine that question carefully.

"Then, Sir, there are also other questions involved which the Government Departments will not be able to face with equanimity. For instance, the Special Officer makes certain recommendations in regard to the competition of jail industries as against home industries. He specifically mentions the cotton carpet industry which is being carried on in the jails of the Government and he also quotes the Industrial Commission with approval,

(At this stage the Chair was occupied by the hon. the Deputy President.)

[Mr. G. Harisarvottama Rao] [8th August 1929]

that the jail industries are competing with the home industries and that therefore certain alterations in the jail programme might be necessary. That also is a question which will have to be decided in consultation with the representatives of this House if that is to be given proper effect. I shall not detain this House further. I have only one more matter to mention and that is this: that the Special Officer has really taken care to mention certain things that are being done in other provinces which are likely to be useful to ours. Therefore, further concentrated attention is to be directed to this question and a Committee of this House will be the fittest body to examine the question and make actual recommendations to the Government, so that the Government may carry on the work without delay. I have moved this motion, as I originally said, for this specific purpose; for, sufficient arrangement was not made even to start with. Only a Divisional Officer was appointed to make a preliminary survey and therefore if sufficient attention of the Government is to be drawn to this question, a more comprehensive body consisting of a few Members of this House and two experts of the Government has to go into the question and give the proper lead in the matter in order to enable the Government to carry out the recommendations."

Mr. SAMI VENKATACHALAM CHETTI:—"Deputy President, Madam, we owe it to the efforts of the hon. Member for Bellary, Mr. A. Ranganatha Mudaliyar that we have these reports on the cottage industries of this Presidency. It must have been in spite of the indifference of the Government that an officer was appointed to examine the present stage of the cottage industries. We have had time only to have a cursory glance over the pages of the several district reports which have been supplied to us. That cursory glance enabled us to form an idea of the magnitude of the material that is now lying to be worked up. Now, that we have all these reports more in the nature of information, it seems to me the next step that should be taken by the Government is to examine this information from a commercial point of view and organize such of the industries as are capable of being organized. It is always the fashion with the Government to satisfy the popular cry by forming a committee and calling for a report and shelving that report in the archives of the Secretariat. I hope however these reports will not share the same fate. It is desirable that the present Development Minister interests himself very much in these matters and sees that a shape is given to the various proposals contained in these reports. For the consideration of these reports, it will not do any good to refer them to the departmental secretaries or heads of departments; because most of them are not technically qualified. It is again a crying grievance against the Government that they always choose a Government servant with practically no experience of industries or commerce to be at the head of the Industries Department. There is absolutely no use of referring these reports to gentlemen of that nature who have not got the necessary qualification to examine these proposals quickly and properly. It is necessary that these proposals should be placed before persons who are interested in the industrial and commercial welfare of this Presidency and have also got practical experience in organizing industries. I hope the hon. the Development Minister will see his way to accept this motion and take early steps to organize effective measures to pull up the dying cottage industries of this Presidency."

8th August 1929]

Mr. C. GOPALA MENON:—"Deputy President, Madam, this is a very important resolution; in fact, the subject of this resolution occupied a great deal of the attention of the House during the time of the budget discussion as regards the scope and development of cottage industries in this Presidency. And if I remember aright, the hon. the Minister for Development then said that he would bestow his best attention on this question. We have now the various reports on cottage industries as a result of the investigations conducted by the special officer who himself says that he is not an expert on the subject. It will be observed from these reports that he has bestowed his careful attention and his energies on collecting and collating data in regard to the various industries which could be developed under the cottage system. He has given a number of industries which are being worked and have been worked in the old days under this system. We have to remember that these commodities which are produced under the cottage system had their own days in the past. But to-day we have to see whether the commodities so produced can meet the foreign competition and whether those industries can be developed in this country, granting that we possess the necessary raw material, skill and equipment for the manufacture of these articles. It is for this purpose that the special officer has pointed to several raw materials which are found in our forests which may be suitably converted into manufactured articles. In order, however, to find out the commercial possibilities of those commodities, a special scrutiny of the reports made by this officer will have to be made. In Mysore a similar survey was carried on recently, and the reports made there received the scrutiny of an expert who was no less a personage than Sir Alfred Chatterton and finally his recommendations were carried out in regard to the development of cottage industries. In giving effect to the recommendations contained in the reports before us, it is necessary that the departments should not make the mistakes which they had made in the past with regard to the industries pioneered by them, and it is therefore highly necessary and essential that the commercial possibilities of these industries should get the close scrutiny of an expert committee. Whether it consists of three ordinary members and two experts or not, it does not matter. All that I say is that the reports should be examined by those who possess the necessary business qualifications in respect of articles produced not only in this country but those similarly produced on the continent and in the United States of America.

"Our competition to-day to the cottage industries is mainly and mostly from outside competition. If only we see the statistics, we will find that the articles imported into this country are so many and so varied and produced by highly scientific and mechanical methods and so our competition will have to be with those articles. It is therefore necessary that, before launching out on a scheme for expanding the cottage industries, the recommendations contained in the report of the special officer should be scrutinized. I also understand that the hon. the Minister for Development has got an idea of bringing in amendments to the Industries Act in order to afford greater financial facilities for the development of these cottage industries. That being so, it is essential that the help that may be rendered by Government should be diverted to proper channels. I therefore have the greatest pleasure in supporting this resolution for the acceptance of the House."

The hon. Mr. M. R. SETURATNAM AYYAR:—"Madam, in view of the expressions made on the floor of this House now, I see no objection to the

[Mr. M. R. Seturatnam Ayyar] [8th August 1929]

formation of a committee contemplated in the resolution and I therefore accept the resolution on behalf of the Government."

The resolution was put and carried.

FORMATION OF A KARNATAKA PROVINCE.

* Mr. P. SIVA RAO:—"Deputy President, Madam, I have the honour to move—

'This Council recommends to the Government that urgent steps may be taken for the formation of a Karnataka Province comprising the Kanarese-speaking parts of the Madras and the Bombay presidencies and of Coorg.'

"I see a similar resolution on the agenda which has been tabled by my hon. Friend Mr. Ranganatha Mudaliyar which stands as No. 14. That resolution stands thus:

'This Council recommends to the Government to make representations to the Government of India for the early formation of a new province consisting of the Kanarese-speaking areas of the presidencies of Bombay and Madras.'

"I need not labour this point. The hon. Members of this House are aware that the present distribution of provinces in India has absolutely no rational basis. It is also recognized that the present redistribution is merely due to accident and to circumstances attending the growth of British policy in India. It has absolutely nothing to do either with the geographical or historical or economic or linguistic reasons. It is also recognized, as the hon. Members of this House are aware, that, so far as practicable, this difficult task of redistribution of provinces on a linguistic basis should be undertaken as early as possible, and it seems to me that it is an urgent problem. Our brethren of the Andhra country have already moved in the matter and, as a first step in this direction, they have had the Andhra University in their midst. I may also say that this question has been considered at the All-Parties Conference by the Nehru Committee and before it the claims of the Karnataka province were vigorously urged. They gave the following finding regarding the same: "As regards this question we cannot of course decide it finally but we feel that the advocates of unification have prima facie established their right." If I am asked to say which is the most important principle to be taken into consideration in the formation of a new province, I would answer most unhesitatingly language unity for more reasons than one. I may also say that no democracy can exist if a foreign language is largely used. It is but right that in all future provincial autonomous Governments the language of the particular province should be used as the medium in all offices, in all courts and in the Legislative Councils without which I do not think that we can make any substantial advance in the progress of the country. I may also say that this problem is fraught with some practical difficulties if we want to form a Kanada province. It must depend upon the goodwill and consent of the other administrations, not merely the administration of Coorg, which is under the Government of India, but of the administrations of the Bombay Presidency also. (At this stage the hon. Mr. President occupied the chair.)

8th August 1929]

[Mr. P. Siva Rao]

"Sir, the question again depends upon the consent and the wishes of the people who are distributed among these various tracts. All that I suggest now is that a prima facie case has been made out in favour of the formation of a Karnataka province. I therefore strongly urge that further steps in that direction may be taken and an expert committee may be appointed or a suggestion may be made to the Government of India for the appointment of such a committee to consider the details, the resources and finances of the proposed Karnataka province, to enable the Government to finally come to a conclusion in the matter. I am also aware that there is a further difficulty in the matter, for most of these Kannada-speaking tracts are in the Mysore territory and unless we agree to a federation of the Indian States and British India together, we cannot take Mysore into account. But these are the real and practical difficulties, but I daresay all this will be solved if only immediate steps are taken towards the appointment of an expert committee to enquire into the resources and as to whether the future Karnataka province would be self-supporting or not. As a matter of principle, it has been recognized on all hands that it is an excellent one and this has been carried out in practice by the Indian National Congress who have arranged their own provinces according to the linguistic basis. I may also say that the formation of the Andhra University is a tardy recognition of the same principle. With these few words, I move this resolution for the acceptance of the House."

Mr. A. RANGANATHA MUDALIYAR:—"Mr. President, Sir, I have very great pleasure in seconding the resolution moved by my hon. Friend Mr. Siva Rao. I submit that in regard to this matter there is no difference of opinion among the people. The National Congress gave recognition to the principle more than eight years ago. The National Convention which has brought into being and which framed an Act for Swaraj India in recognition of this principle incorporated this in its draft Bill. Again, Sir, the Nehru Committee went into the question carefully and have in unhesitating terms recognized the justice and equity of the formation of the province. Sir, in this matter, there is no question of Brahman or non-Brahman, if I may venture to refer to that. I had the honour of presiding over the Karnataka Unification Conference at Belgaum where people not only from Bombay and Madras presidencies but also from the other provinces were present. I could very well see the enthusiasm with which this idea was taken up and how assiduously it has been put before the country. Either from the point of view of finance or from the point of view of administrative convenience, there can be no objection whatsoever to the formation of a Karnataka province. With these words I second the resolution."

Mr. J. A. SALDANHA:—"Mr. President, on behalf of the people of South Kanara which forms part of the Karnataka province, I strongly support this resolution."

* Mr. MAHMUD SHAHMAAD SAHIB:—"Mr. President, Sir, I have great pleasure in supporting this resolution. As stated by my hon. Friend Mr. Ranganatha Mudaliyar, there is no communal question at all involved in this matter. This is a question in which all parties are agreed and the Kanarese-speaking population of this Presidency is in such an out-of-the-way corner that they find it very difficult to make themselves felt on the Government of this Presidency. It has also been proved by statistics that the financial resources of the Karnataka are more than sufficient for having a

[Mr. Mahmud Schamnad]

[8th August 1929]

separate province. In the matter of the formation of separate provinces on a linguistic basis, the Nehru report has given this question of Karnataka province the first place in its report. The people of Karnataka also are very anxious and earnest to have a province of their own. They are determined to have their request carried out soon. I think that it is a fair request and it will be an injustice if the Government do not see their way to agree to this resolution."

Sriman BISWANATH DAS Mahasayo:—"Mr. President, Sir, I have very great pleasure in supporting the resolution moved by my hon. Friend from Bellary. I am only sorry that this resolution has come so late in the day. I expected my hon. Friends representing the Kanarese area to come earlier than 1929 to move the Council so as to recommend to the Government of India and the Secretary of State to enquire into the question of the Kanarese province. I must thank my hon. Friend for his having escaped the scrutiny of His Excellency the Governor because while moving for a separate Oriya province my motion had to face his disallowance and I was not allowed to have my motion discussed in this Council.

3-39
P.M.

"Sir, it pains me that the Government of Madras, thick-skinned as it is, has not yet found its way to recommend the formation of provinces on a linguistic basis, i.e., the formation of a Tamil, a Telugu, a Kanarese and an Oriya province so far as this Presidency is concerned. In the memorandum that was published though not by themselves, but through the kindness of The *Hindu*, the Madras Government instead of supporting the idea of separate linguistic provinces have stood in the way. My hon. Friends who represented this House calling themselves the Indian Parliamentary Committee of Madras after a wonderful investigation, after two or three months spending the tax payers' money in thousands, have come to no conclusion on this important question. Sir, my submission to this hon. House is that no provincial autonomy, no self-government is worth having until and unless the people of one definite language are allowed to have a separate legislature for themselves and have the discussions in their legislature carried on in their vernacular. Sir, it is a great limitation on the hon. Members of this House to express their feelings, their views and to represent their constituents properly so long they transact business in English. Sir, the time will come when the ordinary ryot paying Rs. 10 or less or the adult after having attained the age of 24 or 25 will come and sit side by side with the so-called English educated literate members. I look forward to the day and believe that linguistic division of the provinces will make such things possible. This question of linguistic provinces has been the theme of authorities higher than this Madras Government ever since 1912. In the famous Coronation despatches of 1912, the Secretary of State and the then Governor-General of India Lord Hardinge laid down the principle that the time has come when India should be divided into autonomous provinces on a linguistic basis. Then, Sir, when the illustrious authors of the Montford Report after a close enquiry made their recommendations, they have also laid down in clear expressions how this division should be carried out with the consent of the people. Then, Sir, the Joint Select Committee who very deeply went into this question have laid down very clearly the procedure for effecting such a re-distribution. The Provincial Government, instead of aiding the formation of such provinces, I must sadly confess, have been the greatest sinners and abettors in blocking way towards this course. Sir, in this House

[8th August 1929] [Sriman Biswanath Das Mahasayo]

we passed a resolution regarding a separate Andhra province and the Government were pleased to reply to certain interpellations that they have done nothing more than forwarding the discussions on the floor of this House. Nothing could be more shameful to a Government which calls itself responsible, which calls itself as the tutors of the people in the school of responsibility at heaviest price possible, than that. It is high time that hon. Members of this House should recommend the formation of a separate Kannada province, and that unanimously, without a voice of dissent. With these words, I wholeheartedly support the motion and I shall be very glad to see and congratulate my hon. Friends here if they have very soon a Karnataka province formed."

*The hon. Mr. A. Y. G. CAMPBELL:—"Mr. President, Sir, I may perhaps first give the House some very few statistics relating to the distribution of the Kanarese-speaking population throughout India and particularly in this Presidency. The total Kanarese-speaking population in India is about 10,370,000. Of that population more than half is in Indian States. Mysore has four and a quarter and the Nizam's Dominions, one and a half millions. In Bombay Presidency, there are 2,400,000 and in Madras Presidency, 1,500,000, in Coorg, 73,000 and elsewhere 570,000. The figures I am quoting are from the census of 1921. Of the one and a half millions in this Presidency, the largest number of Kanarese-speaking people is in Bellary district where the figure is 480,000. The next district is Coimbatore with 260,000, next South Kanara with 220,000, out of a total population of 1,250,000. In Salem district there are 142,000, in Madura 115,000 and in Anantapur, 91,000. There is only one district in the Presidency without any Kanarese-speaking people and that is the district of Anjengo. (Laughter.) I take it that the proposal which the mover has in view is to take from this Presidency a portion of Bellary district and a portion of the South Kanara district or possibly the whole of it; I am not sure whether it is his intention to include any portions of Coimbatore and Salem as well, but probably he does not intend to include any other part of the Presidency in the new province. An hon. Member opposite says that portions of Coimbatore and Salem are to be included in the new province. The hon. Mover of this resolution recognized the fact that an enquiry would be necessary before anything further could be done and he made the suggestion, though it is not in his resolution, that the Government of India should be asked to appoint an expert Committee to consider the details of resources and finances. It will indeed be necessary to have a very careful enquiry made before any proposal to form new provinces on a linguistic basis is accepted. There are various administrative and financial considerations in connection with the establishment of a new Government, a new Secretariat, a new High Court, new heads of departments and so forth and there are also other considerations such as social and economic and even historical and geographical, to be taken into account. All this would involve a considerable and long enquiry. In addition we have to consider what are the views of the inhabitants of the districts which are to be transferred to the new province. Hon. Members are well aware that in the South Kanara district and in the immediate neighbourhood there are more people who speak Tulu than there are people who speak Kanarese and it is probable that no area can be taken out of South Kanara which will contain only Kanarese-speaking persons. Similarly I doubt whether it is possible to carve out portions of Bellary, Salem and Coimbatore and include them in

[Mr. A. Y. G. Campbell]

[8th August 1929]

a Kanarese province without at the same time bringing in persons who do not speak Kanarese. The views of all those people will also have to be considered very carefully. Well, Sir, it may be found when an enquiry is made, that it is desirable to have a Kannada province but I do not feel we have before us now adequate material on which it is possible to base a considered opinion. I do not wish to give an opinion one way or the other. I would suggest, Sir, that as the questions whether it is desirable to form linguistic provinces in India and if so, what machinery should be provided to enable them to be formed, are now, I believe, under the consideration of the Statutory Commission, this seems to be hardly a suitable time to make a special enquiry with reference to a particular province. Furthermore, in view of the very large administrative changes we are expecting, as a result of the labours of the Statutory Commission, it seems undesirable to increase the difficulties of bringing in those reforms by at the same time endeavouring to carry out another very large measure of reform, a very important and independent measure of reform which is involved in the creation of new linguistic provinces. I think, therefore, Sir, that this is not a suitable time to take any measures for the establishment of such provinces in India."

Mr. A. KALESWARA RAO:—"Mr. President, the reply of the hon. Mr. Campbell is only an illustration of the way in which bureaucrats give replies. He admits that great administrative changes are going to come. He admits that the question of dividing India on linguistic basis and the question of setting up the machinery therefor is under the consideration of the Simon Commission. And yet, he states that this is not the time for passing a resolution of this nature. If the Government is not in a position to consider any of these questions now, it may then be said, it is too late, that the reforms have newly come and even though we put these questions before the British Parliament, they may not care to consider them. The very admissions of the hon. the Revenue Member show that this is the time when such questions ought to be considered by this House and an expression of opinion should be given. It is too late in the day to question about the utility or the necessity of dividing the country on a linguistic basis. It was Lord Hardinge's famous despatch that spoke of the United States of India on linguistic lines when he wrote of the change of capital from Calcutta to Delhi, and all political schools of thought have agreed that it is only by such a redistribution that real self-government can be established, that the government could be carried on by the people for the people. With these words, I beg to support the motion."

* Mr. A. B. SHETTY:—"Mr. President, Sir, it is regrettable that the hon. the Revenue Member is not in favour of this resolution. He speaks of the many practical administrative difficulties which are in the way of the formation of a Karnataka province. The Government, Sir, have accepted the principle of redistributing provinces on a linguistic basis as is evident from paragraph 246 of the Montagu-Chelmsford report. And they have authorized the Viceroy in the Government of India Act of 1919, section 52-A, for forming new provinces on that basis, if the people of a particular area wished it. As has already been pointed out by many speakers here, there is an almost unanimous demand from the majority of people belonging to all classes and creeds in the Kanarese districts for the formation of a separate Karnataka province. A number of all-Karnataka Conferences have passed resolutions on this matter; several local boards and municipalities have made this demand

[8th August 1929]

[Mr. A. B. Shetty]

and almost all the journals—we have about a hundred in the Karnataka districts—have written in support of this; Karnataka has been formed into a separate circle by the Nagpore Congress in 1920. A representative of the Karnataka Provincial Congress Committee as well as of the Karnataka Unification Sabha put the case for Karnataka before the Nehru Committee and as the result of it that committee has been convinced of the reasonableness of the demand and they have recommended the formation of a separate Karnataka province. The geography, history and culture of Karnataka are all in favour of the demand for unification. The Madras Government are wrong in stating in their memorandum that Karnataka was never under one administration. It was only after 1565 that United Karnataka became split up into so many parts. Living as we do now under different administrations like that of Madras, Bombay and Coorg, we have little scope to come together for fostering our language, arts and traditions or for developing our resources. But if British Karnataka is united, it will stand equal to any other province with an area of 85,000 and odd square miles, a population of 63 lakhs and an income of 267 lakhs.

"It is regrettable that the Simon Committee, of which my hon. Friend s-45 Mr. Siva Rao was a Member, has not given its definite support to p.m. this demand. Probably it may be because the case was not put before them at all by anybody. We, Sir, the people who belong to the Kanarese districts are in a minority in Bombay as well as Madras. In Bombay they are 19 per cent and in Madras there are only 6 per cent Kanarese-speaking people. It is no wonder we are made to suffer in many ways. Our claims and our interests are neglected. Even in this Council we feel how helpless we are (A voice:—"What about Mr. Saldanha?") in spite of Mr. Saldanha. It has been pointed out that the unification of Karnataka is a practical proposition. The Kanarese-speaking districts are more or less contiguous. For administrative purpose they will form a fairly compact and convenient area and according to the opinion of the people who have made a study of the facts and figures concerning this question, this Karnataka province if formed will be financially self-supporting. When the hon. Dr. U. Rama Rao moved a resolution on this matter in the Council of State in February 1926, one of the replies of the hon. Member who was in charge of this subject was that this question had not been brought up in the local Legislative Council. I am glad we have found a very opportune time like this for bringing up this question to-day in this Council. We feel that the need for the unification of Karnataka is greater than the need for the formation of any other province, either the Andhra province or the Tamil province, because they form sufficiently big and compact areas and their development is not handicapped as our development is handicapped. I appeal, therefore, to the Members of this House to support this demand which is just and reasonable as well as patriotic and necessary in the interest of the country as a whole. So long as we continue to be scattered here and there and be a minority under the dominance of a majority in any province, we cannot act together effectively nor show ourselves at our best. Let the Government find out whether British Karnataka when united will not be a convenient administrative unit, financially self-supporting and with better scope for development and increased revenue."

Mr. R. NAGAN GOWDA:—"Mr. President, Sir, the hon. the Revenue Member has not made out, I think, a case against the formation of a Karnataka

[Mr. R. Nagan Gowda]

[8th August 1929]

province. He said that the financial question would have to be considered. This resolution says that all things from a practical point of view should be considered. Sir, he considered only the financial question from the viewpoint of the Government. But, has the House not to consider the financial question involved in the large number of people from out-of-the-way places like Bellary and South Kanara coming all the way to Madras? The consideration of the money involved in the way, the travelling expenses and other things will have to be considered and not the additional expenses to the Government. I think this offsets any financial difficulties that the Government may feel. Sir, hitherto, till very recently in all the parts where Kanarese is spoken in Bellary they used to teach Telugu in the elementary schools, up to seven years ago. The hon. the Revenue Member mentioned the social and other aspects of the problem. I just want to say that in the long period during which some of these Kanarese parts have been along with Telugus, no Kanarese literature worth the name has been produced; and I cannot think any literature can come out if the Kanarese tracts continue as they are at present. With these words I support the motion.

* Mr. S. ARPUDASWAMI UDAYAR :—" Mr. President, I do not want to damp the enthusiasm of my hon. Friends. I am sorry that my hon. Friend Mr. Shetty spoke of his community being very poorly represented. As for representation in this House, Sir, I think that, although it may appear small, nevertheless it is a fact that all the members of the community are very articulate. I will never stand in the way of my hon. Friend Mr. Nagan Gowda having facilities for developing Kanarese literature. But, Sir, there is one difficulty which I fear my friends have altogether overlooked. They have not taken into consideration the fact that this is a time of mass civilization, mass units, group movements, collective action. Economic aggregates Tamils, Telugus and Kanarese go and settle where they find occupation round some particular industrial countries. Even in the case of the Andhra University, while discussing the Bill for the University we found that some districts had to be cut off. Luckily for the Andhradesa there are at least half a dozen districts where the population is predominantly Telugu and where the language spoken is predominantly Telugu (Mr. G. Harisavottama Rao : 'There are 13 such districts'). Anyhow, let us say there are ten districts, and I think that will satisfy my hon. Friend Mr. Harisavottama Rao. I believe he represents a district in which both Kanarese and Telugu are spoken. Sir, with regard to the Kanarese-speaking people they are not so very strong even in South Kanara, and many people there who have taken to speaking Kanarese were originally having Tulu as their language. My hon. Friend Mr. Saldanha is an anthropologist and I speak subject to correction that is to say if I make a mistake, he is there to correct me. So even in South Kanara the Kanarese language is not the predominantly spoken language. In Bellary there are very many people who speak Telugu, and some of them speak Tamil. But apart from these two districts, there are no tracts in this Presidency which are predominantly Kanarese. In the two districts of Coimbatore and Salem which have been referred to, I think there are large numbers of people who speak Tamil. In such a case how are you going to form a Karnataka province out of such tracts? As regards Mysore, it is a Native State and we have nothing to do with the Native States as matters stand at present. If a proposition is to be assented to and be immediately made practicable and workable, certainly we should

[8th August 1929] [Mr. S. Arpudaswami Udayar]

proceed on some principle. Especially in this age of mass civilization I do not think there is any use in forming a province of this kind."

* Mr. P. SIVA RAO :—" Sir, I need not detain the hon. Members of this House very long. I have carefully listened to the observations of the hon. the Revenue Member. He went on quoting statistics of the Kanarese-speaking population of every district, how they have been distributed throughout India. Even at the outset I have mentioned that we cannot take into account the Indian States. We have to exclude them for the present until probably we arrive at a stage in the development of India when we can have a federated India, which including Indian States is not now in sight at any rate. So, for the present I exclude these Kanarese-speaking people who reside in the Indian States. Even then, we have five millions of Kanarese-speaking people scattered throughout British India, and we can form a Karnataka province out of these tracts. One thing, more I want to say. The hon. the Revenue Member was pleased to observe that the matter was before the Statutory Commission. Certainly I am aware of the fact that the matter is before the Statutory Commission for consideration. Even then, Sir, these deliberations will not go in vain. This will only strengthen the hands of the Statutory Commission in arriving at a decision one way or the other. Reference was made, Sir, to the report of the Madras Parliamentary Committee of which I have the honour to belong. No material was placed before us and no deputation waited on us in connexion with this matter (Voices : 'Oh, oh'), and we did not feel called upon to consider this matter when there was no material before us. They placed the whole set of materials before the Nehru Committee, and this matter was discussed in the Nehru report. That report also we have to consider. The Committee finds out that there is a strong prima facie case made out for the formation of a Karnataka province. Some of the hon. Members of this House are apprehensive that Coimbatore and Salem would be drafted into the Karnataka province. My resolution refers only to those districts or tracts where the language spoken is predominantly Kanarese. Bellary taken as a whole is such a district, but Coimbatore I do not think is one of those districts, nor Salem, and so, my hon. Friends from Coimbatore need not be afraid of the prospect of a Kannada province coming into being. If some Kanarese-speaking people are scattered here and there in any district, that is no reason why that district should be tacked on to the Kannada province. There are only three districts, Bellary, South Kanara and probably North Kanara and Coorg, and these are all predominantly Kanarese. I realize that this question cannot be solved at once, and I also observe that it must be preceded by a kind of economic and financial enquiries and also an enquiry into the wishes of the people inhabiting these tracts. But some step has to be taken because a very strong case has been made out and it is for the Government to move further in the matter and recommend the appointment of an expert committee to ascertain the wishes of the people, and find out the resources of this Kannada province. With these words, Sir, I propose to press this resolution."

The hon. the PRESIDENT :—" The question is

'That this Council recommends to the Government that urgent steps may be taken for the formation of a Karnataka province comprising the Kanarese-speaking parts of the Madras and the Bombay Presidencies and of Coorg.'"

The resolution was carried.

[8th August 1929]

SUPPLY OF CONVEYANCES TO SCHOOL-GOING MUSLIM GIRLS

Mr. ABDUL HAMEED KHAN:—"Mr. President, Sir, the resolution which stands in my name and which I have the honour to move is

'That this Council recommends to the Government that, as usual, conveyances should be supplied to girls attending all the classes in the Government Hobart School, Royapetta, and other Government Muslim Girls' schools in the Province.'

"Sir, this is a resolution which does not deal with very important policies of administration just as that we discussed before. It deals with a simple grievance of the Muslim community in this province.

4 p.m. "The House may be aware, Sir, that this particular question is attracting the attention of Muslim Members representing various parts of the province. They have come forward with interpellations, pointing out the difficulties that Muslim girls all over the province are put to. Till very recently, the Government was supplying conveyance to girls attending elementary schools as well as higher classes in secondary schools that are spread all over the province. In the Madras City itself, we have one secondary school for Muslim girls, and that is the Government Hobart Training School. I understand that the Government has issued instructions to the effect that girls attending classes higher than the fifth standard alone should be supplied with conveyance. This matter raises a very important question. Either the Government is under the impression that it is time that the concessions granted to the Muslim community should be withdrawn little by little, or they are under the impression that girls up to a certain age need not require a conveyance. On this question, I understand that the Government seems to have consulted Muslim opinion. If the advisers of Government have advised them to the effect that purdah is a pernicious institution, and if those advisers have said that Muslim girls under a certain age need not observe purdah, I must say, Sir, that the Government have been wrongly advised. If the Government have consulted the Ulemas of the Muslim community over this question, they would have got proper religious opinion on the point. I hope the hon. Minister will come forward with reasons for taking such a drastic step as he has taken. The Government have been affording facilities to the Muslim community in the matter of education. One after another, the facilities have been taken away. Under the regime of my hon. Friend and Colleague of mine, Sir A. P. Patro, as Education Minister, the concession regarding half fees was taken away, and now I understand that the present Minister seems to take away the concession that Muslim girls were having with regard to the supply of conveyance to attend school. The hon. Minister might come forward and say that elementary schools have been opened by the Corporation of Madras all over the city, and that there need not be any elementary classes in that school, namely, the Hobart school. I would tell him that is not so. Because, as there are higher classes in the Government Hobart school, they cannot dis-establish the classes imparting elementary education. They will have to keep the elementary classes in that school, since there is a training class. Again, the hon. Minister might come forward and say 'why should the girls go there and why should they not attend the schools in their own localities.' I might answer that question and tell him, if that were the case, why does the Government have elementary classes in other secondary schools under their management? The object of keeping elementary classes in secondary

[8th August 1929]

[Mr. Abdul Hameed Khan]

schools that are maintained by the Government in the city and elsewhere is to see that a higher standard is set up there, so that the elementary schools that are run by the Madras Corporation and other municipalities are on those lines and kept up to that standard. Therefore, Sir, the hon. Minister cannot say that there is no need for elementary classes in the Government Hobart school.

"Further, there has been a good deal of agitation in the city about this matter, and I am sure the hon. Minister has received representations from various Muslim bodies, particularly from the Association of Muslim Women in the Madras City, who have regarded this as a legitimate grievance of the Muslim community. Instead of giving facilities for Muslim education, particularly education for Muslim women, the Government are bringing obstacle after obstacle in the way of the education of the Muslim community. Therefore, I hope that the Government will consider this matter and see that no obstacles are put like this in the way of Muslim education. It was rumoured sometime ago that instead of the bullock carts that were supplied for the conveyance of the school-going girls, Government were going to substitute motor buses. We find in other private schools found all over the country the old, old bullock carts are being substituted by motor buses, which step not only gives speed but is also economically cheaper. I do not know how many hon. Members of this House are aware of the fact that a number of Muslim girls that attend the Hobart Training school situated in Royapetta have to leave their homes at 7 o'clock in the morning to attend classes at 10 o'clock, because the number of conveyance supplied is limited, and also the conveyance is rather a very slow one. So, I repeat, Sir, that instead of giving further and further facilities the Government are coming forward to remove the existing facilities one after another.

"Sir, I appeal to my hon. Colleagues in this House, who are Hindus and Christians and who are also interested in this matter, and say that this is a real grievance of our community, and I have no doubt they will also support us."

* Dr. (Mrs.) S. MUTHULAKSHMI REDDI:—"I heartily beg to second this resolution. I have been connected for the last two years with the Association of Muslim Ladies in the City of Madras. They have prepared a memorandum, and published that memorandum, in all the local newspapers, and also submitted the same to the Government. I do not propose to take up time by reading it. The Muslim ladies urge that they are seriously affected by the order of the Government stopping the supply of conveyance to Muslim girls that are attending the Hobart Training School, as that will seriously handicap the education of the girls. There are girls studying in the primary classes as well as in the higher classes, and it happens that the girls have sisters, of which the elder ones attend the higher classes while the younger ones attend the primary classes. If the younger girls of the primary classes are deprived of the conveyance facilities, while the older ones go in a conveyance, they are deprived of the company of their older sisters. If a parent has got five girls, all of them attending the same school, it must be a very great grievance to the parent that the younger ones are not only made to walk but are also deprived of the protection of their older sisters. That is pointed out in this memorandum by the parents of girls.

[Dr. (Mrs.) S. Muthulakshmi Reddi] [8th August 1929]

"It is true, they say, that a few of them realize the evils of the purdah system, but as the majority of the community is wedded to the custom, although a few educated men and women of that community realize the disadvantages of purdah, the few are unable to put a stop to the custom, especially when the majority of the population is illiterate. Hence they strongly urge that the women ought not to be penalized and be deprived of the benefits of education.

"Another reason that has been given in the memorandum is that women of the Muslim community are very backward in education, compared with the women of other communities. Now, we know that women of other communities like Hindus and Christians go about freely giving lectures and doing propaganda work for the abolition of early marriage and other evil customs that are hindering the progress of women in particular and the society in general which the Muslim ladies, owing to this custom of purdah are unable to do so, because being backward in education they dare not go out and preach to the people. Hence they plead that they ought not to be punished for a custom of which they are not responsible. As higher education advances among them, and a greater percentage of women become educated, they will have the necessary moral courage to override the custom.

"Another point is this, Sir, most of the girls attending the Hobart Training School come from the poorer classes of the Muslim community. The richer classes send their girls to the Convent schools. The poor people that are residing in the neighbourhood of the Hobart Training School are sending their children to this school who are so poor that they cannot afford to provide conveyance facilities and they will be obliged to stop the education of their children, and thus the advantages of education would be denied to them. As the education of the women of a community will facilitate its social, economic and political progress, I feel, that the Government should find money to give that enlightenment and education to the Muslim women. So I appeal to the hon. Minister to accept this resolution."

* The MAHARAJA OF PITHAPURAM :—" Mr. President, I have great pleasure in supporting this resolution. The honour of our women is of the utmost importance to us when a certain section of our countrymen want their girls to observe purdah, we must respect their sentiments. It is incumbent on the Government to provide these girls with conveyances. I hope that Government will see their way to granting the request of the hon. Mover of this resolution."

Khan Sahib T. M. MOIDOO SAHIB Bahadur :—" Mr. President, Sir, I heartily support the motion that is before the House. I come from Malabar, and I have got my own experience in the matter. It is a fact known to everybody that our community is very backward in education. As far as primary education is concerned, one obstruction to the spread of education that I find is the want of conveyance to girls. The number of girls that are taking to education in our community is now slowly on the increase, and, if the Government is kind enough to accept this resolution, I am sure there will be a marked increase on the part of Muslim girls to avail themselves of this facility and to attend schools. The reason why education among girls is not making much progress in Malabar is, as a Muhammadan gentleman said to me, that the girls have to go some distance and they have to walk at some

[Mr. T. M. Moidoo Sahib] 8th August 1929]

places to reach their school. So it is necessary that conveyances should be provided for Muslim girls, and the help which the Government render in this way would be appreciated by everybody."

Mr. K. UPPI SAHIB :—" Sir, I rise to support this resolution. Recently the policy of the Government has been to give facilities for Muhammadan education and also to promote female education among Muslims. It has been a charge against the Mussalmans, that they do not take to education, or that they have an aversion for English education. But of late, Mussalmans have taken to education and recently they have taken to female education also. But the one thing that stands in the way of the latter is the purdah. Whether that system is good or bad it is not our duty here to discuss. It is there, and it is a longstanding and ancient system, a system which they consider is a very religious one, and to ask them give up that system means asking them to give up the religion itself. So, if the Government are earnest in giving education to Muslim girls, it is their duty also to help in this little way of providing conveyances to Muslim girls up to a certain age. By that I do not mean that young girls of six and seven should also be given conveyances. At least girls of ten and above may be given, that is, girls reading in the fourth standard and upwards. I cannot agree with my friend there when he objects to my saying that girls of six or seven years need not be given conveyances. What I say is Muhammadan religion enjoins purdah not on small girls and infants, (Mr. Satyamurti : Hear, hear) but only on grown-up girls of above nine years.

"In places other than the City of Madras the want of conveyance facilities is very keenly felt, and in Tellicherry and Calicut where the Muslim population is larger than in Madras, the one drawback to Muslim education is want of gosha schools and want of conveyances for taking them to such schools. There is a zenana school somewhere in Tellicherry and there is a zenana school in Calicut, but they are zenana only in name, they are only open ordinary schools. By giving the name of zenana, Government try to hoodwink the people, and when girls do not attend them, they say that Muhammadans do not take to education. It is lack of zenana schools and of facilities for attending them that stand in the way. So I should like that gosha schools are established and also gosha conveyances are provided. Government may say that they would require a large amount of money. I may say that the amount they spend in the name of so-called education will be a waste if they are not prepared to spend this paltry sum necessary. With these words, I support the resolution."

* Khan Bahadur S. K. ABDUL RAZACK SAHIB Bahadur :—" Mr. President, Sir, I rise to support this proposition, moved by my hon. Friend, Mr. Hameed Khan. It is a longstanding complaint of the Muhammadan population against the Government that they are not recognizing the needs of that community in the matter of education. The Government may advocate the removal of the purdah system even for grown-up girls. But they must understand the feelings of the Muhammadan population, and it is not for the Government to attempt to remove any customs adopted by any particular community. (Mr. Hameed Khan : Hear, hear.) I should say the percentage of education obtained by Muhammadan girls is very insignificant compared to other communities. So it is the bounden duty of the Government to come forward and adopt measures according to the necessities of each community. Government

[Mr. S. K. Abdul Razack Sahib] [8th August 1929]

cannot ask the Mussalmans to throw away their purdah system and allow their children to walk. When conveyances are found necessary, it is really regrettable that the Government should coolly say that due to lack of funds they are not in a position to provide conveyances. The Government should be a little more liberal in this case and not take into account the small amount that may be necessary for providing conveyances for these girls."

The hon. Dr. P. SUBBARAYAN:—"Mr. President, the question of conveyances for Muslim girls is indeed a difficult one. I find there is a difference of opinion among the hon. Muslim members themselves, because Mr. Hameed Khan thought that Government had been advised wrongly when they said that conveyances were not necessary for pupils up to the third class. On the other hand, I heard my Friend, Mr. Uppi Sahib, say that children up to nine years of age do not usually observe purdah, and so in their case there would be no necessity for conveyances. So there is a difference of opinion with regard to this matter.

"There is of course great difficulty experienced at present in the expansion of education of women among the Muslim community, because it is difficult to get an adequate supply of trained teachers, because it is difficult to get a person who is above the secondary school-leaving certificate or even the middle school. I admit that a certain amount of facilities in the way of conveyances should be given to Muhammadan girls, and it is the idea of the Government to provide conveyances from the fourth to the eighth standard in Bellary, Kurnool and also in the Hobart school, Madras. I think it will not be out of place if I give some figures with regard to this. There are 285 pupils in the Hobart school, out of which 211 are in classes of 1 to 3. As the lady Educational Officer in charge of Madras said, majority of the pupils in these classes are not sent to school from any real desire for education but in order to keep them out of mischief. (A voice: Question.), That is what the Educational Officer after experience of the Hobart school has said. But, as I have said, the Government do want to provide conveyances for Muslim girls in all areas where there are training schools from classes 4 to 8. But in the case of higher classes—of course the Government do not want these people to give up their purdah—I know the Maharaja of Pithapuram waxed eloquent on the purdah system a moment ago—a keen social reformer as he is—in the case of girls who read above the eighth standard, they ought to have conveyances, but I think in such cases they ought to be prepared to pay a small conveyance charge to the school. Of course, in the case of scholarship-holders and poor pupils the Government will give exemption from the payment of such fees. On the other hand, as I have said, with regard to classes 4 to 8, Government do mean to provide conveyances for pupils reading in Muslim training schools in centres where such schools are established by Government."

The MAHARAJA OF PITHAPURAM:—"The hon. Minister thought fit to remark that although I am a social reformer, I still advocated purdah when supporting this motion. When there is a section that believes in it, I do not see why it should not have its own way. That is enough to explain my position and the hon. the Chief Minister has no business to pass remarks like that." (Hear, hear.)

Mr. K. UPPI SAHIB:—"The Chief Minister said that I stated in my motion that girls of certain classes do not require conveyances. But in the

[8th August 1929] [Mr. K. Uppi Sahib]

second and third classes there may be girls above 9 and 10, so my limitation is with regard to age and not with regard to classes."

Mr. BASHEER AHMED SAYEED:—"Mr. President, at this fag-end of the discussion, I do not want to take a long time over this subject. I only wish to point out, Sir, that we in the Corporation of Madras have been trying the experiment of sending Muslim girls in conveyances to their schools. When free primary education was sought to be introduced in this city, the Mussalman community stood against it, and unfortunately, on the first occasion when the question was taken up and decided by the Council of the Corporation, on account of the agitation that was carried on against the introduction of free compulsory primary education, the Muslim girls were exempted from attendance at schools for a period of two years. That proved really very fatal and the reasons that were adduced by the Muslim community were that there were not suitable conveyances, that the conveyances were not adequate and that the custom of gosha that is prevalent in the society stood in the way of their sending any girl of any age whatever to the schools. Those were the main reasons why the Muslim community did not send their girls. But when we in the Corporation of Madras assured the Muslim community in conference that we would provide the necessary conveyances to enable them to observe purdah, they boldly sent their children to schools in the city of Madras. Thus within the course of one or two years we have established 13 to 15 schools and there are now on an average about 150 girl-students studying.

"Mr. President, one great impediment in the way of the Muslim community making any advance in the matter of education is the custom of gosha which they find it very difficult to give up. I quite see that in course of time when education permeates they would observe the right kind of purdah and give up this custom of gosha which stands in the way of all progress. (Mr. S. Satyamurti: 'Hear, hear.')

"The Government have always been professing that they help the communities which are backward in the matter of education. I must submit, Mr. President, that the Government have long forgotten that the Muslim community is backward in the matter of education, the very name of the community itself having been kept out of the list of backward communities maintained by the Government. The question of conveyances was often raised in this House by means of interpellations, and the Minister, I am sorry to remark, was very insolent in his replies. In particular, when the question of conveyances to the Muslim girls in the Training School at Trichinopoly came up, he would not listen so much as to the necessity of providing conveyances.

"Sir, the absence of conveyance has been a great obstacle in the way of Muslim education. If the Government mean well towards the Muslim community in the matter of education, they ought to provide the necessary amount for providing conveyances to Muslim girls attending these schools.

"One more point, Mr. President. There are girls who go to school at the ages of 12 and 13 and they are admitted in the first or second class. These girls ought to observe purdah and cannot go to the school walking in the streets and Muslim parents are very diffident to send their children to school under such conditions. For these reasons, it is necessary that there should be some provision made for conveyances. I therefore support the motion before the House."

[8th August 1929]

* Khan Bahadur P. KHALIF-UL-LAH SAHIB Bahadur :—" Mr. President, originally I did not propose to take part in this discussion at all. I believed that the resolution before the House would be accepted when once proposed and that it did not require any argument in support of it. But having heard the hon. the Chief Minister on this point that the Government propose to sanction conveyance charges only with reference to one or two districts and one or two schools only, I feel impelled to have my say on the matter. I believe the hon. the Chief Minister is aware of the tremendous difficulties under which the training school at Trichinopoly is working. The working of the school has suffered a great deal on account of this non-provision of conveyance charges. This matter has been before the Government for several years past. Now I hear the Chief Minister is going to make provision for the same in the Trichinopoly Training School and I am glad of it. But what I submit is that invidious distinctions of this sort between one school and another or one district and another should not be made. The Government should, without any hesitation or further delay, adopt a general principle of sanctioning conveyance charges to these Muslim schools wherever existing and attended by girls above 8 years of age. They ought not to make any distinction of any sort. I therefore support the motion before the House."

Mr. G. HARISARVOTTAMA RAO :—" Sir, I move that the question be now put."

The closure motion was put and carried.

Mr. ABDUL HAMMED KHAN :—" May I say a word, Sir ? "

The hon. the PRESIDENT :—" Our Standing Orders do not provide for the Mover to make a reply when closure has been accepted. When closure was applied, the hon. Member ought to have cried loudly ' No ' if he desired to have an opportunity to reply." (Laughter.)

The resolution was put and carried.

CLOSURE OF LIQUOR SHOPS ON HOLIDAYS AND DAYS OF ELECTION.

Rao Sahib R. SRINIVASAN :—" I move, Sir, that

' This Council recommends to the Government that all shops kept for sale of intoxicating alcoholic liquors and intoxicating drugs, such as opium, ganja, etc., in the province be closed on Sundays, public holidays, and days of election to local boards, municipalities and the Legislative Council and the Assembly, and that clubs, hotels and refreshment rooms that are licensed to sell intoxicating alcoholic liquors and beverages be permitted on the abovementioned days to serve such liquors to boarders, lodgers and bona fide travellers at meal hours for consumption in the licensed premises.'

" Sir, in our attempt to close down the liquor shops we ought to proceed very very carefully, because it affects the rights and privileges of the people. We should not rush on with our measures of reform all on a sudden. The process ought to be gradual, because if we proceed rapidly, the drinkers are apt to find some substitute for the drink they are accustomed to have, or they will resort to illicit supply. My own experience is that if people do not get the drinks they are accustomed to, they find recourse to substitutes which are injurious. So that the best way to abolish drink altogether is to start with the closing of shops once in a week and on festival days and other

[8th August 1929]

[Mr. R. Srinivasan]

occasions when people are likely to gather and indulge in it. According to my calculation, Sundays and other holidays in a year come to 90 days or three months. If by passing my motion we are able to wean away these people from their drinking habits for 90 days in a year, it would be a great advance.

" Sir, I have carefully omitted toddy from the scope of my motion, because it is a drink which should be available to them in the place of alcohol. Toddy is not so injurious as alcohol. A man could live on toddy for days together. Even infants are, when no milk is available, fed on toddy. Of course, I do not encourage toddy drinking ; but what I say is that something intoxicating should be available to the people and that something should be toddy as it is not injurious. There are people who take whisky and none other and there are people who take brandy and none other and there are people who take gin and gin only. They do not at all take other drinks. They may be coaxed to take milder drinks, such as beer, etc. Some people when they find that they cannot get their drinks on Sundays, stock their requirements for that day on the previous Saturday itself. But their number is very few. By saying that people may be allowed to take toddy, I do not mean to say that toddy shops should be open at all hours of the day and on all days. What I say is that we will have toddy shops open for the present and later, when we have succeeded in restricting the sale of alcoholic liquors, we can think of closing the toddy shops as well.

" Sir, people will say that if you close the shops on Sundays, men who are accustomed to drinks would buy and stock their requirements on the previous Saturday itself. That is true. But, generally, 70 per cent of the people who take to drink only think of it just when it is time for them to go to the shops and when they do not get it, they forget all about it in the next hour. So there is not much difficulty with them.

" Sir, I have to say a word about the clubs. Clubs and hotels ought to be allowed to serve them as stated in my resolution.

" Then I would like to bring one point to the notice of the House and that is that this sort of closing of liquor shops on Sundays and other public holidays would give a chance to the propagandists to go and preach to the people when they are sober.

" Sir, my object in bringing forward this motion is not to rush in with this reform, but to proceed step by step. If we proceed in this manner we would be able to solve the drink problem altogether."

* Mr. V. I. MUNISWAMI PILLAI :—" Sir, I have much pleasure in seconding the resolution so ably moved by my hon. Friend Mr. Srinivasan, the veteran leader of the Adi-Dravidas.

" One of the reasons advanced against these measures by the people who are accustomed to drink is that by these means their privileges are denied to them. Sir, the motion has been very moderately worded so as to satisfy even people who are habitual drunkards. The Government themselves have come forward to do something in the way of propaganda. I think therefore that this is an opportune time for giving effect to a resolution of this sort. I do not like to take up much of the time of the House at this late hour as Mr. Srinivasan has fully explained the arguments in favour of the resolution, I commend it for the acceptance of the House."

[8th August 1929]

4-45
p.m.

* Mr. MAHMUD SCHAMNAD:—"I have very great pleasure in supporting this motion, because it is a nice device to arrive at the desired object of total prohibition. You know that in Muslim countries the drink evil does not exist and that Muslims are teetotalers. In this connection I may remind the House how Arabia was transformed by the Prophet of Arabia. In those days people in that country were addicted to drink so much that they would sell their all for that sake. I shall tell you how the Prophet succeeded in inducing the people to give up drinking. First of all, he advised the people to give up drinking during prayers; they easily agreed to it and acted accordingly. Then, after they became accustomed to it, he asked the people not to drink during daytime. To that also they agreed. Some time passed. Then he prohibited drinking entirely. So, step by step he succeeded in inducing the people to abstain from drinking altogether. In a similar way this resolution aims at prohibiting drinking totally in the course of a few years. I therefore have very great pleasure in supporting this motion."

Mr. M. V. GANGADHARA SIVA:—"Sir, hon. Members of the Opposition have been asking for total prohibition. I am sure that it cannot be achieved very soon, though the opposition party try their level best for such a thing. Though the resolution of my hon. Friend Mr. Srinivasan may not result in complete success, we may achieve success to a very great extent by adopting that resolution."

Mr. D. THOMAS:—"I am in entire sympathy with the object which underlies this resolution. I have no objection to the earlier portion of the resolution but to the latter part I am sorry I have to raise an objection. The earlier portion of the resolution is: 'This Council recommends to the Government that all shops kept for sale of intoxicating alcoholic liquors and intoxicating drugs such as opium, ganja, etc., in the province be closed on Sundays, public holidays and days of election to local boards, municipalities and the Legislative Council and the Assembly.' I should think that the latter part takes away a great deal of the virtue and integrity of the first part of the resolution. It appears to me that by the latter part of the resolution we are trying to transfer the activities from the toddy shop to the boarding house or the club."

Mr. A. RANGANATHA MUDALIYAR:—"I have got an amendment to move to that effect."

Mr. D. THOMAS:—"As a practical proposition, I beg to submit that it will be very difficult to work it if it is carried. For example who is to decide the meal hour? Who is to decide whether a traveller is a bona fide traveller? The meal hour may vary with each individual. So the meal hour cannot be standardized. Then again it is very difficult to decide who are bona fide travellers. Another reason why I want the latter portion should be dropped is that even under the present conditions only those people who resort to drinks go to arrack or toddy shops. But if these shops are closed and if such drinks are allowed to be vended in clubs on holidays, even people who in the ordinary course of things do not take to drinking in the midst of people who are accustomed to drink would also become addicted to intoxicating beverages. As a matter of fact, in the mufassal very many hotels have not got licences now to sell liquors. But if this resolution is passed, it will give an incentive to them to obtain licences for vending these liquors. I therefore see very many practical difficulties in

8th August 1929] [Mr. Daniel Thomas]

working the latter part of the resolution if it is carried. I would therefore commend to the hon. Mover of the resolution to withdraw its latter part."

Mr. A. RANGANATHA MUDALIYAR:—"As Mr. Nagan Gowda is ill and consequently is not able to move the amendment which stands in his name, may I ask your permission to allow me to move that amendment?"

The House assenting, the hon. Member moved the amendment.

Mr. A. RANGANATHA MUDALIYAR:—"I beg to move the amendment standing in the name of my hon. friend Mr. Nagan Gowda which runs as follows:—

'That all the words occurring after the word "Assembly" in the resolution of my hon. friend Mr. Srinivasan be omitted. The resolution will run thus:—

"This Council recommends to the Government that all shops kept for sale of intoxicating alcoholic liquors and intoxicating drugs such as opium, ganja, etc., in the province be closed on Sundays, public holidays and days of election to the local boards, municipalities and the Legislative Council and the Assembly."

"Mr. President, after the speech of my hon. friend Mr. Daniel Thomas, I have very little to say to commend this amendment for the acceptance of the House. I have very great pleasure in moving it."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I second it."

* Rao Sahib R. SRINIVASAN:—"I am sorry I cannot accept the amendment. In this country under the law licences to Indian clubs and refreshment rooms for selling alcoholic liquors are not easily given. Licences are granted to European hotels and clubs. Even if they are given, the Police authorities take very great care to watch them. If any traveller arrives in a European hotel, the hotel-keepers will naturally understand who is a stranger and who is not. They know their own boarders and lodgers and there will not be much difficulty in differentiating between strangers and others. I should therefore press my resolution as it is for the acceptance of the House."

The amendment was put and declared carried.

A poll was demanded and the House divided thus:—

Ayes.

- | | |
|--------------------------------------|--|
| 1. Dr. (Mrs.) S. Muthulakehmi Reddi. | 18. Mr. Ahmed Miran Sahib. |
| 2. Mr. A. B. Shetty. | 19. " A. Kaleswara Rao. |
| 3. " P. J. Gnanavaram Pillai. | 20. " D. Narayana Raju. |
| 4. " T. M. Narayanaswami Pillai. | 21. " C. N. Muthuranga Mudaliyar. |
| 5. " K. Krishnan. | 22. " C. Venkatarangam Nayudu. |
| 6. " V. I. Muniswami Pillai. | 23. " B. Venkataratnam. |
| 7. " W. P. A. Soundara Pandian. | 24. " A. Ranganatha Mudaliyar. |
| 8. " Daniel Thomas. | 25. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 9. " G. Harisavottama Rao. | 26. Mr. Ramanath Goenka. |
| 10. " Basheer Ahmed Sayeed. | 27. " K. P. Raman Menon. |
| 11. " C. S. Govindaraja Mudaliyar. | 28. " C. R. Parthasarathi Ayyangar. |
| 12. " Abdul Hameed Khan. | 29. " T. C. Srinivasa Ayyangar. |
| 13. " M. Narayana Rao. | 30. " K. Nagan Gowda. |
| 14. " K. Madhavan Nayar. | 31. The Maharaja of Pithapuram. |
| 15. " A. Parasurama Rao. | |
| 16. " C. Ramasomayajulu. | |
| 17. " T. Adinarayana Chettiyar. | |

[8th August 1929]

Noes.

- | | |
|-------------------------------|-----------------------------------|
| 1. Mr. N. Siva Raj. | 5. Rao Sahib R. Srinivasan. |
| 2. „ M. V. Gangadhara Siva. | 6. Mr. Sami Venkatachalam Chetti. |
| 3. „ S. Subrahmanya Moopanar. | 7. „ S. Satyamurti. |
| 4. „ S. Venkiah. | |

Neutral.

- | | |
|--|---|
| 1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 17. Munshi Abdul Wahab Sahib Bahadur. |
| 2. „ Sir Thomas Moir. | 18. Mr. J. Bheemayya. |
| 3. „ Diwan Bahadur M. Krishnan Nayar. | 19. „ R. Foulkes. |
| 4. „ Mr. A. Y. G. Campbell. | 20. Mahmud Sohamnad Sahib Bahadur. |
| 5. „ Mr. M. B. Seturatnam Ayyar. | 21. The Muppil Nayar of Kavalappara alias Kumaran Ramani. |
| 6. „ Mr. S. Muthiah Mudaliyar. | 22. Mr. P. C. Venkatapathi Raju. |
| 7. „ Dr. P. Subbarayan. | 23. „ K. Koti Reddi. |
| 8. Mr. Hilton Brown. | 24. „ R. Srinivasa Ayyangar. |
| 9. „ H. A. Watson. | 25. „ C. V. Venkataramana Ayyangar. |
| 10. „ A. G. Leach. | 26. „ J. A. Saldanha. |
| 11. „ J. Gray. | 27. „ K. V. R. Swami. |
| 12. „ S. V. Ramamurti. | 28. „ K. R. Karant. |
| 13. „ C. B. Cotterell. | 29. „ K. Uppi Sahib. |
| 14. „ V. Ch. John. | 30. Khan Bahadur S. K. Abdul Razaack Sahib Bahadur. |
| 15. „ M. A. Manikkavelu Nayakar. | 31. Rao Bahadur K. Sitarama Reddiyar. |
| 16. Syed Tajudin Sahib Bahadur. | 32. Rao Bahadur B. Muniswami Nayudu. |

(While counting of votes was going on) Mr. C. V. VENKATARAMANA AYYANGAR :—“ May I know what will be the result of the voting if the number of neutral members is larger than that of *ayes* and *noes* ? ”

Ayes 31. *Noes* 7. *Neutral* 32.

The amendment was carried.

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

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

[8th August 1929]

APPENDIX I.

[Vide answer to question No. 92 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 8th August 1929, page 246 supra.]

Statement showing (a) whether the number of motor accidents has decreased in 1928 as compared with that in 1927 and if so, in what proportion, (b) what steps have been taken to control and regulate the speed of buses run by motor service companies in different districts of this Presidency, and (c) whether any further restrictions have been imposed on the granting of driving licences and if so, what they are.

Districts.	Number of motor accidents.		Steps to control and regulate the speed of buses.	Further restrictions, if any, on the granting of driving licences.
	1927.	1928.		
(1)	(2)		(3)	(4)
1. Ganjam ..	9	15	The permissible speed is entered in 'G' permits. Drivers are prosecuted for rash or negligent driving if excessive speed results in an accident.	Nil.
2. Vizagapatam.	5	5	.....	Nil.
3. Godavari, East.	8	11	Traffic beats check the speed of buses and prosecutions are launched when speed limit has been exceeded.	Nil.
4. Godavari, West	3	1	No special steps are being taken to control the speed of buses.	Nil.
5. Kistna ..	13	26	A condition is inserted in the 'G' permit that the speed should not exceed 3 miles over bridges, 5 miles in towns and villages and 12 miles elsewhere.	No driver is permitted to drive a bus unless he has held a permanent car driver's licence for two years. No permanent licence to drive a car is given without six months probation on temporary permit.
6. Guntur ..	1	15	Speed is prescribed in the 'G' permits and the District Board licences.	Nil.
7. Nellore ..	2	7	The municipal speed regulation of 15 miles an hour is being enforced.	Temporary suspension and cancellation of licences and permits are ordered whenever driver's negligence is noticed.
8. Cuddapah ..	7	10	No special steps are taken as the traffic is very small.	Nil.
9. Anantapur ..	8	6	The maximum speed is restricted in the 'G' permit to 20 miles per hour outside villages and 10 miles within villages.	Nil.
10. Bellary ..	9	14	The speed of motor buses is prescribed at 12 miles per hour.	Nil.

[8th August 1929]

Districts.	Number of motor accidents.		Steps to control and regulate the speed of buses.	Further restrictions, if any on the granting of driving licences.
	1927.	1928.		
(1)	(2)		(3)	(4)
11. Kurnool ..	10	2	A sub-inspector of police is on special duty under the District Board to control motor traffic.	Drivers must have three years services before they are authorized to drive buses.
12. Madras ..	454	269	Improvements in the methods of checking the speed of motor vehicles in the streets were introduced in 1928.	Very strict examination and road tests for applicants for driving are being insisted upon.
13. Chingleput ..	16	30	Buses are licensed to run at 15 miles an hour on open roads and at 10 miles an hour in towns and villages. Travelling at excessive speed is checked by traffic constables who are posted at important centres.	The possession of a driving licence for three years and a good record are insisted upon as conditions precedent to the driving of buses.
14. North Arcot ..	36	42	New traffic posts have been opened and police constables are being deputed to check the overspeeding of buses and their work is being supervised by sub-inspectors and inspectors.	Knowledge of driving and traffic signals, and steadiness and presence of mind while driving, are insisted upon. Only men with some experience are allowed to drive vehicles plying for hire.
15. South Arcot ..	8	7	The restrictions as regards speed limit, 5 miles on certain roads and 10 miles elsewhere within municipal limits, are noted in the 'G' permits. The Police control the motor traffic throughout the district.	Nil.
16. Tanjore ..	16	41	Police traps are established at different places and times. Buses which exceed the speed limit laid down in the 'G' permit are charged.	Nil.
17. Trichinopoly ..	17	25	Police men on traffic duty are checking the speed of buses which is limited to 10 miles within municipal areas and 12 miles outside municipal areas.	Nil.
18. Madura ..	32	34	The speed of buses has been limited to 15 miles in the country, 12 miles in towns and 10 miles on Kodaikanal ghat roads.	Possession of an ordinary motor driving licence for at least a year is insisted upon for granting competency certificate for driving buses. Such certificates are also not granted within six months of a conviction for an offence under the Motor Vehicles Act.

8th August 1929]

Districts.	Number of motor accidents.		Steps to control and regulate the speed of buses	Further restrictions, if any, on the granting of driving licences.
	1927.	1928.		
(1)	(2)		(3)	(4)
19. Ramnad ..	27	45	Timetables have been drawn up for the regular and systematic running of motor buses. Frequent and surprise checks are made en route of buses by the Police.	Nil.
20. Tinnevely ..	30	28	Speed limits are enforced in towns and timings of buses are regulated to prevent congestion and undue competition.	Nil.
21. Coimbatore ..	23	56	Speed limit is fixed in 'G' permits at 10 miles through towns and villages and over culverts and bridges and 15 miles in other places. Buses plying on the same route are only allowed to depart at 15 minutes interval, and is checked by traffic control constables.	Nil.
22. Nilgiris, The.	(Figures not available.)		Speed limit is fixed at 12 miles. Constant checks and speed traps are made by the Police.	Nil.
23. Salem ..	(Information not available.)		The speed is limited by the District Magistrate to 6 miles in crowded places, 4 miles over bridges and 18 miles over other areas and is enforced by the Police.	Nil.
24. South Kanara.	13	29	Speed limit is fixed by the District Magistrate in the 'G' permit and the timings are fixed by the District Superintendent of Police.	Nil.
25. Malabar ..	(Information not available.)		Speed limits are noted in the 'G' permits.	Nil.
26. Mettur ..	0	2	Constables are posted to check and regulate the speed of buses and to charge offenders.	Nil.
27. Chittoor ..	0	4	The speed limit allowed in the 'G' permits for buses plying for hire is 20 miles on main roads and 12 miles while passing through towns and villages.	Nil.

[8th August 1929]

APPENDIX II.

[Vide answer to question No. 102 asked by Mr. A. Ranganatha Mudaliyar at the meeting of the Legislative Council held on the 8th August 1929, page 251 supra.]

Statement showing the items of the present scheme estimates on which excesses have already accrued or expected to result.

Item number and description of work.	Amount of sanctioned estimates.	Estimated expenditure.	Excess.	Remarks.
	RS.	RS.	RS.	
12. (a) Camp for men including foremen's stores office and maintenance.				As a consequence of the suspension of capital dredging certain essential improvements to divisional stores at Hare Island were required for the proper care and upkeep of stores (iron and steel articles, boiler tubes, etc.).
(b) New stores and extension and improvements to office and stores.	20,809	24,219	3,410	
(c) Adapting the present stores for use as quarters for operators of "St. George".				
27. Motor boat, new tug, row boats, etc.	28,000	30,412	2,412	Excess due to the debit to this item of the cost of the lighters purchased and their repairs.
28. Plant for fitting and repair shop.	34,000	35,200	1,200	Excess due to the upkeep of various small machines at Hare Island to ensure their being in a state of good repair.
30. Distilling plant	30,000	68,700	38,700	Excess due mainly to following:— Original estimate was based on informal quotations which were much exceeded when tenders were obtained for the plant. Also customs charges were not originally allowed for.

[8th August 1929]

APPENDIX III.

[Vide answer to question No. 104 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 8th August 1929, page 254 supra.]

G.O. No. 758, Revenue, dated 16th April 1929.

READ—the following paper:—

G.O. No. 763, Revenue, dated 22nd April 1927.

Order—No. 758, Revenue, dated 16th April 1929.

The Government are pleased to direct that the concessions granted in paragraph 3 of G.O. No. 763, Revenue, dated 22nd April 1927, to the Officers and men of the Indian Army who actually served as combatants in the Great War, i.e., between 4th August 1914 and 11th November 1918 inclusive, shall be extended to those non-combatants who served in the Indian Army during that period or any part of it and were awarded either the British War Medal or the Victory Medal.

2. The Board of Revenue is requested to issue the necessary amendments to its Standing Orders.

(By order of the Governor in Council)

H. R. PATE,
Secretary to Government.

To the Board of Revenue (Land Revenue and Settlement).

„ all Collectors.

„ the Secretary, Madras Soldiers' Board.

„ all Departments of the Secretariat.

„ the Superintendent, Government Press (for publication in the Fort St. George and District Gazettes).

Editors' Table.

[8th August 1929]

APPENDIX IV.

[Vide answer to question No. 105 asked by Mr. C. V. Venkataramana Ayyangar at the meeting of the Legislative Council held on the 8th August 1929, page 254 supra.]

Statement referred to in the answer to clauses (e) and (f) of question No. 105.

Year.	Income.	Amount of debts	
		Contracted and newly brought into account during each year.	Repaid (including interest) during each year.
1898-99	Rs. 75,907	Rs. 1,11,252	Rs. 35,322
1899-00	58,575	51,508	58,019
1900-01	57,264	4,172	57,301
1901-02	56,004	4,541	51,426
1902-03	56,992	3,689	27,962
1903-04	55,429	Nil.	15,831
1904-05	57,251		
1905-06	58,835		
1906-07	59,692		
1907-08	60,323		
1908-09	60,171		
1909-10	63,424		
1910-11	78,268		
1911-12	76,810	Nil.	Nil.
1912-13	79,777		
1913-14	1,01,069		
1914-15	1,14,798		
1915-16	1,08,965		
1916-17	61,277		
1917-18	87,870		
1918-19	12,55,675	70,000	73,213
1919-20	16,24,884	247	Nil.
1920-21	14,62,498	517	11
1921-22	16,14,938	691	1,043
1922-23	18,94,167	5,00,848	3,09,681
1923-24	16,89,569	8,08,448	6,18,189
1924-25	15,73,991	2,82,654	13,958
1925-26	13,88,538	2,10,978	3,60,104
1926-27	13,55,550	Nil.	35,167
1927-28	13,17,838	2,00,000	4,07,087

Notes.—(1) The figures in column (2) represent actual collections and exclude debts recovered, amounts borrowed, and sale-proceeds of buildings and other property.

(2) To clear off debts amounting to Rs. 20 lakhs, the late proprietor leased out the estate to Mr. R. G. Orr and two others for a period of 32 years from 1st July 1886 on condition that it should be restored free of encumbrances at the end of that term. The property so leased was in the lessee's possession and was excluded from the management of the Court for the period of the lease. It came under the Court's management from 1918-19. Till then only three ayan villages were under the Court's management and the estate's only sources of income were the revenue derived from the three villages in cash and grain, the annual contribution received from the European lessees as the allowance to the Zamindar and the interest realized on Government securities.

[8th August 1929]

APPENDIX V.

[Vide answer to question No. 116 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 8th August 1929, page 212 supra.]

Statement showing the names of Muhammadans, Adi-Dravidas and Indian Christians who have been nominated to the District Boards of Salem, Coimbatore, The Nilgiris, Malabar and South Kanara during the last four years and who are still holding appointments.

Name of member.	Community.	District Boards.
1. M.R.Ry. R. Arumugavel	Adi-Dravida	Salem.
2. Janab N. Qadir Bateha Sahib Bahadur ..	Muhammadian	Do.
3. M.R.Ry. T. S. Jegarej	Indian Christian	Do.
4. Janab Abdul Karim Sahib Bahadur ..	Muhammadian	Coimbatore.
5. Janab K. A. Sheik Dawood Sahib Bahadur.	Do.	Do.
6. M.R.Ry. V. I. Muniswami Pillai ..	Adi-Dravida	The Nilgiris.
7. Janab A. K. Oosman Sait Sahib Bahadur.	Muhammadian	Do.
8. Khan Sahib T. M. Moidoo Sahib Bahadur.	Do.	Malabar.
9. K. C. Alavi Sahib Bahadur	Do.	Do.
10. Khan Sahib K. Koyassan Hajee Sahib Bahadur.	Do.	Do.
11. Mrs. G. C. Bharatan	Indian Christian	Do.
12. M.R.Ry. C. Karuvan	Adi-Dravida	Do.
13. Mr. S. L. Mathias	Indian Christian	South Kanara.
14. M.R.Ry. C. Puddu	Adi-Dravida	Do.
15. Muhammad Schammad Sahib Bahadur, M.L.C.	Muhammadian	Do.

APPENDIX VI.

[Vide answer to question No. 118 asked by Mr. K. R. Karant at the meeting of the Legislative Council held on the 8th August 1929, page 265 supra.]

I

Letter from the Collector of South Kanara, Reference No. A. 7-10602/28, dated 28th December 1928.

(a) It is a fact that toddy shop No. 115 of Nileshtar is situated in a locality where Dr. C. M. Pai has his house and a private dispensary, but the distance from his house to the shop is four chains and from his compound about two chains. His compound is well guarded by walls and there is a lane running between it and the shop.

(b) The doctor's petition, dated 5th August 1927, was addressed to the Tahsildar and not to the Collector.

(c) During the current lease, on 20th October 1928, he petitioned to the Revenue Divisional Officer for the removal of the shop from its existing site and the Revenue Divisional Officer after a local inspection held that it is less objectionable than the sanctioned site.

The doctor only once complained to the local police about a fight among some coolies near the toddy shop and the police warned them. Since then, no complaints have been received in the matter.

[8th August 1929]

(d) I had to allow the continuance of the shop in its existing site for want of a more suitable one. I have, however, called for fresh proposals.

(e) There is nothing to show that Mr. Gawne had inspected the site, but while rejecting the doctor's petition he remarked that the objection should have been raised before the sale was held and that the shop should be moved during the succeeding lease.

(f) For want of a more suitable site, the shop could not be moved.

(g) For the reasons mentioned above and not from the point of higher revenue, I allowed the shop to continue in its present site.

Nileshwar is a thickly populated village where no suitable Government site is available. The doctor settled in the locality during the existence of the shop at the site. In case a more suitable site is found, it will be moved from its present site.

II

Office of the Commissioner of Excise, Chempauk, Madras, dated 18th January 1929.

The boundaries of the site advertised for T.S. No. 115 are north S. No. 155-1, east and south S. No. 155-2/B, west S. No. 155-4. The site in which the shop is now located is S. No. 228/7.

2. Though the former site was sanctioned for the permanent location of the shop four years ago, the shop has not been removed to that site and it has been in the latter site for the past four years, the sanctioned site being too small, about five cents, and quite insufficient for such a big shop with many customers, and also objectionable owing to the proximity to some devil shrines. Further, in front of the sanctioned site there is an open place at which a jatra takes place in which several thousands of people gather annually and bonfires are made frequently. On account of the jatra and the devil shrines, it was not found possible to locate the shop in that site. On the above considerations, the Collector has recently decided to abandon the site altogether and the present site will also be changed when a more suitable site is selected.

APPENDIX VII.

[Vide answer to question No. 122 asked by Mr. S. Satyamurti at the meeting of the Legislative Council held on the 8th August 1929, page 267 supra.]

G.O. No. 1597, P.H., dated 26th June 1929.

The Madras Legislative Council passed the following resolution on the 22nd October 1927 :—

“That this Council recommends to the Government that total prohibition of drink in the Madras Presidency within the course of twenty years be declared to be their goal.”

On the 5th June 1928 the Hon'ble the Minister for Public Health convened a meeting of the Excise Advisory Committee to consult its members on the action to be taken in pursuance of the resolution. The Committee was unanimously of opinion that the first essential step was the creation of

[8th August 1929]

an active public opinion throughout the Presidency against drink and the education of the masses on the evils of drink, in order that any temperance or prohibition legislation undertaken might have the co-operation and support of the general public.

2. The Government examined the recommendations made by the Excise Advisory Committee and decided that propaganda should be carried out throughout the Presidency. For this purpose they provided, with the sanction of the Legislative Council, a sum of Rs. 4 lakhs in the Civil Budget Estimate for 1929-30.

3. On the 1st May 1929 the Government constituted a Temperance Advisory Committee consisting of the members of the Excise Advisory Committee, certain other non-officials, the Commissioner of Excise and the Director of Public Health in order to advise them as to the steps to be taken to carry out the propaganda and the manner in which the amount provided in the Civil Budget Estimate should be spent. In accordance with the recommendations of the Committee the Government are pleased to sanction the scheme in the appendix.

4. The Hon'ble the Minister for Public Health being the President of the Central Propaganda Board, the Government have decided that the Central Office of the Board should be attached to the Local Self-Government (Public Health) Department.

5. The expenditure connected with the scheme, including the cost of the central staff, will be met from the sum of Rs. 4 lakhs mentioned in paragraph 2 supra.

6. Orders will issue separately regarding the arrangements to be made for the audit of the expenditure incurred in connexion with the scheme.

7. The question of providing funds for recurring expenditure in connexion with the scheme will be considered in connexion with the Civil Budget Estimate for 1930-31.

(By order of the Government, Ministry of Public Health)

HILTON BROWN,
Secretary to Government.

To all Members of the Central Propaganda Board.

- „ the Surgeon General.
- „ the Director of Public Health.
- „ the Accountant-General (through the Finance Department).
- „ the Examiner of Local Fund Accounts.
- „ all Collectors.
- „ all Presidents of District Boards.
- „ all Presidents of Taluk Boards.
- „ all Chairmen of Municipal Councils.
- „ the President, Corporation of Madras.
- „ the Inspector of Municipal Councils and Local Boards.
- „ the Librarian, Legislative Council Library.
- „ the Revenue Department.
- „ the Finance Department.
- „ the Public Department.
- „ the Development Department.
- „ the Public Works and Labour Department.

Editors' Table.

[8th August 1929]

6. *Meetings.*—The Secretary shall convene meetings of the Board at such times and places as may be found necessary. A special meeting to discuss a specific subject or subjects shall be convened if ten members of the Board require it. The quorum for a meeting of the Board shall be ten. The business of the Board may also be transacted by the circulation of all papers.

7. *Travelling allowance.*—The travelling allowance of the non-official members for journeys undertaken for the purpose of attending the meetings of the Board or in connexion with work entrusted to them by the Central Board or by the Executive Central Committee shall be met from the funds provided by the Government. The rate of travelling allowance admissible is as follows:—

Railway journey—One first class and one third class.

Road journey—Annas 12 per mile.

Daily allowance—Rs. 7-8-0.

Resident members will draw daily allowance at the rate specified above.

The grant of road mileage and daily allowance will be subject to the provisions of rules 22 and 37 of the Madras Travelling Allowance Rules.

V. *Executive Central Committee*—1. *Members.*—The following members shall constitute the Executive Committee of the Central Board:—

- (1) The hon. the Minister for Public Health.
- (2) M R. Ry. Rao Bahadur B. Muniswami Nayudu Avargal.
- (3) " Rao Sahib R. Srinivasan Avargal.
- (4) " V. C. Vellingiri Gounder Avargal.
- (5) " R. Suryanarayana Rao Avargal.
- (6) " E. V. Ramaswami Nayakar Avargal.
- (7) " C. Gopala Menon Avargal.
- (8) " K. R. Venkatarama Ayyar Avargal.
- (9) " Diwan Bahadur M. Ramachandra Rao Avargal.
- (10) Khan Bahadur S. K. Abdul Razaack Sahib Bahadur.
- (11) J. A. Davis, Esq.
- (12) The Director of Public Health (ex-officio).
- (13) S. Ranganathan, Esq., I.C.S.

2. *President and Secretary.*—The President and Secretary of the Central Propaganda Board shall be the President and Secretary of the Executive Central Committee.

3. *Functions.*—The Executive Central Committee shall administer the affairs of the Central Board subject to such rules and regulations as the Board may frame on this behalf.

4. *Meetings.*—The Secretary shall convene meetings of the Committee as often as may be necessary. The business may also be transacted by the circulation of papers. The quorum for a meeting shall be six.

5. *Travelling allowance.*—As in item 7 in paragraph IV.

VI. *Central office.*—The Central Board shall have an office at Madras and shall employ such establishment as may be found necessary. It shall have for the present the following establishment:—

A Secretary (Rs. 200 per mensem);

Two Upper Division clerks (Rs. 70 each per mensem) one of whom should have account qualifications;

[8th August 1929]

One stenographer (Rs. 40 per mensem with shorthand allowance) possessing advanced shorthand qualification; and

One peon (Rs. 15 per mensem).

The office shall work under the immediate control of the Secretary of the Board.

VII. *District Committees and staff.*—1. The Central Board shall, as far as funds permit, constitute District Committees one in each district consisting of seven to nine members and containing representatives of local bodies, social service and temperance and co-operative organizations and individuals interested in the movement. In the first instance, the Central Board shall nominate the District Committees which shall elect their Chairmen. The members of District Committees shall hold office for three years and any casual vacancy will be filled by the Central Board. The District Committee may appoint a District Secretary whose pay will not exceed Rs. 75 per mensem, a clerk on Rs. 35 per mensem and a peon on Rs. 12 per mensem. The District Committees may appoint as many pracharakas as they may find necessary for the area under their jurisdiction and as far as funds permit. The pay and allowances of a pracharaka may be fixed by the Committees at such rates as may be necessary provided that the total amount shall not exceed Rs. 55 per mensem in the case of each pracharaka. The District Committees shall work under the control of the Central Board and shall administer the funds allotted to it by the Central Board.

The Chairman of the District Committee shall convene meetings from time to time. He may also transact business by circulation of papers. The quorum for a meeting shall be three.

The Central Board shall, as soon as it forms a District Committee, appoint one of the members to convene the first meeting of the Committee.

2. *Travelling allowance.*—For attending meetings and for journeys undertaken in connexion with work entrusted to them by the Central Board or by District Committees, the non-official members of the District Committees are eligible to draw one second-class fare, a daily allowance of Rs. 2, four annas a mile by road or when bus service is available two annas a mile.

The Secretary of the District Committee is eligible to draw travelling allowance according to the following rates for journeys undertaken by him at the instance of the District Committee in connexion with the propaganda work:—

	Daily allowance.	Mileage without tents.	Railway journey without tents.	Steamer journey.
(1) On a pay exceeding Rs. 60 but not exceeding Rs. 80.	Rs. 1	As. 4	One and three-fifths intermediate or if no intermediate class, one and three-fifths second class.	Second-class berth.
(2) On a pay exceeding Rs. 50 but not exceeding Rs. 60.	As. 12	3	One and three-fifths third class.	Third class.
(3) On a pay of Rs. 35 and above but not exceeding Rs. 50.	As. 10	3	Do.	Do.

[8th August 1929]

The grant of road mileage and daily allowance is subject to rules 22 and 37 of the Madras Travelling Allowance Rules.

District Committees shall not incur expenditure in excess of the amounts allotted to them from time to time, and shall be held responsible for the proper utilization of the money. Strict and correct accounts should be submitted to the Central office at the end of every month and they will be subject to such audit as the Government consider necessary.

VIII. Distribution of work between the Central Board and District Committees—

1. The Central Board will, among other things—

(1) arrange for the preparation of temperance literature, such as pamphlets, leaflets, handbills, posters, charts, cartoons, etc., and for their distribution to district organizations, and appoint such technical committees as may be necessary for the purpose;

(2) purchase cinema apparatus and magic lanterns and slides for use in the mufassal; and

(3) generally carry out the purposes of the scheme.

2. District Committees will have to do the following items of work and may set up such organizations as may be necessary for the purpose:—

(1) widespread distribution of temperance literature and exhibition of posters, etc., supplied by the Central office;

(2) arrange for lectures, magic lantern and cinema shows, public meetings, annual exhibitions and demonstrations, and also private talks and house-to-house visits;

(3) arrange for the enactment of temperance dramas, etc.;

(4) arrange for giving prizes in schools for essay contests; and

(5) take up such other work for which the Central Board might give facilities.

APPENDIX VIII.

[Vide answer to question No. 125 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 8th August 1929, page 272 supra.]

G.O. No. 1598, P.H., dated 26th June 1929.

The Government have had under their consideration the question of improving the administration of Government hospitals in the Presidency through the medium of advisory committees consisting of officials and non-officials. The main business of these committees is to keep the Surgeon-General and the Government informed of the needs of the hospitals as viewed by the public, but they can also be helpful in stimulating the interest of the lay public in the welfare of the hospitals and in strengthening the hands of the Superintendents of the hospitals in their efforts to improve the

[8th August 1929]

institutions. Individual members of the committee in their capacity as non-official visitors can also assist to a great extent in popularizing the institutions and in increasing the comforts of the patients.

2. Advisory committees have already been constituted for all district headquarter hospitals (except Ramnad). The Government regret however to learn that with a few exceptions the members of these committees have not been taking the anticipated interest in the welfare of these institutions. In some districts the committees have not met for a number of years for the apparent reason that there was no business of importance to be transacted. While this may be due in large measure to lack of interest on the part of the members of the committees, the Government are inclined to think that District Medical Officers may also be partly responsible and that they may have made inadequate efforts to secure the co-operation of the members in the administration of the hospitals.

3. The Government therefore desire to impress on all members of the advisory committees the desirability of taking an active interest in the administration of the hospitals and of attending as many meetings as possible. The Surgeon-General is also requested to instruct all District Medical Officers to make the fullest use of the committees and to take steps to have meetings held as frequently as possible.

4. The Government consider that an advisory committee should be constituted for the District Headquarter Hospital at Ramnad and that similar advisory committees should be constituted for all Government hospitals in Madras City (a separate committee for each hospital) and for the large number of hospitals recently taken over under their management for development as divisional, medical and surgical centres. Visiting committees of ladies should also be appointed to the Government Women and Children's hospitals at district headquarter stations on the lines of the committee appointed to the Women and Children's Hospital at Vannarpet. The constitution suggested by the Surgeon-General for the committees to be appointed to the hospitals at divisional centres is approved with slight alterations. His proposals in regard to the constitution of committees for the Ramnad hospital and for the hospitals in the Presidency town and of ladies' committees for the Women and Children's hospitals are awaited.

5. A copy of the rules for the working of the advisory committees for the district headquarter hospitals and the hospitals at divisional centres, as amended by the Government, is appended to this order. The Surgeon-General is requested to have copies of

[8th August 1929]

the order and the rules communicated to all members of advisory committees in the Presidency. He is also requested to submit his recommendations for the appointment of members to be nominated by the Government.

(By order of the Government, Ministry of Public Health)

HILTON BROWN,
Secretary to Government.

To the Surgeon-General (with reference to the correspondence ending with his letter No. 659-2-G., dated 1st June 1929).
 „ Revenue Department.
 „ Public Works and Labour Department.
 „ Law (General) Department.
 Editors' Table.

APPENDIX

Rules defining the constitution and functions of advisory committees appointed for Government hospitals in the Madras Presidency.

1. The advisory committee is constituted in order to keep the Surgeon-General and the Government informed as to the needs of the hospital as viewed by the public. The entire supervision and management of the institution and its establishments will be in the hands of the medical officer in charge subject to the control of the Surgeon-General and the Government. The committee shall be an advisory body with no executive authority.

2. The composition of the committee shall ordinarily be as follows:—

(a) District headquarter hospitals—

- (1) The Collector.
- (2) The President, District Board (when a non-official).
- (3) The District Medical Officer.
- (4) The Executive Engineer.
- (5) The chairman, municipal council, in the case of municipal towns, when a non-official.
- (6) A second representative of the municipal council.
- (7) Do. district board.
- (8) } Two members, preferably ladies, nominated by the Government.
- (9) }

NOTE.—Individual members of the Legislative Council may be appointed as members of the advisory committees on the recommendation of the Collector and the Surgeon-General; any member so appointed will take the place of the second representative of the municipal council or the district board as may be specified in each case.

(b) Hospitals at divisional centres—

- (1) The Revenue Divisional Officer, or if the station is not the headquarters of the Revenue Divisional Officer, the Tahsildar.
- (2) The president, taluk board, or if the station is not the headquarters of the president, taluk board, the chairman, municipal council, or president, union board, as the case may be.
- (3) Local Public Works Department officer, if one is employed in the station (vide note below).

[8th August 1929]

- (4) The Medical officer in charge.
- (5) Sub-Registrar.
- (6) } Two non-officials, of whom one should, if possible, be a lady,
- (7) } to be nominated by the Government.

NOTE.—If no Public Works Department officer is employed in the station, his place will be taken by another non-official gentleman nominated by the Government.

3. The representatives elected by the municipal council and the district board need not necessarily be members of the respective bodies. An elected member shall hold his appointment for three years and shall be eligible for re-election. Women shall be eligible as members of the advisory committee. The assistant to the District Medical Officer in the case of district head-quarter hospitals and the medical officer in charge in the case of hospitals at divisional centres shall discharge the duties of Secretary of the committee and shall attend all meetings of the committee.

4. The committee shall meet as often as may be necessary for the discussion of topics of interest and importance connected with the hospital. The meetings shall be convened by the Secretary under the orders of the Collector, Divisional Officer or Tahsildar as the case may be. It will be open to any member of the committee to forward to the Collector, Divisional Officer or Tahsildar any remarks or suggestions which he may have to make or which he may desire to have discussed at a meeting of the committee.

5. The Collector, Divisional Officer or Tahsildar shall preside at the meetings; but in his absence the members present shall elect a chairman for the meeting. Four members shall form a quorum.

6. All suggestions and recommendations for the improvement of the hospital and for the welfare of the patients shall be brought before the committee for consideration and decision by a majority. In any case of equality of votes, the chairman shall have a second or casting vote.

7. The minutes of the proceedings of the committee shall be recorded in a book and shall be signed by the chairman of the meeting.

8. All recommendations of the committee shall be forwarded to the District Medical Officer for necessary action. A copy of the minutes of each meeting shall also be communicated to the Surgeon-General for information.

9. The District Medical Officer shall carry out the recommendations of the committee as far as practicable. If he cannot accept their recommendations, he should refer the matter to the Surgeon-General for orders.

10. The committee may check hospital accounts, the stock of medicines, furniture, etc., at such of the meetings as it thinks fit. The checking shall be done in the presence of the medical officer or other member of the staff who is responsible for the charge of the accounts or the articles which are being checked.

11. Individual members of the committee may arrange with the medical officer in charge to visit the hospital at any time during working hours and may record in the visitors' book any remarks and suggestions they may wish to make.

[8th August 1929]

APPENDIX IX.

[Vide answer to question No. 141 asked by Sriman Biswanath Das Mahasayo at the meeting of the Legislative Council held on the 8th August 1929, page 277 supra.]

G.O. No. 1083 W., dated 28th March 1929

The Government have had under consideration for some time the question of reorganization of the draughtsman establishment employed in the Public Works Department, inclusive of the Sanitary Engineer's drawing staff. The Public Works Department Establishment Committee which sat in 1906 recommended that practical experience was essential for draughtsmen and that men employed on outdoor work and those whose duties are confined to the office should be interchangeable and that for this purpose the executive lower subordinate and draughtsmen grades should be assimilated and the two classes of establishment borne on one and the same list for purposes of promotion. The scheme was approved by Government and introduced in 1913. After it had been in operation for some time, the officers of the department generally condemned it. It was stated that, while there was no doubt that experience in outdoor work for a year or two increased the usefulness of a draughtsman, frequent changes from executive to office work and vice versa militated against good work and that it was essential that a draughtsman or executive subordinate should be allowed to specialize in his line. The Government accepted this view and instituted in 1922 a separate service of draughtsmen distinct from the executive subordinates and they also issued orders for the opening in the College of Engineering of a separate class for the training of draughtsmen. The following rates of pay were sanctioned for the draughtsmen in the department (excluding the posts of heads of sections in the offices of the Chief Engineers):—

	Rs.
First grade	150—10—200
Second grade	80—5—140
Third grade	50—3—80

2. The new draughtsman class in the College of Engineering was, however, not opened owing to want of applicants for admission to the class, and as a consequence there has been difficulty in finding qualified draughtsmen to fill existing vacancies. Memorials have also been received from the draughtsmen in service stating that the rates of pay are inadequate. To meet the situation caused by the dearth of qualified men the Government ordered certain tentative arrangements, viz., (1) lowering the standard for admission to the draughtsman class in the College of Engineering so as to permit students who have completed the Secondary School-Leaving Certificate but have not been declared eligible for the University course to join the class and (2) the filling up of vacancies by passed upper subordinates.

3. The question of reverting to the scheme adopted in 1913 whereby the draughtsmen and executive subordinates were treated as one class has again been considered but has been dropped, as the Chief Engineers do not recommend it. They have, however, suggested that the draughtsman service should be reconstituted into four grades rising from a minimum of Rs. 60 to a maximum of Rs. 250. The Government do not consider it necessary

[8th August 1929]

either to raise the maximum pay or to increase the number of grades, but they agree that the pay of the second and third grades requires revision and that the minimum pay should be raised. They are accordingly pleased to fix the following scales of pay for the existing second and third grade posts of draughtsmen, permanent:—

	Rs.
Second grade	110—6—140
Third grade	60—4—100

The Government are also pleased to direct that in cases where temporary posts of draughtsmen have been sanctioned on the minimum pay only, the revised minima Rs. 60 or Rs. 110 as the case may be shall apply. The above sanction will have effect from the 1st April 1929 and is registered as No. 41 of 1929-30.

4. The Government believe that with the revision now sanctioned it should be possible to secure an adequate supply of qualified draughtsmen with sufficient general educational qualifications.

5. Orders will be issued in the Law and Education Department prescribing the possession of a completed Secondary School-Leaving Certificate as the minimum general educational qualification for admission to the draughtsman class in the College of Engineering.

(By order of Government, Ministry of Development)

C. A. SOUTER,
Secretary to Government.

APPENDIX X.

[Vide answer to question No. 143 asked by Mr. B. Ramachandra Reddi at the meeting of the Legislative Council held on the 8th August 1929, page 288 supra.]

Annexure to Answer.

The following are among the works that were recommended by the Ceded District Irrigation Committee in connexion with the modified Tungabhadra-Kistna project, so far as the Nellore district is concerned:—

- (1) Extension of irrigation in Nellore and Sangam deltas and second crop extension therein.
- (2) Reservoir on the Penner at Someswaram.
- (3) Nellore south canal from Someswaram to the Palar.
- (4) Nellore north canal from Someswaram to Mannaru.

In May 1927 the Government directed that owing to the impracticability of the Someswaram dam across the Penner, the Nellore area might be left out of account. Thus items (2) to (4) are dropped for the present. Item (1) is dependent on the feasibility of the Tungabhadra-Kistna project including the diversion dam across the Kistna at Sangameswaram.

[8th August 1929]

2. The following is a list of projects under contemplation :—

(1) *Gandipalem reservoir*.—Approximate estimate, Rs. 21.00 lakhs. The project is for the restoration of the ruined Gandipalem tank on the Bellaparu for the irrigation of 13,543 acres.

(2) *Rallapad reservoir*.—Approximate estimate, Rs. 25.00 lakhs. The project provides for a reservoir on the Manneru, 20 miles below the site on the Mopad reservoir, to irrigate 13,563 acres.

(3) *Mopad-Machavaram tanks*.—Approximate estimate, Rs. 7.00 lakhs. The proposal is to construct an anicut across the Manneru near Veeraraghavanikata and to excavate a channel to supply the Machavaram tank and through it the adjoining Mopad tank.

These three are alternative schemes. Only one of them can be carried out with the supply available. Gauge readings are being taken in connexion with the Rallapad project.

3. In November 1927, the Government sanctioned temporary establishments for the investigation of the following irrigation schemes in Nellore district :—

- (1) Mopad main channel improvements.
- (2) Pombaleru anicut.
- (3) Pakkala tank group.
- (4) Formation of a new tank across the Kaveru vagu.

The results of the investigation of these projects have not yet been reported by the Chief Engineer.

4. Again, in November 1928, the Government approved of the investigation and preparation of detailed plans and estimates for a scheme to provide at an approximate cost of Rs. 60,000, irrigation facilities under the Kanigiri reservoir of the Sangam delta to the disforested lands of Vavveru and other villages in the Kovvur taluk, about 1,000 acres in extent. The Chief Engineer has been directed to arrange for the early investigation and preparation of detailed plans and estimates for the scheme, so that it may be considered in connexion with the budget estimates for 1930-1931.

5. The Government have also approved of an estimate amounting to Rs. 15,000 for the excavation of the Vidavalore channel under No. 2 sluice of Vegore tank in the Sangam delta, Penner river canals system, to provide irrigation facilities under the tank and also to other lands assigned to the depressed classes, about 400 acres on the whole. A provision of Rs. 9,000 has been made for the work in the budget estimates for 1929-1930.

6. The Chief Engineer has recently submitted an estimate amounting to Rs. 21,810 for improvements to the Dagadarthi channel, a branch of the Pydern escape of the Kanigiri reservoir in the Penner river canals system. The project is designed to irrigate an additional area of 656 acres. It is proposed to consider the scheme in connexion with the budget estimates for 1930-1931.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Friday, the 9th August 1929.

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

PRESENT :

Usman Sahib Bahadur, Kt., The hon. Khan Bahadur Sir Muhammad.	Krishnan, Mr. K.
Moir, M.C.I.E., C.S.I., I.C.S., The hon. Sir Thomas.	Krishnaswami Nayakar, Mr. K. V.
Krishnan Nayar, The hon. Diwan Bahadur M. Campbell, C.S.I., C.I.E., C.R.E., V.D., I.C.S., The hon. Mr. A.Y.G.	Kumaraswami Reddiyar, Diwan Bahadur S. Kuppuswami, Mr. J.
Subharayan, The hon. Dr. P.	Leach, I.C.S., Mr. A. G.
Muthiah Mudaliyar, The hon. Mr. S.	Leach, Mr. A. J.
Seturtnam Ayyar, The hon. Mr. M. R.	Madhavan Nayar, Mr. K.
Abdul Hameed Khan Sahib Bahadur.	Maharaja of Jeypore.
Abdul Hye Sahib Bahadur, K.	Maharaja of Pithapuram.
Abdul Razaq Sahib Bahadur, Khan Bahadur S. K.	Mahmud Sobannad Sahib Bahadur.
Abdul Wahab Sahib Bahadur, Munshi.	Mallayya, Dr. B. S.
Adinarayana Chettiyar, Mr. T.	Manikkavelu Nayakar, Mr. M. A.
Ahmed Miran Sahib Bahadur, Moulvi Hafiz Anumantakudi Mastafa.	Moidoc Sahib Bahadur, Khan Sahib T. M.
Anjaneyulu, Mr. P.	Muniswami Nayudu, Rao Bahadur B.
Appavu Chettiyar, Mr. C. D.	Muniswami Pillai, Mr. V. I.
Ari Gowder, Mr. H. B.	The Muppil Nayur of Kavalappara alias Kumaran Raman.
Arogyaswami Mudaliyar, Diwan Bahadur R. N.	Murugappa Chettiyar, Diwan Bahadur A. M. M.
Arpudaswami Udayar, Mr. S.	Muthulakshmi Reddi, Dr. (Mrs.) S.
Basheer Ahmad Sayeed Sahib Bahadur.	Muthuranga Mudaliyar, Mr. C. N.
Bhanoji Rao, Mr. A. V.	Nagan Gowda, Mr. R.
Bheemayya, Mr. J.	Nanjappa Bahadur, Subadar-Major S. A.
Biswanath Das Mahasayo, Sriman.	Narayana Raju, Mr. D.
Chatterell, C.I.E., I.C.S., Mr. C. B.	Narayana Rao, Mr. Mothay.
Dorai Raja, Mr. S. N.	Narayanan Chettiyar, Mr. A. I. Ar.
Edappa Chettiyar, Rao Bahadur S.	Narayanaswami Pillai, Mr. T. M.
Ethirajulu Nayudu, Diwan Bahadur P. C.	Obi Reddi, Mr. C.
Foulkes, Mr. E.	Parasurama Rao Pantulu, Mr. A.
Gopadharu Siva, Mr. M. V.	Parthasarathi Ayyangar, Mr. O. R.
Gopavaram Pillai, Mr. P. J.	Patro, Kt., Rao Bahadur Sir A. P.
G. Menon, Mr. C.	Premayya, Mr. G. R.
Goparaja Mudaliyar, Mr. C. S.	Raja of Kallikota.
G. S. S. S., I.C.S., Mr. J.	Rajan, Mr. P. T.
G. S. S. S., I.C.S., Mr. J.	Ramachandra Reddi, Mr. B.
G. S. S. S., I.C.S., Mr. J.	Ramamurti, I.C.S., Mr. S. V.
G. S. S. S., I.C.S., Mr. J.	Raman Menon, Mr. K. P.
G. S. S. S., I.C.S., Mr. J.	Ramanath Goenka, Mr.
G. S. S. S., I.C.S., Mr. J.	Ramasomayajulu, Mr. C.
G. S. S. S., I.C.S., Mr. J.	Ramjee Rao, Mr. V.
G. S. S. S., I.C.S., Mr. J.	Ramaswami Ayyar, Mr. U.
G. S. S. S., I.C.S., Mr. J.	Ranganatha Mudaliyar, Mr. A.
G. S. S. S., I.C.S., Mr. J.	Ratnasabhapati Mudaliyar, Rao Bahadur O. S.
G. S. S. S., I.C.S., Mr. J.	Robertson, Mr. B. J. O.
G. S. S. S., I.C.S., Mr. J.	Saldanha, Mr. J. A.
G. S. S. S., I.C.S., Mr. J.	Sami Venkatachalam Chetti, Mr.
G. S. S. S., I.C.S., Mr. J.	Sarabha Reddi, Mr. K.
G. S. S. S., I.C.S., Mr. J.	Satyamurti, Mr. S.
G. S. S. S., I.C.S., Mr. J.	Shetty, Mr. A. B.
G. S. S. S., I.C.S., Mr. J.	Sitarama Reddi, Rao Bahadur K.
G. S. S. S., I.C.S., Mr. J.	Sitarama Reddi, Rao Bahadur K.

[9th August 1929]

PRESENT—CONS.

Siva Rao, Mr. P.
Sivasubrahmanya Ayyar, Mr. K. S.
Soundarapandian, Mr. W. P. A.
Srinivasa Ayyangar, Mr. R.
Srinivasan, Rao Sahib R.
Subrahmanya Moopanar, Mr. S.
Subrahmanya Pillai, Mr. Chavadi K.
Swami, Mr. K. V. R.
Tajudin Sahib Bahadur, Syed.
Thomas, Mr. D.
Tulasiram, Mr. L. K.
Uppi Sahib Bahadur, K.

Vanavudaiya Gounder, Mr. S. V.
Venkatapati Raju, Mr. P. C.
Venkataramana Ayyangar, Mr. C. V.
Venkatarangam Nayudu, Mr. C.
Venkataratnam, Mr. B.
Venkiah, Mr. S.
Watson, I.O.S., Mr. H. A.
Wood, Mr. C. E.
Zamindar of Mirsapuram.
Zamindar of Seithur.
Zamindar of Singampatti.

I

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Agriculture

Establishment of properly regulated markets for the sale of special crops.

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

(a) whether the Provincial Cotton Committee, Madras, at its meeting held on 5th February 1929 passed a resolution recommending to the Government of Madras the undertaking of special legislation for the establishment of properly regulated markets for the sale of special crops to protect the interests alike of the grower and the consumer; and

(b) whether the Government have taken any and, if so, what action thereon and, if not, why not?

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

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

Mr. A. RANGANATHA MUDALIYAR:—“May I know whether the Government are still considering the matter?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“Yes, Sir.”

Mr. K. V. R. SWAMI:—“May I know how long this matter has been before the Government?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“Only recently.”

Mr. A. RANGANATHA MUDALIYAR:—“May I ask when the Bill is likely to be introduced?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“A Bill has been drawn up and it has been sent to the Director of Agriculture for remarks.”

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—“May I know whether this Bill would affect the cotton crop only?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“It will affect all the crops but primarily cotton.”

Mr. R. NAGAN GOWDA:—“Jaggery also?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“Yes.”

9th August 1929]

Mr. A. RANGANATHA MUDALIYAR:—“May I enquire when the reference was made to the Director of Agriculture?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“A few days ago.”

Mr. K. V. R. SWAMI:—“May I know whether the Director of Agriculture is a drafting officer to the Government?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“We have sent the Bill for remarks. We want to have information from him about sale of cotton, etc.”

Admissions to the Agricultural College at Coimbatore from each district.

* 152 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Development be pleased to place on the table of the House a statement showing the number of candidates admitted to the Agricultural College at Coimbatore from each district in the Presidency in 1927, 1928 and 1929?

A.—The statement* is appended.

Mr. G. HARISARVOTTAMA RAO:—“I am referring to the table appended. With reference to Kurnool district I find that during the last year only three candidates were admitted and for the previous two years no candidates were selected. I wish to know whether there were no applicants at all in the previous years or whether they were not selected.”

The hon. Mr. M. R. SETURATNAM AYYAR:—“Notice, Sir.”

Mr. D. NARAYANA RAJU:—“May I know whether, in admitting hereafter students into this college, some preference will be shown to students coming from districts which were poorly represented in the past?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“Due representation will be given to all the districts.”

Mr. D. NARAYANA RAJU:—“For instance there were no students for the past three years from the West Godavari district. May I know whether at least hereafter some preference will be shown to students coming from that district?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“There were students from the West Godavari district for the past three years.”

Mr. A. RANGANATHA MUDALIYAR:—“I find that no student was admitted from Bellary last year. Is the hon. Minister aware that there were eligible students for admission, that they applied and they were refused admission?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“I am not aware of it, Sir.”

Mr. G. HARISARVOTTAMA RAO:—“May I ask whether the hon. Minister will issue instructions that students from Bellary, Kurnool, Cuddapah and Anantapur may be given a little more consideration in the matter of admission?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“Instructions have already been issued that selections may be carefully made.”

[9th August 1929]

Co-operative Societies*Opening of a central land mortgage bank.*

* 153 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Minister for Development be pleased to state—

(a) whether the arrangements for starting a central land mortgage bank are complete;

(b) where it is likely to be started; and

(c) when?

A.—(a) The proposals are under consideration. Orders are likely to issue shortly.

(b) Madras.

(c) In the near future.

Mr. T. ADINARAYANA CHETTIYAR:—"May I ask the hon. Minister whether the special committee which met at Ootacamund has formulated in final form proposals for opening a central land mortgage bank?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"Yes, Sir."

Mr. T. ADINARAYANA CHETTIYAR:—"Will the hon. Minister be pleased to lay on the table of the House a copy of the same so that the public may have a chance of criticizing it?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"I will consider that question."

Mr. T. ADINARAYANA CHETTIYAR:—"May I ask whether the hon. Minister is aware of the very great inconvenience that is caused to the Co-operative Department by withholding long-term loans pending the registration of this Central Land Mortgage Bank?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"I am aware of it; I am trying to issue orders as early as possible."

Mr. A. RANGANATHA MUDALIYAR:—"May I ask if the hon. Minister will be in a position to tell us more definitely—approximately of course—when orders will issue?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"I hope to issue orders before the end of this month."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"May I know whether the hon. Minister will arrange to issue debentures for starting the Land Mortgage Bank?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"Yes, Sir."

Mr. G. HARISARVOTTAMA RAO:—"May I know whether the hon. Minister will, in addition to the Central Bank being established, push through the scheme of starting banks in the mufassal also?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"That is a separate question."

Mr. K. V. R. SWAMI:—"May I know how many land mortgage banks will be started?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"I cannot say."

[9th August 1929]

Industries*Recruitment of apprentices by the Public Works Department and Industrial Engineer's workshop.*

* 154 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Minister for Development be pleased to state—

(a) the sanctioned number of apprentices and also the number of those recruited by the Public Works Department and Industrial Engineer's workshop every year;

(b) how many of these are kept on wage system in each of these two workshops;

(c) whether the Government have examined the question of keeping a definite number of seats in clause (b) for the benefit of mufassal students who join the Madras Trades School; and

(d) whether they have examined the question of keeping on the wage system such of the mufassal students who are apprentices in any of the two workshops and who had been also students of the Trades School?

A.—(a) to (d) *Industrial Engineering workshop*.—There is no regular system of apprenticeship in the Industrial Engineering workshop. There are however at present three apprentices in the workshop who attend the Madras Trades School. They are paid wages according to their capabilities. They are mufassal students who have joined the Madras Trades School. The workshop is too small to admit of the entertainment of any considerable number of apprentices.

Public Works Workshops, Madras.—The sanctioned number of apprentices in the Public Works Workshops at Madras is six and this number is admitted every year. All the apprentices are kept on the wage system. No seats are reserved separately for applicants from the mufassal. Of the 30 apprentices now on the rolls 24 are from the mufassal.

It may be mentioned in this connexion that the Government have sanctioned twelve scholarships of the value of Rs 20 tenable for four years for the help of poor students from the mufassal who are attending the Madras Trades School.

Sriman BISWANATH DAS Mahasayo:—"With reference to the second paragraph of the answer, may I ask whether only the six apprentices, or, all the 30 apprentices are kept on the wage system?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"All the thirty I believe."

Sriman BISWANATH DAS Mahasayo:—"Regarding the scholarship of Rs. 20 tenable for four years, may I know when the payment of scholarship was begun and the basis on which it is distributed?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"This year; there is no basis for it; some scholarships that were given to the students studying in the Bombay institute have been diverted to the local institute."

Mr. J. A. SALDANHA:—"Have the Government any proposal before them for extending the Industrial Engineering workshop seeing that it is very small?"

[9th August 1929]

The hon. Mr. M. R. SETURATNAM AYYAR :—"Not at present."

Mr. J. A. SALDANHA :—"Will the Government take any steps in the matter in view of the necessity of extending the workshop?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"We have yet to consider that question."

Action taken on the reports of the Special Officer in regard to Cottage Industries.

* 155 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Development be pleased to state the particulars of the action taken or proposed to be taken on the reports of the Special Officer in regard to Cottage Industries in the several districts where their survey has been completed?

A.—The attention of the hon. Member is invited to the answer given to question No. 1339 in February 1929. The appendix to that answer contains a summary of the action taken till then on the recommendations of the Special Officer for the Survey of Cottage Industries on the Industries in the Ceded Districts and in the four southern districts. Further action taken with reference to these industries is indicated in Appendix A* while Appendix B* summarizes the action taken on some of the industries in the Malabar, South Kanara, the Nilgiris and Guntur districts. The Government considered it unnecessary to take up the reports of the remaining districts as by the time these reports were received by them the Presidency Report had been completed by the Special Officer and the district reports were found to contain few specific recommendations for the improvement or revival of local industries. The Government propose to deal with such points as call for action in these reports as well as the recommendations of the Special Officer which are of a general character and are common to all or most of the districts when examining the Presidency Report.

Mr. L. K. TULASIRAM :—"May I ask whether the hon. Minister for Development will try to start some schools to demonstrate the feasibility of improving these cottage industries?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"My hon. Friend may be aware that a committee will be appointed in consequence of the resolution passed yesterday; that committee will consider such questions."

Mr. L. K. TULASIRAM :—"I find that co-operative societies are being started for the development of several industries which have been recommended by the Special Officer. Apart from that, will the Government be pleased to state whether they intend to start schools for demonstrating that these industries can be easily started?"

The hon. the PRESIDENT :—"Before I admit the supplementary question, I wish to know whether it is one of the recommendations of the Special Officer."

Mr. L. K. TULASIRAM :—"It is one of the recommendations made by the Special Officer, Mr. President."

* Printed as Appendix II on pages 425-428 infra.

[9th August 1929]

The hon. Mr. M. R. SETURATNAM AYYAR :—"In that case it is still more easy; the committee will consider the question."

Mr. D. NARAYANA RAJU :—"May I know whether the Government have considered the question of encouraging hand-spinning and hand-weaving of cotton as cottage industries and what conclusion they have come to?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"They are considering the whole matter. They have not come to any conclusions."

Mr. J. A. SALDANHA :—"With reference to the suggestion made in the valuable report sent by the Special Officer, Mr. Narayana Rao, at page 5 of the last general report, may I ask what action the Government are taking on the suggestion that the definition of cottage industries given by the Government has too narrow a scope and should be amplified so that something good may be done to cottage industries?"

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

Sriman BISWANATH DAS MAHASAYO :—"May I know the reason why the Government are following a discriminating policy of taking action only on the report with regard to four districts and not with regard to the other districts?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"Because those reports were received first."

Mr. A. RANGANATHA MUDALIYAR :—"May I know whether the Government have come to any conclusion with regard to hand-spinning and weaving? The hon. Minister said that they have not come to any conclusion as yet. The Special Officer makes abundant reference to this industry in the report. The answer does not indicate what action the Government have taken on those proposals."

The hon. Mr. M. R. SETURATNAM AYYAR :—"The Committee will go into the question."

Mr. T. ADINARAYANA CHETTIYAR :—"May I ask if the hon. Minister has read the reports?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"I am presumed to have read the reports."

Progress of the survey of cottage industries.

* 156 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Development be pleased to state—

(a) how far the survey of cottage industries has now progressed; and
(b) what steps Government contemplate to take to encourage cottage industries in various parts of the Presidency?

A.—(a) The survey of all districts has been completed and the reports of the Special Officer including the final report for the Presidency have been placed on the table of the House.

(b) The attention of the hon. Member is invited to the answer given to question No. 155.

Mr. J. A. SALDANHA :—"I wish to know what action the Government have taken on the various suggestions of the Special Officer at page 5."

The hon. Mr. M. R. SETURATNAM AYYAR :—"They will be referred to the Committee."

[9th August 1929]

Report of the Special Officer in regard to cottage industries in South Kanara.

* 157 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Development be pleased to state whether the Government propose to take any action on the report of the Special Officer in regard to cottage industries in South Kanara?

A.—The attention of the hon. Member is invited to the answer given to question No. 155.

Veterinary

Improvement of pay and prospects of Veterinary Assistant Surgeons.

* 158 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Development be pleased to state—

(a) whether the Government have considered the question of bettering the pay and prospects of Veterinary Assistant Surgeons; and
(b) if so, what decision has been arrived at?

A.—(a) The question is under the consideration of Government.
(b) Do not arise.

Improvement of the pay and prospects of the Veterinary Surgeons.

* 159 Q.—Mr. K. R. KARANT: Will the hon. the Minister for Development be pleased to state what action he has taken in regard to the promise given by him in the Council on 2nd and 22nd March 1929 regarding the improvement of the pay and prospects of the Veterinary Surgeons?

A.—The attention of the hon. Member is invited to the answer given to clause (a) of question No. 158.

Mr. K. R. KARANT:—"May I ask how long this matter is likely to be pending before the Government and whether a decision will be arrived at soon?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"I hope I will be in a position to frame proposals for the next year's budget."

Establishment of a serum institute by the Madras Government.

* 160 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Development be pleased to state—

(a) whether the Madras Government have established a serum institute as the Mysore Government have done for the production of serum required for inoculating animals according to the serum-simultaneous method;

(b) if not, whether Government have decided to establish such an institute and if so, when, where and at what cost;

(c) from where the Government now get the serum required for such inoculation;

(d) what is the number of animals inoculated with serum-simultaneous during the year 1928-29 ending with 31st March 1929;

(e) what arrangements have been made for such inoculation in the year 1929-30 and with how many doses;

[9th August 1929]

(f) how many animals it is anticipated will be inoculated in 1929-30 and at what cost; and

(g) what establishment is provided for carrying on the inoculation?

A.—(a) & (b) The question of opening a serum institute at Coonoor is under correspondence with the Director of Veterinary Services.

(c) The serum is now obtained from the Imperial Institute of Veterinary Research, Muktesar. Occasionally supplies are obtained from the Mysore Serum Institute, Bangalore, if excess stock is available there.

(d) 83,049.

(e) Extra staff have been sanctioned this year with a view to carry on a more effective campaign against rinderpest. The staff of the department have been instructed to carry out only serum-simultaneous inoculations wherever the disease is prevalent. As the serum-simultaneous inoculations can be performed only under expert guidance, five additional circles have been sanctioned this year. A sum of Rs. 3,40,000 has been provided in the budget for the purchase of all kinds of serum. Till now, a sum of Rs. 73,040-10-0 for 389,550 doses of serum-simultaneous inoculation serum, excluding cost of packing charges and railway freight has been spent.

(f) The number of inoculations will depend on the incidence of the disease. It is not possible to give any forecast.

(g) No separate staff is provided for this work. All the district staff, and in particular, the itinerating staff attend to inoculation work whenever necessary.

Mr. J. A. SALDANHA:—"May I enquire, with reference to the answer (d) that 83,049 animals were inoculated with serum-simultaneous method, whether the serum was found to be really efficacious or whether it was found to be dead or useless since it comes a long distance from Muktesar?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"It is preserved very carefully."

Dr. B. S. MALLAYYA:—"Did the hon. the Minister receive any reports from the officers of the Veterinary Department with regard to the effects of the serum-simultaneous method?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"No, Sir."

Mr. T. ADINARAYANA CHETTIYAR:—"With reference to the answer to clause (c), Sir, has the hon. the Minister obtained information from the Mysore State whether they can supply the serum on advantageous terms pending the starting of a Serum Institute by the Madras Government?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"We are now getting the serum from the Muktesar Institute. If there is shortage of serum there, then we apply to the Mysore Institute."

Mr. T. ADINARAYANA CHETTIYAR:—"I want to know, whether, if the Mysore Institute is able to supply the serum at a fairly cheap rate, it would not be more advantageous to get it from there instead of from Muktesar as at present?"

[9th August 1929]

The hon. Mr. M. R. SETURATNAM AYYAR :—" I shall make enquiries."

Dr. B. S. MALLAYYA :—" May I know why the opinion of our own veterinary officers should not be called for in regard to the opening of our own depots here ?"

The hon. Mr. M. R. SETURATNAM AYYAR :—" The Government themselves have asked for a report from the Director of Veterinary Services."

Dr. B. S. MALLAYYA :—" In regard to this question is it not desirable to take the opinion of our own officers who are conversant with the climatic conditions, etc., rather than take the opinion of the Director at Muktesar ?"

The hon. Mr. M. R. SETURATNAM AYYAR :—" I say we are asking the opinion of our own Director."

Protection against rinderpest.

* 161 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Development be pleased to state—

(a) whether serum-alone method is still in vogue in this Presidency as a protection against rinderpest ;

(b) to what extent serum-simultaneous method has been introduced in the various parts of the Presidency and with what establishments ;

(c) where the virus and serum are prepared ;

(d) what quantity of each is required and what the approximate cost of each will be for their use in the year 1929-30 ; and

(e) what steps are taken for keeping and ordering the stock required in cases of urgency ?

A.—(a) Yes ; only in areas where compulsory inoculation is enforced under the Cattle Disease Act.

(b) Up to May 1929, 16,784 animals were protected against rinderpest by serum-simultaneous method. Till now 389,550 doses of special rinderpest serum for serum-simultaneous inoculations have been spent. Five new appointments of District Veterinary Officers have been sanctioned to carry on these inoculations on a large scale. All the district staff and in particular the itinerating staff attend to inoculation work whenever necessary.

(c) Virus is prepared at the laboratory attached to the Madras Veterinary College. The serum is obtained from the Imperial Institute of Veterinary Research, Muktesar, and occasional supplies from the Mysore Serum Institute, Bangalore.

(d) The hon. Member's attention is invited to the answer given to clauses (e) and (f) of question 160.

(e) All veterinary sera and vaccines are now being stocked in the cold room at the King Institute, Guindy, and issued to the staff as they indent for them.

Mr. J. A. SALDANHA :—" May I enquire, with reference to clause (a), why the serum-simultaneous method cannot be used in the areas where the Cattle Diseases Act is enforced ?"

The hon. Mr. M. R. SETURATNAM AYYAR :—" Because the serum-simultaneous method is adopted in more urgent cases where the rinderpest is actually raging."

[9th August 1929]

Dr. B. S. MALLAYYA :—" May I know whether the Minister is aware that the serum-alone method has been condemned by our own Veterinary Conference as well as by the Agricultural Commission presided over by Lord Linlithgow on the ground that it is useless and that the serum-simultaneous method should be used in all cases ? In the face of this recommendation. . . ."

The hon. the PRESIDENT :—" If the hon. Member stops there, it will be a supplemental question. If however he proceeds further, it will not be."

The hon. Mr. M. R. SETURATNAM AYYAR :—" I am aware, Sir, but it cannot be helped."

Dr. B. S. MALLAYYA :—" I want to know whether it is the intention of the Government to enforce the Act and waste money and submit the poor ryot and dumb animals to a risky method which has been pronounced to be useless by everybody."

The hon. Mr. M. R. SETURATNAM AYYAR :—" We are trying our level best in this direction, Sir."

Public Health

Location of the tuberculosis hospital.

* 162 Q.—Mr. J. A. SALDANHA : With reference to my question 1504 answered on 26th February 1929 will the hon. the Minister for Public Health be pleased to state—

(a) what decision has been arrived at as to the location of the tuberculosis hospital at or near Madras ;

(b) what action has been taken on Dr. Muthu's application for a grant in connexion with his tuberculosis hospital ;

(c) what arrangements are provided for treatment of tuberculosis cases in other places than Madras, Rajahmundry and Madanapalle mentioned in the answer, either by Government or by local bodies, and if by the latter, with what grant-in-aid ; and

(d) whether Government have in contemplation a comprehensive scheme for treatment of tuberculosis cases in a number of centres ?

A.—(a) The Government are considering the question.

(b) The Government have refused to comply with Dr. Muthu's request for a grant.

(c) Tuberculosis patients are treated in every Government hospital in the Presidency.

(d) No.

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR :—" With regard to the answer to clause (a), may I know whether orders have since been passed in respect of the construction of the building on the site selected ?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Orders have been passed even in February."

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR :—" May I know, with reference to clause (b), on what grounds the application was refused ?"

[9th August 1929]

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The grant was refused on the ground that the Government had already given the land for the hospital on the express understanding that no further liability will be incurred by the Government."

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR :—" May I know if the Mission authorities at Madanapalle have applied for and obtained permission to open a hospital in the Tinnevely district ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I am not aware of it."

Dr. B. S. MALLAYYA :—" May I know whether the Government are giving grants to the Madanapalle people and the Madanapalle people are also charging some fees for the treatment of the patients ? "

The hon. the PRESIDENT :—" I do not think that that question arises out of the answer on paper."

Mr. J. A. SALDANHA :—" May I know why the grant of the land should be a ground for the refusal of the grant now applied for ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" It was an express condition to the grant of land."

Mr. S. SATYAMURTI :—" May I know when Government expect to be in a position to arrive at a conclusion on this matter ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Very soon."

Mr. ABDUL HAMEED KHAN :—" May I know which are the alternative sites the Government have in view ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" About three or four sites in Madras."

Mr. ABDUL HAMEED KHAN :—" May I know which they are ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I think it will be better not to divulge the information before we negotiate with the parties concerned and finally settle."

Mr. S. SATYAMURTI :—" May I know whether the Government are aware of the opinion of the Council of the Madras Corporation that this site should be abandoned ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" May I know which site the hon. Member refers to ? "

Mr. S. SATYAMURTI :—" The present site."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Yes, Sir."

Mr. D. THOMAS :—" May I know, whether, with reference to clause (d) of the question, the Government will take into consideration the question of a scheme for the treatment of tuberculosis cases all over the Presidency ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" In every hospital in the Presidency tuberculosis patients are being treated. Special treatment in tuberculosis is given only in certain places."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" Is it the intention of the Government to shift the tuberculosis hospital from its present site; and if so, what steps have they taken in that direction ? "

[9th August 1929]

The hon. Mr. S. MUTHIAH MUDALIYAR :—" It is a matter which has come up before this House very often, by interpellations and otherwise, and the people in the locality have also sent up some memorials."

Dr. B. S. MALLAYYA :—" May I know whether the hon. the Minister received a deputation from the Corporation of Madras condemning this site and stating that it should be used as a playground for school children in the western half of the city ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Yes, and we also received some memorials."

Mr. SAMI VENKATACHALAM CHETTI :—" May I know why Dr. Muthu's application for grant was rejected ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I submit, Mr. President, I have answered that question already."

Extension of the system of honorary physicians and surgeons to district headquarters.

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

(a) to place before the Council the details of any scheme Government may have sanctioned for the extension of the system of honorary physicians and surgeons to district headquarters; and

(b) to state how far the scheme has been carried out?

A.—(a) The hon. Member is referred to G.O. No. 1373, P.H., dated the 31st May 1929, laid on the table.*

(b) The proposals called for in paragraph 4 of the Government Order are expected shortly from the Surgeon-General.

Mr. J. A. SALDANHA :—" With reference to clause (a), I want to know whether Government have considered the question of extending this privilege to the hospitals in the mufassal."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I am afraid the hon. Member has not read the Government Order in question."

Mr. J. A. SALDANHA :—" I want to know whether the Government Order applies to the taluk hospitals ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I would again invite the attention of the hon. Member to the Government Order."

Mr. D. NARAYANA RAJU :—" With reference to clause (b), in paragraph 4 of the Government Order, the Surgeon-General has been asked to submit his proposals to the Government not later than the 20th June 1929. May I know, Sir, why there has been delay ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Because there was delay in the issue of the Government Order itself."

[9th August 1929

Honorary surgeons and physicians appointed to district headquarter hospitals.

* 164 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Public Health be pleased to lay on the table of the House a list showing the names and number of honorary surgeons and physicians appointed to each of the district headquarter hospitals in accordance with the Government Order dated 31st May?

A.—A statement will be laid on the table as soon as the appointments have been made.

Registration

Travelling allowance drawn by the Inspector-General of Registration.

* 165 Q.—Mr. P. ANJANEYULU: Will the hon. the Minister for Public Health be pleased to state—

(a) the travelling allowance drawn every month by the Inspector-General of Registration since he assumed office up to date;

(b) whether the Inspector-General of Registration was prohibited from passing his own travelling allowance bills;

(c) if so, from what date this order was passed;

(d) the reasons why the present Inspector-General of Registration was prohibited from passing his own travelling allowance bills;

(e) whether the Accountant-General made any reference on this matter to the Government; and

(f) whether the Government will be pleased to place the references on the Council table?

A.—(a) The Government have called for the information.

(b) Yes.

(c) 26th December 1928.

(d) The Government observed that the Inspector-General did not regulate his tours in the best interests of the department and that his tours were not arranged in the most economical manner possible. The Government therefore decided that the travelling allowance bills should be examined and countersigned by them.

(e) Yes.

(f) No.

Mr. R. SRINIVASA AYYANGAR:—"May I ask, Sir, whether the Inspector-General of Registration was censured or reprimanded for not arranging his tours in the best and most economical manner possible?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"The only information that can be given has been given in clause (d)."

Mr. R. SRINIVASA AYYANGAR:—"Was any action taken by the Government beyond disapproving the action of the Inspector-General?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"The action that has been taken was taken as a result of their disapproval."

9th August 1929]

Mr. T. ADINABAYANA CHETTIYAR:—"Have the Government come to any decision as regards the amount by the most economical route and that by the uneconomical route and tried to recover the excess money from the officer concerned?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Such a course was not considered necessary."

Education

Recommendations of the Physical Education Committee.

* 166 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Education and Local Self-Government be pleased to state whether the Government have passed any orders regarding the recommendations of the Physical Education Committee?

A.—Orders will issue shortly.

Mr. ABDUL HAMEED KHAN:—"May I know if the orders have been issued?"

The hon. Dr. P. SUBBARAYAN:—"No, Sir. The orders are now in the process of issue."

Mr. ABDUL HAMEED KHAN:—"If so, why should there be delay?"

The hon. Dr. P. SUBBARAYAN:—"The hon. Member must be aware that this matter concerns the Finance Department and I had to consult the Finance Department."

General

Appointment of M.L.Cs. to honorary posts in local bodies.

* 167 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education and Local Self-Government be pleased to state how many of the members of the Council have been appointed by him to honorary posts in local self-governing bodies, educational bodies and temple committees since November 1928?

A.—Six members of the Legislative Council have been appointed since November 1928 to local self-governing bodies, eleven to educational bodies and six to temple committees.

Mr. K. V. R. SWAMI:—"May I know the names of these gentlemen?"

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

Municipalities

Recommendation of tenders by the Electrical Inspector to Government.

* 168 Q.—Dr. B. S. MALLAYYA: Will the hon. the Minister for Education and Local Self-Government be pleased to state, with reference to G.O. No. 2013, L. & M., dated 30th April 1929, whether the Government have defined the 'general reasons' for which the Electrical Inspector may not recommend a tender though he may certify it to be in order, and if so, to place them on the table of the House?

A.—No.

[9th August 1929]

Dr. B. S. MALLAYYA :—" May I know from the hon. the Minister for Education whether the Government Order which was passed in regard to certain alleged irregularities was passed on the report of the Electrical Inspector himself, whether the municipal councils were given time to explain the irregularities and whether the Government took any action on those irregularities before issuing this Government Order ? "

The hon. Dr. P. SUBBARAYAN :—" The Government Order was passed on a report from the Electrical Inspector to Government and the municipalities were also given an opportunity for explanation and the Government Order was issued after that. The Government did not think it necessary to take any action on the irregularities pointed out. "

Dr. B. S. MALLAYYA :—" In that case, may I know why all the municipalities should suffer for the sins committed by a few municipalities ? "

The hon. the PRESIDENT :—" The hon. Member is getting into arguments. "

Dr. B. S. MALLAYYA :—" I should like to know whether the Government are penalising all the municipalities for the sins of a few. "

Mr. A. KALESWARA RAO :—" May I know whether any of the municipalities was consulted before the issue of this Government Order ? "

The hon. Dr. P. SUBBARAYAN :—" Yes, they were asked for an explanation in regard to the letter issued by the Inspector. "

Mr. A. KALESWARA RAO :—" May I know whether the Ootacamund municipality protested against this Government Order, the municipality which is presided by my friend Mr. Davis ? "

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

Mr. A. KALESWARA RAO :—" May I know, Sir, whether the consulting fees of the Electrical Inspector to Government have been trebled lately by the Government by a Government Order ? "

The hon. Dr. P. SUBBARAYAN :—" That is a matter in the hands of my hon. Friend, the Law Member. "

Mr. A. KALESWARA RAO :—" May I know whether on that account the municipalities have been consulting private engineers or their own engineers ? "

The hon. Dr. P. SUBBARAYAN :—" I am not aware of such a thing. "

Mr. P. ANJANBYULU :—" May I know whether the Guntur municipality has entered a similar protest ? "

The hon. Dr. P. SUBBARAYAN :—" As I said, I am not sure which of the municipalities entered protests. "

Dr. B. S. MALLAYYA :—" May I know from the hon. the Minister whether it is his intention to make this Inspector all in all just like others ? "

The hon. Dr. P. SUBBARAYAN :—" The hon. Member may be interested to hear that my hon. Colleague and myself are considering the revision of this order at present. "

Mr. A. KALESWARA RAO :—" May I know whether several of the municipalities, Ootacamund, Bezvada, Coonoor, Kurnool and others have gone in for non-British goods on the ground that the continental goods are cheaper and at the same time more efficient ? "

[9th August 1929]

The hon. Dr. P. SUBBARAYAN :—" I am not acquainted with all the things that my hon. Friend mentions. "

Dr. B. S. MALLAYYA :—" Is the hon. Minister aware that in England itself all the leading cities are going in for continental articles because they are cheaper ? "

The hon. Dr. P. SUBBARAYAN :—" I am not aware of that. "

List of approved firms for purchasing electrical machinery.

* 169 Q.—Dr. B. S. MALLAYYA : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether Government have got a list of firms from whom only electrical machinery and plants should be purchased by local bodies; and

(b) if so, whether they will be pleased to lay the same before the Council ?

A.—(a) & (b) There is no such list.

Mr. K. V. R. SWAMI :—" Are there any firms which can supply these things ? "

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

Orders given to non-British firms for electrical plants.

* 170 Q.—Dr. B. S. MALLAYYA : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) the number of non-British firms that have received large orders for electrical plants from the municipalities in this presidency prior to April 1929; and

(b) the amount of the order in each case together with the nationality of the firm ?

A.—The Government have no information.

Religious and Charitable Endowments

Administration of endowments by Tanjore Rajas.

* 171 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Minister for Education and Local Self-Government be pleased to state with reference to the answer to question No. 2004 answered on 27th March 1929 regarding the administration of endowments by Tanjore Rajas—

(a) whether the information called for has been received; and

(b) whether the same will be placed on the table of this House ?

A.—(a) & (b) Yes.*

Mr. T. ADINARAYANA CHETTIYAR :—" Sir, in the letter from the Tanjore District Board President we find that over Rs. 52,000 has been spent on education out of chatram funds and nearly Rs. 30,000 spent on hospitals. Have the Government obtained legal advice as to whether such diversion of funds from the intention of the original donors is legal ? "

[9th August 1929]

The hon. Dr. P. SUBBARAYAN :—"No such opinion has been obtained, but people if they desire, can get this matter settled in a court of law."

Mr. G. HARISARVOTTAMA RAO :—"May I know if there is any surplus every year and if such surplus is deposited in any bank?"

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

Mr. G. HARISARVOTTAMA RAO :—"May I know, Sir, in regard to what is mentioned in the appendix that 'grain collection also to an aggregate of 18,944 kalams has been made annually', whether there is an account kept for it?"

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

Mr. T. ADINARAYANA CHETTIYAR :—"May I ask the hon. the Minister whether Government have received any representations protesting against such diversion of funds which are not permissible even by the wildest stretch of the doctrine of *cypres*?"

The hon. Dr. P. SUBBARAYAN :—"Not that I am aware of."

Mr. A. RANGANATHA MUDALIYAR :—"It is said that part of the money is spent on 'payment of rice and cash allowances monthly to poor and helpless people.' May I know how much that amount comes to?"

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

Mr. G. HARISARVOTTAMA RAO :—"May I know if the hon. the Minister has examined whether there is a surplus every year?"

The hon. Dr. P. SUBBARAYAN :—"I believe there is a little surplus."

Mr. G. HARISARVOTTAMA RAO :—"Then, Sir, may I know whether he will examine it and make arrangements to see that it is properly kept?"

The hon. Dr. P. SUBBARAYAN :—"There is no reason to believe that these accounts have been improperly kept."

Nomination of members to the temple committees in South Kanara.

* 172 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 nominating members to the newly constituted temple committees in South Kanara the name of Mr. Kodlamogru Sankappa Rai, a member of the late Mangalore Circle Temple Committee, was recommended to the hon. Minister by the Board of Commissioners;

(b) whether it is a fact that at the instance of Mr. A. B. Shetty, M.L.C., the name of the said Sankappa Rai was removed and the former's relative, one Laxminarain Naik, who was not a member of the previous committee, was nominated;

(c) whether it is a fact that out of the six Bunt members of the committee, as many as four are closely related to Mr. Shetty as follows and that their nominations were made at his influence :—

Relationship of the members.

- (1) Mr. P. R. R. Punja—Mrs. Punja is Mr. A. B. Shetty's niece,
- (2) Mr. Laxminarain Naik—Brother of Mr. Shetty's brother-in-law,
- (3) Mr. Ramaiyya Shetty—Cousin of Mr. Shetty's brother-in-law,
- (4) Mr. Tejappa Shetty—Nephew of the father of No. 3 supra; and

[9th August 1929]

(d) whether all these nominations were made with a view to get No. 1 elected as President of the Committee so that the Committee's influence might be used at the coming Legislative Council elections?

A.—(a) Yes.

(b) No. The Government thought that Mr. Laxminarain Naik will be a useful member in the Committee.

(c) No.

(d) No.

Mr. K. R. KARANT :—"May I ask, with reference to clause (b) of the answer, whether it is a fact that neither the Collector nor the Endowments Board suggested the name of this gentleman, Mr. Laxminarain Naik?"

The hon. Dr. P. SUBBARAYAN :—"The Collector it was that suggested that Mr. Laxminarain was a desirable person to be appointed."

Mr. K. R. KARANT :—"May I ask whether, if that is so, he was asked about it after the nomination or before it was made?"

The hon. Dr. P. SUBBARAYAN :—"Before the nomination."

Mr. K. R. KARANT :—"May I ask whether the Endowments Board was consulted about this?"

The hon. Dr. P. SUBBARAYAN :—"In regard to these persons, we generally consult the Collector who is better acquainted with the locality."

Mr. A. RANGANATHA MUDALIYAR :—"Was the name suggested by the Collector or was it the Government that made the reference?"

The hon. Dr. P. SUBBARAYAN :—"The Government made a reference to the Collector."

Mr. B. S. MALLAYYA :—"Did this Mr. Laxminarain Naik come to the Minister with Mr. Shetty, and asked for nomination?"

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

Mr. K. R. KARANT :—"Who suggested the name of this gentleman in the first instance?"

The hon. Dr. P. SUBBARAYAN :—"Mr. Shetty himself."

Assignment of Lands

Assignment of lands to depressed classes of Kalathi village, Harpanahalli taluk.

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

(a) whether there have been any applications from the depressed classes for the assignment on patta of the cultivable area in S. No. 381 of Kadathi village, Harpanahalli taluk, Bellary district, and if so, how they have been disposed of; and

(b) whether S. No. 381 or any portion of it is included in the list of lands available for depressed classes?

A.—(a) So far as can be ascertained, the Government have received no such application.

(b) The Government have not the information.

[9th August 1929]

Bills*Introduction of the Estates Land Act Amending Bill and the Malabar Tenancy Bill.*

* 174 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Member for Revenue be pleased to state whether the Government propose to introduce during the next session their Madras Estates Land Act Amending Bill and the Malabar Tenancy Bill?

A.—The Malabar Tenancy Bill will be introduced during the present session of the Legislative Council. The Madras Estates Land Act (Amendment) Bill is under the consideration of the Government and it is not possible to say definitely at this stage when it will be introduced.

-30 Mr. A. KALESWARA RAO:—“May I know whether Government have received a report from the Board of Revenue about amendments to the Estates Land Act?”

The hon. Mr. A. Y. G. CAMPBELL:—“The Government received a report suggesting certain amendments.”

Mr. A. KALESWARA RAO:—“May I know whether Government will place the report of the Board of Revenue on the table of the House?”

The hon. Mr. A. Y. G. CAMPBELL:—“I will consider the suggestion.”

Sriman BISWANATH DAS Mahasayo:—“May I know the stage in which the Bill is? In the answer it is stated that the Bill is under the consideration of Government. May I know at what particular stage it is now, whether it is in the circulation of the Members of the Cabinet or under the consideration of the hon. the Revenue Member himself?”

The hon. Mr. A. Y. G. CAMPBELL:—“I regret that I am not certain as to the present position.”

Mr. A. KALESWARA RAO:—“May I ask the hon. the Revenue Member whether the draft Bill is ready?”

The hon. Mr. A. Y. G. CAMPBELL:—“A Bill has been drafted but I cannot say whether the form of the Bill has yet been finally decided.”

Sriman BISWANATH DAS Mahasayo:—“May I know whether the hon. the Revenue Member can give some idea as to when he may be able to introduce the Bill?”

The hon. Mr. A. Y. G. CAMPBELL:—“It is difficult to give an exact date by which the Bill will be ready. Certain matters are still under consideration and we want further information on certain points.”

Sriman BISWANATH DAS Mahasayo:—“I do not want the hon. Member to give me an exact date, but some approximate date or the month by which Government will be able to introduce the Bill or whether it will be introduced in the course of this year may be given?”

The hon. Mr. A. Y. G. CAMPBELL:—“I can assure the hon. Member that steps will be taken to introduce the Bill as quickly as possible.”

Mr. A. KALESWARA RAO:—“May I know whether the report of the Committee appointed will be circulated in this House?”

[9th August 1929]

The hon. Mr. A. Y. G. CAMPBELL:—“The report of which committee?”

Mr. A. KALESWARA RAO:—“The report of the committee appointed to suggest amendments to the Madras Estates Land Act.”

The hon. Mr. A. Y. G. CAMPBELL:—“I will consider the suggestion.”

Mr. C. RAMASOMAYAJULU:—“May I ask the hon. the Revenue Member whether the Bill can be expected to be introduced during the October meeting of the Council?”

The hon. Mr. A. Y. G. CAMPBELL:—“I regret I cannot give a definite promise, but I can assure hon. Members that every endeavour will be made to introduce it as quickly as possible.”

Sriman BISWANATH DAS Mahasayo:—“May I ask the hon. Member whether he has seen the promise given by the hon. Law Member then in charge of the Bill, Sir C. P. Ramaswami Ayyar, that he would introduce the Bill in the October sitting of 1927 and also by the hon. Sir Norman Marjoribanks that he would try and see that both the Bills, the Malabar Tenancy Bill and the Estates Land Act (Amendment) Bill would be introduced practically at the same time, giving preference to the Malabar Tenancy Bill?”

The hon. Mr. A. Y. G. CAMPBELL:—“Assuming that the hon. Member's statements are correct, I submit that the failure of my predecessors to carry out these undertakings in spite of the best intentions, justifies my present hesitation to give a similar undertaking.”

Estates Land Act*Settlement operations in the villages of Tekkali and other estates in Ganjam district.*

* 175 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Member for Revenue be pleased to state—

(a) the reason why settlement operations under Chapter XI of the Estates Land Act are not pushed through in the villages of Tekkali, Nandigam, Khallikote, Attagada and Dharkote estates of Ganjam district even though these operations were sanctioned two or three years back;

(b) the reason why special attention is paid to settlement work of Parlakimedi estate even though the ryots protested against those operations; and

(c) whether complaints have been made to the Government that the progress of settlement work is hampered for want of necessary staff with the result that the operations become costly?

A.—(a) It was not found possible for a single Revenue Officer to attend to the work connected with the settlement operations in all the scattered estates of the Ganjam district expeditiously. The Government have therefore sanctioned the appointment of an additional Revenue Officer for the purpose.

(b) The attention of the hon. Member is invited to the answer to clause (c) of question No. 603 asked at the meeting of the Legislative Council held on 12th October 1928.

(c) Representations to this effect have been received.

[9th August 1929]

Sriman BISWANATH DAS Mahasaya:—" May I know whether Government would be pleased to appoint an officer of proved honesty on such an important question like the present ? "

The hon. Mr. A. Y. G. CAMPBELL:—" We regard all our officers as honest until the contrary is proved."

Irrigation

Increase of the pay of Lock and Wharf Superintendents.

* 176 Q.—Mr. C. RAMASOMAYAJULU: Will the hon. the Member for Revenue be pleased to state with reference to the answer given to question No. 1571 on 1st March 1929 relating to the increase of pay of Lock and Wharf Superintendents—

(a) whether the Government have considered the matter and have arrived at any final decision about the same; and

(b) if so, whether the Government will be pleased to place the decision on the table of the House ?

A.—The memorials are still under consideration.

Mr. C. RAMASOMAYAJULU:—" May I know for how long this matter has been under the consideration of Government, and can they expect to come to any decision at any time ? "

The hon. Mr. A. Y. G. CAMPBELL:—" I must ask for notice."

Supply of water to the Byalahalu tank of Kadzabal, Hadagalli taluk.

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

(a) the progress made in the investigation of a scheme to supply water to the Byalahalu tank of Kadzabal, Hadagalli taluk, from Hagari river; and

(b) when the investigation is likely to be completed and when the estimates will be ready ?

A.—(a) & (b) It is expected that the investigation of the Belahal project will be completed by September 1929 and the plans and estimates may be ready by that time.

Inams

Alleged withholding of tasdik allowance to Mahalingeshwar temple.

* 178 Q.—Mr. K. R. KABANT: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the tasdik of Rs. 16 due to the trustee of Muddanna Mahalingeshwar temple No. 151 of Inna village, Mangalore taluk, has been withheld, and if so, for how long and for what reasons;

(b) whether it has been withheld for the reason that the buildings are not repaired;

(c) whether the repairs would cost about Rs. 10,000 and if not, how much;

(d) whether the Government have given any directions as to how the services are to be carried on; and

(e) whether Government will issue orders at once to pay the tasdik ?

[9th August 1929]

A.—(a) Yes; for faslis 1337 and 1338. The Tahsildar withheld payment under a misapprehension.

(b) No.

(c) About Rs. 5,000.

(d) No.

(e) The question of the payment of the tasdik is being considered by the Collector.

Land Revenue

Reclassification of dry lands converted into wet and garden lands in Malabar.

* 179 Q.—Mr. A. B. SHETTY: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have ordered the reclassification of dry lands converted into wet and garden lands in Malabar with a view to levy wet and garden assessment on them;

(b) whether the Special Settlement Officer has reported to the Government that lands similarly improved in South Kanara should also be reclassified and whether the Government have passed any orders in regard to this matter;

(c) whether the Government are aware that the conversion of dry land into wet or garden and of single-crop land into double-crop land is made entirely at the ryots' expense on the West Coast; and

(d) whether the Government propose to levy higher assessment on such lands and tax the ryots' improvements ?

A.—(a) The Settlement Officer has been instructed to proceed on these lines in preparing his settlement report but a final decision has not yet been arrived at.

(b) The proposals as tentatively approved by the Government for the purpose of enabling the Settlement Officer to prepare his scheme for South Kanara are—

(1) that it is unnecessary to reclassify any existing garden lands, either by raising the present class or by lowering it;

(2) that it is not necessary to reclassify any wet land as garden;

(3) that dry lands converted into wet should be reclassified at the resettlement and that appropriate rates of wet assessment should be imposed on them;

(4) that dry lands which have been converted into garden should be reclassified as garden.

(c) & (d) The settlement notifications issued in 1900 and 1902 for Malabar and South Kanara expressly reserved to the Government the right to introduce at the end of the period of settlement such changes in the classification and assessment of 'wet', 'dry' and 'garden' lands as might then seem proper. The reclassification proposed is based on the same principles as those on which the classification now in force was based, and cannot in the circumstances be held to be in violation of the concession made in favour of ryots' improvements. In

[9th August 1929]

Malabar, as elsewhere, the assessment has been, and will hereafter be, based on the commuted value of a share of the net produce of the land. The value of that share will obviously vary according to the capacity of the land to produce dry, wet or garden crops.

Mr. A. B. SHETTY :—" May I know whether Government propose to tax the ryot's improvements in regard to these things ? "

The hon. Mr. A. Y. G. CAMPBELL :—" No, the Government do not tax the ryot's improvements."

Mr. G. HARISARVOTTAMA RAO :—" May I know from the hon. the Revenue Member whether the question of holding over these settlements till a proper revenue law is placed on the statute book is under the consideration of Government ? "

The hon. Mr. A. Y. G. CAMPBELL :—" No, Sir."

Mr. G. HARISARVOTTAMA RAO :—" May I know from the hon. the Revenue Member whether he is prepared to take that aspect of the question into consideration ? "

The hon. Mr. A. Y. G. CAMPBELL :—" No, Sir."

Mr. G. HARISARVOTTAMA RAO :—" May I know why, Sir ? "

The hon. Mr. A. Y. G. CAMPBELL :—" There is no immediate prospect of having such a law passed."

Mines

Free use of stones from porambokes by ryots.

* 180 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Member for Revenue be pleased to state —

(a) whether it is a fact that ryots were allowed the free use of stones, etc., from porambokes for their legitimate domestic purposes ;

(b) whether it is a fact that tahsildars were also issuing orders accordingly ;

(c) whether the concession has been revoked now ; if so, when and under what circumstances ;

(d) whether the hon. Member will be pleased to lay such orders on the table of the House ;

(e) whether it is a fact that ryots are asked to pay a seigniorage for stones for their legitimate domestic purposes ; and

(f) if the Government have no information, whether they will call for the same ?

A.—(a) Free quarrying by ryots for bona fide domestic or agricultural purposes is allowed in unreserved waste lands including porambokes which are not reserved lands as defined in rule 3 of the rules framed under section 26 of the Forest Act and which are under the control of the Revenue department in all districts except Nellore and the Polavaram and Yellavaram divisions of the East Godavari district. In Nellore free quarrying is not now allowed in porambokes and in the Polavaram and Yellavaram divisions seigniorage fees have been collected under the misapprehension that porambokes do

[9th August 1929]

not come under the class of unreserved lands. Instructions are being issued by the Board of Revenue to the Collectors concerned that porambokes, unless they are reserved under the Forest Act and unless they are not under the control of the Revenue department, fall under the class of unreserved lands and that free quarrying should be allowed in them for bona fide domestic or agricultural purposes.

(b) The answer is in the affirmative.

(c) & (d) The concession has not been revoked.

(e) & (f) The Government are not aware that seigniorage fees have been demanded except so far as is mentioned in the answer to clause (a) of this question.

Settlement

Alleged inadequacy of staff for the resettlement work in Ganjam district.

* 181 Q.—Sriman BISWANATH DAS Mahasayo : Will the hon. the Member for Revenue be pleased to state —

(a) the reason why adequate staff has not been sanctioned for the settlement work in the zamindaris of the district of Ganjam ;

(b) whether any representations have been received by the Government or by the Board of Revenue from the Ganjam Zamindari Ryots' Association and also from the concerned villagers ;

(c) what action has been taken on these representations ; and

(d) whether they have sanctioned additional staff only for Parlakimedi settlement operations applied at the instance of the landholder ?

A.—(b) No such representations have been received by the Government.

The Government understand that a representation was received by the Board of Revenue from the Ganjam Zamindari Ryots' Association requesting that the preparation of a record of rights and settlement of rents in certain estates should be expedited by increasing the staff employed under the special Revenue Officer and that a similar representation was received from the ryots of five villages in Khallikote estate.

(a) & (c) The Board of Revenue applied to the Government for the appointment of an additional Revenue Officer for the Ganjam district. Orders were issued on 27th July 1929 sanctioning the appointment of an additional Revenue Officer for work connected with the preparation of a record of rights and settlement of rents in the estates in that district.

(d) No. The additional staff is proposed in connexion with work in other estates as well.

Village Accounts

Maintenance of the village accounts.

* 182 Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Member for Revenue be pleased to state whether the Government are considering the question of simplification of the preparation and maintenance of the village accounts, and if so, the progress made in that direction ?

[9th August 1929]

4.—The question is not under the consideration of the Government. The Government recently examined the question and found that no substantial benefit would result from any change of practice. It was therefore decided to drop the matter.

Mr. G. HARISARVOTTAMA RAO :—“ May I know whether Government is still insisting on the preparation of the provisional demand account by the karnams ? ”

The hon. Mr. A. Y. G. CAMPBELL :—“ I must ask for notice of the question.”

Annual supply of stationery to village headmen and karnams.

* 183 Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Member for Revenue be pleased to state whether any and if so what stationery is supplied annually to village headmen and karnams and on what scale ?

A.—The articles of stationery supplied to the village officers and the scale of supply are as follows :—

Articles.	Scale.	
	Headman.	Karnam.
Penholders	1	1 (biennial).
Nibs	6	6 } (annual).
Pencils (black lead)	...	1 }
Blank paper	According to requirements.	

Mr. K. KOTI REDDI :—“ May I know why village headmen are not supplied with these articles of stationery ? ”

The hon. Mr. A. Y. G. CAMPBELL :—“ I will consider the question.”

Mr. A. RANGANATHA MUDALIYAR :—“ May I know what is the arrangement for the distribution of stationery to the village officers ? Do they take the articles from the taluk office or the articles are sent otherwise ? ”

The hon. Mr. A. Y. G. CAMPBELL :—“ My impression is that they take them from the taluk office.”

Mr. C. RAMASOMAYAJULU :—“ May I ask the hon. Member whether the Government know that this supply is absolutely inadequate for the requirements of the karnams ? ”

The hon. the PRESIDENT :—“ That is asking for an opinion.”

Dr. B. S. MALLAYYA :—“ The hon. Member said that they come to the headquarters to take one pen and six nibs. May I ask him what is the travelling allowance given to them to travel a distance of 20 miles from their villages for this purpose ? ”

Mr. G. HARISARVOTTAMA RAO :—“ May I ask the hon. Member whether he knows that in certain places this supply is never made and may I know whether the hon. the Revenue Member is prepared to issue instructions that these things should be properly supplied ? ”

The hon. Mr. A. Y. G. CAMPBELL :—“ I am not aware that the supply is not made. If, in any case, the hon. Member finds that the supply is not made, I shall be obliged to him if he can bring such things to my notice.”

[9th August 1929]

Mr. A. KALESWARA RAO :—“ May I know whether one pen is sufficient for the whole year ? ”

The hon. the PRESIDENT :—“ That is asking for an opinion.”

Mr. P. ANJANEYULU :—“ May I know why along with this sumptuous supply of stationery penknife is not also supplied ? ”

Mr. A. RANGANATHA MUDALIYAR :—“ I just want to know the maximum and minimum limit for these indents ? ”

The hon. Mr. A. Y. G. CAMPBELL :—“ I must ask for notice.”

Mr. T. ADINARAYANA CHETTIYAR :—“ Are these stationery articles Indian made ? ”

The hon. Mr. A. Y. G. CAMPBELL :—“ I must ask for notice.”

Mr. G. HARISARVOTTAMA RAO :—“ May I know from the hon. the Revenue Member whether he will consider it desirable to enhance the rate of this supply of stationery articles ? ”

The hon. Mr. A. Y. G. CAMPBELL :—“ I will consider whether it is adequate or not.”

Sriman BISWANATH DAS Mahasayo :—“ May I know whether Government have consulted these village officers as to whether the supply is sufficient or not ? ”

Village Establishment

Servants working under the village headman or the karnam.

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

(a) whether there is a practice obtaining in many districts in the province whereby some servants work under either the village headman or the karnam throughout the year and others work under one or the other during specified months of the year ; and

(b) whether in such cases both the headman and the karnam are required to sign the pay bills in token of the regular attendance of the menial staff during the month ?

A.—(a) The village servants are under the control of the village headman and work under the karnam when deputed to do so by the headman. The Government are not aware of the existence of the practice referred to.

(b) The pay bill of the entire establishment of the village is signed by both the headman and the karnam.

Mr. G. HARISARVOTTAMA RAO :—“ May I know whether it is not a fact that the police part of the establishment is under the headman and that the other part is under the karnam ? ”

The hon. Mr. A. Y. G. CAMPBELL :—“ I am not aware of the fact.”

[9th August 1929]

Civil Justice

Revision of the salaries of head clerks of District Munsifs' Courts.

* 185 Q.—Mr. K. R. KARANT: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that before the recent revision of the salaries, head clerks of District Munsifs' Courts were getting a pay of Rs. 50 to Rs. 60 per mensem whilst the deputy nazirs of the said courts were getting only Rs. 25;

(b) whether it is a fact that the head clerks have to pass the Judicial, Translation and Account tests, whilst the deputy nazirs have to pass only the Account test and whether further the head clerk is the chief ministerial officer having to supervise the work of the deputy nazirs also;

(c) whether in spite of the work involved, under the revision, both classes of officers are paid Rs. 60—4—80; and

(d) whether it is a fact that in the case of the head clerks of Deputy Collectors' offices an enhanced salary has been sanctioned or is about to be sanctioned and if so, what it is?

A.—(a) Prior to the revision referred to, the pay of head clerks of District Munsifs' Courts varied from Rs. 50 to Rs. 60 and that of deputy nazirs varied from Rs. 40 to Rs. 50.

(b) Head clerks are required to pass the Civil Judicial test and the Account test and deputy nazirs are required to pass the Account test. The head clerk supervises the clerical establishment and the deputy nazir the process serving establishment. The head clerk does not now generally supervise the work of the deputy nazir.

(c) Yes; the deputy nazir is performing equally onerous duties.

(d) In the general revision of pay sanctioned in 1921, the pay of head clerks in Deputy Collectors' Revenue Divisional Offices was fixed at Rs. 60—4—80. With effect from 1st April 1929 their pay has been fixed at Rs. 80 per mensem.

Forests

Classification of forests in North Arcot district.

* 186 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Law Member be pleased to state with reference to his answer to question No. 2085 answered on 27th March 1929 regarding classification of forests in North Arcot district—

(a) what were the materials on which the recommendation of the Board and those of the District Committee of which the Collector and the three District Forest Officers were members, were based;

(b) whether it is a fact that even the Collector and the Chief Conservator of Forests who are responsible for the recommendations of the Committee were not given an opportunity to give their opinions in the matter;

(c) whether it is a fact that the Land Revenue Commissioner's inspection note was not based on any enquiry or detailed inspection;

(d) whether it is a fact that as a result there is fuel scarcity in the Tiruvannamalai town;

[9th August 1929]

(e) whether any inquiry was made as to whether the panchayats are letting out coupes regularly, whether there is scarcity of fuel in the town and whether the price of fuel had risen abnormally high; and

(f) whether the Government will be pleased to call for a report from the Chief Conservator of Forests and the Collector concerned?

A.—(a) The hon. Member has been given all information in the possession of Government in answer to his questions Nos. 2011 and 2085 answered on 27th March 1929.

(b) The Collector and the Chief Conservator were not responsible for the recommendations of the Committee. The Collector was a member of the Committee and the Chief Conservator was consulted on the subject by Government.

(c) No.

(d) to (f) There appears to be some scarcity for fuel due to other causes. The Government have already called for a report. A copy of the Collector's report is appended.*

Mr. T. ADINARAYANA CHETTIYAR:—"With reference to the answer to clause (c), was there any definite report by the Land Revenue Commissioner or was it based upon the inspection note?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Yes. There was a report."

Income and expenditure in respect of the reserved forests of South Kanara.

* 187 Q.—Mr. K. R. KARANT: Will the hon. the Law Member be pleased to lay on the table the total income and expenditure, giving the main heads if possible, in respect of the reserved forests of South Kanara, in each of the years following the year in which the reserves were first constituted?

A.—The hon. Member is referred to the several annual reports contained in the administration reports of the Forest department, where the required figures for the district as a whole will be found. The Government consider that it is not worthwhile to compile the revenue and expenditure figures for each reserve separately as they can be worked out only at the cost of immense labour.

Forest policy of the Government.

* 188 Q.—Mr. K. R. KARANT: Will the hon. the Law Member be pleased—

(a) to lay on the table a copy of the questionnaire issued by Government to the Forest department in regard to the policy of the department; and

(b) to state—

(i) whether Government have received any replies from the department or any report in regard to the forest policy of the Government or in regard to the appointment of a committee of the Council as resolved upon by the Council; and

(ii) whether Government have decided upon the appointment of such a committee; if not, why not?

[9th August 1929]

A.—(a) & (b) Replies to the questionnaire have been received recently and are now under consideration. The question of publication of the questionnaire will be considered after examination of the replies.

Mr. K. R. KARANT :—" May I know to whom the questionnaire was issued and from whom answers have been received ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Only to the Chief Conservator of Forests and the answers have been received only from him."

Mr. K. R. KARANT :—" May I know then why it is stated in the answer ' The question of publication of the questionnaire will be considered after examination of the replies ' ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" That is, there are several questions in the questionnaire and for each question there is a reply."

Mr. G. HARISARVOTTAMA RAO :—" May I know why the Government considered that the Chief Conservator was the only individual who was entitled to receive the questionnaire ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Because he is responsible to the Government for the administration of his department."

Rao Bahadur B. MUNISWAMI NAYUDU :—" May I ask the hon. the Law Member whether this question of reorganization of the Forest policy has been placed before the Forest Advisory Committee which had been constituted and whether that committee did not meet for some time ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I will consider that suggestion."

Mr. K. R. KARANT :—" May I know whether the question of the reorganization of the department forms part of the questionnaire ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Yes."

Mr. G. HARISARVOTTAMA RAO :—" May I know whether it is not a fact that the control of the panchayats is in the hands of the Revenue department ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Yes."

Mr. G. HARISARVOTTAMA RAO :—" May I know whether the questionnaire consists of questions relating to the panchayats ? "

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

Mr. G. HARISARVOTTAMA RAO :—" May I know whether the Forest policy of the Government as a whole was not considered and the question of the control of the panchayats by the Revenue department also is not considered in this connexion ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The question of the control of the Revenue department was not considered."

Mr. G. HARISARVOTTAMA RAO :—" May I know whether it is not a fact that the Forest department gives advice to the Revenue department in regard to Forest policy ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Notice, Sir."

9th August 1929]

Proposed reorganization of the Forest department.

* 189 Q.—Mr. J. A. SALDANHA : With reference to my question No. 1724 answered on 14th March 1929, and the answer given thereto, will the hon. the Law Member be pleased—

(i) to place before the Council

(a) the questionnaire issued by Government for the proposed reorganization of the Forest department;

(b) the answers received by Government; and

(c) the orders passed by Government thereon; and

(ii) to state whether Government have decided to appoint a committee to enquire into the Forest policy of Government, and if not, why not ?

A.—(i) & (ii) The replies to the questionnaire recently received are now under examination and until it is completed the Government do not propose to take the action suggested.

Mr. J. A. SALDANHA :—" May I know whether the questionnaire deals with questions on the growth of forests and the evils of the forests on the ryots and cultivators ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I am not in a position to remember all the questions. I want notice."

Contributions by Native States for students trained at the Forest College, Coimbatore.

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

(a) what provinces and Native States send students for training at the Forest College in Coimbatore;

(b) what on an average is the proportion of Madras students in this College; and

(c) whether the Provincial Governments and Native States which send students contribute proportionately to the recurring and non-recurring expenditure incurred over this college ?

A.—(a) The Coimbatore College trains candidates coming from Bombay, the Central Provinces, Bihar and Orissa, Orissa Feudatory States, the Central India States, and Indian States of Southern India including Hyderabad.

					PER CENT.
(b)	1927-29	...	...	...	27.5
	1928-30	...	...	...	6.2
	1929-31	...	...	...	10.5

(c) The Governments of other provinces or the Indian States sending students to the College are charged for the education of every such student the sum of Rs. 1,500 per annum (Rupees 8,000 for the whole course) payable in advance. The stipends and travelling allowance of these students are also debited in the accounts to the Provincial Government or Indian State.

[9th August 1929]

Mr. A. B. SHETTY :—" May I know why the Madras Government should run a Forest College which after all trains students who come mostly from outside the province and why the Central Government should not conduct the staff ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The College was intended for the education of those who are employed in this Presidency, but because there is ample accommodation for the training of students from other provinces and Indian States such students are also taken."

Mr. A. B. SHETTY :—" That is why I am asking why the Central Government should not run the staff ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" It was established by this Government for the benefit of the students of this Presidency and so this Government runs the institution."

Hydro-electric schemes

Licence to Messrs. Octavius Steel Company of Calcutta for electrical schemes.

* 191 Q.—Dr. B. S. MALLAYYA : Will the hon. the Law Member be pleased to state—

(a) whether Messrs. Octavius Steel Company of Calcutta and Messrs. Crompton Parkinson & Co. have been granted licences for carrying out electrical schemes in the Presidency ;

(b) if so, for what amount in each case and when the licences were granted ; and

(c) whether these two firms only had submitted tenders, and, if not, what are the names of the other firms who had sent up tenders ?

A.—(a) No.

(b) Does not arise.

(c) The Tinnevely-Palamcottah Electric Supply Company, Trichinopoly, Messrs. Killick Nixon and Company, Bombay, and Messrs. Chari and Chari, Madras.

Mr. D. THOMAS :—" May I know if any of the tenders have been accepted by the Corporation ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" This has not been mentioned in the question."

Dr. B. S. MALLAYYA :—" Was the rejection due to the recommendation of the Electrical Inspector to Government ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" It has not been rejected."

Alleged information given to Messrs. Octavius Steel & Co. of Calcutta regarding electrification schemes.

* 192 Q.—Dr. B. S. MALLAYYA : Will the hon. the Law Member be pleased to state—

(a) whether the Collectors of districts have been requested by a demi-official to furnish information regarding towns in their districts which will prove useful for electrification schemes ;

[9th August 1929]

(b) whether this information has been placed at the disposal of Messrs. Octavius Steel & Co. of Calcutta and of Messrs. Crompton Parkinson, Limited ; and

(c) if so, why this information was furnished to these English firms only and not to Indian firms or to the South Indian Chamber of Commerce ?

A.—(a) No.

(b) & (c) Do not arise.

Alleged aid by Collectors to Messrs. Octavius Steel & Co. of Calcutta.

* 193 Q.—Dr. B. S. MALLAYYA : Will the hon. the Law Member be pleased to state whether the Government have advised by demi-official the Collectors of all the districts that they should render all help to Messrs. Octavius Steel & Co. of Calcutta, Messrs. Crompton Parkinson, Limited, and Messrs. Croft, Forbes and Chard, in connexion with the electrification schemes of towns in their districts ?

A.—No

Progress of hydro-electric schemes.

* 194 Q.—Mr. J. A. SALDANHA : Will the hon. the Law Member be pleased to place before the Council a statement showing the progress made in regard to various hydro-electric schemes, the financial provisions made therefor, the establishments sanctioned, and the various places to which electricity engendered is to be carried and with what probable success ?

A.—The attention of the hon. Member is invited to the answer given to question No. 92 at the Legislative Council meeting held on 4th September 1929 in regard to the progress made on hydro-electric schemes. The present position is as follows :—

The Pykara scheme.—The Railway Board have not yet come to a decision in regard to the electrification of the South Indian Railway sections. The Government have decided to proceed with the scheme without awaiting the Railway Board's decision, and the Government of India have been addressed to obtain the Secretary of State's sanction to the execution of the scheme.

The Glen-Morgan scheme.—The construction of the scheme is rapidly progressing and work is expected to be completed in a few months.

The Papanasam scheme.—No decision has yet been arrived at in regard to this scheme. Attempts are being made to secure demand for a definite block of power to enable the scheme to be proceeded with.

The investigation of the *Kolab scheme* is in progress and a report from the Chief Engineer for Hydro-electric Development is awaited.

2. The financial provision made for hydro-electric schemes is given on pages 201-203 and 405 of the Civil Budget Estimate for 1929-30.

3. A statement showing the establishment sanctioned for the Hydro-electric Development department is attached. *

[9th August 1929]

4. As at present surveyed, the Pykara scheme is expected to supply power to the following places from the first year of its operation:—The Nilgiris, Coimbatore, Tiruppur, Pollachi, Anamalais, Dindigul and Palni, Trichinopoly and Madura, Erode and Shoranur will be included from the 4th and 7th year respectively.

The Glen-Morgan scheme will supply power to Ootacamund, Coonoor, Wellington, Gudalur and to some tea estates in the Nilgiris.

The places which are expected to be served by the Papanasam scheme are Tuticorin, Tinnevely, Sattur, Kovilpatti and Ambasamudram, if the construction of the larger scheme is undertaken. The smaller scheme will be sufficient to supply power only to a few industrial concerns near Tuticorin.

Mr. D. THOMAS:—"May I know whether with reference to the Papanasam scheme any negotiations have been conducted with Messrs. Harway & Co., who are running a spinning mill, in regard to securing block of power?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I want notice. So far as I am aware, no."

Mr. D. THOMAS:—"May I know for how long this question has been under the consideration of Government?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"For some time now."

Mr. D. THOMAS:—"May I know whether any investigation has been made with regard to the scheme and whether a report has been submitted?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"There was no detailed investigation."

Mr. D. THOMAS:—"May I know when this question is likely to be finally decided?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I am afraid not for some years."

Village Courts Act

Introduction of a Bill to amend the Village Courts Act.

* 195 Q.—Mr. K. R. KARANT: Will the hon. the Law Member be pleased to state whether he proposes to introduce a Bill to amend the Village Courts Act during the next sitting of the Council?

A.—No.

11-45 a.m. Mr. G. HARISARVOTTAMA RAO:—"May I know why the hon. Member does not propose to introduce the Bill in the next sitting of the Council?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"My hon. Friend will notice that the question was sent on the 21st May and the answer 'No' therefore means that it will not be introduced in this sitting of the Council."

[9th August 1929]

Mr. G. HARISARVOTTAMA RAO:—"May I know why this long delay has occurred from the 5th February 1929 when the Bill was published in the Gazette up till now?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Because the Government have been considering the Bill very carefully."

Introduction of a Bill to amend the Village Courts Act.

* 196 Q.—Mr. J. A. SALDANHA: Will the hon. the Law Member be pleased to state when Government will bring a Bill to amend the various defects in the Madras Village Courts Act (I of 1889) that have been brought to their notice?

A.—An amending Bill in regard to certain points relating to execution of the decrees passed by Village Panchayat Courts which the Government propose to introduce shortly, has been published in the *Fort St. George Gazette*—vide pages 87-89 of Part IV, dated 5th February 1929.

Mr. J. A. SALDANHA:—"May I know whether the Government intends to introduce only the Bill as it was published in the Gazette or an amplified Bill?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Only the Bill that has been published in the Gazette."

Mr. J. A. SALDANHA:—"May I know whether the Government have not received representations that the Bill requires amplification and that there are several defects in it as it is at present and therefore, whether they are not going to bring in a comprehensive Bill?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"No; they are going to introduce only the particular Bill that has been published."

Mr. P. ANJANEYULU:—"May I know whether it is for this particular purpose that the Government have taken all the time for consideration of the Bill?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"We had to consult the Advocate-General."

Arms and Ammunitions

Issue of gun licences in South Kanara.

* 197 Q.—Mr. K. R. KARANT: Will the hon. the Home Member be pleased to state—

(a) the total number of gun licence applications made by the people of South Kanara, talukwar if possible, in each of the years 1926, 1927 and 1928; and

(b) the number of licences actually issued?

[9th August 1929]

A.—(a) & (b) The following statement gives the information:—

Taluka.	1926.		1927.		1928.	
	Applications made.	Grants.	Applications made.	Grants.	Applications made.	Grants.
Mangalore	148	106	131	81	130	69
Puttur	776	316	522	146	632	269
Kasaragod	361	149	305	59	251	75
Coondapoor	122	74	111	47	139	67
Udipi	101	56	88	40	101	39
Karkal	143	62	104	37	124	43
Total	1,631	762	1,261	409	1,373	562

Mr. K. R. KARANT:—"May I know why, when the deaths from wild beasts are increasing, the number of licences issued is decreasing?"

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

Issue of gun licences in South Kanara.

* 198 Q.—Mr. A. B. SHETRY: Will the hon. the Home Member be pleased to state—

(a) the number of applications received for gun licences in South Kanara in each of the last two years and the number of licences granted; and

(b) whether any instructions have been issued to district officers to be liberal in granting gun licences to ryots in the vicinity of reserve forests?

A.—(a) The hon. Member is referred to the answer to question No. 197 (starred).

(b) The hon. Member is referred to paragraph 13 of the Government of India Resolution republished at pages 1340-43 of Part I of the *Fort St. George Gazette*, dated 27th November 1923 (Extract appended).^a

Labour

Drinking water well in Ramanayakastanda, hamlet of Singrahalli.

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

(a) whether there is no drinking water well in Ramanayakastanda, hamlet of Singrahalli, Harpanahalli taluk, Bellary district;

(b) whether to remedy this drawback the village people tried to sink a well themselves with borrowed money and tapped water;

(c) whether they could not proceed further with the work for want of money; and

(d) whether the Labour Department has taken any and, if so, what steps to finish the well?

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

Printed as Appendix VII on page 436 infra.

[9th August 1929]

Mr. SAMI VENKATACHALAM CHETTI:—"May I know if the Government do not think this to be a matter of sufficient importance to call for information and satisfy themselves that the people do not die for want of drinking water?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I shall draw the attention of the Commissioner of Labour to this."

Police

Alleged arrest of Batcha Sahib for affixing a boycott poster.

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

(a) whether it is a fact that the Mount Road Police (D-2) arrested on the night of February 15th one Batcha Sahib under section 71, clause 16 of the City Police Act while he was affixing a boycott poster in General Patters Road on the wall of the Kardyl buildings; and, if so, why he was so arrested; and

(b) whether another bill sticker who attempted to put up boycott placards was arrested by the Police and was let off with a warning; and, if so, why the Police interfere with the exercise of their rights by the citizens?

A.—(a) Yes; because his action fell under clause (xvi) of section 71 of the Madras City Police Act.

(b) There is no information.

Mr. S. SATYAMURTI:—"May I know if the owner of the Kardyl buildings complained to the Police that the poster was being affixed without his permission or knowledge?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I have no information, Sir."

Mr. S. SATYAMURTI:—"May I know the reasons then why the Police arrested this person under a section which authorizes them to arrest only when there is a complaint by the owner that a poster is being put without his permission or authority?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"As I have said, I have no information. Possibly a complaint might have been made to the Police."

Mr. S. SATYAMURTI:—"Will the hon. the Home Member be pleased to call for the information?"

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

Mr. ABDUL HAMMED KHAN:—"May I know if the Government are aware that a large number of young men went about affixing anti-boycott posters and whether such persons also were dealt with in the same manner as the persons who affixed boycott posters?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I am not aware of it, Sir?"

[9th August 1929]

Dr. B. S. MALLAYYA :—" May I know whether the hon. the Home Member is aware that this man was arrested at the time of fixing the poster and that immediately after that, there was another with an anti-boycott poster who was encouraged to stick it on to the wall and was not arrested ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I am glad for the information given, Sir."

Mr. S. SATYAMURTI :—" May I know, Sir, if the hon. the Home Member has any information as to whether the City Police made any distinction in effecting arrests between those who affixed boycott posters and those who affixed anti-boycott posters ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" No distinction has been made, Sir."

Mr. G. HARISARVOTTAMA RAO :—" May I know whether the hon. the Home Member has enquired into the matter ? "

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

Mr. SAMI VENKATACHALAM CHETTI :—" May I know with reference to which particular boycott was this particular man arrested ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I have no information."

Mr. K. V. R. SWAMI :—" May I know whether the Government have given any instructions that anti-boycott posters should be encouraged and people with posters for boycott should be arrested ? "

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

Mr. P. ANJANEYULU :—" In view of the suggestions made in the supplementary questions, may I know whether the hon. the Home Member will see that such matters do not occur again ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I was not able to get any information from the hon. Members for me to take any action, Sir."

Mr. T. ADINARAYANA CHETTIYAR :—" Sir, the hon. the Home Member said that he made an enquiry. May I know what sort of enquiry it was, of whom and where ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I called for a report from the Inspector-General of Police and went through it."

Mr. A. KALESWARA RAO :—" May I know whether it is a fact that some constables tore away the boycott posters as they were being affixed ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I am not aware of it, Sir."

Mr. G. HARISARVOTTAMA RAO :—" May I know whether the hon. the Home Member is prepared to lay a copy of the report of the Inspector-General of Police on the table of the House ? "

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

[9th August 1929]

Mr. S. SATYAMURTI :—" May I know, Sir, on what is the answer contained in (a) based ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" As I have said, I referred the question to the Inspector-General of Police and got a report from him."

Mr. S. SATYAMURTI :—" May I know if the Inspector-General in his report tells that the owner of the Karydl buildings complained to the Police of this affixing of boycott poster without his permission ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I shall enquire into it."

Mr. S. SATYAMURTI :—" May I know if the hon. the Home Member will call for specific information as regards this matter if it is not already contained in the report ? "

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

UNSTARRED QUESTIONS

Medical

Post-graduate training to physicians in Indian medicine.

201 Q.—Mr. B. RAMACHANDRA REDDI : Will the hon. the Minister for Public Health be pleased to state whether the Government have considered the utility of—

(1) giving post-graduate training in the Indian School of Medicine to physicians in Indian medicine now working in the dispensaries of indigenous medicine under taluk boards and municipalities; and

(2) giving grants to private colleges and schools teaching Indian medicine?

A.—(1) No.

(2) The Government have decided to consider in connexion with the budget for 1930-31 specific applications from private agencies for grants in respect of recognized schools of Indian medicine.

Criminal Justice

Magisterial powers to Taluk Head Accountants in certain districts.

202 Q.—Diwan Bahadur P. KESAVA PILLAI : Will the hon. the Member for Revenue be pleased

(i) to furnish a statement showing the districts where Taluk Head Accountants are still invested with magisterial powers; and

(ii) to state (a) whether a Taluk Head Accountant-Magistrate is paid more than an ordinary Taluk Head Accountant; and

(b) if so, the excess pay a Taluk Head Accountant-Magistrate gets for his additional work?

A.—(i) A statement is placed on the table.*

(ii) (a) & (b) A Taluk Head Accountant who is a magistrate does not receive more pay than one who is not.

[9th August 1929]

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

II

THE FINANCE COMMITTEE.

* The hon. the PRESIDENT :—“ As the result of the election held on the 8th August 1929, I have to announce that Mr. Basheer Ahmad Sayeed has been elected to serve on the Standing Finance Committee.”

III

ADJOURNMENT MOTION *re* SUPERSESSION OF ANAKAPALLE MUNICIPALITY.

Mr. A. KALESWARA RAO :—“ I request permission, Mr. President, to move for an adjournment of the business of the House for the purpose of discussing a definite matter of urgent public importance, namely, the supersession of the Anakapalle Municipal Council for two years by the Government.”

Mr. P. ANJANEYULU :—“ I second it.”

* The hon. Dr. P. SUBBARAYAN :—“ I wish to raise only one or two points on the motion before you allow it. The first is that the Government Order was issued as far back as 1st June and published in the Gazette of the 11th June 1929. I also want to submit for your consideration, Mr. President, that hon. Members had ample opportunity for tabling a resolution on this question because they knew long ago when the meeting of the Council was to be held and they could have balloted for a resolution.”

* The hon. the PRESIDENT :—“ What shall be the form of the resolution? In this motion the object of hon. Members is to discuss the principles of supersession.”

* The hon. Dr. P. SUBBARAYAN :—“ They could have brought forward a resolution that the particular supersession be cancelled or withdrawn and they could have discussed the principles and policy in regard to supersessions on a resolution of that kind, and recommended that indiscriminate supersessions should not take place.”

* The hon. the PRESIDENT :—“ I thought over the matter. I do not think it is possible to cast it in the form of a recommendation to the Government. I think the hon. Member agrees with me.”

* The hon. Dr. P. SUBBARAYAN :—“ My next point is this, Sir. As I have already said there is no urgency about this matter.”

* The hon. the PRESIDENT :—“ I think it has been the established practice in this House in the matter of adjournment motions, to take into account in determining the urgency of the matter the possibility of a repetition of the action in regard to which the motion for adjournment has been brought (After a pause). I think the motion is in order.

“ Has the hon. Member the leave of the House?

“ As no one has objected, I take it that he has. And before I fix the time, I wish to know from the Muslim Members whether they have got any objection for my fixing it for to-day at half-past-two.”

Mr. ABDUL HAMEED KHAN :—“ I considered the matter in consultation with my Muslim Colleagues, and I find that they are not prepared to concede this because that will become a precedent established which may be used later on.”

ADJOURNMENT MOTION *re* SUPERSESSION OF ANAKAPALLE MUNICIPALITY

9th August 1929]

* The hon. the PRESIDENT :—“ Have the Government any objection to sit till 5-30 this evening, so that the motion may be taken up at 3.”

The hon. Dr. P. SUBBARAYAN :—“ I am afraid, Sir, we cannot sit till that time as we have already fixed up engagements for the evening.”

* The hon. the PRESIDENT :—“ The motion will then be taken up at 2-30 to-morrow afternoon.”

IV

THE MADRAS UNIVERSITY (AMENDMENT) BILL.

* The hon. the PRESIDENT :—“ I shall now put the amendments to the Madras University Amendment Bill returned by His Excellency the Governor to the Council for further consideration.

“ The question is—

‘ That in clause 2, sub-clause (ii), item (ee) be omitted and item (eee) be re-lettered as (ee).’ ”

The amendment was carried.

* The hon. the PRESIDENT :—“ The question is—

‘ That in clause 15, Class III—Other members, sub-clause (4) after the words “second grade colleges”, the words “affiliated to the University” be inserted.’ ”

The amendment was carried.

* The hon. the PRESIDENT :—“ The question is—

‘ That in clause 15, Class III—Other members, sub-clause (4) the words “and situated within the jurisdiction of the University” occurring at the end, be omitted.’ ”

The amendment was carried.

* The hon. the PRESIDENT :—“ The question is—

‘ That in clause 22, Class II—Other members, sub-clause (5) the words “and situated within the jurisdiction of the University” occurring at the end, be omitted.’ ”

The amendment was carried.

* The hon. the PRESIDENT :—“ I think it is necessary to re-affirm the Bill as amended under the provisions of the Act. The question is—

‘ That the Bill as amended be re-affirmed.’ ”

The motion was adopted, and the Bill passed into law.

V

DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1929-30.

GRANT VI—IRRIGATION—RESERVED.

* The hon. Mr. A. Y. G. CAMPBELL :—“ Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move—

‘ That Government be granted a further sum not exceeding Rs. 300 under Grant VI—Irrigation—Reserved.’ ”

“ Sir, this sum of Rs. 300 is made up of three items of Rs. 100 each, each of these amounts is the token sum to enable to undertake certain schemes

[Mr. A. Y. G. Campbell]

[9th August 1929]

which were not brought before the House at the time of the budget estimates for the year. The first of these schemes relates to the closing the Kodali gap in the Coleroon left flood bank. This bank was breached several years ago and hitherto has remained unattended. It is now proposed to repair it at an estimated cost of Rs. 1,40,000. The amount required for works this year is expected to be Rs. 15,000. The work is necessary for the protection of lands immediately in the neighbourhood of this breach in the flood bank and also incidentally to facilitate the inspection of the flood bank and measures for the protection of flood bank in times of danger.

12
noon.

"The second item relates to the refund of certain amounts collected from ryots on account of charges incurred to carry out works which the Government rightly considered should have been done by kudimaramat labour. These works were carried out in connexion with two channels in the Coimbatore district. The legality of this levy was brought before the civil courts, and a decision was given in those courts that the Government should not have levied the charges in question. The amounts were repaid of course not only to those who brought the suits, but it was felt to be reasonable that the Government should also refund the amounts recovered from those who had not brought suits. The amount required for this purpose is Rs. 19,900.

"The third item refers to improvements in the upper supply channel to the Cholavaram and the Red Hills tanks. It is proposed to improve the channel by widening it at one portion of its course by 5 feet and at another portion lower down by 10 feet so as to allow certain drainage water to flow down it which now flows across the channel. The scheme is intended to improve the supply of water to this City. Mr. President, Sir, I move that this grant be made."

* Mr. A. RANGANATHA MUDALIYAR :—"Sir, I move—

'that the allotment of Rs. 300 for Irrigation—Reserved—be reduced by Re. 1.'

"Sir, I am not at all against the Government spending any money on the improvement of irrigation works even though there may not be what is called an adequate return on the amount spent on them. I think that the advantages that the ryots derive from the use of this water are far more important than the rupees annas pies which the Government may at times get on their outlay. In the present case, Sir, I find from the note placed before the House by the hon. the Revenue Member that there is no revenue so-called, expected from the expenditure of this amount. The claim of the Government now is that they are going to save some amounts which otherwise they would lose, and in calculating that, they have taken two or three things into consideration. They say that 600 acres of cultivable land would become liable to inundation, and they apprehend that the whole of those lands might be relinquished. But I should like to know how long these ryots submitted to the adverse conditions they are now labouring under, and whether they had at any time offered to relinquish those lands. If not, what is it that makes the Government think that they are going to relinquish those lands immediately this year or the next year?

"The second thing that I want to submit is this. The Board of Revenue says that the cost of the restoration of the flood bank, namely, Rs. 52,000 should be left out of account as that should be regarded as a repair rather

[9th August 1929] [Mr. A. Ranganatha Mudaliyar]

than as an improvement. If during all these years the restoration was found unnecessary and irrigation has been going on as usual, then presumably there is no need for the restoration of the flood bank for the purpose of the irrigation which is now going on. If the restoration is now resorted to, it is only to effect an improvement. So, I think this should be properly treated as an addition to the capital expenditure. What I am concerned with is this. Here is a work which you consider necessary and you propose to spend an amount of over Rs. 52,000 on it, and this work is an improvement to the flood bank, say so and do it. We shall not object. But I do not think that this method of manipulation of the figures should be resorted to to give us the impression that there is going to be a return to the extent mentioned."

* Mr. K. V. R. SWAMI :—"I support this cut motion, Sir. It is very curious that this motion should be made at this time. The question has been pending for so many years since the year 1886. It has not been attended to for such a long time by the Government. Now, in 1920 an estimate was prepared to the extent of Rs. 25,950. Afterwards this estimate has developed to Rs. 1,15,000, and how the expenditure could go up like that it is not explained. It is only said that the original estimate has been found not to be sufficient. This is not a work which would produce any revenue at all as stated by my hon. Friend Mr. Ranganatha Mudaliyar, and it is also admitted in paragraph 2 of the note which has been circulated. The Government say that this work is required to prevent the possible loss of revenue, and it is not mentioned how much revenue was lost in each of the previous years, for how long and what is the average revenue that has been lost for a year.

"Now, there is another most important thing. It is no doubt a fact that on account of this gap certain lands were being flooded. But I submit that this should be welcomed by the other parties whose lands were submerged on account of this gap. Would it not improve the fertility of the land if there was this flooding, whether those ryots were not being benefited very much on account of the general flooding, was there any complaint from those people? These questions are not answered at all. All that is stated is that the people owning lands near the gap and whose lands are being eroded and on whose land sand is deposited, have been complaining. It is not stated what view the other ryots whose lands are being flooded through this gap take of this matter. So far as my experience goes, in very many places the ryots do welcome such flooding because they always say that silt will be deposited on their land and that it adds to the fertility of the land, and the crops are very much improved. For instance, in the Divi Island in the Kistna district people have been complaining that their lands are not now yielding at all on account of certain embankments, as owing to these embankments the lands are not being flooded. Instead of the produce being improved day by day, the yield is now getting very much lower because there is no flooding and there is no deposit of silt. And some people complain that they have become really paupers on account of this non-flooding of their lands. Has any information been obtained on these points? I was thinking that the Revenue Board is not doing any work at all, and year after year we have been complaining that these gentlemen of the Revenue Board hold sinecure appointments and that they do not do anything at all. But now I find they are doing very useful work. When they found that in regard to this matter they can get sufficient interest on the amount invested, they come to the rescue and say that the whole amount should not be taken as included in this

[Mr. K. V. R. Swami]

[9th August 1929]

work but that about Rs. 52,000 and odd should be taken as the amount required for repairs to the flood bank, and so they say that the capital would fetch an interest of 6·3 per cent. This is a very curious argument. I wonder how they got this information and also this estimate. The Chief Engineer did not state anything of this sort. This matter does not appear to have been referred to in the report of the Board itself. The Board simply says that the figures could not be adjusted, and that the money should not be taken to have been spent for this work. This is what is stated by the Board :—

‘The Board of Revenue is of opinion that, in judging the financial aspect of the scheme, the cost of the restoration of the flood bank (Rs. 52,000) should be left out of account as that should be regarded as a repair rather than an improvement.’

“I want to know what the basis is for this conclusion. Who stated that opinion? Are they experts in this irrigation business? I do not think they are. Of course, the I.C.S. men are supposed to be experts in everything in the world; but that is a different thing altogether.

“Another discovery made after so many years was, as stated in paragraph 4 of the note, the Chief Engineer for Irrigation and the Board also reported that besides preventing the submersion of the adjoining lands the embankment will be useful as a road and will facilitate the inspection of the channel and embankment during the flood season. I am afraid this is the real reason for supporting this work. They want to go very comfortably in their motor cars or motor cycles without any necessity of getting down here and there. They give it as an additional reason for spending Rs. 1,15,000, as that will facilitate inspection. If there is a gap in the bund they will have to get down there, and they will have trouble. If this gap is filled up, they can comfortably travel, and so it is that they want to spend this Rs. 1,15,000, which is a small sum according to them. But there are very many important things to do. When lands and villages are submerged to a great extent and several thousands of acres are under submersion, the Government say they have no money. But when a matter is pending for the last 40 years and when no complaint was made by those people whose lands were really submerged, they propose to spend Rs. 1,15,000. The original estimate was only Rs. 25,000 and odd. Is it because the officers found that if an estimate was passed for Rs. 25,000, their conveyances could not go on the bank and they cannot comfortably inspect this place? So they wanted this big estimate. No question was raised about it in this House so far as I am aware, and no interpellations were asked about it. On the top of all these, is this fact that persons who are really interested in the matter, all those persons whose lands are stated to have been submerged are not complaining of the submersion at all. I think from what I know they do welcome this flooding. They like that their lands should be flooded and fertilized. So this expenditure would be really a waste. All those persons who have been benefited for all these forty years will certainly complain about this work, and they will say that their crops are failing and that they are not getting proper returns for the moneys they are spending. Under these circumstances, I support this motion.”

* Mr. S. ARPUDASWAMI UDAYAR :—“Mr. President, Sir, the hon. Member Mr. Swami says that this was never a subject of discussion in the Council. Probably he is not aware of the fact that my Friend Mr. Narayanaswami Pillai on more than one occasion referred to the carelessness on

9th August 1929]

[Mr. S. Arpudaswami Udayar]

the part of the Government in not repairing the breach. As one coming from the Trichinopoly district and therefore interested in the repairs to the breach of the embankment, I must here tell the House that the persons affected, namely, the owners of the six or seven thousand acres of land, have been putting up a persistent agitation to have these protective works undertaken; as they could not make that agitation felt except through this Council in the shape of token motions, the question was raised in this House by my Friend Mr. Narayanaswami Pillai.

“Another argument made use of by my Friend Mr. Swami is that people welcome the submersion of their lands on account of the deposit of silt. But I am afraid my Friend has forgotten to make a distinction here. Where submersion takes place slowly and gradually, what he says may hold good. But where the water flows rapidly, as is the case here, and the flood rushes at a torrent speed causing breaches here and there, the lands certainly become unfit for cultivation. Apart from this, there is always danger of these lands, which are submerged under water, becoming deteriorated on account of water overflowing. Anyhow, the lands referred to and the owners suffer and are put to very great loss. That is why the hon. the Revenue Member, when he introduced this grant, spoke of the necessity also of protecting the bank. In other words, he has made out a case for such a protective work being undertaken. I know, Sir, that after the floods of 1923, there was a great deal of anxiety manifested by the people living in those parts, and once when I passed through that place several prominent mirasidars came and said that it was impossible for them to do anything and that they were annually incurring very great loss. My hon. Friend, Mr. Swami, is not in touch with the feelings of the people in those parts, and so, as an outsider looking at this from a distance, he has made statements which I must admit are far from being correct. 12-16 p.m.

“Thirdly, Sir, he spoke of this matter having been under correspondence for a very long time and of no steps having been taken. Because no steps were taken for a long time in the past, it does not follow that no steps should be taken now to rectify the state of things, which ought to have been rectified much earlier.

“I must also take strong objection to one remark he made, namely, that these protective works are going to be undertaken not so much for the relief of the people affected by this breach, but for the convenient travelling of officers. I may assure him that there are roads from which those officers could have a very good view of all these things and which they may use. So, the real reason for which this protective work should be undertaken is not that officers may be enabled to conveniently alight from their motor cars or motor bicycles and inspect these places. The real reason, as I said, is that those people have been complaining about it often and often, and this matter has been the subject of interpellations and discussion on token motions in this Council.

“Sir, this matter has been long delayed, and should certainly be taken up as early as possible, and when Government are taking this up in right earnest, I find my hon. Friend from the Telugu districts is taking objection to what is a necessity for the ryot of the Trichinopoly district. Therefore, I think I should support the hon. the Revenue Member and oppose this out motion.”

[9th August 1929]

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" Mr. President, I should just like to make one remark supplementing the remarks of my hon. Friend, Mr. Ranganatha Mudaliyar. I know personally that this work is certainly one which has been a longstanding grievance with the people. What I wish to say is this. I find from the remarks of the hon. the Member for Revenue that this is a remunerative work and so it will be carried out. Supposing it does not turn out to be remunerative, is it the intention of the Government not to undertake such a work? That is the point, I would like the Government to make clear. I think it will be upsetting the entire policy of Government that obtained for many years, if they start a new policy now, and say that works of this class should prove remunerative before they are undertaken. That seems to me a very serious matter, and I hope Government will clearly explain the policy in the case of works of this kind."

* Mr. T. M. NARAYANASWAMI PILLAI :—" Mr. President, Sir, I am also desirous to know from the Government on what principle they are now classifying works as remunerative and non-remunerative. At any rate, when the work is of such a nature as this, viz., very beneficial to the people, the Government should undertake such works although not remunerative. To classify a beneficial work as non-remunerative and then to refuse protection or relief to people will prove a great injustice to those affected."

"Now I am anxious to answer the doubts raised by my Friend, Mr. K. V. R. Swami. My hon. Friend, Mr. Arpudaswami Udayar has sufficiently answered them, and I believe it is better that I should also say a few words. He was asking whether there were people who benefited by this inundation, and whether there were a number of people who were willing to have their lands inundated by floods. As a matter of fact, there are no two sides or two classes of people with regard to this question, one desiring that the gap should be closed and the other desiring that it should not be closed. All the people of the locality have already been crying for the restoration of this flood bank and for the closing of the Kodali gap. As people coming from the district, we assure the people from other districts that this expenditure is not by any means a waste. The work is absolutely necessary, and we are feeling that the work has been begun very late in the day. But we console ourselves with the fact that the work has been taken up at least now rather than that it has not been taken up at all. The flood bank is certainly to be restored, and the improvements to the Karuppur Odai are also necessary, as also the construction of the culvert."

"With regard to the closing of the gap, there has been persistent agitation carried on for many decades, and it is a pity that the Government have not been keen in making up their minds earlier than now. Even after the budget session last year, myself and Mr. Arpudaswami Udayar and some other members of the district waited on a deputation on the hon. the Revenue Member, and it was, I believe, at our request that this scheme was accepted. Therefore I would request hon. Members from all other districts to take it from me that it is not a waste of money, but an absolute necessity. I would ask also the Government not to apply the classification of remunerative or non-remunerative to this class of works, which are definitely of great benefit to the people concerned."

"With these remarks, I oppose the amendment, and support the grant."

9th August 1929]

* The hon. Mr. A. Y. G. CAMPBELL :—" Mr. President, Sir, the arguments put forward by my hon. Friend, Mr. Swami, have already been sufficiently answered by hon. Members from the Trichinopoly and the Tanjore districts. I presume he was speaking on theoretical grounds, and I would deprecate the application of such theoretical arguments in a case of this kind. It must, I think, be conceded that the question whether a flood bank should be constructed for the protection of land in the neighbourhood or whether a flood bank which has been breached should be restored should be settled on a consideration of the conditions existing in the locality. I would only add that the reports which we have received from our officers based on personal inspection fully bear out the remarks made by hon. Friends on this side as to the necessity for carrying out the repairs."

"As regards the financial policy on this proposal, Government are not at this moment introducing a new canon. We have put before the Council the facts known to the Government affecting the finance of the scheme. Our reports show that the ryots have retained the land liable to submersion owing to the existence of the breach because they hope that the breach will be repaired, and if they finally despair of getting it closed—if this grant is not made—the ryots are likely to relinquish the land. I cannot say whether it is proposed to restore the land to exactly the same condition in which it was when it was breached. In fact, the proposed measures probably provide for the better protection of the land behind the bank as the bank was cut by ryots to let flood waters off their land. The present estimates provide for a bridge over the Kodali and a culvert over another drain. The estimates provide for such works as are considered absolutely necessary."

* The hon. the PRESIDENT :—" The question is—

'to reduce the allotment of Rs. 800 for Irrigation—Reserved by Rs. 1.'"

The motion was put and lost.

Mr. C. V. VENKATARAMANA AYYANGAR :—" Sir, you will see that this amendment is an attempt to reduce all the items (a), (b) and (c) by Re. 1. I thought you were specifically restricting the discussion to item (a) and deciding that matter."

Mr. A. RANGANATHA MUDALIYAR :—" May I explain, Sir? If I remember right, I gave notice of reduction of each of the three sub-items by Re. 1, and indicated the purpose for which I intended the reduction in each case. That is my memory. I may be wrong. I also thought that you allowed to move the reduction for each of the sub-items."

* The hon. the PRESIDENT :—" I will just verify the statement of the hon. Member, Mr. Ranganatha Mudaliyar, whether he has given notice of an amendment under each of the three items separately. If he has given notice under each of the three items, I am certain he is entitled to discuss the other items. In the meantime, there is another motion of Mr. Koti Reddi in respect of item (b), and it may be disposed of. I hope the office will soon be able to say what the actual notice was that was received from Mr. Ranganatha Mudaliyar. Before I decide whether the other motion is admissible or not, I want to know from Mr. Koti Reddi the exact object of his amendment. Here, according to the explanatory note circulated, I see that the Government are waiving the objection on the ground of limitation and refunding the amount collected to all the ryots concerned. That is the only principle, I gather, that underlies the demand. Simply because they have to make

[The President]

[9th August 1929]

12-30 P.M. a refund under the head of kudimaramat it has come under that head. Here you want to discuss the general principles of kudimaramat or propose an alteration of the law. First of all, it offends against the already accepted principle that general principles cannot be discussed on supplementary grants. The only principle I can see in this grant is that Government are waiving limitation. I am not able to see any other principle underlying this supplementary grant.

"The second thing is that we have already adopted the practice even in the Budget discussions that any proposals to change the law are not relevant to the budget discussions—a practice which is in perfect agreement with the parliamentary practice and the practice of other provinces. These are the difficulties that I wish to point out."

* Mr. K. KOTI REDDI :—"I would only point out that this is really due to the decision of the court which has cleared a misconception of what the Government thought is applicable in a case like this. The subordinate officials thought that in a case like that the kudimaramat usage was applicable and they enforced it, with the result that the ryots had to go to a court of law. So, I submit, Mr. President, since there has been a misconception of the usage of the law, it will be better in the interests of the public that that misconception is cleared and a clear-cut law is passed and usages defined. If that is done, I believe there would not be ordinarily the necessity of going to a court of law and getting a decision."

* The hon. the PRESIDENT :—"Is it not offending against the rule that no proposed alterations in law could be moved on budget grants?"

Mr. K. KOTI REDDI :—"I am not proposing any alteration now. I am only pointing out the difficulties under which the Government subordinate officials are labouring and the necessity under which ryots are compelled to go to courts of law. I do not think I am at present proposing any alteration of law. It is for the Government to alter it or not."

The hon. Sir THOMAS MOIR :—"I want to point out that the idea underlying this particular motion is absolutely correct. It is not a question of whether there should be kudimaramat law or whether there should not be but whether in a case under any law where an appeal goes against the Government, the Government should take shelter behind a technical plea that it is not bound to refund to others whose position is exactly the same. It is purely a question of equity that we are discussing ('hear, hear'). Kudimaramat law or any other law is not in question. It happens that this particular case comes under kudimaramat law. A similar case can come under any other law. I venture to think that your ruling, or tentative opinion is indisputably correct."

* The hon. the PRESIDENT :—"I do not think it is desirable to allow the general policy of the Government or proposals for legislation to be discussed on this motion."

"I have just verified the office file and find that Mr. Ranganatha Mudaliyar has given a token motion under this head also."

* Mr. A. RANGANATHA MUDALIYAR :—"You will please find in the note under the motion for reduction, in (b), the following: 'To elicit information as to why the repairs mentioned in the note were treated as kudimaramat at first and the principles on which what is, what is not kudimaramat is determined.'"

9th August 1929]

[Mr. A. Ranganatha Mudaliyar]

"Sir, the note circulated to the House raises a serious point for consideration showing how light-heartedly Government treat costly repairs as works to be done by kudimaramat labour. No doubt, the Board's Standing Orders have a paragraph in reference to works to be done by kudimaramat labour. And in that Standing Order it is mentioned that such kinds of work as have been customarily done by the ryots should continue to be done by the ryots concerned. But what those works are should be determined with reference to each locality. As instances, the Standing Orders have mentioned several kinds of work which in one place or another might constitute customary labour. But I am inclined to think that instead of taking the trouble of finding out with reference to each locality what is the customary work there, they are blindly enforcing the rule that all those kinds of work which are mentioned as illustrations are necessarily such as should be got done everywhere by kudimaramat labour. It is because Government have gone on that basis that they have, I think, landed themselves in this trouble; and they are now put to the necessity of refunding the amounts collected from the parties. For example, you will find that the courts have held that even the work of removal of silt is not a customary piece of work to be done. But the Government go very much further and say that ryots should open the bunds, or lay open the sluices to find out where they are leaking and that ryots should attend to the repair of supply channels, extending over many miles. I think that this is interpreting the law with reference to kudimaramat in a way the authors never contemplated. I therefore want the Government to tell the House how the mistake was committed, and what principles they have for their guidance in determining what is and is not kudimaramat labour and whether they have changed their policy hereafter in regard to the particular work under consideration and other works. So, I move—

'To reduce the allotment of Rs. 300 for Irrigation—Reserved by Re. 1'."

* Mr. C. R. PARTHASARATHI AYYANGAR :—"Mr. President, there are two districts I know of in this Presidency, namely, Coimbatore and North Arcot, where two sets of ideas prevail regarding this matter of kudimaramat. A kudimaramat case came up before the Coimbatore District Munsif, and he decided that the ryots are not responsible to keep the channels then in question under repair. But what is now actually going on in North Arcot is that circulars are being issued, and the ryots are compelled to remove the prickly-pear and other rank growth on tank-beds, and if they do not remove it they say the procedure will be to recover the money from the ryots in the first instance and then remove it. That is what is going on. The matter came up very recently before the District Munsif at Tiruppattur in O.S. No. 459 of 1928, and there the question was raised whether prickly-pear or other rank growth was to be removed by ryots of a certain village. The monigar and the karnam said that it was not the local custom, and that the charges could not be recovered from them under the Madras Act I of 1858. But the District Munsif decided against the ryots. So, the question has become a matter of importance. In the Standing Orders, it is distinctly stated that the removal of prickly-pear and other rank growth allowed to accumulate for years ought not to be done at the expense of the ryots, but it is to be done at the expense of the Government. Curiously enough, that portion of the Board's Standing Order is now removed from the latest edition of the book, that is to say, the instructions given to the subordinate officers in 1868 are now omitted. One would like to know what the policy of the Government on this matter is."

[9th August 1929]

The hon. Mr. A. Y. G. CAMPBELL :—"Is not the hon. Member going into the particular point which you overruled, Sir?"

* The hon. the PRESIDENT :—"I am watching."

* Mr. C. R. PARTHASARATHI AYYANGAR :—"The question now is we have one set of laws in the Coimbatore district and another set of laws in another district. What is the construction of Madras Act I of 1858? It is an old antediluvian Act which must be taken away from the statute book. It speaks of a village community where there is none, it speaks of a local custom where there is none, and wants the law to be administered according to the local custom which might have existed in a village in 1858. Therefore it is a practical difficulty which is facing the Government. There is another state of affairs in North Arcot. Several tahsildars have been examined, and they gave evidence saying that they are entitled to call upon the ryots to remove the prickly-pear on the tank-beds, and they can compel them to do it. As a matter of fact, any objection raised by the ryots is vetoed and the whole money is collected as if it were an arrear of land revenue under the Madras Act of 1864. No objections are being allowed to prevail. So, in Coimbatore district there is one set of laws and in the North Arcot district another set of laws. Therefore, it is incumbent on the Government to make a definite declaration as to what is meant by kudimaramat and what is not. They must also see that separate registers are kept for these purposes. What the ryots are expected to do is slight repairs, removal of silt and such like things. That can be done because it is to their interests. But to ask them to remove prickly-pear and other growths which have accumulated for 20 or 25 years is not desirable as it would involve them in heavy expenditure. It is therefore highly incumbent on the Government to repeal the Madras Act I of 1858 or issue at least executive orders to their subordinates to state what exactly is meant by kudimaramat and what is not."

12-45
p.m.

"In no diglott [prepared in 1916 you find any mention as to what is meant by kudimaramat. The Coimbatore District Munsif therefore decided a case on the simple principle that as the diglott register did not contain mention of what is meant by kudimaramat the removal of silt from the channel as a piece of kudimaramat could not be recognized. The present Munsif however says that, though local witnesses come forward and say that there is no local custom and that nothing of the kind is mentioned in the diglott register, Government have a right to force the people to pay. As the poor people cannot stand the expenses of an appeal, they submit to such decisions, and therefore the local custom of 1868 is prevailing. This is like putting the cart before the horse."

"Sir, the trouble does not end there. The courts in deciding these cases against the ryots allow the amount to be recovered as arrears of revenue. Officers who issue orders of this kind are made deputy collectors the next day. That is not the way in which the whole system of kudimaramat ought to be administered. It has created a lot of heart-burning, and it is in view of these things that Dr. MacClean said that you ought not to call upon the ryot to do kudimaramat which is a misnomer for the removal of prickly-pear existing for the last 20 or 30 years. You can only ask him to make sundry repairs which cost him nothing. To call upon him to remove the prickly-pear on tank-beds, etc., which has been allowed to grow unchecked for 20 or 30 years as kudimaramat is a sheer misnomer. I therefore request Government to be

[9th August 1929] [Mr. C. R. Parthasarathi Ayyangar]

pleased to issue definite instructions in this matter. This same subject came up before the Council about two years ago when the Government promised to look into it. They have not so far fulfilled their promise. I therefore request the hon. the Revenue Member to give this matter his immediate attention and ease the lot of the suffering ryots. Sir, the tahsildars as a matter of course recover from the poor ryots the cost of the removal of prickly-pear. They are made to do it or pay for its removal. I appeal to the hon. Member to see that this ante-diluvian legislation is set right at once. Sir, according to the old Act, there is local custom in this respect. But who is to determine the local custom? The munsifs do not know the local customs. The Revenue officer may sit here and pass orders. They make no local enquiries and no evidence is at all taken. Under these circumstances, I request the hon. the Revenue Member to give this matter his immediate attention and issue definite instructions to the Collectors and their subordinate Revenue officers so that they may not be under any wrong impression as to what is meant by kudimaramat."

* The hon. Mr. A. Y. G. CAMPBELL :—"Mr. President, the hon. Mover of this motion asked for some information as to why there is this recovery of charges due to kudimaramat. Sir, the only answer that I can give him is the money value of the customary labour supplied by the people of the locality for clearing silt, etc., from the channels in the neighbourhood. If a ryot has any grievance in this respect, he can obtain a decision from the court as to whether the Kudimaramat Act applies to this particular case."

"The seconder of the amendment referred to some tank in North Arcot from the bund of which the ryots have been asked to remove prickly-pear. I am afraid I have no information regarding the particular case he has in view. But on the general question I may say that we endeavour to see that the Act is not worked unfairly. But it must be remembered that it is a beneficial measure to ask the ryots to do petty works such as clearing tank bunds every year. If we were to ask the Public Works Department or Minor Irrigation department to attend to these things, they would necessarily take a long time and the repairs would not be done so expeditiously. I hope that for these reasons the amendment will not be pressed."

Mr. C. V. VENKATARAMANA AYYANGAR :—"Sir, I am very glad and I congratulate the Madras Government that they have after all recognized that there is something like equity in the dictionary of the English language. The hon. the Revenue Member must also be congratulated for admitting that this Council sometimes pleads for justice. Sir, one hon. Member was speaking of North Arcot. I do not know much about that district, but I feel that the hon. the Revenue Member might have gone a little further regarding my district and admitted that his subordinates had been doing something illegal in collecting money for this very purpose. Whatever may be the Standing Orders of the Board of Revenue, so far as the Coimbatore district is concerned, the settlement registers contain information as to what matters come under the term 'kudimaramat' and what not and certainly silt removal or the removal of prickly-pear do not come under that category. Therefore when the Revenue subordinates asked us to pay for this purpose, some of us refused and they threatened us and in one or two cases used the provisions of the Revenue Recovery law in respect of attachment. Thereupon these sums were paid under protest. Then some of the villagers filed test suits. As the settlement registers did not mention as kudimaramat the removal of prickly-pear, etc., the District Munsif decided the cases in favour of the ryots and the Government

[Mr. C. V. Venkataramana Ayyangar] [9th August 1929]

did not think it desirable to file appeals against those decisions. Sir, equity demands that on the amounts collected from the ryots interest should be added and paid. No plea of limitation should be raised. When the ryots are made to pay interest on the taxes and cesses remaining in arrears, why should not they get interest on the sums payable back to them. It was on 16th March 1928 when this question came up and I charged the Government with dishonesty in not paying back the money collected from the ryots. And the Revenue Member of the time promised to enquire into the matter and I am glad to see that he enquired into the matter and has come to a right conclusion. I therefore strongly support the motion.

"So far as the question of interest is concerned, equity demands that when we pay large sums of money under protest collected wrongly, and this money lies in the coffers of the Government for six or seven years, the Government must pay interest from the date of payment to the date of repayment. I appeal to the hon. the Finance Member's conscience—and he is the keeper of the conscience and the purse of the Government—whether equity does not require that he should pay some interest. I appeal to the Government not only to grant this sum, but to come again with some more supplementary grants of this kind."

Khan Sahib T. M. MOIDU SAHIB Bahadur :—"I move that the question be now put."

* Mr. K. KOTI REDDI :—"Sir, it is clear that what is now being discussed is the law, custom or usage with regard to kudimaramat. The law on the subject is so uncertain that even the subordinate officials of the Government, in spite of their desire to do justice, have failed to do so. The hon. the Revenue Member no doubt promised us that he would see that this custom or usage does not work hardship. But the real difficulty is to know what this custom or usage is. The subordinate officials in Coimbatore, without knowing what the particular custom is at that place, are enforcing it. There are no definite instructions about it and nowhere has local usage or custom been recorded. I believe the Government promised us some two years ago that an attempt would be made to make a record of what items come under the term 'kudimaramat' at various places. I do not know whether anything has been done in that direction. For my part, Mr. President, I do not believe that at this stage the Government would be able to get definite and reliable information on this custom or usage. If the Government officials go to the village and ask the villagers what the local custom is, the villagers who are interested in the matter would naturally say that no such custom exists; while, on the other hand, the officials who would be consulted would say that this or that custom existed where none may exist. The real fact is that the enforcement of this custom or usage at present, even if it existed years ago, is so unfair and inequitable that nobody could be persuaded to speak the truth in the matter; and I believe we have in this Council more than once expressed a desire to see that the whole thing is put an end to. Sir, the Revenue Member might perhaps turn round and say: 'Then what is the substitute for this customary labour'. I agree with him that in the matter of the execution of small works, the help of the villagers is desirable and necessary in its execution and it would be better not to entrust such minor works to the Public Works or other Government departments for execution."

The hon. the PRESIDENT :—"I am afraid the hon. Member is travelling beyond the scope of the motion on paper."

9th August 1929]

Mr. K. KOTI REDDI :—"I hope the hon. the Revenue Member will see that the time for the abrogation of all these inequitable local customs has come. If he does not, I hope he will at least see that local usages in each village are properly defined and recorded and no mistake similar to the one committed in Coimbatore is committed in future."

The House then adjourned for lunch.

After Lunch (3 p.m.).

* The hon. the PRESIDENT :—"I may announce for the convenience of hon. Members of this House that the Council sittings will come to a close to-morrow evening as the Government do not propose to continue with its agenda if anything remains unfinished."

Mr. C. V. VENKATARAMANA AYYANGAR :—"May we know, Sir, when we are likely to meet next time?"

* The hon. the PRESIDENT :—"We will meet again on the 24th September."

Mr. G. HARISARVOTTAMA RAO :—"I am sorry to take up more time upon this particular amendment, but I feel constrained to do so because of the importance of the subject. My Friend the Mover of the amendment, the hon. Member from Bellary, made it clear as to what information he required. He definitely stated that he wanted to elicit information as to why the repairs mentioned in the note were treated as kudimaramat, and the principles on which whether a repair is or is not a kudimaramat repair is determined. I very carefully heard from the hon. the Revenue Member what he had to say, but I am sorry to say no reply has yet been given to these two points raised by the hon. Member from Bellary. Time after time attempt has been made on the floor of this House and outside to find out exactly what are the principles involved in matters like this. We are told in the note that when this kudimaramat business was taken up and money recovered from the ryots, they went to courts and contested the action of the Government and the Courts decided against the Government and certain refunds were made. As we have all heard from the hon. Member from Coimbatore, when objection is raised with regard to the recovery of money from other people, the Government comes out with its sense of equity to make good the money that was recovered from the other ryots involved in the affair. The amount stated here is Rs. 19,897 though the motion is merely a token motion. I shall not now discuss about the nature of the motion, but I content myself with saying that this is a large amount, and until the Government is in a position to tell us on what principles they first of all levied this amount on the ryots we shall not be able to know exactly what the Government would be doing in instances like this. We shall not be able to know exactly what the right of the ryots would be according to the Government even after this decision. The Court has come to a decision in a certain way, and when that decision is obtained the Government is willing to refund the money. But the Government are not willing to tell us what exactly was the principle, what exactly was the nature of the work that was considered to be kudimaramat work, and why these officials in the first instance charged this as a kudimaramat repair."

The hon. Mr. A. Y. G. CAMPBELL :—"I have already stated that it is mentioned in the note that clearance of silt and removal of prickly-pear are treated as kudimaramat repair."

[9th August 1929]

Mr. G. HARISARVOTTAMA RAO :—" I realize that it is in the note and that it is mentioned as having been charged for this purpose. But I want to know whether those purposes have been accepted by Government as kudimaramat and under what conditions such works are accepted as kudimaramat and whether they are enforcing such conditions elsewhere or anywhere and whether they have changed the principles subsequent to a decree of this nature. All these things have not been made plain to us. Attempts to get even legislation have been frustrated. As you know, I sent in a Bill on the kudimaramat question, and I could not get the sanction of the Governor."

* The hon. the PRESIDENT :—" I do not think the hon. Member is in order in referring to that point now. I would request the hon. Member to confine himself to the achievements of the Government."

Mr. G. HARISARVOTTAMA RAO :—" I shall confine myself to the achievements of the Government. I thank you for the suggestion."

" Sir, they have achieved something as a result of this decree. Are they going to achieve such results in future also or are they going to formulate any principles on which these things have to be done and be done with them once for all? These are the real questions at issue, and the hon. the Revenue Member has not answered us on the point. There are a large number of things involved in this kudimaramat affair and as long as the Government does not give us a clue as to what their position is with regard to it, it is very difficult for the ordinary ryot to understand whether and when he has to pay to the Government. He is compelled by the Revenue Department to pay. He is compelled in many cases to go to a court of law. He has not got the equipment to go to a court of law and in all such cases grave injustice is being perpetrated."

" Sir, to the various questions put by the hon. Member from Bellary very insufficient answers have been vouchsafed. I hope time will not be very far when we shall hear exactly what the policy of the Government is in these matters. Reference has been made to the imperfect way in which information is vouchsafed to us, the representatives of the people, and that the ryot cannot easily get the Government to understand his difficulties. We want information on all these points. I hope the hon. the Revenue Member will tell us not merely in reference to this particular subject but in reference to the broad principles involved in this particular subject, viz., the principle upon which certain repairs are considered kudimaramat and others not."

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" There is only one point to which I should like to refer and that is, what exactly is 'kudimaramat'? It is stated to mean 'customary repairs' or what? I am speaking from a great deal of personal experience and the word 'customary repair' has not been properly defined. In this matter the Collectors are given the discretion to decide what are customary repairs and what are not. I think the matter cannot be arbitrarily settled. Even in the Public Works Department estimates these difficulties arise. For instance, estimates are made for clearance of silt. The question very often arises whether the cost of clearing this silt ought to be met by the Government or by the people. There are cases where the people are asked to pay for the clearance of silt. In this connexion I may say that several channels and works of that nature lie not within the border of one village, but within the jurisdiction of several villages. It is almost impossible to enforce the provisions of the Kudimaramat

[9th August 1929] [Mr. R. N. Arogyaswami Mudaliyar]

Act on several villages. We do not know what customary repairs are. It is impossible to get a number of people of many villages to carry out this class of work."

* The hon. the PRESIDENT :—" I am afraid the hon. Member is going into the broader question of kudimaramat instead of confining himself to this particular motion and the repayment of the amounts collected."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" I shall illustrate my point by taking the Chitrachavadi channel. This channel lies in a number of villages and it is impossible in a case like this to apply the Kudimaramat Act. The courts have come to a decision against the Government. All that I say is with a view to avoiding a similar trouble in future, it is better that Government comes to a definite decision as to what is kudimaramat."

Mr. R. SRINIVASA AYYANGAR :—" Sir, I endorse every word that fell from the lips of my hon. Friend, Mr. Arogyaswami Mudaliyar. This kudimaramat custom has been a vexed question for ever so many years so much so that, year in and year out, at the time of the annual jamabandi ryots present petitions after petitions to the jamabandi officers with no satisfactory results. Two years ago in Ginjee taluk there were loud complaints that a large amount was collected in this way, and when the matter was brought to the notice of the Collector, he felt himself powerless. I think, Sir, that the Government should make up their mind to give us a comprehensive definition of *kudimaramat* instead of leaving it to the individual whims and idiosyncracies of each Revenue Divisional Officer, or the Collector, or the jamabandi officer as the case may be, to decide what customary labour or ryots' labour, or work of the ryots means. What is customary labour in one portion of the taluk may not be customary labour in another portion of the taluk. I think it is time that some solution is made to get over this difficulty which will satisfy not only the interests of the Government but will also give immense satisfaction to the ryots concerned. I find the following in the explanatory note :—" The Government consider that, inasmuch as the civil courts have held the collection to be illegal, it would be proper to refund the entire amount which has been collected in the case of both the channels and which has not yet been refunded." May I ask the hon. the Revenue Member to extend his sympathy further to the other districts as well where similar instances have occurred and where similar collections have been made, to take necessary steps, and to see that the amounts thus collected are refunded to the parties concerned as a matter of equity, as a matter of fair play and as a matter of bare justice? Doubtless the ryots so far as these two channels are concerned will be grateful to the Government and there is no reason why the Government, in their generosity, should not refund the amounts collected likewise from other people and earn likewise the gratitude of a large number of people of the various districts concerned. I only appeal to the Government to view this matter in a sympathetic spirit and also to amend the Standing Order or to issue executive instructions in such a way as will give a quietus to all these controversies which have been raging for some years past."

* Mr. A. PARASURAMA RAO :—" Mr. President, Sir, if there is any significance for the word 'uncertainty' in matters revenue, I find this is an instance in which uncertainty has been exemplified very much because the

3-15
p.m.

[Mr. A. Parasurama Rao]

[9th August 1929]

Government authorities were responsible for charging kudimaramat rates in these instances. They have now admitted that they have committed a wrong and that they are prepared to refund the amount. Is it too much for any one now to ask them to commit themselves to a particular position and to enunciate actually for public information as to what they mean by the word 'kudimaramat'? It has been misunderstood for a long time in every district and it is left to the underlings and the lower subordinates of the Revenue Department to interpret as they please this word because if the villagers are in the good graces of the karnam or the village headman he would at once recommend to the tahsildar and say that a particular work does not come under customary labour; but if they happen to offend the karnam, he would at once say that these people ought to be muloted with the cost of the repairs . . .

* The hon. the PRESIDENT :—"I am afraid the hon. Member is widening the scope of the debate."

Mr. A. PARASURAMA RAO :—"The mistake has been committed on account of want of sufficient explanation or clear definition which the Government ought to have given because it is not confined to one particular district or to one particular village; every ryot has been labouring under this difficulty; village after village suffers. These are the only instances in which the villagers have been fortunate enough to get a civil court decision in their favour; but there are people who are suffering in silence without knowing what exactly the Government mean by the word. If the Government are prepared to approve of the civil court's decision that has been passed in this case, they should say so as there are certainly many more instances of this kind where people have been levied unnecessarily kudimaramat charges and they have suffered very much on that account. From that view-point I say, Mr. President, that this becomes a very important question especially so when it is left to the underlings of the department, the karnam or the village headman, to decide the matter and as their word carries greater weight with the higher authorities. I dare say this is a very important question which ought not to be neglected. That is the very reason why I impress upon the hon. the Revenue Member to give his best attention to this subject so that the poor villagers and the dumb millions who are not cared for, who are at the mercy of the lower subordinates of the Revenue Department may be helped and may know their real position. That is the very reason why I have taken the responsibility of making these remarks though I never wanted to take part in this discussion. I know very many instances in my district where the ryots suffer on account of the payment of these charges because there is controversy between the Government and the ryots as to the real meaning of the terms. The ryots of a village in my district wanted to contest that it was not customary labour; they wanted to refuse to repair the channel. The ryots are therefore not able to cultivate the lands for years together. They refused to repair the channel and the Public Works Department also persisted in not getting the channel repaired. In that way cultivation suffered; the ryots had to go without cultivating their lands for many years. I request the hon. Member to consider . . ."

* The hon. the PRESIDENT :—"I request the hon. Member to come to Coimbatore."

[9th August 1929]

* Mr. A. PARASURAMA RAO :—"By way of analogy I have been pointing out that the ryots in my district have been put to so much difficulty. Otherwise I would not have pressed these points. In order to convince the hon. the Revenue Member of the hardships the people are suffering I have brought these instances to his notice. Unless I bring home to him these difficulties and the momentous import that they carry, I do not think he will pay the attention necessary to enunciate the words properly. It is only for that purpose that I am perhaps repeating some of the arguments already advanced. I am sure that this matter will bear any amount of repetition because it is not given to the inarticulate people and the dumb millions who are suffering in silence to bring these facts very forcibly to the notice of the Revenue authorities because the highly paid officers do not know what is being done in the villages. They simply think that there is customary labour, and the Collector and other officers are guided by the subordinate officials. They take it for granted that there is customary labour and the whole thing goes on as a matter of course. I may at once tell you, Sir, that it is not within the possibility of this villager or that villager or a group of villagers to go to a civil court and fight against a mighty Government. Very few people can afford to do so. It means lot of trouble, lot of expense and lot of inconvenience to so many people. From that point of view it is not too much for me now at least to request the hon. the Revenue Member to stand up in his seat and say that this is my policy and that this interpretation ought to be given to the words and no other. In spite of the fact that the Kudimaramat Act itself does not refer to removal of prickly-pear and silt and other kinds of labour are somehow or other brought under this head, I fail to understand how the Government can justify their position now. If suits are filed in every instance, then the poor ryots would have justice. But as I have already said, unfortunately the poor ryots are labouring under so many difficulties and they are not able to vindicate their just rights by resorting to courts. That is the reason why I request the hon. the Revenue Member to take trouble even though it may be late—half a century has elapsed since the Act was passed—to see the justice of the cause of the poor ryots and enunciate what the words mean."

* Mr. T. ADINARAYANA CHETTIYAR :—"Sir, I welcome this debate for this reason. On two occasions I gave notice of a resolution for the repeal of this obnoxious Act. The ballot box was always very unkind to me . . ."

* The hon. the PRESIDENT :—"If the ballot box was very unkind to him in the past, I have to be unkind to him on this occasion." (Laughter.)

* Mr. T. ADINARAYANA CHETTIYAR :—"My interest in the debate is this. North Arcot district suffers from both the kinds of kudimaramat trouble. All the irrigation works are silted up to a height of 22 or 23 feet and as regards prickly-pear even the bed of the river Palar—a river which is proverbially said to have been flowing with milk if not also honey—is now a vast bed of prickly-pear. Along with the ryots of Coimbatore whose question is now before the House, I wish to tell the hon. the Revenue Member and through him the Government of Madras that this is a very sore question from which the ryots of the greater portion of this province are suffering. There one thing is certain; those conditions which existed half a century back when such works could be carried out by the corporate communal life of the village have now passed away. Therefore it is the duty of the Government to shoulder the responsibility now. But what is the procedure?"

[9th August 1929]

* The hon. the PRESIDENT :—" I am afraid the hon. Member is widening the debate. I request the hon. Member to come to Coimbatore."

Mr. T. ADINARAYANA CHETTIYAR :—" Even three years ago, in Coimbatore the charges levied were at first Rs. 1-2-0 per acre. The total involved amounted to a very large sum. Luckily those ryots took care and they got a decision in their favour. My hon. Friend from Chittoor told us how a District Munsif in another district gave a decision which is at variance with that given by the District Munsif of Coimbatore . . ."

* The hon. the PRESIDENT :—" The hon. Member is repeating the arguments of another hon. Member."

Mr. T. ADINARAYANA CHETTIYAR :—" If the fate of the ryots has to depend upon the vagaries of different District Munsifs in different parts of the Presidency, we can understand how precarious is the fate of the ryot. Therefore I appeal to the hon. the Revenue Member to consider this question not as one affecting only Coimbatore but the whole province and to come forward with a liberal and sympathetic policy as regards the question of kudimaramat. It is on this matter that the prosperity, the well-being, nay, the very existence of a large number of ryots in this province, depends."

3-30 p.m. " As regards Board's Standing Orders—that is a big volume which nobody is able to understand—slips are issued every other day and the slips outnumber the pages of the original volume so much so many hon. Members of this House including myself have almost despaired of getting anything from that volume. Moreover, all the changes introduced from time to time—and the changes are in all conscience very many—are against the ryot. Take, for instance, the question of remission . . ."

* The hon. the PRESIDENT :—" I am afraid the hon. Member is proceeding farther than necessary. He has left kudimaramat and is entering the question of remissions."

Mr. T. ADINARAYANA CHETTIYAR :—" Sir, therefore as the Standing Orders are very elusive and misleading and always tending towards the exploitation of the innocent ryots, I think it is time considering the widespread nature of the grievance, that Government come forward with a sympathetic policy at once and without delay."

Mr. V. CH. JOHN :—" I move, Sir, that the question be now put."

* Mr. S. SATYAMURTI :—" Mr. President, Sir, this is a token demand which is being made before the House under the new proviso to sub-rule (1) of rule 32 which says :

' Provided that when funds to meet proposed expenditure on a new service can be made available by reappropriation, a demand for the grant of a token sum may be submitted to the vote of the Council and if the Council assents to the demand, funds may be so made available.'

Sir, in the explanatory note you will find that the only statement on the financial aspect of the proposal is :

' The amount to be refunded is Rs. 19,897. This can be met from the sanctioned appropriations for the year under Grant VI.'

Sir, if you will kindly turn to the Devolution Rule governing reappropriations, rule No. 38 says that the Finance Department shall have power to sanction . . ."

[9th August 1929]

* The hon. the PRESIDENT :—" Is the hon. Member raising any point of order?"

Mr. S. SATYAMURTI :—" No, Sir; I am merely submitting to the House, but I should like you to follow, if you do not mind :

' The Finance Department shall have power to sanction any reappropriation within a grant from one major, minor or subordinate head to another.'

' The Member or Minister in charge of a department shall have power to sanction any reappropriation within a grant between heads subordinate to a minor head which does not involve undertaking a recurring liability provided that a copy of any order sanctioning such a reappropriation shall be communicated to the Finance Department as soon as it is passed.'

I put it to my hon. Friend the Revenue Member, that his explanatory note is defective, in so far as it does not point out by what means of reappropriation he is going to get this sum of Rs. 19,897. He must state to the House, before he can ask the House to assent to the demand, whether he is going to do it as a Member in charge under rule 38 (1) (b) of the Devolution Rules, or whether he is going to approach the Finance Department under rule 38 (1) (a) to sanction the appropriation from one head to another; or is he going to sanction it himself from one subordinate head to another subordinate head? I think, Sir, the House has a right to know from my hon. friend the Revenue Member the financial implications of the proposal.

" My next point, Sir, is this : this rule contemplates only a new service on which money can be spent. What is this new service? Is it the service that Government should, on wrong legal advice, put up untenable defences before courts of law, charge ryots without knowing exactly the relative rights and liabilities of the Government and the ryots, lose their case in the courts and then come to the Council and say ' We were wrongly advised, we did not know our own rights and liabilities or other people's rights and liabilities; therefore please pay us this money'. I should like to know what is the new service for which this sum is asked."

" Then, Sir, the explanatory note says that ' the charges on account of the clearance of silt from the Chitrachavadi channel and of the removal of prickly-pear and clearance of silt from Kuniyamuttur channel in the Coimbatore district, had been collected from the ryots concerned under the provisions of Madras Act I of 1858.' Sir, the only relevant provision in that Act under which the ryots can be called upon to pay this money is section 6 of that Act :

' Whenever by a local custom any work for the purpose of irrigation or drainage or connected therewith is usually executed by the joint labour of a village community, any person bound by such custom to contribute labour to such work who, neglects or refuses, without reasonable cause, to comply with the requisition for such customary aid made to him by the head of the village under the orders of the Tahsildar or other superior revenue officer, shall be liable to pay a sum equal to twice the value of the labour which he is bound to contribute.'

" I ask my hon. Friend to state what the local custom is in this Coimbatore district under which the Government charged these unfortunate ryots with, I believe, twice the value of the labour which they were bound to contribute for these two purposes. Did the Government or do the Government have any records or any other evidence to show that with regard to these two works, there is a local custom prevailing in that part of the Coimbatore district, which makes it obligatory on the part of these people to contribute their labour free? And had they satisfied themselves before they charged them, that they neglected or refused to do this work without reasonable

[Mr. S. Satyamurti]

[9th August 1929]

cause? And what is the exact value of the labour, and how did they arrive at this figure of Rs. 19,897? How much of it represents the value of the labour and how much of it represents the cost incurred in unsuccessfully defending this litigation in courts of law? Did they take competent legal advice before they entered into this litigation? Whose was the advice, and why did they not take better advice before they entered on defending these suits?

"Then, Sir, as regards the question whether this Government should go on enforcing an Act as old as 1858, I want to put it to my friend whether this Government is bound to enforce this Act. I am not entering on the question of suggesting better legislation, Mr. President, as I am bound by your ruling, but I am only giving suggestions for better legislation. But apart from that, Mr. President, this Act does not make it obligatory on the Government to go about enforcing this labour and payment from those unfortunate people of twice the cost of labour which they are bound to do by custom. After all, Mr. President, this law was perhaps appropriate at a time—because it is as old as 1858, about seventy years ago—when village communal life was strong and when villagers had the common feeling of taking a common share in the sorrows and the joys of the village. Then, I can understand, the village community may be asked as a matter of custom to take its rightful share in the repair of irrigation and drainage channels. But, Sir, seventy years have passed and even in the comparatively dry district of Coimbatore, much water must have flown down the bridges there. Village communal life has been partially, if not wholly, destroyed by modern revenue laws and modern Abkari laws, and the villages remain there, more as remnants of a past that has disappeared, than as living communal units. I put it to the Government whether it is right and expedient that in the case of these villages where the communal life has ceased to exist, at any rate with the same force with which it existed seventy years ago, when this Act was passed, that they should compel these unfortunate people to do this labour, and then extract this enormous amount of money from them.

"Moreover, Sir, if the Government should do it, I should like to know what the policy of the Government is with regard to this matter. Do they insist upon customary labour in all cases of irrigation and drainage repairs? If so, have they got a list of the villages or the groups of villages in respect of which local custom has been established to the effect that such labour has got to be contributed by the people of the village? I should like to know further whether the Government desire to perpetuate this somewhat primitive policy of leaving it to the villagers either to do or not to do this work, then waiting for them not to fail to do the work, and then do it at their own cost. Do or do not modern canons of labour require that we should, as far as possible, get this labour done in the interests of the whole district or the whole provinces? And after all, as my hon. Friend the ex-Minister pointed out, these drainage and irrigation channels or sources are sometimes common to more than one village. How are you going to enforce the common labour of more than one village? And even these, I am reminded by my hon. Friend from Coimbatore (Mr. C. V. Venkataramana Ayyangar), belong to two or three villages. Under those circumstances, Mr. President, it seems to me that the Government must have a policy of their own in regard to this matter. I venture to submit to the Government that the best policy would be not to rely upon this ante-diluvian section of this ante-diluvian Act, but to deal with it under the economic law of supply and demand. Either these

[9th August 1929]

[Mr. S. Satyamurti]

repairs have got to be done or they have not got to be done, let us once for all deal with it, as if it is labour which the Government is bound to do in the interests of the whole district or the whole province. Whether this work is done or is not done, the resulting suffering or the benefit is not going to be confined to that village; it is going to affect other villages also down the channel. For all these reasons, I think, unless the Government come forward with a clear and definite statement of policy first with regard to the financial implications of the proposal, and second, with regard to the nature of the new service on which they contemplate spending this money and last but not least, their policy with regard to the enforcing of this kudimaramat section of an Act of 1858, the House will be entitled to vote for this reduction motion."

'The hon. the PRESIDENT:—"I think the House is ready for a vote.

"The question is to reduce the allotment of Rs. 300 for 'Irrigation—Reserved' by Re. 1."

The motion was put and lost

*Mr. C. N. MUTHURANGA MUDALIYAR:—"Mr. President, Sir, I beg to move—

'that the allotment of Rs. 300 for "Irrigation—Reserved" be reduced by Re. 1'

with a view to discuss the necessity of modifying G.O. No. 205, Irrigation, dated 21st May 1908, so as to suit the changed conditions and to meet the present requirements of the ryots under the Cholvaram and Red Hills tanks.

"Sir, I am heartened by the fact that in the motion itself there is the implication that the improvements made to the Upper Supply channel are intended also for irrigation purposes. For the past two years, I have been intimately watching the difficulties of the ryots under these tanks. By this Government Order strict rules are made and according to one rule, the water should not be let out for irrigation before the 15th of December of each year. Even though the full tank level is reached much earlier, the Irrigation Department refuse to give water for the ryots before the 15th of December. For some time now, the south-west monsoon has thoroughly failed in these parts and the north-east monsoon during October and November is very rare, and we never get good showers for the upkeep of the crops raised by the ryots. In those days, that is about 1908, when these rules were made there were fairly good rains and the water, if let out from the sluices, would go to waste during the rainy days. Hence such rules might have been in order in those days; but nowadays when the monsoons fail and there is always drought in these parts, especially in the Chingleput district, I feel it is time that these rules are modified. In 1927, paddy crops were withering and the ryots were complaining that they had to go from the Engineer to the Collector and then to the Irrigation Member, and I have also tried my little best to get them some water, but with no success. In 1928 a similar happening occurred, and though late, the ryots were able to get some water for a few days.

"Sir, ryots under smaller tanks fare much better than the ryots under these tanks on account of the hardships consequent on these rules.

[Mr. C. N. Muthuranga Mudaliyar] [9th August 1929]

8-45 p.m. "This kind of thing should not be allowed to continue and the Government Order must needs be modified, and the rules should be altered to suit the altered conditions of drought in these days and the ryots' grievances redressed. I therefore move that Re. 1 be reduced from the allotment of Rs. 800 for Irrigation—Reserved."

Mr. ABDUL HAMMED KHAN :—"I second the motion."

* The hon. Mr. A. Y. G. CAMPBELL :—"Sir, I think the words which have fallen from the hon. Mover rather go to support the necessity or desirability of carrying out the scheme for which I have asked for a further grant."

Mr. SAMI VENKATACHALAM CHETTI :—"Mr. President, Sir, it seems to me that the remarks of my hon. Friend, Mr. Muthuranga Mudaliyar, have no particular reference to the demand in question. The demand in question refers to the improvement to the Upper Supply channel in order to increase the water-supply to the City of Madras and whether additional facilities which my hon. Friend from Chingleput wants are granted or not, that seems to me to have no particular bearing to this demand . . ."

* The hon. the PRESIDENT :—"Order, order. The Government propose to spend monies for improving the supply of water to tanks and Mr. Muthuranga Mudaliyar proposes that the existing rules for taking water from the tanks are defective and work hardship and what he means is, that unless the Government modify those rules, he is not going to vote for this demand. How is it irrelevant?"

Mr. SAMI VENKATACHALAM CHETTI :—"I do not propose to go into the question of irrelevancy at all, Mr. President. I only mean to say that whether Government would comply with the requirements demanded by Mr. Muthuranga Mudaliyar or not, will have no particular bearing upon this question. This improvement may go on irrespective of the claims of the Chingleput people. I therefore support this demand and feel grateful to the Government for having expedited this question."

The motion was put and lost.

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

GRANT XIV—ADMINISTRATION OF JUSTICE—RESERVED.

* The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"Sir, on the recommendation of His Excellency the Governor I move—

'that the Government be granted a further sum not exceeding Rs. 4,746 under Grant XIV—Administration of Justice—Reserved.'

"The object for which this money is needed is fully explained in the note that has been circulated to my hon. Members. The High Court have stated that an additional sub-court is absolutely necessary at Cocanada, and having regard to the figures which they have supplied to the Government, the Government are convinced that a court is necessary for one year from the reopening of the courts in the current year, that is, from 8th July 1929 till 8th July 1930. The amount needed for that purpose till the end of the current financial year is Rs. 4,746. The Court was actually established on the 8th July, and at that time the Council was not sitting and so the Governor sanctioned the establishment of this Court and its continuance till the end of the current month and that time expires twenty days hence. Thus,

9th August 1929]

[Mr. M. Krishnan Nayar]

for the maintenance of that Court subsequent to that date and till the end of the current financial year I come before this House and ask for this grant being made."

* Mr. A. RANGANATHA MUDALIYAR :—"Sir, I move—

'that the allotment of Rs. 4,746 for "Administration of Justice—Reserved" be reduced by Re 1.'

"We have all heard of the proverbial law's delays, and such delays, bad as they are generally, are I think very much worse, so far as disposal of civil cases are concerned. I do not think that the Government or for the matter of that, the High Court, have taken all the steps they can to ensure speedy disposal of cases. In many cases, such delays lead to riots of a more or less serious nature. Now, Sir, Government want to reduce the pendency of cases by the appointment of an additional sub-court. Of course the number of pending cases in that particular area may be reduced. But, how are you going to deal with the situation generally? I want to know from the Government whether at least the other courts have done what is reasonably expected of them. For that purpose I want to know the number of ordinary and civil suits pending during the year 1927-28 and 1928-29 and the number of appeals disposed of during those years, so that I may have some data to compare the work done before and after. Government say that they were not able to transfer any of the cases from this court to the sub-courts in the East Godavari district. I wish to know whether those courts in the East Godavari district were doing their normal amount of work and whether they could not have attended to the disposal of the cases pending elsewhere. These are the points on which I want Government to make amends."

* Mr. MAHMUD SCHAMNAD :—"Mr. President, Sir, I wish to support the motion made by my hon. Friend Mr. Ranganatha Mudaliyar. This is a demand for the grant of an additional sum for the appointment of an additional sub-judge at Cocanada to deal with the pendency of cases in that district. I do not know where this policy of appointing additional officers will end. Recently there was a Bill to empower Government to appoint additional judges. Instead of going on adding judges and sub-judges and munsifs, the Government would do well to take steps to reduce the number of cases pending by some other and more economic methods. In the case of sub-judges and munsifs who dispose of cases unsatisfactorily the best thing is to transfer them to places where there is light work. So instead of appointing more sub-judges, if capable officers are transferred to places where there are these delays these pendencies could be cleared without any difficulty and without any additional expenditure. Moreover, there is no inducement for these judges and sub-judges to do any good work, because they get no rewards for doing such work for they get their promotions only in the usual course."

* The hon. the PRESIDENT :—"Order, order. I request the hon. Member to confine his remarks to the sub-judge in the East Godavari district."

Mr. MAHMUD SCHAMNAD :—"Even the sub-judge of the East Godavari district has no inducement, because excepting the usual promotion he does not get his promotion earlier for doing any good work. I am sorry to observe that the High Court has not been doing its duty properly, perhaps as they ought to do to reduce unnecessary expenditure, by either

[Mr. Muhamud Schamnad]

[9th August 1929]

promoting them according to the quality of their work or by giving them some inducement in some other way. This appointment, I submit, is unnecessary and if proper steps are taken, there will be no pendency at all. With these few words I support the motion made by my hon. Friend."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"Mr. President, Sir, some general observations have been made by my hon. Friends Mr. Ranganatha Mudaliyar and Mr. Schamnad. I may say with regard to those observations, that the High Court is paying attention to the work turned out by all the sub-judges and they send reminders and pass censures on the slack work of the subordinate judges. They also take care to recommend persons who do good work, for promotion. I submit therefore that the general observations made by my hon. Friends are not actually borne out by facts. With reference to this particular case for which this token motion has been moved by my hon. Friend Mr. Ranganatha Mudaliyar, you will see that the figures stand thus. With reference to suits actually pending in the beginning of the two years 1927 and 1928, for which my hon. Friend wants information, these are the figures: I have got all the figures in regard to all the Courts in the East Godavari district. In the Sub-Court at Amalapuram in 1927, the number of suits pending was 88 original suits, 149 appeals and in 1928 the corresponding figures were original suits 99 and appeals 199. In the Sub-Court at Cocanada in 1927, the number pending at the beginning of the year was original suits 94 and appeals 152. In 1928, the corresponding figures were 180 and 179 respectively. In the Sub-Court at Rajahmundry in the beginning of 1927, the figures were, original suits 92 and appeals 102, and in 1928, the corresponding figures were 67 and 80 respectively. In the Additional Sub-Court at Rajahmundry the figure at the beginning of 1927 was nil both in respect of original suits and civil appeals, apparently because the Additional Court was not in existence at the commencement of the year. In 1928, the corresponding figures were 51 and 52 respectively. Then with reference to the number of disposals by the sub-judges of these Courts, the figures are these. The Sub-Judge at Amalapuram disposed of 53 original suits and 64 appeals in 1927 and in 1928 the corresponding figures were 60 and 113. In the Sub-Court at Cocanada the number of disposals of original suits and appeals in 1927 was 63 and 106 respectively and in 1928 the figures were 71 and 99 respectively. Then again in the Sub-Court at Rajahmundry the number of disposals in 1927 of original suits and civil appeals was 38 and 79 respectively, and in 1928, the corresponding figures were 33 and 89 respectively. In the Rajahmundry Additional Court, in 1927, the number of disposals was, original suits 17 and appeals 95. Apparently the Court must have been established some time after the commencement of the year. In 1928, the corresponding figures were 35 and 114. One general observation that I may make with regard to these figures is that they cannot always afford an accurate test of the work done in these Courts. My friends here must know that sometimes one suit occupies a large number of days and this is true especially in the case of original suits. So, Sir, if my hon. Friend is satisfied with the figures, I hope he will not press his motion."

* Mr. K. V. R. SWAMI :—"Mr. President, the figures now given by the hon. the Law Member will show that the Courts in East Godavari are doing good work with regard to civil suits and appeals. He was pleased to give figures only in respect of original suits and appeals. As regards interlocutory applications he has not given figures and I am sure the number will exceed a thousand

[9th August 1929]

[Mr. K. V. R. Swami]

a year. Each year each court has to dispose of thousands of interlocutory applications and also execution petitions. And it is not complained anywhere that the sub-courts in East Godavari in particular are not doing their proper share of the work. And the figures also would show that the ordinary disposal is from 30 to 50 original suits and about 100 appeals. As has been observed by the hon. the Law Member it is not easy to measure the work done in a court by the figures we get. It all depends on the nature of the suits. Generally the number of suits disposed of by these additional sub-courts will not be large for they are not given power to receive suits in the first instance. Suits and appeals are transferred to them by the original courts. These original courts themselves dispose of those suits which do not occupy much time. As a result all heavy cases and appeals are transferred to these courts. Necessarily more time will be occupied in the disposal of these suits. Appointment of additional courts wherever there is heavy work is quite essential and that lightens not only the burden of the courts but relieves the litigants as well. It is unfortunate that this court has been started so late because we can see from the figures given that there are suits which are pending for the last three years and more. As a matter of fact, there are suits which have not been disposed of for the last five years. With regard to big suits that should necessarily occupy much time the courts are not generally disposed to take them up because they take for disposal only such cases as would add to the number of disposals; for, otherwise, the High Court chastise the sub-judges for not having disposed of enough number of cases. For fear of that, they always take up small cases and keep on the big ones pending for long, sometimes so long that the litigants in those cases become paupers on account of the heavy expenses. The only remedy for this is the establishment of additional courts whenever necessary so that the old suits might be disposed of. The cost will not be more, as is feared by my hon. Friend, Mr. Schamnad. I am sure he has got experience of some of these courts, and generally they always try to show more work than they could ordinarily do. I cannot agree with my hon. Friend, Mr. Schamnad, that these people are very slack in their work because their pay is not attractive enough or sufficient enough. I have always thought that these people are properly paid and perhaps heavily paid, more heavily than the country could afford. Quick disposal is not after all a thing which should be encouraged for justice may sometimes fail if quickness were the test. If a judge knows that his promotion would depend on the number of cases he disposes of, he would try to dispose of somehow or other without caring for the ends of justice. In no country it is measured by the number of disposals or by the emoluments that they generally get. The sub-judges have to avoid all kinds of attractions and they have to work like honest men and dispose of cases to the best of their ability and receive the rewards like any other person. I am glad that the hon. the Law Member has brought this motion here and has set up this additional court even before obtaining the permission of this House, because as a lawyer he has been quite sure that this House would not stand in the way of expenditure of this sort. I only request him to be more expeditious in this matter and prevent the pauperization of the litigant public. With these words, I oppose the amendment."

* The hon. the PRESIDENT :—"The question is

'that the allotment of Rs. 4,746 for Administration of Justice—Reserved, be reduced by Re. 1'."

The motion was put and lost.

[9th August 1929]

* The hon. the PRESIDENT :—" The question is—

'that the Government be granted a further sum not exceeding Rs. 4,746 under Grant XIV—Administration of Justice—Reserved'."

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

GRANT XXXI—CIVIL WORKS—TRANSFERRED.

The hon. Mr. M. R. SETURATNAM AYYAR :—" Sir, on the recommendation of His Excellency the Governor, I beg to move—

'that the Government be granted a further sum not exceeding Rs. 500 under ' Civil Works—Transferred.'

"This provides for token demands for (a) additional establishment required in connexion with repairs and improvements to roads in the West Coast to be carried out by the Public Works Department, Rs. 100, (b) soling Pollachi-Vannanthorai Road, Rs. 100, (c) reconstruction of the bridge at 36/5 on the Calicut-Mysore Frontier Road, Rs. 100, (d) construction of a girder bridge on the Ootacamund-Mettupalaiyam Road, Rs. 100, and (e) formation of a special division for investigation of irrigation schemes in the Trichinopoly district, Rs. 100.

"Sir, the need for the grant is explained fully in the explanatory note circulated to hon. Members and the Finance Committee has recommended the grant. I now come before the House for its sanction."

* Mr. R. NAGAN GOWDA :—" Sir, I move—

'that the allotment of Rs. 500 for Civil Works—Transferred—be reduced by Rs. 1.'

"Sir, I move this to ascertain the reasons for which the Pollachi-Vannanthorai Road was taken by the Government from the District Board of Coimbatore. This was a second-class road under the control of the Coimbatore District Board until about four or five years ago. The Government, since they took charge of the road, have spent already through the Department of Public Works Rs. 71,000 and they propose now to spend another sum of Rs. 77,700, in all a sum of Rs. 1,50,000. This road is a comparatively small road, just thirteen miles in length. I know of roads in other parts of the country, a great deal longer and probably much more used and more important than this road which could very well be said to justify soling by the Public Works Department. While there are so many more important roads, the Public Works Department have taken over this road and have spent a large sum of money and I cannot understand why. Besides, I wish to make another point. This road, as I have said, was a second-class road under the control of the District Board of Coimbatore. I do not think there is any one here, Sir, who will say that the District Board of Coimbatore is a poor board. There are a great many poorer districts. And Coimbatore could very well take care of this second-class road. Sir, this road serves the convenience of big farmers and other large estate holders and villages along the road and it is the duty of the Coimbatore District Board to see that the tax-payers' needs are satisfied and it has got large enough funds at its disposal since it is a reasonably rich district. I can very well imagine this particular road being kept in good condition when it was taken over by the Public Works Department. If it were not so, it was the duty of the

9th August 1929]

[Mr. R. Nagan Gowda]

Government to ask why the district board was not doing its duty. Assuming the road was in a pretty good condition when it was taken over by the Public Works Department, I do not see the reason why the Government should have spent Rs. 71,000 already and propose to spend another sum of Rs. 77,000, which would mean an expenditure of Rs. 11,000 per mile. I think, Sir, that the Government are not justified."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" Sir, I know a little about this particular road and I may say that just on the Anamalai hills there is a very large tract of plantations, and a very large number of labourers from Coimbatore and the neighbouring districts come to work upon these plantations. Whether these labourers go there rightly or wrongly, the fact remains that they go there and earn their livelihood and so far as the state of their health and other conditions were concerned, I made an investigation into the matter a few years ago and prepared a long memorandum. So far as this road is concerned, it was in an unfortunately bad position when the Government took it over, I believe, in 1925.

"I do not want to blame the district board on the fact that it did not do its proper work. But it must be remembered that as there is a very large population of labourers on these plantations on the hills, the number of carts and the number of motor conveyances that go on this road is very large. And I know as one connected with the society for the prevention of cruelty to animals that a very large number of bulls that go on the road up the hill healthy come down sick because the road is in a bad condition so that no good bull that goes up can go down safely from these hills. It was therefore that the Government rightly thought that it should spend some more money on repairs to this road. It may be that the Government want to spend a large sum this year as the road is very bad. I may say, Sir, that I am neither interested in any of the plantations there, nor am I a shareholder in any of the companies so far as those plantations are concerned. I went there simply as a matter of public duty, to do public work, to investigate into the question of plantation labourers, and I prepared a very large memorandum and submitted copies both to the Government and the planters on the remedies that should be effected by the Government and the planters. That was my only interest in the matter and I hope I shall be able to make such visits hereafter also, so far as this road is concerned. My Friends probably think that I am going to support this demand fully. Having spent already a large sum of money, the Government no doubt want to keep that road in a very good order. There are some points which the Government should consider before they decide as to whether the expenditure of this additional money is necessary or not. Originally the whole road both below the ghats and up the ghats was maintained by the Department of Public Works and they had spent a very large sum of money on the road of 36 miles. The planters have started a ropeway just at the place where it is called Vannanthorai. Now the carts have generally to go only up to that particular place and generally a large number of motor cars are going up to this point only. All the grains and other things have also to be taken. There are large numbers of labourers on the plantations, etc., and they have to be supplied with grains, and to take these grains also the carts have to go along this road. Recently the Government have sanctioned, for a tramway or what is called a rutway, to be constructed by the Provincial Railway Corporation of Trichinopoly. If that rutway or the tramway is to

4-15
p.m.

[Mr. C. V. Venkataramana Ayyangar] [9th August 1929]

be erected, these numbers of carts will be considerably reduced. And I am asking the Government to state when this rutway is likely to come into force; and if there is any chance of this rutway being erected very soon I think there may not be any necessity to sole this road. I believe the soling took place in 1925, though not on a very grand scale, at least on a good scale. Therefore I am anxious to know if there is a chance of this rutway or tramway being put up very early, and if so the re-soling at very large cost is necessary.

"The second point I want to mention is this. I saw in the newspapers recently that the South Indian Railway Company are authorized to have a survey of a branch line from Pollachi to the foot of the hills. If that is so, this road will not be necessary, because all the samans wanted up the hills, may be taken up and the tea, coffee and other products of the plantations can be brought to Pollachi by train, and there need not be such a strong road. But I am satisfied that if it will take a long time to put up this rutway or a long time to construct this branch line, I myself would consider that in the interests of these poor labourers and other people, as well as animals the making of a pucca road is necessary and if the Department of Public Works is satisfied that this expenditure is necessary, I for one would strongly support this demand."

* Mr. G. HARISARVOTTAMA RAO :—"Mr. President, Sir, this demand seems to have a very peculiar history of its own. We are told that the district board prepared an estimate and that it was for Rs. 49,000. We are also told that the estimate was endorsed by the Chief Engineer and the Superintending Engineer and yet it was turned down by the Government. Later there was a move that this road should be set right. And now what we are asked to vote for is not an expenditure of Rs. 100, that is the token demand now moved, but for an aggregate expenditure of about Rs. 3,53,000. Now, Sir, what flaw there was in the estimate of the district board I am not able to realize. I know I shall be told that the district board wanted only a particular thing to be done and this is an extension of that. There is a great difference in the amounts of the estimates, as also in the agency that is intended to work this road. The district board was the first to have taken up some part of the work included in this demand. As it has been revealed to us by the hon. Member for Coimbatore, it appears as though the interests of the capitalists there are involved in this affair. Though my hon. Friend put it on the basis of labourers, he also intimated to us that there was a move for a tramway, and if there is a move for a tramway why this roadway becomes necessary is a thing beyond my comprehension. The Government must have thought twice before they came to us with this demand if they had in mind this tramway at all. And if that tramway is there this roadway is certainly superfluous. But whatever it may be, why I rise in my place to oppose this motion is this. It is intended by a number of token motions to achieve an object which must have formed the subject of substantial motions. To-day before us we have a number of motions tabled on behalf of the Public Works Department and all these motions are of the nature of token motions, and this is one of them. I find, Sir, that the Public Works Department has become a white elephant and its demands are such as to make it impossible for us to comprehend where they lead us to. As a matter of fact in this matter you will see that the token demand has to cover a very large amount and it is also stated that money will be found out of the amount already sanctioned by this Council.

9th August 1929] [Mr. G. Harisarvottama Rao]

That means that the Public Works Department is encouraged to have at its disposal very large amounts, and to reappropriate these amounts as it pleases. This certainly is not right because the Public Works Department becomes irresponsible in its programme and we see it to our own cost. There is a demand for expenditure on public works in districts which are poor like mine, to wit, the Kurnool district, the Anantapur district and others. We are not at all taken into consideration in the programme of the Public Works Department in any manner that can be called graceful. We have to press on the attention of the Public Works Department our own claims in such an emphatical manner and yet we cannot get anything out of the department. Moreover, there is a tendency on the part of the Public Works Department to feel itself almost independent of even the Collector. I feel, Sir, that even addressing Collectors in the districts is of no use when the Public Works Department is concerned. The reason for it appears to me to be that the Public Works Department is encouraged in its irresponsibility by this kind of coming to this House with token motions. This is a very bad policy to follow, and the Public Works Department in my opinion can never be brought to its senses with regard to the programme that it has to take up until it is forced to yield up its surplus treasure that it has got in the form of extra monies reserved for it and until the Government takes pretty good care to decline to go to this House formally by means of token motions. I specially wanted to draw the attention of the hon. the Minister and others in regard to this matter. There is an impression in the country that it is very difficult to get the Public Works Department to understand the people's suffering. It is very difficult to get the Public Works Department to realize the ryots' difficulties and attend to such defects because the Public Works Department has become the master of the situation. In so far as their financial condition is concerned, they have plenty of money in their hands and they are utilizing that money by reappropriations wherever they consider that it becomes necessary out of some kind of favour or partiality or whatever you may call it for a particular work. I feel that this work for which this demand is made on the floor of this House to-day by the hon. the Minister for Development is a work of that nature. It certainly has some vested interest in it, and that vested interest has certainly influenced the Government to come to us and ask for a vote on this matter, because it has to get this road made. My Friend, the hon. Member for Coimbatore, put in an eloquent plea on behalf of labourers and he said that they would suffer. I do not want that the labourers should suffer at all, but a well made road with soling is not an essential for the labourers, nor is it essential for carrying goods. In our own districts the difficulties that we are feeling with regard to roads is very great. It is so great that on account of that difficulty of roads we are not able to get fuel at cheap rates. Even this morning a question was asked on the floor of this House and answered that on account of want of carts the price of fuel has risen. There are many places where money is required for expenditure on public works. The poor districts are suffering from poorer roads, and I believe an item of expenditure on an object like this is a luxury practically in so far as it is also mentioned on the floor of this House that the construction of a tramway is in contemplation.

"There is a feeling in the country that the Public Works Department is becoming intolerable, and those who control the destinies of the Public Works Department in this House must have a perfect control over the

[Mr. G. Harisarvottama Rao]

[9th August 1929]

department and see that the programme of the Public Works Department is such as to benefit the largest number in the country to the largest extent possible, see that relief is given to people where they suffer most and also see that the expenditure is not so made as to serve only special interests or special concerns."

* Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR :—" Mr. President, Sir, as the District Board of Coimbatore was referred to by more than one speaker, I think I should intervene in this debate. It was about the year 1925, that this road was taken over by the Public Works Department from the district board, on the score that the road should be maintained in a first-class condition. Sir, I must say that the road, when it was handed over to the Public Works Department about the year 1925, was not as bad as it was last year. (Hear, hear.) The district board has been on an average spending about Rs. 10,000 a year for the repair of these thirteen miles of road, and now, after the Public Works Department had taken over the maintenance, in the course of three years they have spent over a lakh and fifty thousand rupees on these thirteen miles alone, and still they want Rs. 75,000 in addition to the allotments already sanctioned.

" The hon. Member for Bellary, Mr. Nagan Gowda, said that the District Board of Coimbatore is rich and that they could afford to maintain the road. I must say that the District Board of Coimbatore is not as rich as some other district boards in the province. They forget that this district board has to maintain over one thousand five hundred miles of road every year and the district board's jurisdiction after all does not contain wet areas as Tanjore, Godavari and other districts. Whatever that may be, Sir, as the road has been taken over by the Public Works Department, I am of opinion it should be maintained in a first-class condition, not only for the benefit of the planters but also in the interest of the number of other villages which would be benefited by this road. We have got the Kottur, Malayandipatnam, Samathur and other villages whose inhabitants also have to use this road, and so it will be to the benefit of both the planters and the Indian ryots.

" The Public Works Department has established a toll-gate on this road, and as hon. Members are aware the rate of toll fee collected at this gate is double of what it is at the local board toll-gates. So, when the people are paying double the rate of toll fees, the road must be expected to be maintained in a first-class condition. Whether all the whole sum of Rs. 75,000 will be spent on this road, I cannot here say! If more than one lakh and fifty thousand, already said to have been spent, had been spent upon it, I think the road should have been in a first-class condition by now. On principle, I say that instead of such heavy sums being spent by the Public Works Department, if half the amount is granted to the district board, the road could be maintained in a much better condition. As, however, the road has to be maintained in the interest of the general public, I support the main proposition. (Laughter.)

" With these few words, I oppose the amendment and support the grant."

* Mr. V. I. MUNISWAMI PILLAI :—" Sir, I am one of those who have been watching the progress of the plantations on the Anamalai hills within the last twenty years. Sir, the labouring population in these plantations are

[9th August 1929]

[Mr. V. I. Muniswami Pillai]

mainly drawn from the depressed classes, and the main road used by them happens to be this particular road in question. Recently, Sir, due to heavy rains, it is known to everybody how Nilgiris was isolated from other districts, on account of which famine must have been the order of the day. But due to other roads from Mysore, the situation was eased.

" Sir, we know that large capital from foreign countries has been invested on the Anamalais, and the plantations concerned have risen in thousands of acres. And I think it is a national asset to safeguard the interests of these plantations and consequently the interests of the labouring population. If so, a road of this kind must be maintained in very good condition. I think this is the only road that communicates with the Anamalais. I know planters have been trying to find other communications through the Cochin State as well as through Pollachi by having tramlines and ropeways. But so far, I do not think they have come to a satisfactory conclusion. I think this is a well-spent item by the Government, and I therefore strongly support the demand for grant."

* Mr. K. V. R. SWAMI :—" Mr. President, this is a very curious motion. Now, the House is aware that this road originally belonged to the district board as all other roads. For reasons best known to the Government itself, this road was taken away from the district board much against the will of the district board, as would appear from the speech of my hon. Friend, Mr. Rathnasabapathi Mudaliyar. They perhaps thought that the district board would not be willing to spend so much money on this road, and make it a pucca road, and so it was taken away from the district board. Now, they propose for a road of thirteen miles to spend Rs. 77,000 for the present, I suppose. In future, they may spend more.

" Now, my hon. Friend, Mr. Venkataramana Ayyangar, spoke in such a way that it is hard to find out what he really meant. He said that this road was not at all necessary at present and that they might wait. He also said that it was necessary because poor labourers are suffering, and the animals much more. He puts labourers and animals under one head and speaks with greater sympathy for the animals. As for the planters, he did not mention them at all. According to him, this road is intended only for the benefit of the poor and especially bulls. I do not know what sort of bulls he meant. (Laughter). My hon. Friend, Mr. Rathnasabapathi Mudaliyar—of course he knows the locality very well having been President of the District Board—he says this road is also used by some villagers. I cannot understand him. Because, there is not a single road in India which is not used by somebody or other at one time or another. If a road is put in the innermost part of the Agency tract, some hillman or other will use it. Unfortunately, there are some villages adjoining this road, and so let us spend all this money on it in the name of the poor villager or the labourer. If both of these fail, the bulls are at our disposal. (Laughter). The bulls suffer so much that they cannot climb up the hills, and so they want roads fit for motor-cars. The bulls cannot bear to walk on the sandy paths, but should have roads on which the motor-car can move very smoothly. That seems to be the discovery of my hon. Friend, Mr. Venkataramana Ayyangar. We have to dwell upon his statement because it comes from Mr. Venkataramana Ayyangar, to which we should attach some value. As for the Ministers,

[Mr. K. V. R. Swami]

[9th August 1929]

we knew the situation of the Ministry. The Minister is not his own master. The Ministers are there by sufferance and, so they have to be tender to every party which is likely to support them. They have got enemies enough to contend with. If they cannot make friends of those who sell their votes for some return, they cannot be there at all."

Rao Bahadur B. MUNISWAMI NAYUDU:—"Is it in order for the hon. Member to say that some hon. Members are selling their votes?"

* The hon. the PRESIDENT:—"The hon. Member will have to withdraw the statement."

* Mr. K. V. R. SWAMI:—"I certainly withdraw it, Sir. Of all people, as it is objected to by my hon. Friend, Mr. Muniswami Nayudu, who knows these matters better than I do, I am willing to withdraw it."

"So, it is no good attacking my hon. Friend, the Minister, who has simply to carry out the orders that are placed in his hands and try to get the estimates passed. What is our position in this House? Certain amounts are set apart for local bodies, and these funds are distributed amongst them, and they want to show that all these moneys are being provided for for the rural areas, and they make a very big thing out of it. Now, all on a sudden they want to oblige certain interests, and so they take up the road and try to maintain it themselves. What is the special reason in this particular case? Why should the Government take up this road under its control? Cannot the district board manage it? My hon. Friend, Mr. Ratnasabapathi Mudaliyar, has given an assurance to this House that if half the money is granted to the Board he would maintain the road in proper condition. (A voice: 'In much better condition.') Why not give him that money and hand over the road to him? Perhaps, certain interests do not like that they should approach a President of a District Board for any favour, for any repairs, or for anything of that sort. So, it is always better that these things should be in the hands of the Secretariat and in the hands of the Ministers. Otherwise, they have not made out a case why this road was taken away from the district board, especially when my hon. Friend, Mr. Ratnasabapathi Mudaliyar, says that the road was kept in a better condition while it was under the control of the district board, than it is now."

"And now, how many people does it serve? My hon. Friend says there are two villages to be served by it. Can this Government afford to spend Rs. 77,000 for two villages alone? How many villages are there, where there is no road connexion at all, but which are suffering for want of communication. It is true my hon. Friend, Mr. Venkataramana Ayyangar, said that it might be indirectly useful to these poor planters. Why not these companies put some money in this also, when it facilitates their work? There are many companies making lots of money with the help of those labourers for whom my hon. Friend feels very much sympathy. They take away all the money from this country, and the Government has got to oblige these gentlemen with better roads in the name of the poor people. The labourer does not want roads, but he wants a little more money for his own food. He does not want a motor-car road, I am sure. Why not state the

9th August 1929]

[Mr. K. V. R. Swami]

real reason why you want this road for? If the plantations fetch so much more income on account of this road and if they want it, and if the Government is hard put to oblige certain interests, you can say like that. Why put it the other way?

"So at this time, if the Government really mean business, if they want to observe economy and care for the tax-payer, they can take up the offer made by the hon. Member, Mr. Ratnasabapathi Mudaliyar, that he could keep this road in proper condition with half the money. So, I hope the hon. the Minister will withdraw his motion and hand over the road to my friend."

* The hon. Dr. P. SUBBARAYAN:—"Mr. President, I am surprised at such a long discussion taking place at this late hour on the Pollachi-Venrathorai road. I think Mr. Venkataramana Ayyangar has explained that it best serves the labourers of the district. I want to answer my friend Mr. Ratnasabapathi Mudaliyar who, I am glad to see, has offered to maintain the road at half the cost the Government puts on it. I am sure my hon. Friend will withdraw his suggestion, because if he is really going to help the Government in this way, I am sure they will only be too glad to accept the offer of the Coimbatore District Board to keep the road in repair at half the cost. It is only fair to that District Board to say that they give Rs. 500 a mile for 30 miles from their funds. We have heard a lot about the planters contributing to this. They also contribute Rs. 200 a mile for the 13 miles, in order to keep it fit for traffic. This road is an important line of communication leading from Coimbatore into the plantations. Goods and material have to be brought down, food has to be taken up to the labourers, labourers have got to travel by it and draught bulls of which Mr. Venkataramana Ayyangar spoke have also to be considered, and if the road is not in good condition they will find it difficult to go uphill, for in the black cotton soil, in the rainy season, these bulls find it difficult to carry loads. That is the reason why soling is undertaken. Soling will make the road fitter for traffic and when metal is spread over it it will not need repair for long. And when it is handed over to the President, District Board, in that condition it will be easier for him to keep the road in good condition. So, I hope the hon. Members will see their way to vote against the amendment and support the grant."

Rao Bahadur B. MUNISWAMI NAYUDU:—"Sir, after hearing the Chief Minister I do not propose to give my vote one way or the other. But I want to speak on the general principles as to why Government should take up roads which are under the management of the district boards, why the Public Works Department should be entrusted with the improvement of the roads at a cost which is higher than what it would cost the district board. But anyhow, in view of the statement that he made, that for maintaining it, contributions would be made by the district board concerned and by the planting interests, the question would be how far those interests would continue to contribute if it is re-transferred to the district board. If on consideration of these things it is possible to re-transfer it to the district board, I will welcome it. At the same time I press on the attention of the Government that with regard to roads which require attention it is not a good system to spend such enormous sums as the Public Works Department are doing. It is better to give grants to the district boards and make them spend the money. I want to know whether the planting interests are willing to pay Rs. 200 a year

[Mr. B. Muniswami Nayudu] [9th August 1929]

permanently or whether it is only for a temporary period, and secondly whether they would claim any concession by way of exemption from toll fees. On these two points I want to know what the hon. the Minister has to say."

* Sriman BISWANATH DAS Mahasayo:—"Sir, after hearing the remarks that fell from my two hon. Friends from Coimbatore, I wish to point out certain difficulties in the way of the Government starting a toll-gate in the 13th mile of the road. I think the Local Boards Act clearly lays down that no toll-gate shall be started or established within a distance of 20 miles. It is illegal on the part of the Government to have started a toll-gate in the 13th mile. Not being satisfied with that, they added another illegal act by doubling the toll-fees."

* The hon. the PRESIDENT:—"We are getting into the establishment of toll-gates. I do not think it is at all relevant to this debate."

* Sriman BISWANATH DAS Mahasayo:—"To raise money for the upkeep of the road they have to double the fees trampling under feet the Local Boards Act regarding the toll-gates. That is an illegality which the House should not tolerate. Regarding roads, the Habib-ul-lah Committee which sat in 1918 laid down very definite recommendations in regard to their maintenance by Government and local bodies. Those recommendations were accepted by the Government, and instructions were issued to the local bodies and grants distributed accordingly. In those recommendations, the maintenance of the second-class roads is made a charge on the district board. It is therefore unfair on the part of the Government to have taken up the maintenance of this road and made it a charge on the provincial finance. If such a thing is done, I think other local bodies will be justified in approaching Government for a modification of the rules. A rule is a rule, and I think no modification or alteration ought to be allowed."

"Then, Sir, you have been allowing only Rs. 500 for the maintenance of trunk roads. Why then do you allow so much expenditure on the maintenance of 13 miles of this road? If the planters want the road, I think it is better to give it to them on a lump sum contract, and let them maintain it if it is useful to them. Then, Sir, some of my hon. Friends said that the road under discussion has been very useful for laden bullocks. I think it is not at all useful to the labourers. If toll-fees are doubled it will be a great hardship to the labourers concerned. Under those circumstances, I say it is a departure from the ordinary rules and instructions laid down by the local Government on the recommendations made by the Habib-ul-lah Committee. It is unjust on the part of Government to levy toll-fees at double the rate on laden bullocks. It is very unfortunate that my hon. Friend representing the Coimbatore district should come and say that it benefits the villager."

"A word also to my hon. Friends of the European constituency. We are not against the planters. Of course, their interests have also to be protected by Government. But what I mean is those who want special benefits for themselves have to pay more. So, if the planting community wants that a special road should be constructed or special repairs should be made, I think it is but fair on their part to come forward with liberal contributions or take it on a lump sum contract, so that it may be a relief to that extent to the provincial exchequer. But to give a grant of one and half lakhs for the maintenance of 13 miles is something awful to contemplate. Why should such a large allotment be made for this road is not explained. The hon. Mr. Ratnasabhupathi Mudaliyar has damned the whole thing in his speech. I only would appeal to all the hon. Members to vote down this demand."

9th August 1929]

The hon. Dr. P. SUBBARAYAN:—"My hon. Friend talked of damning the whole thing. Is it parliamentary?"

* The hon. the PRESIDENT:—"If I understood him aright, he said that the hon. Member for Coimbatore has damned the proposition."

* Sriman BISWANATH DAS Mahasayo:—"I thank you very much, Sir, for having followed me and thus saved me from an apology which would otherwise be necessary. That being the position, I think the Government is least justified in coming forward for a grant of this sort. I think it is for this House and the hon. Members to teach them just to follow the laws that have been enacted by this hon. House and to follow the instructions that have been issued by Government by their predecessors in office. So, I think Government have not been fair to themselves, they have not been fair to the members of this House, nor have they been fair to the labourers about whom so much has been said, because laden animals have to pay double fares. So I think the Government have done the least justice in this matter, and the only reply this House could give is to vote down the grant. With these words, I very strongly support the amendment."

Mr. J. A. SALDANHA:—"Mr. President, I rise to protest and protest strongly against this whole grant. The Habib-ul-lah Committee and the Roads Committee held last year at Delhi have enunciated a clear policy in the matter of Government taking over roads or making grants to local boards. Their recommendations are before us. We have got a very serious grievance in our district, and I am sure other members from South Kanara will join me."

* The hon. the PRESIDENT:—"The hon. Member may vote against the grant if he has got a grievance regarding his own district. But I do not think he will be justified in straying outside the scope of this motion to describe the conditions of his own district. The Council will now adjourn."

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

VI

PAPERS LAID ON THE TABLE.

1. G.O. No. 995, Development, dated the 10th June 1929, recording the audit report of the Kerala Soap Institute, Calicut, for the quarter ending 30th September 1928.
2. G.O. No. 1012, Development, dated 14th June 1929, recording the audit report of the Fruit Preserving Institute for the periods ending 31st March 1928 and 31st December 1928.
3. G.O. No. 1316, Law and Education Department, dated 28th June 1929, recording the report of the Madras University Inspection Commission.

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

1, 2 and 3 printed separately.

[9th August 1929]

APPENDIX I.

[Vide answer to question No. 152 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 9th August 1929, page 351 supra.]

Statement showing the number of candidates admitted into the Agricultural College from each district in the Presidency in 1927, 1928 and 1929.

District.	1927.	1928.	1929.
(1)	(2)	(3)	(4)
1. Ganjam	1	1	2
2. Vizagapatnam	2	3	2
3. East Godavari	4*	2	1
4. West Godavari	1	1	1
5. Kistna	Nil.	Nil.	† Nil.
6. Guntur	..	..	2
7. Nellore	..	1	2
8. Bellary	1	..	1
9. Kurnool	..	..	3
10. Cuddapah	..	2	1
11. Anantapur	2	1	1
12. Chittoor	Nil.	2	2
13. Madras	3	2	..
14. Chingleput	1	4	..
15. North Arcot	Nil.	Nil.	1
16. South Arcot	1	Nil.	1
17. Tanjore	1	1	3
18. Trichinopoly	Nil.	1	4
19. Madura	2	1	1
20. Ramnad	1	1	1
21. Tinnevely	2	3	3
22. Malabar	7	5	5
23. South Kanara	3	2	2
24. Coimbatore	5	5	4
25. Salem	2	1	3
26. The Nilgiris	Nil.	1	Nil.
27. Cochin	1	Nil.	Nil.
28. Bangalore	1	Nil.	Nil.
29. Coorg	Nil.	1	Nil.
Total ..	41	41	† 46

* Only one joined though two were selected.

† One student was selected but did not join.

‡ Only 46 students joined though 48 were selected.

9th August 1929]

APPENDIX II.

[Vide answer to question No. 155 asked by Mr. A. Ranganatha Mudaliyar at the meeting of the Legislative Council held on the 9th August 1929, page 354 supra.]

Appendix A.

Summary of the further action taken on the recommendations of the Special Officer in his reports on the survey of cottage industries in the Kurnool, Cuddapah, Bellary, Anantapur, Trichinopoly, Madura, Ramnad and Tinnevely districts.

KURNOOL.

Grass mat industry.—The Director of Industries has since notified the mat makers through the Collector of Kurnool that there is no objection to the free removal of reeds from unreserves and that headloads of grass can be removed from forest reserves free of seigniorage fees.

Bamboo industry.—As regards the provision of instruction to Madars, the Director of Industries is enquiring as to whether qualified instructors will be available and whether fancy articles are made in other parts of India. On the question of forming co-operative societies for the Madars, the Registrar of Co-operative Societies has reported that there is already a credit society in Kurnool, but the members are not using the credit facilities provided by it. It is not possible to organize more credit societies, as the central bank cannot be induced to finance the workers who have no security and who are already deep in debt. Sale societies cannot also be organized as the margin of profit will not be sufficient to meet expenses of management.

Slate industry.—The report referred to in the answer to question No. 1339 has since been received. This report will soon be published and the Director has further been asked to depute Mr. Fyfe, the Inspector of Industrial Schools, to visit local centres where this industry is carried on, with a view to some definite action being taken in consultation with those engaged in the industry. It is reported that the Inspector will shortly visit Markapur to find out the possibilities of adopting some of the improved appliances seen by him in the United Kingdom. He will study the market for the products, the availability of wood and other raw materials, the question of transport and the effect of railway freight both on the carriage of raw materials and of finished articles, the financial or other assistance required by the industry and suggest definite measures for a proper development of the industry. Mr. Fyfe has investigated the possible alternative sources of timber supply. As it has been suggested that prepared timber could be supplied from the West Coast, the Director has taken up with the Railway authorities the question of freight on such prepared timber.

BELLARY.

Cotton and silk dyeing and carpet weaving.—Attempts to bring the weavers at Adoni, a big weaving centre, into a society for the joint purchase of dyes or yarn have failed, owing to the opposition of master weavers and merchants. The dye merchants would not also combine themselves into a society, owing to jealousy. In the circumstances, the Government do not consider that anything can be done now to help this industry on co-operative lines.

[9th August 1929]

Cotton patty or screen industry.—It is found impossible to form a co-operative society for the workers engaged in this industry. A credit co-operative society already working at Tekkalakota has refused to admit the workers who are also unwilling to join the existing society, but want a society exclusively for their benefit. The Central Bank, Hospet, would not, however, finance any society organized exclusively for them.

Bangle industry.—The Director of Industries has since reported that quotations for block glass of the varieties required by the bangle makers have been obtained and that he has addressed the Railway administration in regard to freight rates for the carrying of block glass. On receipt of the information, it will be communicated to the bangle makers.

CUDDAPAH.

Palmyra industry.—The Director proposes to undertake certain experiments in the manufacture of palmyra baskets, etc., at Idupulapaya which he considers the most suitable centre, where local assistance is forthcoming. Steps are being taken to secure the services of skilled workers in palmyra products from Travancore and the Director of Industries, Travancore, has been addressed in the matter.

ANANTAPUR.

Paper industry.—The Government have sanctioned the conduct of some experiments for improving and cheapening the methods of manufacture of paper on the lines suggested by the Leather Research Chemist who specially investigated this industry with reference to the Special Officer's suggestions.

MADURA, RAMNAD, TRICHINOPOLY AND TINNEVELLY DISTRICTS.

Kora mat industry.—A co-operative society has been started for mat makers at Trichinopoly and another will be started at Pattamadai in the Tinnevelly district.

Coir industry.—The Registrar of Co-operative Societies has reported that a society for the workers engaged in this industry at Anjengo will be formed, as soon as a Deputy Registrar is posted to Tinnevelly.

Palmyra industry.—The question of forming co-operative societies to aid the workers engaged in the jaggery industry will be investigated by the Co-operative Department.

Bamboo basket industry.—A co-operative society for this industry has been organized at Tiruvanaikoil in the Trichinopoly district.

Sunn hemp and aloe fibre industry.—The Government have issued instructions to the Director of Agriculture to arrange to demonstrate to the people engaged in raising this crop the means by which the pests attacking the crop may be controlled.

Tobacco industry.—The Government have instructed the Director of Agriculture to ascertain from firms interested in the industry what type of tobacco would be suitable for their purpose with a view to improving the crop grown locally. He has also been asked to supply seeds to the ryots and to instruct them on the improved methods of raising the crop. The Director of Industries has been asked to ascertain from cigar manufacturers whether they would pay premia and give advances to cultivators for raising Virginia and Pusa varieties of tobacco.

[8th August 1929]

The Forest department is paying attention to the improvement of the supply of leaves for beedi manufacture.

Woolen blanket industry.—With reference to this industry in the Kulitalai taluk of the Trichinopoly district, the Special Officer has reported that the threads are warped and sized with tamarind seed paste and woven on a loom quite primitive in kind. The Director of Industries has been asked to report whether anything could be done to improve the loom now used.

Manufacture of fish nets.—The Government have sanctioned the installation of a modern type of fish net making machinery in the Government Textile Institute, Madras. After this machine is installed and worked, the question of evolving a cheaper model will be considered. The Government have also asked the Director of Industries to report, in consultation with the Director of Fisheries whether anything could be done to shorten the process of preparation of fishing nets in the southern districts and to devise any other measures designed to expedite production and cheapen the cost.

Hosiery.—The Government have asked the Director of Industries to work out a suitable system by which textile appliances could be sold to workers on easy terms.

Lemon grass oil.—The Director of Industries has been asked to ascertain whether the grass is available in sufficient quantities and to report on the steps necessary to introduce portable stills for the distillation of oil. Preliminary enquiries made by him indicate that the grass is available in large quantities in the forests near Thirukarangudi, Nanguneri taluk, and the matter is being investigated.

Plantain fibre industry.—The Government have suggested to the Director of Industries that the weaving parties may be asked to explain to the workers in the Trichinopoly and Tinnevelly districts, while on tour, the possibilities of extracting plantain fibre with the help of simple machines and to bring to their notice the existence of such machines.

Gold and silver lace thread industry.—The Government have suggested to the Director of Industries that propaganda might be undertaken to inform the people engaged in this industry that they could apply to Government for any help they require under the State Aid to Industries Act.

Appendix B.

Summary of action taken on the recommendations of the Special Officer in his report on the survey of cottage industries in the districts of Malabar, South Kanara and the Nilgiris and in Guntur.

Coconut fibre industry.—The Government have sanctioned proposals for conducting certain experiments at Toppaturai in the Tanjore district in coir preparation with the aid of husk crushing machinery and water circulating tanks. When these experiments are completed and successful results secured, steps will be taken to popularize the new methods in the coir producing areas of the west coast. The Director of Industries has also been asked to take steps to introduce machinery of the type used in Travancore and also to afford help for the manufacture of ropes, mats, etc., in the district itself.

Bamboo mats.—The question of starting a co-operative society at Vadakancheri in the Palghat taluk is being investigated.

[9th August 1929]

Metal industry.—The workers engaged in this industry are involved in debt and the Registrar, Co-operative Societies, has reported that the question of organizing co-operative societies for their benefit will be investigated further.

Cabinet making.—The Registrar, Co-operative Societies, has proposed to examine the feasibility of forming co-operative societies for this industry.

Umbrella manufacture.—The Assistant Director (Textiles) has been asked to report whether the cloth required for manufacturing umbrellas cannot be made on hand looms with imported yarn.

Manufacture of soaps.—The Director of Industries has been asked to report whether the staff of the Kerala Soap Institute could be deputed occasionally to visit soap manufacturing centres to explain to the people the proper methods of making soap and the evil results of adulteration.

Fish oil manufacture.—The question of improving the lot of the workers engaged in this industry will be considered in connexion with the recommendations of the Fisheries Committee.

Rattan industry.—The Government have asked the Inspector-General of Prisons to report whether the local rattan could not be utilised in the production of rattan articles by the convicts in the Central Jail at Cannanore.

Cap-making.—The Director of Industries has been asked to report what facilities there are for forming co-operative societies for the development of this industry.

Basket-making—The Nilgiris.—The question of introducing bamboo basket industry among the Kurumas and of supplying them with bamboos easily is being examined by the Director of Industries. The Chief Conservator of Forests does not consider it possible to supply bamboos on the Nilgiris plateau on easy terms as it is the cost of transport and not that of the raw produce that makes basket making in the plateau uneconomic. He states that supplies of baskets are readily obtained from the low country. There seems to be no scope for the development of this industry on the hills.

GUNTUR DISTRICT.

The Collectors of Nellore and Kurnool have been asked to consider the suggestion of the Special Officer regarding the grant of permission for free removal of reeds required for the mat industry.

APPENDIX III.

[Vide answer to question No. 163 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 9th August 1929, page 361 supra.]

G.O. No. 1373. P.H., dated 31st May 1929.

In 1923, on the recommendation of the Medical and Public Health Retrenchment Committee, the Government sanctioned the appointment of selected private medical practitioners as honorary surgeons or physicians to the Government medical institutions in Madras City. The honorary officers so appointed were supernumerary to the paid staff and each officer was

[9th August 1929]

placed in charge of a certain number of beds in the hospital to which he was attached. The system has been in force for over five years and from the reports obtained from the Superintendents of the hospitals the Government consider that it has worked satisfactorily. They have accordingly in consultation with the Surgeon-General decided to extend the system to the mufassal hospitals and are pleased to pass the following orders.

2. Honorary surgeons and physicians will now be appointed to all Government hospitals so far as suitable persons are available, and no distinction will be made in this respect between hospitals which are used for teaching medical students and hospitals which are not so used. The honorary officers should be supernumerary to the paid staff, as at present, and wherever practicable, they should be placed in independent charge of special departments, such as the eye, the ear, nose and throat, the radiological or venereal diseases department, and given free scope to work up successful clinics. In the larger hospitals, each honorary surgeon or physician should have the charge of a specified number of beds with an assistant to help him, who may also be an honorary worker. The designation and status of the honorary officers will vary according to their qualifications and standing in the profession and the nature of the work entrusted to them.

3. The rules framed by the Government to regulate the appointment of honorary officers have been revised and a copy of the revised rules is appended to this order.

4. The Government desire that immediate steps should be taken to give effect to the extension of the system and that honorary officers should be appointed in as many hospitals as possible by the 1st July 1929. The Surgeon-General is requested to direct all District Medical Officers and Superintendents of headquarter hospitals to submit all applications for the appointment of honorary officers received by them with their recommendations as early as possible. The proposals relating to all districts and to hospitals in Madras City should be consolidated and submitted to the Government, with the Surgeon-General's remarks, not later than the 20th June 1929.

5. Medical practitioners who wish their names to be considered for honorary appointments should forward their applications direct to the Superintendents of the hospitals in which they desire to be employed.

(By order of the Government, Ministry of Public Health)

HILTON BROWN,
Secretary to Government.

To the Surgeon-General, Madras.
" Secretary, South Indian Medical Union.
Editors' Table.

[9th August 1929]

*Annexure.**Rules relating to the appointment of Honorary Medical Officers in Government hospitals in the Madras Presidency.*

Honorary medical officers will be appointed to all Government hospitals in Madras City and to all district headquarter hospitals. Appointments will be made by the Government on the recommendation of the Surgeon-General. The honorary officers in Madras City will be liable to transfer from one institution to another at the discretion of the Government. The appointments will be terminable by three months' notice in writing on either side.

2. *Designation.*—Honorary officers will be designated as follows:—

Honorary Assistant Surgeon,
 „ Physician,
 „ Surgeon,
 „ Ophthalmic Surgeon,
 „ Otolaryngologist,
 „ Pathologist, etc., etc.

The designation of each honorary officer will depend on his academic qualifications and standing in the profession and on the nature of the duties assigned to him.

3. *Qualifications.*—Candidates for appointment should have medical qualifications registrable in the United Kingdom or equivalent qualifications and should produce evidence of being specially qualified for the work to be entrusted to them. The age-limit for appointment is fixed at 55 years, but this condition may be relaxed by the Government in exceptional cases.

4. *Duties.*—Honorary officers should conform to the rules in force in the hospital in which they are working as far as they relate to the care of patients.

5. A specified number of beds for surgical or medical cases will be allotted to each honorary surgeon or physician who will be entirely responsible for the treatment and care of the patients in his charge. On the day or days fixed as admission days for the particular ward in charge of each honorary officer, he will be expected to attend at the hospital during the recognized working hours. He will also visit the patients in his charge daily or more than once daily should that be necessary and answer all emergent calls relating to these patients. In the case of teaching institutions the honorary officers shall be present at the respective hospitals on such days and at such hours as may be necessary for the proper instruction of the students—vide rule 10.

6. In the case of large hospitals, the honorary surgeon or physician will be given an assistant to help him, who may also be an honorary worker.

7. Honorary officers with special qualifications will, as far as practicable, be placed in independent charge of special departments, e.g., (i) eye, (ii) ear, nose and throat, (iii) radiology, (iv) venereal diseases, etc., and given full scope to work up successful clinics.

8. Honorary assistant surgeons will perform such duties as may be assigned to them by the Superintendents of the hospitals.

9th August 1929]

9. If for any reason they are unable to attend during hospital hours, they should inform the Superintendent in time to enable the Superintendent to arrange for their work.

10. In the hospitals which form training grounds for medical students, the honorary officers will be responsible for imparting clinical instruction to students in connexion with the beds in their charge in accordance with such plans as may be laid down by the professor in charge of the medical or surgical unit or by the Superintendent of the hospital.

11. Honorary officers will issue the necessary certificates for patients under their treatment, but shall not, except at the special request of the Superintendent or in his absence of the senior medical officer in charge, deal with any ward cases other than those assigned to them or with cases arising in the out-patient department or with the other miscellaneous work of the hospitals.

12. *General rules.*—Honorary officers will be allowed the use of the respective hospital libraries and, in the case of teaching institutions, of the libraries of the college or school attached to them.

13. They must abide by the Government rules in force in regard to the acceptance of fees from patients by the staff of the hospital.

14. The entire management and control of the hospitals and the discipline of the staff are vested in the respective Superintendents. Honorary officers will be expected to observe all rules in force or issued from time to time and to report all instances of neglect or inattention or other breaches of discipline relating to their wards to the Superintendents who will deal with them. They may freely consult the Superintendents on any points in respect of which they consider the rules to admit of improvement but must abide by any decision the latter may arrive at.

The Superintendents will at the same time be instructed to give the fullest possible scope to the honorary workers and thus make the scheme a success.

APPENDIX IV.

[9th August 1929]

[Vide answer to question No. 171 asked by Mr. T. Adinarayana Chettiyar at the meeting of the Legislative Council held on the 9th August 1929, page 365 supra.]

*Letter from the President, District Board, Tanjore, R C. No. 2451
Eng. of 1929, dated the 30th July 1929.*

[Management of chattrams—Tanjore District Board.]

Adverting to Government Memorandum calling for a statement showing the several classes of endowments made by the Tanjore Rajas, the purposes for which the endowments were made, etc. I have the honour to submit herewith a statement as required and to state briefly as follows:—

(i) *Classes of endowments.*—Between the years 1743 and 1837, the Mahratta rulers of Tanjore established a number of chattrams as detailed

1. Muktabalpuram.
2. Vennar.
3. Sreyas.
4. Kanji house.
5. Rajakumaraboi.
6. Sydambalpuram.
7. Nadar.
8. Panchanadamohanambalpuram.
9. Sulakshanambalpuram.
10. Droupadambalpuram.
11. Yemunambalpuram.
12. Mahadevapatnam.
13. Sakvarambalpuram.
14. Rajasambalpuram.
15. Kalyanamahal.
16. Malliam.
17. Mohanambalpuram.
18. Rajakumarambalpuram.
19. Rameswaram.
20. Sethukarai.
21. Kasangolam (Pattukkottai).

in the margin mainly for the convenience of the pilgrims going to Rameswaram. They were intended for the feeding of all pilgrims without any distinction whatsoever. Most of these chattrams were named after the ladies of the palace, e.g., a mother, wife or sister or a favourite of some Rajas' seraglio, and are situated within the Tanjore district itself except those at Rameswaram and Sethukarai. The chattrams at Sydambalpuram and Surakottai were amalgamated in 1907 since they lie within a mile of each other, the object of the amalgamation being to concentrate the staff and prevent unnecessary expenditure.

All these institutions except the one at Pattukkottai are more or less adequately endowed. In a few cases the endowments are paid by the Government in the form of money allowances. The endowments in land comprises 76 entire inam villages, 11 shrotriyams and 31 scattered tracts of land, besides topes and gardens. Kalyanamahal chattram at Tiruvadi which was formerly under the management of the Tanjore Taluk Board was subsequently transferred to the district board from 1st April 1908. The lands attached to this chattram are situated in seven ryotwari villages around Tiruvadi.

(ii) *The purpose of the endowments.*—There are no documents expressly defining the object of the Rajas' charities. A letter addressed by Raja Sarabhoji to the British Resident in 1801 may be taken to suggest the original intention of the donors with regard to these charities. Their main scope seems to feed and otherwise help pilgrims to Rameswaram. In practice, however, they have never been so restricted. Schools for the poor were opened at the early part of the last century, and medicines were distributed to the sick.

(iii) *The average annual income of each endowment.*—The income of these endowments as was stated above is mainly derived from the lands attached to the chattrams. In a few cases the endowments are paid by the

[9th August 1929]

Government in the form of money allowances. From the details furnished in the margin it may be seen that a sum of Rs. 11,368-5-7 with slight variation is being received from this source. The other chief sources of income are the interest from investments and the fees derived from the chattram markets at Orattanadu, Pattukkottai, Arantangi and Mimisal.

Money allowances due from Government during each year.		Amount due.		
Name of the chattram.		Rs.	A.	P.
1. Vennar	..	4,200	0	0
2. Sreyas	..	3,500	0	0
3. Rajakumaraboi	..	1,650	0	0
4. Motanambalpuram ..	..	310	0	0
5. Sulakshanambalpuram ..	..	70	0	0
6. Droupadambalpuram ..	..	70	0	0
7. Rajakumarambalpuram ..	..	70	0	0
8. Rameswaram	..	1,498	5	7
Total		11,368	5	7

NOTE.—Nos. 4 to 7 vary every year as they are grants for schools and dispensaries.

In the statement enclosed the average income that accrued to each endowment for the past five faslis ending with fasli 1337, is given. Besides the total annual average income of Rs. 3,61,002 derived from all sources in respect of all these chattrams grain collection also to an aggregate of 18,944 kalams has been made annually during those faslis.

(iv) *Purpose for which the incomes are now used.*—Though the endowments for each institution are distinct and have been separately settled, they have never been kept distinct for purposes of expenditure, nor as it ever been the practice to reserve the funds of any one chattram for its own exclusive benefit. There is no reliable information to show how the Raja himself treated these funds. Mr. Cadell, a former Collector of this district, made a strong representation to the Board of Revenue in May 1864, that the funds of each institution should be kept separate but the Board did not agree with his views. The objects to which the funds are now devoted are—

(i) Distribution of either cooked food or raw rice and condiments to bona fide travellers.

(ii) Feeding poor, infirm or aged persons, who cannot earn their living and have nobody to support them and also payment of rice and cash allowances monthly to poor and helpless people.

(iii) Maintenance of free boarding schools where poor boys and girls (including orphans) are taught in English or in the vernacular of the district.

(iv) Maintenance of hospitals and dispensaries attached to some of the chattrams.

(v) Maintenance of markets at Orattanadu, Pattukkottai, Arantangi and Mimisal.

(vi) Maintenance of irrigation sources in chattram estate in good repair.

(vii) Maintenance of choultries and rest-houses in good order.

Towards the fulfilment of the above objects feeding is conducted in almost all the chattrams though the maximum number to be fed at any chattram is fixed and the expenditure incurred under this item alone during 1928-29 is Rs. 2,00,666 inclusive of the feeding of the boarders in the various boarding houses. A High school is maintained at Orattanadu and a Secondary school at Rajamadam. Higher education both in Sanskrit and Tamil is imparted in the Sanskrit College maintained by the Board at Tiruvadi. Besides these institutions two elementary schools are maintained, one at Tanjore for the benefit of the poor Mahratta boys of the locality and the other a girls' school at Nidamangalam. Education in all these five institutions is free and there are free boarding houses also in all the places

[9th August 1929]

except at Tanjore. At Tanjore a boarding house for the sole benefit of the Adi-Dravida students has been established. The amount spent under education is Rs. 52,255 during 1928-29. This amount excludes feeding charges of the boarders.

By way of medical relief dispensaries are maintained from the chattram funds in the following five places: Tiruvadi, Nidamangalam, Orattanadu, Manamelkudi and Mimisal. Besides, a contribution of Rs. 15,100 annually is made to the provincial funds for the maintenance of the Government Headquarter Hospital at Tanjore. The total expenditure under medical relief during 1928-29 is Rs. 29,438.

Mohini allowance paid to certain temples from chattram funds.

Name of the chattram.	Amount paid.	In addition to these charities a money allowance of Rs. 9,593 as shown in the margin is being made annually from these endowment funds for the maintenance of some religious institutions that were once attached to the chattrams.
1. Muktabalpuram	Rs. 2,052 0 0	
2. Vennar	250 14 0	
3. Sreyas	20 0 0	
4. Rajakumaraboi	202 0 0	
5. Sydambalpuram	46 0 0	
6. Nadar	134 0 0	
7. Yemunambalpuram	180 0 0	
8. Mahadevapatnam	48 0 0	
9. Rajasambalpuram	480 0 0	
10. Sakwarambalpuram	260 0 0	
11. Mohanambalpuram	3,328 8 0	
12. Sulakshanambalpuram	1,720 0 0	
13. Droupadambalpuram	11 0 0	
14. Rajakumarambalpuram	881 0 0	
Total	9,593 8 0	

Statement showing the average income of each endowment made by the Tanjore Rajas under the management of Tanjore District Board.

Names of endowments.	Income cash.	Income grain.
	RS.	KALAMS.
1. Muktabalpuram	64,936	4,779
2. Vennar	4,762	...
3. Sreyas	6,610	...
4. Kanji house	1,167	...
5. Rajakumaraboi	6,367	147
6. Sydambalpuram	3,990	99
7. Nadar	774	33
8. Panchanadhamohanambalpuram	167	...
9. Sulakshanambalpuram	34,685	2,758
10. Droupadambalpuram	20,174	121
11. Yemunambalpuram	27,549	1,678
12. Mahadevapatnam	2,767	421
13. Sakwarambalpuram	22,028	2,281
14. Rajasambalpuram	8,667	939
15. Kalyaramahal	42,444	2,583
16. Malliam	1,738	121
17. Mohanambalpuram	73,014	2,126
18. Rajakumarambalpuram	30,924	858
19. Rameswaram	8,239	...
Grand total	3,61,602	18,944

[9th August 1929]

APPENDIX V.

[Vide answer to question No. 186 asked by Mr. T. Adinarayana Chettiyar at the meeting of the Legislative Council held on the 9th August 1929, page 376 supra.]

Copy of letter, L. Dis. No. 4791/29, dated 15th May 1929, from the Collector of North Arcot, Vellore, to the Secretary to Government, Development Department, Madras.

[Legislative Council Question—Rise in the price of fuel—Tiruvannamalai town.]

[Reference.—Government Memorandum No. 1011/1-19-1, dated the 27th March 1929.]

The price of fuel in Tiruvannamalai town has risen from Rs. 4-12-0 to Rs. 6-0-0 a cartload. The rise is due more to want of carts to bring firewood into the town depots than to want of coupes to work them and also to the brisk groundnut trade that is going on in the town where the cartmen get higher wages with less labour than by carrying fuel from the reserved forest. The rise in the prices which is not an unusual occurrence in the town is only temporary and will vanish soon after the groundnut trade ceases. The situation does not therefore demand any special attention. No casuarina fuel was ever sold in Tiruvannamalai town depots except during festival occasions and there is no demand for it from the people of the town. The Revenue Divisional Officer, Tiruvannamalai, reports that the coupes in Melpadur and Vadamathur Panchayat forests are proposed to be sold for fuel with effect from 1st July 1929 for the benefit of Tiruvannamalai town. The difficulty experienced, if any, will disappear when the felling in these coupes commences from 1st July 1929.

APPENDIX VI.

[Vide answer to question No. 194 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 9th August 1929, page 381 supra.]

Statement showing the establishments sanctioned for the Hydro-electric Development Department—Vide paragraph 3 of the answer to question No. 233.

GAZETTED.

One Chief Engineer.
One Executive Engineer, Civil Division.
One Executive Engineer, Electrical and Mechanical Division.
One Personal Assistant to the Chief Engineer.
One Officer in charge, Technical section.
One Field Engineer, Civil,
Do. Electrical.
Five Assistant Engineers.
One Resident Engineer, Glen Morgan Hydro-Electric Scheme.
Two Assistant Engineers for Glen Morgan Hydro-Electric Scheme.
One Assistant Electrical and Mechanical Engineer.

[9th August 1929]

NON-GAZETTED.

Twenty-two supervisors.	Eleven clerks.
Three electrical supervisors.	One storekeeper.
One chief draughtsman.	Four typists.
One structural draughtsman.	One attender.
Thirteen draughtsmen.	One sub-assistant surgeon.
Six tracers.	One compounder.
Two accountants.	One ward attendant.
Two office superintendents.	One daffadar.
One head clerk.	Sixty-seven peons.
One assistant electric engineer in charge of the Glen Morgan Installation.	To be appointed after the Glen Morgan Scheme comes into operation.
Three operators.	
One assistant operator and electrician.	
One line inspector.	
One clerk.	
Three peons.	

APPENDIX VII.

[Vide answer to question No. 198 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 9th August 1929, page 384 supra.]

Extract of paragraph 13 of the Government of India Resolution No. F. 829-1-22, dated the 3rd November 1923, republished at pages 1340-43 of the Fort St. George Gazette, dated 27th November 1923.

13. The Government of India accept the recommendations made in paragraph 17 and trust that Local Governments will give effect to them both in the letter and the spirit.

* * * * *

Paragraph 17 of the Arms Rules Committee's Report.

The question of a free issue of crop protection licences was raised by a number of witnesses. The evidence given by Crop protection licences, official witnesses goes to prove that crop protection licences are issued freely but in some cases conditions are imposed, such as annual production of evidence of the purpose for which the licence is required, before renewal is granted. We recommend the freer issue of such licences and particularly on applications by or recommendations of landlords who are well acquainted with the local conditions and the extent to which damage is done to crops by wild animals.

9th August 1929]

APPENDIX VIII.

[Vide answer to question No. 202 asked by M.R.Ry. Diwan Bahadur P. Kesava Pillai Avargal at the meeting of the Legislative Council held on the 9th August 1929, page 381 supra.]

District.	Taluka.	Number of Taluk Head Accountant-Magistrates.
Ganjam ...	Berhampur, Chatrapur and Aska ...	3
East Godavari ...	Bhadrachalam ...	1
Kistna ...	Nandigama ...	1
Guntur ...	Vinukonda ...	1
Nellore ...	Rapur, Udayagiri and Kanigiri ...	3
Cuddapah ...	Siddhavattam and Kamalapuram ...	2
Anantapur ...	Kalyandrug, Dharmavaram, Hindupur and Madakasira.	4
Kurnool ...	Nandikotkur, Dhone, Koilkuntla and Markapur.	4
Chittoor ...	Palmaner ...	1
Tanjore ...	Arantangi ...	1
Coimbatore ...	Tiruppur, Avanashi and Kollegal ...	3
The Nilgiris ...	Gudalur ...	1
Malabar ...	Wynad ...	1
Total ...		26

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Saturday, the 10th August 1929.

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

PRESENT:

Usman Sahib Bahadur, Kt., The hon. Khan Bahadur Sir Muhammad.	Kuppuswami, Mr. J.
Thomas Moir, M.C.I.F., C.S.I., I.C.S., The hon. Sir.	Leach, I.C.S., Mr. A. G.
Krishnan Nayar, The hon. Diwan Bahadur M.	Leach, Mr. A. J.
Campbell, C.S.I., C.I.E., O.B.E., V.D., I.C.S., The hon. Mr. A. Y. G.	Madhavan Nayar, Mr. K.
Subbarayan, The hon. Dr. P.	Maharaja of Jeypore.
Muthiah Mudaliyar, The hon. Mr. S.	Maharaja of Pithapuram.
Seturathnam Ayyar, The hon. Mr. M. R.	Maharaja of Venkatagiri.
Abdul Hameed Khan Sahib Bahadur.	Mahmud Schammad Sahib Bahadur.
Abdul Hye Sahib Bahadur, K.	Mallayya, Dr. B. S.
Abdul Razaack Sahib Bahadur, Khan Bahadur S. K.	Manikkavelu Nayakar, Mr. M. A.
Abdul Wahab Sahib Bahadur, Munshi.	Moidoo Sahib Bahadur, Khan Sahib T. M.
Achuthan, Mr. A.	Muniswami Nayudu, Rao Bahadur B.
Adinarayana Chettiyar, Mr. T.	Muniswami Pillai, Mr. V. I.
Ahmed Miran Sahib Bahadur.	Muppil Nayar of Kavalappara alias Kumaran Raman, Mr.
Anjaneyulu, Mr. P.	Muruzappa Chettiyar, Diwan Bahadur A. M. M.
Appava Chettiyar, Mr. C. D.	Muthulakshmi Reddi, Dr. (Mrs.) S.
Ari Gowder, Mr. H. B.	Muthuranga Mudaliyar, Mr. C. N.
Arogyaswami Mudaliyar, Diwan Bahadur R. N.	Nagan Gowda, Mr. R.
Arpudaswami Udayar, Mr. S.	Nanjappa Bahadur, Subadar-Major S. A.
Basheer Ahmad Sayeed Sahib Bahadur.	Narayana Raju, Mr. D.
Bhanoji Rao, Mr. A. V.	Narayana Rao, Mr. Mothay.
Bheemayya, Mr. J.	Narayanawami Pillai, Mr. T. M.
Biswanath Das Mahasayo, Sriman.	Obi Reddi, Mr. C.
Chidambaranatha Mudaliyar, Mr. T. K.	Parasurama Rao Pantulu, Mr. A.
Cotterell, C.I.E., I.C.S., Mr. C. B.	Parthasarathi Ayyangar, Mr. C. R.
Dorai Raja, Mr. S. N.	Patro, Kt., Rao Bahadur Sir A. P.
Ellappa Chettiyar, Rao Bahadur S.	Premayya, Mr. G. R.
Ethirajulu Nayudu, Diwan Bahadur P. C.	Raja of Kallikota.
Foulkes, Mr. R.	Rajan, Mr. P. T.
Gangadhara Siva, Mr. M. V.	Ramachandra Reddi, Mr. B.
Gnanavaram Pillai, Mr. P. J.	Ramamurthi, I.C.S., Mr. S. V.
Gopala Menon, Mr. C.	Raman Menon, Mr. K. P.
Govindaraja Mudaliyar, Mr. C. S.	Ramanath Goenka, Mr.
Gray, C.B.E., I.C.S., Mr. J.	Ramasomayajulu, Mr. C.
Harisarvottama Rao, Mr. G.	Ramjee Rao, Mr. V.
Hearson, Mr. H. F. P.	Ramaswami Ayyar, Mr. U.
Hilton Brown, I.C.S., Mr.	Ranganatha Mudaliyar, Mr. A.
James, Mr. F. E.	Ratnasabhapatil Mudaliyar, Rao Bahadur C. S.
John, Mr. V. Ch.	Robertson, Mr. R. J. C.
Kaleswara Rao, Mr. A.	Saldanha, Mr. J. A.
Karant, Mr. K. R.	Sami Venkatasahalam Chetti, Mr.
Kesava Pillai, C.I.E., Diwan Bahadur P.	Sankaran Unni, Mr. E.
Khadir Mohidin Sahib Bahadur, Muhammad.	Satyamurti, Mr. S.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.	Shetty, Mr. A. B.
Koti Reddi, Mr. K.	Siva Raj, Mr. N.
Krishnan, Mr. K.	Siva Rao, Mr. P.
Krishnaswami Ayyar, Mr. Alladi.	Sivasubrahmanya Ayyar, Mr. K. S.
Krishnaswami Nayakar, Mr. K. V.	Soundarapandian, Mr. W. P. A.
	Srinivasan, Rao Sahib R.
	Subrahmanya Moopanar, Mr. S.
	Swami, Mr. K. V. R.

[10th August 1929]

PRESENT—cont.

Tajudin Sahib Bahadur, Syed.
Thomas, Mr. D.
Uppi Sahib Bahadur, Mr. K.
Vanavudaiya Gounder, Mr. S. V.
Venkatapati Raju, Mr. P. C.
Venkataramana Ayyangar, Mr. C. V.
Venkatarangam Nayudu, Mr. C.

Venkataratnam, Mr. B.
Venkiah, Mr. S.
Watson, I.C.S., Mr. H. A.
Wood, Mr. O. R.
Zamindar of Mirsapuram.
Zamindar of Seithur.
Zamindar of Singampatti.

I

NEW MEMBERS.

The following Special Members took the prescribed oath of allegiance to the Crown and took their seats :—

1. M.R.Ry. E. Sankaran Unni Avargal.
2. „ A. Atchuthan Avargal.

II

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Labour

Action taken on the recommendations of the Unemployment Committee.

* 203 Q.—Mr. A. B. SHETTY: Will the hon. the Home Member be pleased to state whether the Government have decided to take any action on the recommendations of the Unemployment Committee?

A.—The Committee's recommendations are still under consideration.

Mr. A. B. SHETTY :—“ May I draw the attention of the hon. Member to the answer he gave in reply to a question on 26th February last promising to pass early orders on this matter ? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ The recommendations of the Committee pertain to the development of the Education Department and unless and until they complete the consideration of the subject and send the papers to me, it would not be possible to pass any orders. But the consideration of the subject is in the hands of my hon. Colleagues, the Minister for Development and the Minister for Education.”

Police

Officers empowered to order police espionage of political workers.

* 204 Q.—Mr. A. RANGANATHA MUDALIYAR: With reference to the answer to the last supplemental question to question No. 1659 answered on 2nd March 1929, will the hon. the Home Member be pleased to state whether any, and, if so, which officers and of what grade are empowered to order police espionage of political workers, without obtaining the previous orders of the Government?

[10th August 1929]

A.—It is the duty of officers in charge of police stations to place under surveillance any suspected person, whether he be suspected of intentions to subvert the established order of Government or to commit any other offence against law and order. The responsibility for the continuance or removal of such surveillance rests with the District Superintendent of Police.

Mr. A. RANGANATHA MUDALIYAR :—“ May I ask whether the expression ‘ officers in charge of police stations ’ includes head constables and constables ? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ Generally sub-inspectors are in charge of police stations.”

Mr. A. RANGANATHA MUDALIYAR :—“ I know, but I am asking whether head constables or constables in charge of police stations come under this term ? ”

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

Mr. A. RANGANATHA MUDALIYAR :—“ It is said that the responsibility for the continuance or removal of such surveillance rests with the District Superintendent of Police. Am I to understand that the officer in charge of a police station places a person under surveillance and reports to that effect to the District Superintendent of Police and that such surveillance is subject to his approval ? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ Yes, Sir.”

Mr. G. HARISARVOTTAMA RAO :—“ May I know whether it is not a fact that when once a man is kept under surveillance, he cannot be removed from such surveillance for two years even by the District Superintendent of Police ? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ I must ask for notice.”

Mr. C. RAMASOMAYAJULU :—“ May I know whether the Government will be pleased to more clearly define the expression ‘ subvert the established order of Government ’ ? May I know if criticism of the existing system of Government with the object of . . . ”

The hon. the PRESIDENT :—“ That is asking for an opinion.”

Mr. A. RANGANATHA MUDALIYAR :—“ May I know who ordered the surveillance of the members of the Godavari and Kistna Economic Enquiry Committee ? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ I must ask for notice.”

Mr. G. HARISARVOTTAMA RAO :—“ May I know if the members of the Economic Enquiry Committee are being shadowed ? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ I must ask for notice.”

[10th August 1929]

Religious disputes*Burial of Muslim dead bodies in Kudroli and Bokkapatna near dwelling houses.*

* 205 Q.—Mr. K. R. KARANT: Will the hon. the Home Member be pleased—

(i) to lay on the table the application made by one Guruva and other residents both Hindus and Christians of Kudroli and Bokkapatna in Mangalore town of South Kanara district to the District Magistrate of South Kanara district a few months ago complaining about the action of the Muhammadan residents in maliciously burying the dead bodies in close proximity to their dwelling houses and also blocking up their mamul pathway at Kudroli near the mosque;

(ii) to state

(a) whether the District Magistrate inspected the locality till 4th May 1929 the day on which the procession of the dead body of the fishermen community was obstructed near the said place on the public road and rioting took place; if so, when;

(b) whether this quarrel over the burial ground is one of the reasons that led up to the recent Hindu-Muslim riot; and

(c) whether the District Magistrate took any action on the said petition; if so, what; and if not, why not?

A.—(i) The petition* of Guruva and others is laid on the table.

(ii) (a) The District Magistrate on receipt of the petition called for a report from the Subdivisional Magistrate which was received on 7th May 1929. The District Magistrate himself inspected on that day.

(b) No.

(c) Yes. The District Magistrate made proposals to the Chairman, Municipal Council, Mangalore, for the opening of a new pathway along the western edge of the Muhammadan burial grounds and for shutting it off from the burial ground by a stone wall. These proposals were to have been considered by the Municipal Council on 29th July 1929 at a special meeting.

Mr. J. A. SALDANHA:—“May I enquire whether the petition referred to in clause (c) of this question was for the opening of a new pathway or for a wall to be built?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—“Notice.”

Civil Justice*Amount of process-fees levied in civil courts.*

* 206 Q.—Mr. J. A. SALDANHA: With reference to the observations made by the hon. the Law Member in his speech on 19th March 1929 during the last Budget debates as to the improvement of the status and increase of pay of process-servers, will the hon. the Law Member be pleased to place before the House a statement showing—

(a) the amount of process-fees as levied in civil courts in this Presidency, within the City of Madras and outside the city, and the expenditure in connexion with process service in the years 1927-28 and 1928-29; and

(b) the estimate for the year 1929-30

A.—The information has been called for.

* Printed as Appendix I on pages 570-571 infra.

[10th August 1929]

Criminal Justice*Action taken on Mr. Justice Waller's judgment in Mr. Collett's appeal.*

* 207 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Law Member be pleased to state with reference to the answers to question No. 1867-A answered on 25th March 1929, regarding Mr. Justice Waller's judgment in Mr. Collett's appeal—

(a) whether the Government called for the records and examined them;

(b) if the answer to (a) is in the positive what action has been taken in the matter; and

(c) if the answer to (b) is in the negative the reasons why no action was considered necessary?

A.—(a) Yes.

(b) & (c) The Government have the matter under consideration.

Mr. G. HARISARVOTTAMA RAO:—“May I know from the hon. the Law Member how long this matter has been under consideration?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“It has been under consideration till now.”

Mr. G. HARISARVOTTAMA RAO:—“Has it not been under consideration for the last five months?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“Ever since the observations were made in the judgment.”

Mr. G. HARISARVOTTAMA RAO:—“May I know how long they will take for completing the consideration of the matter?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“About five or six days more.”

Hydro-Electric Schemes*Encouragement to municipalities regarding electrification schemes.*

* 208 Q.—Dr. B. S. MALLAYYA: Will the hon. the Law Member be pleased to state whether the Government have definitely given up the idea of encouraging municipalities and local bodies to come forward with the electrification schemes of their own towns?

A.—No.

Village Courts Act*Proceedings of a meeting of the panchayat court members of the Kasaragod taluk.*

* 209 Q.—Mr. K. R. KARANT: Will the hon. the Law Member be pleased to state what action has been taken or is proposed to be taken on my letter, dated the 2nd October 1928, forwarding a copy of the proceedings of a meeting of the Panchayat Court members of the Kasaragod taluk of the district of South Kanara?

A.—The proposals referred to in the letter are under the consideration of the Government in consultation with the Board of Revenue.

[10th August 1929]

Issue of search warrant by a panchayat court in the case of thefts of property worth less than Rs. 10.

* 210 Q.—Mr. K. R. KARANT: Will the hon. the Law Member be pleased to state—

(a) whether in the case of thefts of property less than Rs. 10 in value a panchayat court has no jurisdiction or power to issue a search warrant and obtain possession of the stolen property;

(b) whether in such cases the Police, if required by the panchayat court, do not give the necessary assistance to the court; and

(c) whether Government propose to remedy the defect and see that the potail of the village or the president of the panchayat court is authorized to issue search warrants in such cases?

A.—(a) Village panchayat courts are not empowered to issue search warrants and obtain possession of stolen property.

(b) The Government have no information.

(c) The suggestion will be considered.

Assignment of Lands

Procedure in transferring possession of lands assigned to depressed classes.

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

(a) whether in the Bellary district when members of depressed classes express a desire to the Labour Officers who visit their village that they want any of the assessed or poramboke fields in the occupation of caste ryots as sivayijama cultivators, the Labour Officers get the caste ryots to vacate the said fields and transfer possession of the same to the concerned applicants from the depressed classes even before the necessary formalities required under the darkhast rules are gone through and regular assignments are made; and

(b) if so, the authority under which the Labour Officers try to effect the said transfer of possession?

A.—(a) & (b) The Government have not the information asked for. They have called for a report.

Mr. A. RANGANATHA MUDALIYAR:—"Sir, I just want to know whether a report has since been received."

The hon. Mr. A. Y. G. CAMPBELL:—"No, Sir."

Constitution of Districts

Proposed reamalgamation of Kistna and West Godavari districts.

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

(a) whether it is a fact that Government propose to reamalgamate the Kistna and West Godavari districts;

(b) if the answer is in the affirmative, at what stage the question stands;

(c) whether it is a fact that the Government have referred the question to the respective district Collectors for opinion and, if so, what the opinion received is?

[10th August 1929]

A.—(a), (b) & (c) There is no such proposal under the consideration of the Government.

Mr. A. KALESWARA RAO:—"May I know whether the Collectors of Kistna or West Godavari have recommended the amalgamation?"

The hon. Mr. A. Y. G. CAMPBELL:—"I did not catch the hon. Member's question."

Mr. A. KALESWARA RAO:—"May I know whether the Collectors of Kistna or West Godavari have written to the Government to the effect that the work is too light for each district and therefore the two districts should be amalgamated?"

The hon. Mr. A. Y. G. CAMPBELL:—"No such recommendation has reached the Government."

Floods

Damages by floods in the Presidency.

* 213 Q.—Mr. J. A. SALDANHA: Will the hon. the Member for Revenue be pleased to place before the Council a statement showing—

(a) the havoc caused by floods in several places in the Presidency in 1928-29 and in 1929 up to the end of July in the form of loss of human lives, loss of cattle, collapse of houses and damage to crops;

(b) the extent of charity relief afforded by Government or public bodies or by private individuals;

(c) the advances of money given by Government as loans for re-building houses, for removing silt from fields and repairing damages to crops caused by floods; and

(d) the remission of assessment that was made either wholly or partly?

A.—(a) A statement is attached.*

(b) *Floods in the East Godavari and Vizagapatam districts.*—The attention of the hon. Member is invited to the orders of the Government which were placed on the table of the House on 26th November 1928.

The Flood Relief Committee, Vizagapatam, spent a sum of Rs. 4,56. -8-1 on the supply of rice, cloths and house building materials. In addition, the Committee placed at the disposal of the Collector a sum of Rs. 2,000 for the provision of new house-sites. The East Godavari Central Flood Relief Committee also gave relief to persons affected by the floods by distributing cloths, blankets, implements, and so forth.

Floods in the West Godavari district.—A sum of Rs. 500 sanctioned by the Board of Revenue and a sum of Rs. 109 out of the Collector's discretionary grant were expended in relief.

Floods in the South Kanara district.—The Government are awaiting a further report from the Collector of the district.

Floods in the Malabar district.—The Collector reported on 24th July 1929 that there was no occasion for any special measures of relief. He had already requested the Board of Revenue to

[10th August 1929]

increase his allotment under "Discretionary Grants by Collectors" in order that he might be able to give help to destitute persons for rebuilding their houses.

(c) No such loans were sanctioned by the Government. Collectors are competent to grant loans under the "Land Improvements Loans Act, and the Agriculturists Loans Act."

(d) Remission is granted by Collectors in accordance with the rules on the subject. The Government have no information as to the amount of assessment remitted by the Collectors of the districts affected by the floods.

The attention of the hon. Member is in this connexion invited to G.O. No. 9, Revenue, dated 3rd January 1929 (which has been published) in which orders have been passed by the Government for the grant of remission in respect of lands in the Vizagapatam and East Godavari districts which have been covered with sand or otherwise rendered unfit for cultivation by the floods.

Mr. J. A. SALDANHA :—"May I know what amount has been sanctioned by the Collector or by the Government for the relief of distress in South Kanara?"

The hon. Mr. A. Y. G. CAMPBELL :—"The figures given in the answer to clause (b) includes the amount of relief afforded by the Government."

Irrigation

Re-examination of the gauge discharge results in regard to Duvvaleru.

* 214 Q.—Mr. G. HARISARVOTIAMA RAO : With reference to the answer to question No. 539 answered on 12th October 1928 will the hon. the Member for Revenue be pleased to state—

(a) whether the re-examination of gauge discharge results in regard to Duvvaleru is complete;

(b) whether the Superintending Engineer has examined the figures and submitted the preliminary report; and

(c) if so, what the report is?

A.—(a) The examination of the discharge results has been completed in the Chief Engineer's office.

(b) & (c) The Chief Engineer expects to receive the Superintending Engineer's report by the end of August 1929.

Extension of the benefit of the Mettur Irrigation work to the Salem, Coimbatore and Trichinopoly districts.

* 215 Q.—Mr. J. A. SALDANHA : Will the hon. the Member for Revenue be pleased to state what progress has been made

(a) in regard to the investigation of the proposals to extend the benefit of the Mettur Irrigation work to the Salem, Coimbatore and Trichinopoly districts and what action is being taken thereon; and

(b) in the irrigation work up to the end of June 1920?

10th August 1929]

A.—(a) The attention of the hon. Member is invited to the statement showing the action taken on Resolution No. 802 carried at the meeting of the Legislative Council on 29th November 1928 separately placed on the table of the House.

(b) The progress report for the quarter ending 30th June 1929 is awaited from the Engineer-in-Chief.

Public Service

Powers of Assistant Secretaries in the Secretariat regarding appointment and punishment of subordinates.

* 216 Q.—Mr. C. S. GOVINDARAJA MUDALIYAR : Will the hon. the Member for Revenue be pleased to state with reference to the answers given to clauses (b) and (c) of question 322 at the meeting of the Council held on 5th August 1921—

(a) why the powers of appointments, promotions and punishments of clerks and Superintendents in the Secretariat have been reserved to the Under Secretaries in all departments except Finance;

(b) whether the Government have ever considered the question of divesting the Assistant Secretary in any Secretariat, when recruited from the ranks of clerks or Superintendents, of the powers of appointment and promotion of clerks and Superintendents, if any, such powers are exercised by him with or without authority, express or implied; and

(c) whether it is not a fact that as a rule the Assistant Secretaries in the several departments of the Secretariat are recruited by promotion from the grade of Superintendents and whether there was any exception made in the recruitment of Assistant Secretaries in any of the departments from 1921 to 1928, and if so, when, for what reason and in which departments?

A.—(a), (b) & (c) The information is being collected.

Settlement

Progress of resurvey and resettlement in South Kanara.

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

(a) to what extent resurvey has been made in the district of South Kanara and to what further extent it is intended to be made in that district;

(b) to what extent, with what establishment and at what cost per mensem the resettlement of the district of South Kanara has been in operation;

(c) up to what amount on the average Government have decided to increase the land assessment in the same district; and

(d) whether Government propose to place before the Council the reports of the settlement operations in that district from time to time?

A.—(a) The resurvey of the coast villages of the old Kasaragod taluk (i.e., 97 villages in the present Kasaragod taluk, 25 villages in the present Mangalore taluk and 31 villages in the present Puttur taluk) has been completed. The resurvey of the Kumari villages is now in progress. No resurvey will be made in the rest of the district.

[10th August 1929]

- (b) As regards the work that has so far been done, reference is invited to the answer to question 78. During 1927-28 the average monthly cost of the establishment employed was Rs. 5,048. The Government have no later figures.
- (c) No decision has yet been made.
- (d) The question of laying the reports of the Settlement Officer on the table of the House will be considered as each occasion arises.

Proceedings of the conference of Revenue Members regarding revenue settlement.

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

(a) whether any reference has been made by the Government of India to the Local Government on the report of the Committee appointed by the Government of Bombay to enquire into the revenue resettlement of the Bardoli taluk;

(b) whether the hon. the then Revenue Member of this Government attended a Conference of Revenue Members of all Provincial Governments at Delhi to discuss the points raised in that report; and

(c) whether the Government of India have communicated to the Local Government the conclusions of the Conference and what action the Government have taken thereon?

A.—(a) No.

(b) & (c) The attention of the hon. Member is invited to the Press Communiqué, dated Simla, May 15, which was issued by the Government of India on this subject. The resolution there referred to has not yet been issued so far as this Government are aware.

Staff Selection Board

Selection of candidates by the Staff Selection Board.

* 219 Q.—Mr. K. R. KARANT: Will the hon. the Member for Revenue be pleased to state—

(a) whether there are any instructions issued by Government or whether any rules are made for the guidance of the Staff Selection Board in the discharge of their duties and, if so, what they are;

(b) what are the names recommended by the Board in the past one year for the various posts and which of them have been accepted by the Government;

(c) what are the principles which guide Government in rejecting or accepting the recommendations of the Board;

(d) how many sons or near relatives of the Members of the Legislative Council belonging to the Ministerialist Party and others, if any, have been recommended by the Board and which of them Government have accepted;

(e) what are the names of the said Members of Council;

(f) whether it is true that out of four persons selected for Deputy Tahsildar's post by the Board recently, two are sons of Ministerialist Legislative Council Members and who are the said Legislative Council Members; and

(g) whether Government have accepted the said recommendations; and, if so, for what reasons?

[10th August 1929]

A.—(a) No rules have been made; but the instructions issued by Government for the guidance of the Staff Selection Board in the discharge of their duties will be found in G.O. No. 70, Public, dated 6th April 1924, G.O. No. 493, Public, dated 18th May 1925, and paragraph 3 (e) of G.O. No. 775, Public, dated 15th August 1925. (These papers were placed on the table of the House respectively on 27th March 1924, 19th March 1926 and 1st March 1927.)

(b) The names of applicants recommended by the Staff Selection Board to Government for the posts of Deputy Tahsildars and Deputy Superintendents of Police are shown in the appendix.* The names of the candidates appointed by Government are marked with an asterisk.

(c) The Government have in no case rejected the recommendations of the Board.

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

(f) & (g) Two of the four persons appointed as Deputy Tahsildars in January 1929 are sons of Legislative Council Members (M.R.Ry. K. Krishnan Avargal and M.R.Ry. S. Arpudaswami Udaiyar Avargal). Of the eleven candidates recommended by the Staff Selection Board the Government selected the four whom they considered best fitted for the appointment.

Wild Animals

Applications by villagers in South Kanara for permission to hunt in reserved forests.

* 220 Q.—Mr. K. R. KARANT: Will the hon. the Member for Revenue be pleased to state—

(a) the number of applications made by the villagers in the years 1926, 1927 and 1928, respectively, for permission to hunt in the reserved forests in the district of South Kanara;

(b) the number of applications actually allowed; and

(c) the time that had elapsed between the date of the application and the date of the order in each case?

A.—(a), (b) & (c) The attention of the hon. Member is invited to the answer given to question 2015 at the meeting of the Legislative Council on the 27th March 1929. The Government have no further information on the subject.

Havoc done by wild animals in the villages of Albadi and Ajre in Coondapoor taluk.

* 221 Q.—Mr. K. R. KARANT: Will the hon. the Member for Revenue be pleased to state whether the Government have received the report—

(a) that in the village of Albadi (of Coondapoor taluk, South Kanara district), in about January last, a child was snatched by a tiger from its bed when the mother was sleeping by its side and was subsequently devoured; and

(b) that likewise in the village of Ajre of Coondapoor taluk a child was devoured by a tiger last year?

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

[10th August 1929]

Destruction of cattle and human beings by wild animals in South Kanara district.

* 222 Q.—Mr. J. A. SALDANHA: With reference to my question 1859 answered on 25th March 1929, will the hon. the Member for Revenue be pleased—

(i) to place a statement before this House showing the number of cattle and human beings destroyed by wild animals in the South Kanara district from the year 1925 to 1928, and.

(ii) to state

(a) what steps Government have till now taken or propose to take hereafter to decrease the ravages;

(b) the number of licences under the Arms Act that have been issued in those years;

(c) what facilities are provided for destroying wild animals; and

(d) what measures are taken to prevent their rush from the reserved forests into the open country?

A.—(i)—

Year.			Number of persons reported to have been killed by wild animals.	Number of cattle killed by wild animals.
1925	...	...	8	3,899
1926	...	...	Nil.	4,250
1927	...	...	Nil.	4,516
1928	...	...	3	Figures not available.

(ii) (a) The Government offer and grant rewards for the destruction of certain wild animals. The hon. Member's attention is invited to Board's Standing Order No. 196.

(b)—

Year.	Total number of licences issued.							
	In South Kanara.				In the Madras Presidency.			
	Form of the licence.				Form of the licence.			
	XVI	XVIII	XIX	XX	XVI	XVIII	XIX	XX
1925 ..	2,429	11	3,737	3	54,263	109	15,640	7
1926 ..	2,558	8	4,054	7	54,373	109	16,368	12
1927 ..	2,611	8	4,018	3	55,100	110	16,550	11
1928 ..	2,639	..	4,106	3	55,990	101	16,510	17

Notes.—Figures for licences in Form XVII are not available.

(c) & (d) Government have issued orders that in South Kanara general permission may be given to villagers to hunt wild animals in reserved forests during the months of July to January. In the same district villagers are also allowed to clear the undergrowth in all reserves adjoining cultivated lands, to a distance of 200 yards in coastal regions and half a mile in others.

[10th August 1929]

Mr. J. A. SALDANHA :—“ With reference to clauses (c) and (d) of this question, may I enquire, Sir, what facility or aid Government will give to the villagers to penetrate into the impenetrable forests for shooting wild animals ? ”

The hon. Mr. A. Y. G. CAMPBELL :—“ The villagers must clear a way for themselves, if necessary. ”

Mr. J. A. SALDANHA :—“ Of what use is a gun licence if the holders cannot enter the forests at all ? ”

The hon. Mr. A. Y. G. CAMPBELL :—“ This concession has been given as an experiment and, if the experiment fails, the concession will be withdrawn. ”

Education*Number of elementary schools inspected in each district and the amount of travelling allowance drawn by inspecting officers.*

* 223 Q.—Mr. K. R. KARANT: Will the hon. the Minister for Education and Local Self-Government be pleased to lay on the table a statement showing districtwar the number of elementary schools inspected and the amount of travelling allowance drawn by the various District Educational Officers of the province in each of the years 1927–28 and 1928–29 ?

A.—The Government do not consider that any useful purpose will be served by collecting the information which would involve considerable labour.

Mr. A. RANGANATHA MUDALIYAR :—“ May I ask if it is difficult to collect information regarding the travelling allowance drawn by the inspecting officers ? ”

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

** Fee concessions and scholarships to Adi-Dravidas and Adi-Andhras.*

* 224 Q.—Mr. J. A. SALDANHA: With reference to the recent budget debate on a out motion by Mr. D. Thomas in the Legislative Council (L.O.P. XLVIII, page 769) regarding fee concessions and scholarships to Adi-Dravidas and Adi-Andhras, will the hon. the Minister for Education and Local Self-Government be pleased—

(i) to place before the House a statement of the various orders passed during the last five years as to the rights of Indian Christian Adi-Dravidas and Adi-Andhras to scholarships and concessions in regard to school fees which are allowed to Adi-Dravidas and Adi-Andhras in general both before and after that debate; and

(ii) to state, with reference to the remarks in his speech in conclusion of the above-mentioned debate, whether any and what special scholarships and concession fees are granted to Indian Christians as a body ?

A.—Copies of the following Government Orders are placed on the table of the House :—

G.O. No. 855, Education, dated 19th May 1925,

„ 117, Law (General), dated 12th January 1926,

„ 1705, Education, dated 5th September 1927, and

„ 1015, Education, dated 10th May 1929.

No special concessions are admissible to Indian Christians as a body as they form one of the most educationally advanced communities.

[10th August 1929]

Stipends in Indian Training Schools to Indian Christian masters and mistresses.

* 225 Q.—Mr. J. A. SALDANHA: With reference to my question 1850, dated 26th March 1926 (L.C.P. XXIX, page 748), regarding stipends in Indian Training Schools to Indian Christian masters and mistresses, will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether any representations have been received by Government; and

(b) what orders have been passed thereon?

A.—(a) Yes.

(b) The Government do not consider that any alteration is called for in the rules regulating the grant of stipends.

Status of Indian Catholic secular clergy and Protestant pastors as secondary-grade teachers.

* 226 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Education and Local Self-Government be pleased to refer to the debates on my budget cut motion in March 1926 (L.C.P. XXIX, page 544), and my question 176, dated 1st March 1927 (L.C.P. XXXIV, page 51), regarding the status of Indian Catholic secular clergy and Protestant pastors as secondary-grade teachers, and state what action has been taken to give adequate status to Indian Catholic secular clergy and Protestant pastors as trained teachers, especially in view of the recent representation?

A.—The question whether members of the Indian Catholic secular clergy who have passed the Matriculation examination or completed the Secondary School-Leaving Certificate course can generally be recognized as trained teachers of the secondary grade was fully examined in 1926. As it was ascertained that the technical training of a teacher did not receive adequate recognition in the courses laid down for Seminaries, it was not considered desirable to grant a general recognition. The Director of Public Instruction was, however, authorized to consider individual cases of the Catholic clergy as they arose and grant recognition at his discretion. The cases of Protestant pastors will also be similarly dealt with by the Director. This information was communicated to the hon. Member in reply to his interpellation No. 176, dated 1st March 1927.

Conditions for grants to Indian orphanages.

* 227 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Education and Local Self-Government be pleased—

(i) to place before the Council the conditions under which grants for Indian orphanages are allowed; and

(ii) to state—

(a) what time has been fixed for the submission of applications for grants for 1929-30;

(b) whether the time fixed has been found too short;

(c) whether Government contemplate extending the time therefor;

[10th August 1929]

(d) how many applications for the grant have been received and for what total amount; and

(e) how many have been granted?

A.—(i) The hon. Member is referred to Chapter XI of the Grant-in-aid Code.

(ii) (a) Under rule 65 of the Grant-in-aid Code applications for boarding grants should be submitted to the Director of Public Instruction so as to reach him not later than the 1st August.

(b) & (c) The Government have not received any complaint that the time allowed for the submission of applications is too short.

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

Mr. S. SATYAMURTI:—"May I know if the Government will be pleased to call for the information with reference to clauses (d) and (e) of this question?"

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

Local Boards*Alleged delay in payment of salaries to schoolmasters in Kasaragod taluk.*

* 228 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 Kasaragod Taluk Board (South Kanara district) the pay of schoolmasters is not promptly given but is allowed to fall into arrears from time to time;

(b) whether in this matter all are not treated alike but some are paid early and others late; and

(c) whether Government propose to enquire into this matter and take steps to prevent such delays and discrimination and how?

A.—(a), (b) & (c) A report has been called for in the matter.

Approval of tenders by the Electrical Inspector to Government.

* 229 Q.—Dr. B. S. MALLAYYA: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that in G.O. Mis. No. 1342, Public Works and Labour, dated 27th September 1926, the Government laid down that in cases where qualified electrical engineers were employed by the local bodies to carry out the work, the Electrical Inspector to Government need not select or approve of the selection of tenders; and

(b) whether they have since then modified that Government Order in any way and if so, for what reasons?

A.—(a) Yes.

(b) Yes. G.O. No. 2013, L. & M., dated 30th April 1929, modifying the previous Government Order is laid on the table.*

[10th August 1929]

Dr. B. S. MALLAYYA :—" May I ask the hon. Minister for Education and Local Self-Government, what made the Government alter the Government Order that was in existence on 27th September 1926 ? "

The hon. Dr. P. SUBBARAYAN :—" As I explained yesterday, the Electrical Inspector reported to Government that it needed modification."

Dr. B. S. MALLAYYA :—" Did the Electrical Inspector make any specific charge against any electrical engineer appointed by the local bodies any, if so, whether the engineer concerned was given a chance to vindicate his position ? "

The hon. Dr. P. SUBBARAYAN :—" I do not think he made any specific charge against anybody."

Dr. B. S. MALLAYYA :—" May I ask whether it is the policy of Government to run down all the local bodies and the electrical engineers engaged by them on the mere statements made behind their back by the Government electrical inspector ? Is he to have so much power ? "

The hon. Dr. P. SUBBARAYAN :—" These new undertakings of municipalities have to be carefully scrutinized before any sanction is given."

Mr. S. SATYAMURTI :—" May I know whether the Government have received any complaint that their electrical adviser is using his power unjustly to help favourite contractors ? "

The hon. Dr. P. SUBBARAYAN :—" I am not aware of any such complaint."

Dr. B. S. MALLAYYA :—" May I ask whether the Government are prepared to see that this officer is prevented from being an autocrat and dictator to Government as well as to local bodies ? "

The hon. Dr. P. SUBBARAYAN :—" As I said yesterday, the question of the revision of the Government Order is under consideration."

Mr. A. KALESWARA RAO :—" May I know whether in the previous Government Order, they gave permission and also encouragement to local bodies to engage their own electrical engineers and at the same time trebled the fees of their electrical inspector ? "

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

Mr. A. KALESWARA RAO :—" Was the increase in fees made at the instance of the electrical inspector or was it made by the Government themselves ? "

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

Maintenance of roads in South Kanara.

* 230 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Education and Local Self-Government be pleased—

(i) to place before the House a statement showing the trunk, military or imperial roads in South Kanara and Malabar districts, such of them as have been taken over or have been always or for a long time been maintained by the Public Works Department of Government, and what provision was made for the maintenance of each of them in the years 1928-29 and 1929-30;

[10th August 1929]

(ii) to state—

(a) whether the District Board, South Kanara, has passed a resolution to ask Government to take over the maintenance of the Mangalore, Meroara and Charmadi roads;

(b) if so, on what grounds; and

(c) what action Government have taken on that request ?

A.—(i) The following are the trunk roads in the districts named :—

(1) South Kanara (a) Mangalore-Mercara road.

(b) Mangalore-Mysore road.

(2) Malabar (a) Madras-Calicut Road.

(b) Gudalur-Calicut road.

(c) Gudalur-Vayitri-Calicut road.

None of these roads are classed as military or imperial roads. The roads maintained by the Public Works Department are—

(1) Tellicherry-Coorg road.

(2) Calicut-Mysore Frontier road.

The Government have no information regarding the provision made for the maintenance of each of the above roads in the years 1928-29 and 1929-30.

(ii) In November 1925, the South Kanara District Board desired that the Mangalore-Mercara trunk road should be treated as an imperial road and taken over by Government and that the Charmadi ghat road (now known as the Mangalore-Mysore road) should be treated as a trunk road. Subsequently in July 1927, the District Board resolved to retain the Mangalore-Mercara road in its own hands and applied for larger maintenance grants for this road. It is not possible to consider the question of larger grants for this road alone. The Charmadi ghat road has been classified as a trunk road from 1928-29.

Mr. J. A. SALDANHA :—" With reference to clause (i) of this question, may I enquire whether one or two of these roads in Malabar have not been taken over by Government at the request of the local body ? "

The hon. Dr. P. SUBBARAYAN :—" I believe two roads have been taken over."

Mr. S. SATYAMURTI :—" May I know what are the principles on which these roads are selected by Government as liable to be taken over by the Public Works Department ? "

The hon. Dr. P. SUBBARAYAN :—" The whole question is under consideration in connexion with the Report of the Road Development Committee."

Mr. S. SATYAMURTI :—" May I know whether one of the considerations is the political complexion of the head of the local body concerned ? "

The hon. Dr. P. SUBBARAYAN :—" I do not think so."

[10th August 1929]

Nominations to the Trichinopoly District Board.

* 231 Q.—Mr. J. A. SALDANHA : With reference to Mr. Arpudaswami Udayar's question No. 1649 answered on 2nd March 1929, will the hon. the Minister for Education and Local Self-Government be pleased—

(i) to place before the Council a statement showing the names of members on the District Board of Trichinopoly representing Muhammadans, Indian Christians, Adi-Dravidas and other minorities and backward communities on 1st July 1929 with dates of their election or nomination; and

(ii) to state on what principle or policy nominations have been made by Government to the District Board?

A.—(i) A list showing the names of members on the Trichinopoly District Board as on 30th June 1929, with information regarding the community to which they belong is laid on the table.* Those classified as depressed classes are indicated by means of an asterisk. Government are unable to indicate which of the remaining communities, except Muhammadans and Indian Christians, forms a minority community in the district.

(ii) Attention of the hon. Member is invited to section 9 (5) of the Madras Local Boards Act, 1920.

1-16 a.m. Mr. A. RANGANATHA MUDALIYAR :—" May I know why a member of the Reddiyar community was again nominated when there are ten Reddiyars on the district board ? "

The hon. Dr. P. SUBBARAYAN :—" The Government thought that this member's presence would be useful in the Board. "

Mr. A. RANGANATHA MUDALIYAR :—" May I know why there is a Brahman nominated when there are four or five Brahmans already there ? "

The hon. Dr. P. SUBBARAYAN :—" For the same reason. "

Mr. S. SATYAMURTI :—" May I know whether the power of nomination vesting in the Government is intended to be used for personal reasons or on the opinion of the Minister that so and so is useful or whether it is for giving representation to minority communities which cannot come in by election ? "

The hon. Dr. P. SUBBARAYAN :—" For both purposes. "

Mr. A. RANGANATHA MUDALIYAR :—" May I know the reason why when there are already three elected Muhammadan members an additional Muhammadan member was nominated ? "

The hon. Dr. P. SUBBARAYAN :—" I have already given the answer. "

Mr. S. ARPUDASWAMI UDAYAR :—" Do not Reddiyars come under non-Brahmans ? "

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

Mr. S. SATYAMURTI :—" May I know on what consideration the hon. Minister came to the conclusion that the nomination of an extra Reddiyar or a Muhammadan would facilitate the work of the Board ? Is it because they were recommended by the members of the local Ministerialist party ? "

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

* Printed as Appendix VI on pages 576-577 infra.

[10th August 1929]

Mr. S. SATYAMURTI :—" May I know from which communities the hon. Minister selects candidates for nomination ? Is it from communities who are interested in the continuance of the Ministry ? "

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

Mr. S. ARPUDASWAMI UDAYAR :—" May I know whether the hon. Minister has any idea of nominating more Indian Christian members on the board ? "

The hon. Dr. P. SUBBARAYAN :—" The question will be considered. "

Mr. J. A. SALDANHA :—" May I know the actual number of Indian Christian members on the board and why the number has been reduced to one ? "

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

Action taken on the recommendations of the Roads Committee.

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

(a) whether recommendations of the Roads Committee appointed by the Government of India have been communicated to the Local Government;

(b) whether any of the hon. Ministers were invited to a conference by the Government of India to consider those recommendations;

(c) what relationship or mutual co-operation between the Government of India and the Local Government has been or is to be established as to the carrying out of the recommendations;

(d) to what extent it is decided to relieve local bodies of their burdens as to the maintenance of roads or to aid them further for that purpose; and

(e) whether it is decided to abolish toll-gates for recovering tolls to any extent and if so, how far?

A.—(a) Yes.

(b) The Government of India stated that a conference was likely to be convened but so far no invitation has been received.

(c), (d) & (e) These points are under consideration.

Mr. S. SATYAMURTI :—" May I know, with reference to the answers given to clauses (c), (d) and (e), when the Government expect to pass orders on these points ? "

The hon. Dr. P. SUBBARAYAN :—" I cannot say that, Sir. "

Repairs to the Buntwal-Kadur road.

* 233 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Education and Local Self-Government be pleased to state with reference to his answer to question No. 43, dated 3rd September 1928—

(a) whether any provision has been made for overhauling the Charmadi ghat section of the Buntwal-Kadur road and if not, why; and

(b) what steps, if any, the Government propose to take to make that section fit for easy and smooth traffic?

A.—In August 1928, the President, District Board, South Kanara, applied for a grant of Rs. 15,000 in 1928-30 for special repairs to the Charmadi Ghat road (now known as the Mangalore-Mysore road). No provision could be made in the budget for the works

[10th August 1929]

for want of duly sanctioned estimates. The president has since renewed his application and the question of giving a grant in the current year is under consideration.

Mr. J. A. SALDANHA :—" May I enquire whether the sanction of Rs. 15,000 for which application was made in 1928 is still under consideration ? "

The hon. Dr. P. SUBBARAYAN :—" That application did not come in time. It is being considered in connexion with the budget."

Mr. J. A. SALDANHA :—" Will it be taken up by the Public Works Department ? "

The hon. Dr. P. SUBBARAYAN :—" Not as at present advised."

Religious and Charitable Endowments

Provincialization of the Hindu Religious Endowments Board.

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

(a) whether Government have considered the question of meeting from Provincial funds the entire expenses of the administration of the Hindu Religious Endowments Board ;

(b) whether they propose to strengthen the staff of the Board ; and

(c) when the Amending Bill forwarded by the Board will be introduced into the Council ?

A.—(a) The matter is under the consideration of Government.

(b) Yes, for collection work.

(c) The hon. Member is referred to my answer to Mr. A. Ranganatha Mudaliyar's question No. 67.

Mr. S. SATYAMURTI :—" May I know whether the answer given to clause (a) of this question refers to the appointments made by the Government already or does it relate to future appointments only ? "

The hon. Dr. P. SUBBARAYAN :—" The whole question with regard to the functions of the Board and the question of provincializing the administration is still under consideration."

Mr. S. SATYAMURTI :—" May I know whether the Council will be consulted before Government pass their orders ? "

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

Mr. S. SATYAMURTI :—" May I know what is the proposed strength of the staff, what are the financial commitments, and how the Government propose to meet those financial commitments in view of the crippled financial state of the Board ? "

The hon. Dr. P. SUBBARAYAN :—" Notice Sir."

Mr. A. RANAGANATHA MUDALIYAR :—" May I know what staff is proposed to be strengthened ? Is it the addition of four Commissioners or the addition of Inspectors ? "

The hon. Dr. P. SUBBARAYAN :—" It is proposed to strengthen the district staff."

[10th August 1929]

Mr. S. SATYAMURTI :—" With reference to clause (c) of the question, may I know whether the Bill will be introduced before the end of this year ? "

The hon. Dr. P. SUBBARAYAN :—" I cannot say, Sir."

Excise

Alleged false cases conducted under the Abkari Act.

* 235 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Public Health be pleased to state—

(a) whether Government have received complaints or are aware that a large number of cases under the Abkari Act are concocted against innocent persons in order to cover the large amount of blackmailing and corruption that exists among the subordinate officers of the departments ;

(b) whether in order to reduce such alleged false cases Government have made the experiment of trial of such offences by panchayat courts with jurisdiction over the villages in which the offences were committed ; and

(c) what other steps Government have taken or propose to take to reduce the alleged false cases under the Abkari Act ?

A.—(a) The Government have not received complaints of the kind referred to and are not aware that the facts are as suggested.

(b) No.

(c) Does not arise. *

Mr. J. A. SALDANHA :—" May I enquire why the hon. Minister says in answer to clause (a) that the facts are not as suggested ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Because we enquired of the authorities and they said they had not received such complaints."

Steps taken towards prohibition in this Presidency.

* 236 Q.—Mr. J. A. SALDANHA : With reference to my question No. 1932 answered on 27th March 1929, will the hon. the Minister for Public Health be pleased to state—

(a) what the several steps are which have been taken by Government towards prohibition in this Presidency ; and

(b) what measures have been adopted for closing foreign liquor shops in the several taluks mentioned in the answer during the last six years and are being taken at present ?

A.—(a) The attention of the hon. Member is invited to the answers given to clauses (b) and (c) of question No. 1932 on 27th March 1929 and to G.O. No. 1500, P.H., dated 26th June 1929, which has been published.

(b) The foreign liquor shops in the Shiyali, Tirutturaipundi and Tiruvadanai taluks have been closed with effect from 1st April 1929.

[10th August 1929]

Consumption of foreign liquor in this province.

* 237 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 licences issued for sale of foreign liquor imported or locally manufactured in the Madras Presidency in the years 1926-27, 1927-28 and 1928-29 and the fees recovered therefor by the Excise Department; and

(ii) to state—

(a) whether Government have discovered an increase of consumption of foreign liquors during the years 1926-27 to 1928-29 and, if so, to what extent; and

(b) what has been the amount of increase in the consumption of foreign liquors during the same period in the taluks mentioned in the answer to my question No. 1932 answered on 27th March 1929 in which total prohibition in regard to country liquor has been introduced?

A.—(i)

Year.				Number of licences issued.	Amount of fees realized. RS.
1926-27	...	...	...	359	4,62,213
1927-28	...	...	...	365	4,10,900

(ii) (a) The consumption of foreign liquor in the Presidency during the years commencing from 1925-26 was—

1925-26	...	...	...	709,758 gallons.
1926-27	...	...	...	848,051 „
1927-28	...	...	...	929,275 „

(b) The consumption of foreign liquor during the same period in the following five taluks in which the experimental closure of arrack shops was in force, was as follows:—

Taluk.	1925-26. Gallons.	1926-27. Gallons.	1927-28. Gallons.
Shiyali ...	103	87	130
Tiratturaippundi ...	120	159	339
Tiruvadanai ...	240	255	203
Tenkasi ...	325	408	431
Attur ...	No foreign liquor shop in this taluk.		

The Government are not in possession of the figures for 1928-29 but have called for them.

MR. J. A. SALDANHA:—“With reference to the answer to clause (ii) (b) of the question, in view of the consumption of European liquor, may I know whether the Government are going to take any steps for reducing the consumption of liquor?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“In two or three taluks the shops have been closed.”

MR. R. NAGAN GOWDA:—“May I know whether licences to shops in the whole Presidency will be decreased in the same proportion as is shown in these three columns in this answer?”

10th August 1929]

The hon. Mr. S. MUTHIAH MUDALIYAR:—“These three taluks are placed under an experiment for prohibition work being carried out, and we have proposed to close the shops in that area. Whether the shops will be closed in other areas on the same scale or not I cannot say. But the policy of the Government is to close liquor shops wherever it is possible to do so.”

Medical*Action taken on the recommendations of the Indian Delegation of the British Social Hygiene Council.*

* 238 Q.—DR. (MRS.) S. MUTHULAKSHMI REDDI: Will the hon. the Minister for Public Health be pleased to state what orders Government have passed on the recommendations contained in the report of the Indian Delegation of the British Social Hygiene Council that were said to be under consideration in the answer to question No. 1037-A answered on 28th January 1929?

A.—The hon. Member is referred to G.O. No. 1374, P.H., dated the 31st May 1929, laid on the table.*

DR. (MRS.) S. MUTHULAKSHMI REDDI:—“May I know from the hon. Minister if separate provision is going to be made for the treatment of women that attend the General Hospital?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“A specialist has been appointed, and what further steps have to be taken is under consideration.”

DR. (MRS.) S. MUTHULAKSHMI REDDI:—“May I know why a woman medical officer has not been sanctioned to attend to women patients that attend this hospital for venereal disease complaints?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“That will be considered.”

Grants to the Madras Social Hygiene Council for propaganda work.

* 239 Q.—DR. (MRS.) S. MUTHULAKSHMI REDDI: Will the hon. the Minister for Public Health be pleased to state whether any grant has been sanctioned to the Madras Social Hygiene Council for the current year for carrying on propaganda throughout the Presidency and if so, what it is?

A.—No.

Grant of scholarships to teachers to study Social Hygiene in England.

* 240 Q.—DR. (MRS.) S. MUTHULAKSHMI REDDI: Will the hon. the Minister for Public Health be pleased to state what action has been taken on the recommendation of the Indian Delegation of the British Social Hygiene Council to grant scholarships to teachers to study Social Hygiene in England?

A.—The Government did not consider it necessary for the present to grant scholarships to trained teachers to enable them to study Social Hygiene in England. The question will be considered in connexion with the scheme of anti-venereal work to be organized by the specialist in venereal diseases.

[10th August 1929]

Strength of the various Hospital Committees.

* 241 Q.—Dr. (Mrs.) S. MUTHULAKSHMI REDDI: Will the hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that proposals have been made to form committees for the various hospitals;

(b) if so, whether any lady members are placed on these committees; and

(c) if the answer to (b) be in the affirmative, the exact percentage of women members to the total strength of the committees?

A.—(a), (b) & (c) The hon. Member is referred to G.O. No. 1598, P.H., dated the 26th June 1929, which has been laid on the table in answer to question No. 125.

Dr. (Mr.) S. MUTHULAKSHMI REDDI:—"May I know when the scheme for anti-venereal measures will be ready?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I hope soon."

Number of midwives, dhais, etc., undergoing training in all hospitals.

* 242 Q.—Dr. (Mrs.) S. MUTHULAKSHMI REDDI: Will the hon. the Minister for Public Health be pleased to state the number of pupils, i.e., midwives, nurses and 'dhais' that are under training at present in the various hospitals in the Presidency where facilities for such training exist?

A.—The Government have called for the information.

Pay and prospects of nurses in the city and mufassal.

* 243 Q.—Dr. (Mrs.) S. MUTHULAKSHMI REDDI: Will the hon. the Minister for Public Health be pleased to state whether the pay and prospects of the midwives and nurses that are working in the districts are the same as those of midwives and nurses serving in the city of Madras?

A.—Yes.

Public Health*Free supply of quinine to Local Fund dispensaries.*

* 244 Q.—Mr. K. R. KARANT: Will the hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that any portion of the quinine meant for free distribution is being supplied to Local Fund dispensaries thereby enabling them to save money; and

(b) whether there is a proposal to stop this so that all the free quinine may go to institutions and persons other than Local Fund hospitals and dispensaries?

A.—(a) Under the scheme of free distribution of quinine in the specified ten taluks in the Presidency, the local fund and municipal hospitals and dispensaries in the areas have been utilized amongst the agencies for distribution.

(b) There is no proposal to terminate this arrangement.

[10th August 1929]

Mr. K. R. KARANT:—"May I know why the Government have earmarked a portion of quinine for free distribution to local bodies?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Because we have to find out agencies for distribution of quinine and these are some of the agencies which can be relied upon for free distribution."

Free supply of quinine to the villages of Durga, etc., in the Karkal taluk.

* 245 Q.—Mr. K. R. KARANT: Will the hon. the Minister for Public Health be pleased to state—

(a) whether any and, if so, what amount of quinine has been supplied for free distribution to the villages of Durga and Mala in the Karkal taluk of South Kanara district;

(b) whether the potail of Mala has asked for more supply;

(c) if so, when; and

(d) how much has been supplied, and if not, why not?

A.—(a) Up to 31st May 1929, 6,400 packets of quinine were actually distributed in the villages of Durga and Mala, Karkal taluk. (A packet contains 20 tablets of 5 grains each.)

(b), (c) & (d) The potail of Mala has not been entrusted with the distribution of quinine.

Value of quinine supplied free in the taluks of Puttur and Karkal during 1928-29.

* 246 Q.—Mr. K. R. KARANT: Will the hon. the Minister for Public Health be pleased to state the total value of quinine actually supplied for free distribution in the taluks of Puttur and Karkal in South Kanara district in the years 1928-29 and 1929-30 respectively?

	Quantity.	Value.			
		LB.	RS.	A.	P.
A.—1928-29	5,201	10,042	8	0	
1929-30 (up to 31st May 1929) ...	89	1,720	0	0	

¹ The cost of quinine will increase when the commission payable to the Jail department which is under the consideration of the Government is added.

Mr. K. R. KARANT:—"May I know why there has been so much fall in the quantity of quinine supplied? Is it up to date?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"It is up to the present date."

Supply of quinine to Mundaje village in Puttur taluk.

* 247 Q.—Mr. K. R. KARANT: Will the hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that one Mr. Narayan Bhat Bhide of Mundaje village in the Puttur taluk of South Kanara district who is a member of the Puttur Taluk Board and a respectable landowner applied for quinine for free distribution by a letter to the Collector, dated 21st December 1928, and whether the letter was sent by the latter to the District Health Officer for necessary action;

[10th August 1929]

(b) whether by a letter, dated 16th January 1929, the said Mr. Bhide informed the District Health Officer that the villagers had organized themselves to take active steps to prevent and cure malaria, and again asked for a supply of quinine for distribution;

(c) whether he again applied on 18th January 1929 bringing it to the notice of the said Health Officer that quinine was being given elsewhere through many Christian institutions;

(d) whether he again informed the said officer that since the fever season had begun for the previous two weeks he was distributing quinine at his own cost and that he should be given quinine at once or that at least an agency should be opened for free distribution in the village;

(e) whether it is true that no quinine was at all given to him;

(f) why it is that respectable Hindu citizens are not given free quinine whilst the Christian missionaries are given with or without asking; and

(g) whether the hon. Minister will place on the table a copy of the Government Order or instruction authorizing such distribution to the Christian missionaries?

A.—(a) to (e) The Government have no information. Under the sanctioned scheme of free distribution of quinine in the selected areas, distribution is officially entrusted only to the specified agencies.

(f) & (g) Government Order No. 1059, P.H., dated 14th May 1928, has already been laid on the table and the hon. Member will see from it that under the scheme the distribution is made by the institutions, officials and associations noted in the appendix. The scheme does not contemplate distribution by private individuals.

Mr. K. R. KARANT:—"May I know whether several missionary persons have been supplied with free quinine? The hon. Minister said in answer to a previous supplementary question of mine that if others also applied for quinine they would be supplied quinine freely. May I know why these missionaries are supplied while other persons if they apply are not supplied?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Because these missionaries are members of certain recognized organizations."

Mr. K. R. KARANT:—"May I know what those private organizations are?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Missionary societies."

Application for grant from Dr. P. Madhava Pai of the Kanara Medical and Surgical Institute, Udipi.

* 248 Q.—Mr. K. R. KARANT: Will the hon. the Minister for Public Health be pleased to state—

(a) whether he has received a memorial praying for grant from Dr. P. Madhava Pai of the Kanara Medical and Surgical Institute, Udipi, South Kanara; and

(b) whether any and, if so, what order has been passed upon the said memorial?

10th August 1929]

A.—(a) Yes.

(b) The application was not granted.

Treatment of venereal cases in the General Hospital.

* 249 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Public Health be pleased to state—

(a) whether a section is set apart in the General Hospital for the treatment of venereal cases;

(b) whether there has been any complaint as regards the treatment of the patients going there; and

(c) the arrangements, if any, that exist to prevent the possibility of such complaints?

A.—(a) Yes. A venereal block of 20 beds for females and 14 beds for males has been set apart in the Government General Hospital for the treatment of venereal cases.

(b) & (c) No.

Mr. A. RANGANATHA MUDALIYAR:—"Sir, may I ask whether there have been any complaints from the general public about which my hon. Friend, Dr. Mallayya, has been complaining?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"We have not received any such complaints."

Mr. Abdul HAMEED KHAN:—"May I know whether the Government is contemplating the opening of clinics not only in the General Hospital but for the whole presidency?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"In the General Hospital venereal diseases are being treated and also in all hospitals."

Dr. B. S. MALLAYYA:—"May I know whether the hon. Minister remembers that I put a question last year asking whether he was aware that women patients seeking admission in the General Hospital were subjected to indignities, by students of both sexes males and females, and that he replied that he would enquire into the matter? Now in answer to my hon. Friend Mr. A. Ranganatha Mudaliyar, he said that no complaints had been received. May I know what action he took or he proposes to take to see that certain amount of secrecy is maintained in the treatment of patients in the General Hospital?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I perfectly remember the statement of the hon. Member that women in the General Hospital were subjected to all sorts of indignities. But the statement of the hon. Member seems to be unfounded."

Mr. S. SATYAMURTI:—"May I know on what basis the hon. Minister says that the statement of my hon. Friend Dr. Mallayya was unfounded? Is it based on any enquiries made by him and, if so, what was the nature of the enquiry or enquiries made?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Enquiries were made from the officers in charge of the General Hospital."

[10th August 1929]

Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—" May I know whether a woman doctor attends upon these women patients as it is done in other countries ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" A special department for the treatment of venereal diseases has been started. "

Mr. C. V. VENKATARAMANA AYYANGAR :—" May I know from the hon. Minister whether he would consider the desirability of having a lady doctor in charge of women patients ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" That is one of the important things which we will consider. "

Dr. B. S. MALLAYYA :—" May I know whether the hon. Minister is prepared to verify the statement by the appointment of a committee of one or two men to enquire into the affairs of the General Hospital instead of taking the statement of the officers of the General Hospital as true ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" If the hon. Member takes the responsibility of putting it in writing, I will appoint a committee. "

Drinking water well in the Sanda, hamlet of Chikkalakshimpuram, Harpanahalli taluk.

* 250 Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Minister for Public Health be pleased to state—

(a) whether there is any drinking water well in the Sanda, hamlet of Chikkalakshimpuram included in the main village of Hire Myagalagiri, Harpanahalli taluk, Bellary district; and

(b) if not, what distance the people of the hamlet have now to go to fetch their drinking water ?

A.—The Government have no information.

Mr. R. NAGAN GOWDA :—" May I know whether the information has been called for ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I do not think it necessary to call for the information. "

Prevalence of malaria in South Kanara, Malabar, etc.

* 251 Q.—Mr. J. A. SALDANHA : With reference to my question No. 1765, answered on 16th March 1929, will the hon. the Minister for Public Health be pleased to state—

(a) whether Government have received a report of the Special Malaria Officer as to the prevalence of malaria in South Kanara, Malabar, the Nilgiris, Coimbatore and Salem districts;

(b) if so, to what causes he attributes the spread of malaria;

(c) whether he attributes it partly or wholly to the growth of forests;

(d) what remedies he proposes for checking the spread; and

(e) what action Government have taken on the report ?

A.—(a) The Government received reports of malarial surveys by the Special Malaria Officer of the following places in the districts of the Nilgiris, Malabar, South Kanara and Coimbatore :—

The Nilgiris ... Ootacamund and Coonoor municipalities.

[10th August 1929]

Malabar Seethangundy estate, Kollengode (Palghat taluk).

South Kanara ... Puttur taluk.

Coimbatore ... Anayarkundi, Bolampatti reserve in connexion with the headworks of the Coimbatore water-supply scheme.

No malaria investigation has so far been made by the Special Malaria Officer in any part of the district of Salem.

(b) & (c) The Special Malaria Officer attributes the prevalence of malaria in the above places generally to their swampy and marshy condition and the stagnation of the numerous hill streams and channels due to the growth of weeds and grass along their courses.

(d) The remedies suggested to combat malaria in these places besides other minor recommendations appropriate to the areas are to drain the swamps and marshy areas and to let the hill streams and channels flow free by removing all grass and weeds.

(e) The reports have been communicated to the authorities concerned for necessary action.

Acquisition of the property of the Basel Mission for the Government Headquarters Hospital, Calicut.

* 252 Q.—Mr. J. A. SALDANHA : With reference to my question No. 1813 answered on 22nd March 1929, will the hon. the Minister for Public Health be pleased to state what decision the Government have arrived at regarding the proposed acquisition of the property of the Basel Mission for the Government Headquarters Hospital at Calicut ?

A.—Acquisition of the Mission property has been given up.

Lepers in the Sirva village in South Kanara.

* 253 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Public Health be pleased to state whether there is an abnormal number of lepers in the Sirva village in South Kanara ?

A.—The Government have no information and do not consider it necessary to institute an enquiry.

Mr. J. A. SALDANHA :—" May I enquire why the Government do not consider it necessary to call for the information ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Because there are many villages, and it would involve a good deal of labour and time which is not warranted in the public interest. "

Mr. J. A. SALDANHA :—" May I point out that I have asked for information for only one village, and that there is only one village which contains a large number of lepers ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Probably the hon. Member is aware of that information and it is therefore not necessary to call for that again. "

[10th August 1929]

Levy of centage charges on cast-iron pipes.

* 254 Q.—Mr. A. B. SHERRY: With reference to the answer given to my question No. 1834 of 23rd March 1929, will the hon. the Minister for Public Health be pleased to state whether the Government have considered the question why centage charges should be levied on cast-iron pipes?

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

Research work as to preventive measures against mosquitoes.

* 255 Q.—Rao Sahib R. SRINIVASAN: Will the hon. the Minister for Public Health be pleased to state—

(a) whether any research was made at the King Institute, Guindy, with a view to ascertain whether there are plants that can be planted as a preventive measure against mosquitoes; and

(b) if not, whether Government propose to make such research?

A.—(a) No.

(b) An experiment with the plantation of leguminous plants such as scented clover as a preventive for malaria is being tried in the Gudem Agency.

Registration*Promotions and appointments in the Registration department.*

* 256 Q.—Mr. P. ANJANEYULU: Will the hon. the Minister for Public Health be pleased to give a statement of (1) promotions made from clerks in the Registration department as Sub-Registrars, (2) direct appointments of Sub-Registrars, and (3) promotion into District Registrars made by the Inspector-General of Registration stating their caste or community since he took charge of office up to date?

A.—A statement is appended.* The appointment of District Registrars is made by the Government and not by the Inspector-General of Registration.

Officers condemned and promoted by the Inspector-General of Registration.

* 257 Q.—Mr. P. ANJANEYULU: Will the hon. the Minister for Public Health be pleased to state whether the Government will place on the Council table a list of officers who were condemned by the late Inspector-General of Registration and were promoted temporarily and permanently by the present Inspector-General of Registration?

A.—No.

Dr. B. S. MALLAYYA:—"In answer to this question the Government say 'No'. May I know why?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"The interests of efficient service require that the papers connected with this question should be kept confidential."

Dr. B. S. MALLAYYA:—"I should like to know whether there were not complaints against this officer when he was in the Corporation as Revenue Officer."

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

10th August 1929]

Opening of a Registration office in the village of Shirva, Udipi taluk.

* 258 Q.—Mr. K. R. KARANT: Will the hon. the Minister for Public Health be pleased to state—

(a) the distance from the village of Shirva (Udipi taluk of South Kanara district) to the Registration office to which the villagers of the said village have now to go;

(b) whether the said village is a centre for several villages around and is a fit one to have a Registration office; and

(c) whether he proposes to consider the advisability of opening an office there at an early date?

A.—(a), (b) & (c) The Government have no information and have called for it.

Hardships of unpassed clerks in the Registration department.

* 259 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that several unpassed men were appointed as clerks in the Registration department in the Salem district in 1918, with the previous sanction and approval of the Inspector-General of Registration;

(b) whether, when they were so appointed, the Public Service Notification No. 58, dated 30th April 1918, requiring passed men for such posts had come into force;

(c) if so, whether they were granted exemption by the Inspector-General of Registration in whom as head of the department the power of exemption was then vested;

(d) whether they were allowed to draw increments up to Rs. 38, i.e., for two years, and whether afterwards their increments were stopped and their pay was reduced to Rs. 35 only;

(e) if so, on what grounds;

(f) how they had been appointed to substantive posts in superior service, after the said notification without exemption;

(g) whether there has been any report of "bad work and conduct of such clerks" from the District Registrar; and

(h) what action Government have taken or propose to take in such cases to avoid injustice?

A.—The Government have no information but have called for it.

Opening of new sub-offices of registration in South Kanara.

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

(a) how many applications have been received from the people in South Kanara last year for the opening of new sub-offices of registration;

(b) how these applications have been disposed of; and

(c) the points taken into consideration in opening new sub-offices?

A.—(a) Applications were received by the Inspector-General of Registration for opening such offices at Kadaba, Nileshwar and Badiadka in the South Kanara district.

(b) In no case was the opening of new office found practicable.

[10th August 1929]

(c) The following points are taken into consideration in sanctioning proposals for the opening of new offices :—

- (1) the convenience of the public ;
- (2) the number of villages that will be served by the new office ;
- (3) the number of registrations likely to be yielded in the area over which the new office will have jurisdiction ;
- (4) the financial effect of the opening of the new office, whether it will be self-supporting ; and
- (5) the availability of accommodation in the proposed village for the new office and the sub-registrar and his establishment.

Mr. A. B. SHETTY :—“In answer to clause (b) of this question the Government say ‘In no case was the opening of new office found practicable’. May I know the reasons for which it was not found practicable ?”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“Because it was found from statistics that the number of registrations that might be done by villages to be attached to the proposed offices was very low.”

Strengthening of the clerical establishments of the Registration department.

* 261 Q.—Mr. J. A. SALDANHA : With reference to my question No. 1223 answered on 31st January 1929 and No. 1600 answered on 1st March 1929, will the hon. the Minister for Public Health be pleased to state what action has been taken or is contemplated to be taken on the proposed strengthening of the clerical establishments of the Registration Department ?

A.—The question of reorganizing the clerical establishments of the Registration Department is under the consideration of Government.

Sanitation

Separation of the Sanitary Engineering department from the control of the Public Works Department.

* 262 Q.—Mr. A. B. SHETTY : With reference to the answers to my questions Nos. 1942 and 1943 answered on 27th March 1929, will the hon. the Minister for Public Health be pleased to state whether the Government have since come to any decision regarding the separation of the Sanitary Engineering Department from the control of the Public Works Department ?

A.—No final decision has yet been arrived at in the matter by the Government.

11-30 a.m. Mr. A. KALESWARA RAO :—“May I know, Sir, whether the question under consideration includes enabling local bodies to construct sanitary works under the supervision of the Sanitary Engineer without paying centage charges to the Public Works Department ?”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“It is not under consideration. Local bodies are already allowed to carry on their own work wherever possible.”

10th August 1929]

Agriculture

Production of tobacco leaf of good quality and flavour.

* 263 Q.—Mr. G. HARISARVOTTAMA RAO : Will the hon. the Minister for Development be pleased to state—

(a) whether he has received any report from the Director of Agriculture regarding production of tobacco leaf of “better quality, milder flavour and finer texture” ; and

(b) if he has received such a report, whether he is prepared to place it on the table of this House ?

A.—(a) & (b) A report from the Director of Agriculture is placed on the table of the House.^a

Mr. G. HARISARVOTTAMA RAO :—“In view of the reply given in the appendix, may I know whether the hon. the Minister will cause the bulletin, when published, to be sent to us ?”

The hon. Mr. M. R. SETURATNAM AYYAR :—“It all depends upon the value and size of the report. If it is a small report it will be circulated.”

Mr. G. HARISARVOTTAMA RAO :—“May I ask whether it will be sent to the Member who has asked the question ?”

The hon. Mr. M. R. SETURATNAM AYYAR :—“Yes ; for perusal and return.”

Mr. R. NAGAN GOWDA :—“May I know whether the Government will carry on experiments here separately because conditions in this country are different from those in Europe ?”

The hon. Mr. M. R. SETURATNAM AYYAR :—“Yes, Sir.”

Mr. P. ANJANEYULU :—“May I enquire whether the department has made any provision to find markets for tobacco so that ryots may sell them there directly instead of through foreigners ?”

The hon. Mr. M. R. SETURATNAM AYYAR :—“Not yet, Sir.”

Indianization of services recommended by the Linlithgow Commission.

* 264 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Development be pleased to state how far the Indianization of services as recommended by the Linlithgow Commission has been carried on in 1928-29 and in 1929 up to date and is contemplated to be carried on in 1929-30 ?

A.—The hon. Member presumably refers to the recommendations of the Royal Commission on Agriculture in regard to the provincialization of the Agricultural Service. If so, the matter is under the consideration of Government. Vacancies, whether permanent or temporary, in the Indian Agricultural Service have so far been

^a Printed as Appendix IX on pages 579-580 infra.

[10th August 1929]

filled by the creation of temporary posts in the Madras Agricultural Service. Such posts have been created in respect of the following vacancies:—

Four Deputy Directors of Agriculture.
Government Systematic Botanist.
Government Entomologist.
Government Agricultural Chemist.
Government Lecturing Chemist.

Mr. S. SATYAMURTI:—“With reference to the answer that the matter is under consideration, may I know when the Government expect to be in a position to pass orders in this matter?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“Orders on some of the points have already been issued. Some other points are under consideration.”

Mr. S. SATYAMURTI:—“May I ask when the Government propose to pass orders on the remaining points?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“As soon as report is received from the Director.”

Mr. S. SATYAMURTI:—“With reference to the posts mentioned at the end of the paragraph, may I know how many of them have been filled up by Europeans and how many by Indians?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“All of them are Indians, I believe.”

Mr. R. NAGAN GOWDA:—“May I know the reason why these new appointments made in places vacated by men in the Indian Agricultural Service are made on a temporary basis?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“The question of reorganizing the whole department is under consideration. Therefore all these appointments have been made temporarily.”

Fisheries

Contract supply of salt to fish curers.

* 265 Q.—Dr. B. S. MALLAYYA: Will the hon. the Minister for Development be pleased to state—

(a) whether the Government have considered the question of giving on contract the supply of salt for the curers; and

(b) if so, whether they have taken any steps in that direction?

A.—(a) & (b) Almost the entire quantity of salt required for fish-curing yards on the West Coast was supplied only through a system of contract till recently. The question of the most efficient and economical method of transporting salt will receive consideration in connexion with the examination of the recommendations of the Fisheries Committee.

[10th August 1929]

The report of the Fisheries Committee and its recommendations.

* 266 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Development be pleased—

(a) to place before the Council the report of the Fisheries Committee and its recommendations; and

(b) to state the orders passed thereon?

A.—(a) The report was received a few days back. Twelve copies of the report will shortly be placed in the Council Library for the use of the hon. Members.

(b) The report is under consideration.

Mr. J. A. SALDANHA:—“With reference to answer (a), may I know why only twelve copies will be placed in the Council Library, why all the Members of the Council will not be supplied, and why it will not be placed on the Editors' Table?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“The report has not been scrutinized by the Government. To enable Members to peruse the report, twelve copies will be placed in the Council Library now; as soon as the Government pass orders, the report will be placed at the disposal of the Press.”

Industries

Rules regarding aid under the State Aid to Industries Act.

* 267 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Minister for Development be pleased to state—

(a) whether rules have been framed in regard to the giving of aid to cottage industries under the State Aid to Industries Act; and

(b) if so, whether he will be pleased to place them on the table of the House?

A.—(a) & (b) The rules were placed on the table of the House in March last.

Mr. G. HARISARVOTTAMA RAO:—“May I know whether the definition of the words ‘cottage industries’ is under the consideration of the Government?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“The matter will be looked into by the committee proposed to be appointed.”

Recommendations of the Conference on Textile Industry.

* 268 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Minister for Development be pleased to state—

(a) what the recommendations of the conference to enquire into the textile industry in the Presidency are;

(b) whether there is any recommendation regarding hand-spinning and if so, what it is; and

(c) whether he proposes to order the investigation of the industry of hand-spinning in all its aspects, including its possibilities as a supplementary avocation for the ryot?

[10th August 1929]

4.—(a) & (b) The attention of the hon. Member is invited to G.O. No. 509, Development, dated 22nd March 1929, which was placed on the table of the House.

(c) The possibilities of the industry have been investigated by the special officer engaged on the survey of cottage industries and the results of the enquiry have been embodied in the various district reports and in the final report which have been placed on the table of the House.

Mr. G. HANISARVOTTAMA RAO:—"My attention is invited to G.O. No. 509, dated 22nd March 1929, which is said to have been placed on the table of the House. I went through the proceedings of the 22nd March. I find it is not published there. May I know if there has been any mistake?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"It was published along with the proceedings of the last meeting day in March."

General educational qualifications of the Deputy Director of Industries.

* 269 Q.—Dr. B. S. MALLAYYA: Will the hon. the Minister for Development be pleased to state—

(a) the general educational qualifications of the Deputy Director of Industries;

(b) whether he holds any degree or diploma in mechanical engineering of any recognized University;

(c) whether he has passed any of the Vernacular tests and also Accounts test;

(d) why he has not passed the usual medical examination before he was confirmed;

(e) why the post of Deputy Director has been recently declared non-votable when the Accountant-General declared him as votable;

(f) what are the industrial concerns started by the Deputy Director during the last ten years which have proved successful;

(g) whether the hon. Minister will be pleased to place on the table a statement indicating the tours the Deputy Director has undertaken in the districts during the last ten years, the names of places visited, the number of days halted and the reasons for the tours and the number of conferences held by him for organizing the various cottage industries; and

(h) what are the specific duties assigned to the Deputy Director and what is the work now carried out by him?

4.—(a) The Deputy Director of Industries was educated at the Taunton School, Southampton, and the Lincoln Technical School and served a full period of apprenticeship with Messrs. Ruston Proctor, a firm of very large manufacturers in England;

(b) No, but he is a member of the Institution of Engineers (India); holds advanced certificates of the Board of Education for Machine construction and drawing, Heat Engines and Applied Mechanics (materials and structures) and the Mechanical Engineering Certificates of the City and Guilds, London Institute (both grades); he is also a Fellow of the Royal Society of Arts, of the Royal Statistical Society and of the Royal Economic Society.

[10th August 1929]

(c) No.

(d) He was first employed in the department as Assistant Director of Industries in 1915 and continued from time to time. The question of creating a post of Deputy Director and of confirming the present incumbent in the post was considered only in 1921. The question of medical examination does not appear to have been considered at the time presumably because the officer had long been in actual service and he had in 1917 passed the medical examination for admission to the Indian Defence Force.

(e) The post of Deputy Director has not been declared non-votable. But the Secretary of State has permitted the present incumbent so long as he holds the post of Deputy Director to be classed as an officer of superior status;

(f) & (h) It is not the Deputy Director who initiates or starts industrial concerns. His position is that of a Personal Assistant to the Director who by virtue of his technical training and knowledge helps the Director in the administration and control of the several branches working under the Expert officers of the department. Apart from these duties he has also special functions to perform as Commercial and Industrial Intelligence Officer. These consist chiefly in answering multitudinous enquiries and requests for advice addressed to the department by those interested in industrial and commercial subjects. On occasions he may also be sent out by the Director to investigate special lines of enquiry or collect information on any particular subject which is not available in the headquarter office. He also acts as Secretary to the Board of Industries.

(g) Particulars of the tours undertaken by the Deputy Director are available only from December 1922 and these are given in the statement annexed.*

The Deputy Director is a headquarters officer and is not a touring officer in the generally accepted sense of the term. Ordinarily he tours when asked to do so by the Director with reference to any specific enquiry. In the early years of his service, however, before the department had grown to its present proportions and the staff was much smaller than it is to-day, the Deputy Director toured extensively in the districts.

No conferences were held for organizing cottage industries.

Dr. B. S. MALLAYYA:—"May I know the reason why the Deputy Director of Industries does not hold any degrees for being appointed to such a high post as to be declared by the Secretary of State that he should be classed as an officer of superior status?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"He has been there already."

Dr. B. S. MALLAYYA:—"Is it not desirable that any person holding such a high appointment should be highly qualified?"

[10th August 1929]

The hon. Mr. M. R. SETURATNAM AYYAR:—"May be."

Dr. B. S. MALLAYYA:—"May I enquire whether the technical examinations which this officer has passed are such as can be passed by a student studying in the School of Arts here?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"I do not think so."

Mr. P. ANJANEYULU:—"May I ask whether there is not an Indian available who was sent to foreign countries for three years on a monthly pay of Rs. 300 who is an expert and who has taken European degrees and why he has not been employed in the department?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"There are no vacancies; when they arise the question will be considered."

Dr. B. S. MALLAYYA:—"Is it not necessary that he should be examined by a Medical Board before he is taken into the service?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"He has already undergone medical examination."

Dr. B. S. MALLAYYA:—"May I ask when he was examined and pronounced fit? Is it not necessary that he should be examined when he is made permanent just like other Provincial Officers?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"He has already been appointed after medical examination."

Mr. A. RANGANATHA MUDALIYAR:—"May I know what degree he holds?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"It can be found in the answers."

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"With reference to answer (e), may I know the reasons why the officer was classed as one of superior status?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"That I cannot say now."

Sriman BISWANATH DAS Mahasayo:—"With reference to answers (f) and (h) that 'apart from these duties he has also special functions to perform as Commercial and Industrial Intelligence Officer', may I know whether he receives any fee or remuneration for advice given to companies and firms?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"I do not know; anyhow I want notice."

Dr. B. S. MALLAYYA:—"May I know whether he has passed any vernacular tests?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"It has already been answered."

Mr. A. RANGANATHA MUDALIYAR:—"May I know whether he is required to pass any vernacular tests?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"Notice, Sir."

[10th August 1929]

Mr. J. A. SALDANHA:—"May I know if he was found fit to hold the appointment?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"He has been found fit; that is the reason why he was appointed."

Development of textile industry in the South Kanara district.

* 270 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Development be pleased to state—

(a) what steps are taken for the development of the textile industry in the South Kanara district;

(b) how many visits and tours have been paid during the last five years to this district by textile officers; and

(c) what reports have been made as the result of such visits or tours by them as to what further development in the industry is possible and with what help, whether by textile schools or otherwise?

A.—The information has been called for.

Textile schools and demonstration institutions at Salem and other places.

* 271 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Development be pleased to state—

(a) whether there are textile schools or demonstration institutions at Salem and other places;

(b) if so, how many, for what purposes, at which places at present, with what establishment and at what cost; and

(c) what the average attendance of pupils per day was in 1928?

A.—(a), (b) & (c) There are no schools or demonstration institutions maintained by Government at Salem or other mufassal centres. There are, however, private industrial schools in receipt of Government aid. For a list of institutions where weaving is taught, the hon. Member is referred to the administration reports of the Industries department published every year.

Disposal of applications for aid under the State Aid to Industries Act.

* 272 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Development be pleased—

(i) to place before the Council a statement showing applications for aid under State Aid to Industries Act made during the years 1927-28 and 1928-29 and still pending undisposed of by the Board of Industries lying

(a) in the office of the Director of Industries,

(b) in the office of the Director of Fisheries,

(c) in the office of the Registrar of Co-operative Societies, and

(ii) to state—

(a) under what authority and for what reasons any of them have been held back by the officers mentioned,

(b) the grounds for which there has been undue delay in placing any of the applications before the Board of Industries,

[10th August 1929]

(c) the number of meetings of the Board of Industries held in 1927-28 and 1928-29 and in 1929 up to date,

(d) the various loans recommended by the Board of Industries in 1927-28 and 1928-29, and

(e) the loans sanctioned by Government and those not sanctioned by Government with reasons therefor?

A.—(i) The following applications received in the Department of Industries during 1927-28 and 1928-29 and prosecuted by the parties have yet to be placed before the Board of Industries for consideration :—

(1) Application from Mr. K. S. Sankaram Pillai, Guntur, for a loan of Rs. 25,000 for establishing a tobacco redrying factory.

(2) Application from the Co-operative Agricultural and Industrial Society, Kallakurichi, for a loan of Rs. 3,911 and a subsidy of Rs. 2,500 for purchasing an oil expeller.

(ii) (a) The first application was received on 4th February 1929; it could not be placed before the Board of Industries, since the applicant had asked for time till the first week of August for the admission of certain additional particulars and documents called for by the Director of Industries in connexion with the application. The second application received on 11th February 1929 has been pending with the Registrar of Co-operative Societies since 28th February last. He has made a reference to the Deputy Registrar, Madras, who has not yet sent in his report.

(b) Applications are placed before the Board of Industries as soon as the particulars essential for their proper consideration are obtained from the applicants, and this frequently involves a good deal of correspondence after the receipt of the applications, since applicants fail to furnish the requisite details in the first instance.

(c) Six meetings have been held as below :—

1927-28	...	...	...	Three
1928-29	...	...	...	Two
1929-30	...	...	...	One

(d) & (e) The following statement shows the applications recommended by the Board and sanctioned and those still under the consideration of Government :—

(1) loan of Rs. 10,000 to the Salem Dye Works Syndicate, Limited Sanctioned.

(2) loan of Rs. 20,000 to Mr. Muthyala Seenappa Ramanna for developing his safety match factory. Do.

[10th August 1929]

(3) Loan of Rs. 11,000 to the Zamindars of Belgaum for developing their pyrotechnic match factory ... Sanctioned.

(4) Loan of Rs. 500 to the proprietors of the Ram Ram Safety Match Works, Coimbatore district Do.

(5) Overdraft of Rs. 6 lakhs to Messrs. Abbas Magnesite Company Under consideration.

(6) Subscription of Rs. 15,000 to the share capital of the Tindivanam Co-operative Agricultural and Industrial Society Do.

Mr. T. ADINARAYANA CHETTIYAR :—" May I ask the hon. Minister whether the Registrar of Co-operative Societies recommended the subscription of Rs. 15,000 for the Tindivanam Co-operative Society ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Yes."

Mr. T. ADINARAYANA CHETTIYAR :—" What is the delay in making the grant ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Owing to the examination of the question of legality of giving the grant applied for "

Introduction of a private Bill to amend the State Aid to Industries Act.

* 278 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Development be pleased to state—

(a) whether Government have received a private Bill from any Member of the Legislative Council to amend the Madras State Aid to Industries Act ;

(b) whether the Government opposed the grant of sanction to it and, if so, why ;

(c) whether Government have now in contemplation any legislation of their own to amend the same Act ; and

(d) if so, what its scope is and when it is intended to introduce it in the Council ?

A —(a) Yes.

(b) The question is still under consideration.

(c) Yes.

(d) Its scope is to amend section 2 of the Act with a view to amending the present provision relating to security. It may be possible to introduce the measure in the course of the year.

Mr. J. A. SALDANHA :—" May I enquire why the grant of sanction to my Bill has been delayed ? " (Laughter.)

Mr. A. KALESWARA RAO :—" May I know if one of the considerations is prestige on the part of the Government ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Not at all."

[10th August 1929]

Failure of the pumping machine worked by the Industrial Engineering Department at Sadoor.

* 274 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Development be pleased to state—

(a) whether the pumping machine set up and worked by the Industrial Engineering Department at Sadoor in Mangalore taluk last year broke down and whether the crops raised by means of it were dried up for want of water;

(b) who supervised the working of this machine and why it failed; and

(c) what was the loss caused to the ryot thereby and whether any amount has been refunded to him?

A.—Information has been called for.

Names and qualifications of the Directors of Industries since 1916.

* 275 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Development be pleased to state—

(a) the names and qualifications of persons who have been appointed as Directors of Industries since 1916; and

(b) the period during which each of them held this post?

A.—The attention of the hon. Member is invited to the answer to clause (d) of question No. 520 on 24th March 1927. It may be added that Mr. Bazl-ul-lah has since been succeeded by M. R. Ry. Diwan Bahadur A. Appadurai Pillai who entered on his duties towards the close of July 1929. The several officers who have held charge of the post since 1916 have all been officers with wide administrative experience and capacity.

Mr. A. B. SHETTY:—"May I know whether it is a fact that as many as ten officers have held the post of the Director of Industries since 1916?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"Yes."

Mr. A. B. SHETTY:—"May I enquire whether such constant change in the personnel of the Director has been found to be conducive to any continuity of policy in the department?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"There has been no change unless there was some urgent necessity for the same."

[For further starred questions, please see pages 481-503 infra.]

UNSTARRED QUESTIONS

Civil Justice

Number of priests serving as Jurors and Bench Magistrates.

276 Q.—Rao Sahib R. SRINIVASAN: Will the hon. the Law Member be pleased to state the number of (1) Hindu priests, (2) Mullas and Moulvis and (3) Ministers of Churches, that are in the list of Jurors and Assessors of the Madras High Court and those that serve as Bench Magistrates in the province?

[10th August 1929]

A.—The attention of the hon. Member is invited to rule 3 of the rules framed by the High Court and published on pages 1-3 of the Supplement to Part II of the *Fort St. George Gazette*, dated 30th April 1929. Under the above rule, persons who are actually officiating as priests or ministers of their religion are exempt from service as jurors. There are no assessors in the High Court.

As regards Bench Magistrates, there are at present twenty Ministers of the Church serving as Bench Magistrates in this Presidency but no information is available as to the number of Hindu priests, Mullas and Moulvis serving in that capacity.

Irrigation

277 Q.—Subadar-Major S. A. NANJAPPA Bahadur: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that a big boulder has slipped on the water course in the Sheveroy Hills and blocked the water which was previously flowing into Salem through Tirumani Muttar river, and that the water is now flowing through the Vannar river and goes to the other districts; and

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

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

[For further unstarred questions, please see pages 503-504 infra.]

STARRED QUESTIONS

Depressed Classes

Number of Adi-Dravida children attending labour schools.

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

(a) which sub-sects of the Adi-Dravidas are attending the labour schools in South Kanara;

(b) what number of children of each of these classes are now in the labour schools; and

(c) whether any difficulty is experienced in making children of higher and lower classes among these people attend the same school and, if so, what steps have been taken to overcome such difficulties?

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

Police

Shadowing of M.L.C.'s by the Police.

* 279 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Home Member be pleased to state—

(a) whether he has examined the question if Members of the Legislative Council may be shadowed by the Police while in Madras for other purposes than to attend the Legislative Council;

[10th August 1929]

(b) whether he has equally examined the question as to whether it is not necessary that Legislative Council Members should be free of embarrassment and surveillance while touring in their own constituencies to carry on duties as representatives of their electorate; and

(c) what instructions he proposes to issue or has issued in these matters?

A.—(a), (b) & (c) The Government are not aware that there is any shadowing, embarrassment or surveillance such as is referred to in the question. If the hon. Member will adduce definite instances, the Government will then be able to examine the question.

Mr. G. HARISARVOTTAMA RAO :—“ May I ask whether the Government have issued instructions to the Police that Members of the Legislative Council need not be shadowed, or embarrassed or subjected to surveillance? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ No instructions have been issued. ”

Mr. G. HARISARVOTTAMA RAO :—“ May I know if they are prepared to issue such instructions? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ There is no necessity for issuing such instructions. ”

Mr. G. HARISARVOTTAMA RAO :—“ May I ask if the Government will be pleased to issue instructions that the Police should make a reference to the Government before they shadow Members of Legislative Councils? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ There is no necessity for issuing such instructions ”

Mr. S. SATYAMURTI :—“ May I know what is the shadowing or embarrassment or surveillance to which Members of Legislative Councils are subject, which is not referred to in the question? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ The hon. Member must be able to give me information. ”

Mr. S. SATYAMURTI :—“ The answer says :—‘ There is no shadowing, embarrassment or surveillance such as is referred to in the question. ’ I want to know definitely from the Government whether there is any shadowing, embarrassment or some other thing which is not referred to in the question and if so, what they are? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ There is no information so far as we are concerned. ”

Mr. G. HARISARVOTTAMA RAO :—“ May I know from the hon. the Home Member whether head constables when they act as station-house officers have the power of sanctioning shadowing of Members of Legislative Councils? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ It must be ordered by the Superintendent of Police. ”

Arrest of Mr. Manoranjan Gupta at Bezwada.

* 280 Q.—Dr. B. S. MALLAYYA : Will the hon. the Home Member be pleased to state—

(a) what the offence was for which Manoranjan Gupta, who was arrested by the Madras Police on the 12th March at Bezwada, was charged.

[10th August 1929]

(b) where he was tried; and
(c) how the case ended?

A.—(a) He was arrested under section 151, Criminal Procedure Code.

(b) He was released on bail by the Subdivisional Magistrate, Bezwada, and remained under bail until the proceedings against him were dropped.

(c) The proceedings were dropped and the bail bond cancelled.

Dr. B. S. MALLAYYA :—“ May I ask what is the crime under section 151 which Mr. Gupta committed and whether the information given to the Magistrate was given by our Police or by the police of neighbouring province? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ The Police had reasons to believe that Mr. Gupta is likely to commit some cognizable offence under section 151. ”

Dr. B. S. MALLAYYA :—“ May I ask whether at the instance of the Calcutta Police Mr. Gupta was arrested and whether there was any mistake in the identity of the person? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ He was arrested at the instance of the Police of this Province. ”

Dr. B. S. MALLAYYA :—“ Why was he released then without any proceedings being taken against him? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ They wanted to proceed against him; but they had not strong materials. ”

Dr. B. S. MALLAYYA :—“ Why was a respectable man arrested and detained without sufficient grounds? Is our liberty under the King-Emperor come to this position? ”

The hon. the PRESIDENT :—“ The hon. Member is making a speech. ”

Mr. A. KALESWARA RAO :—“ May I know the offence that was attempted to be committed for his being arrested under section 151? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ Hon. Members know that that was the time when the Simon Commission was passing through Bezwada. ”

Mr. A. KALESWARA RAO :—“ Was any offence committed? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ From the information we had it was suspected that Mr. Gupta was about to commit an offence. ”

Mr. A. KALESWARA RAO :—“ What was the offence that was committed? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“ I have already answered the question. ”

Mr. G. HARISARVOTTAMA RAO :—“ May I know if Mr. Gupta was at Bezwada on private business? ”

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

[10th August 1929]

Mr. G. HARISARVOTTAMA RAO:—"Did the Government make any enquiries in the matter?"

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

Mr. G. HARISARVOTTAMA RAO:—"What kind of enquiry did they make?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"We received a report from the Police Department."

Mr. S. SATYAMURTI:—"May I know if the Government propose to take any steps to punish their police for committing such mistakes, to compensate this gentleman who was put to a long term of imprisonment and pin-pricks by the Government starting a case which they knew must fail?"

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

Dr. B. S. MALLAYYA:—"Was a mistake committed by arresting a wrong person?"

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

Mr. P. ANJANEYULU:—"How many adjournments were taken by the Police?"

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

Mr. P. ANJANEYULU:—"May I ask for what period this case was pending against him?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"For about three months."

Mr. P. ANJANEYULU:—"May I know whether, during these three months, the Police took care to find out if any real crime was committed by Mr. Gupta?"

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

Mr. S. SATYAMURTI:—"May I know if the Police tried to cook evidence against this gentleman and gave it up afterwards as hopeless?"

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

Suppression of bucket shops in the City of Madras.

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

(a) whether his attention has been drawn to the alarming rise in the number of bucket shops in the City of Madras;

(b) whether he proposes to take any steps to control or abolish the same, pending the passing of the Bill on the subject;

[10th August 1929]

(c) when the Bucket Shops Bill is likely to be brought up before the Legislative Council if at all for being finally passed; and

(d) what are the reasons for the delay?

A.—(a) The Government are aware that there are many bucket shops in the city.

(b) No.

(c) At the next meeting of the Council.

(d) The Select Committee's Report is being examined.

Mr. S. SATYAMURTI:—"May I know with regard to answer (b), the reason why he does not propose to abolish the bucket shops, pending the passing of the Bill, seeing that poor families are ruined?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I may tell my hon. Friend that I had consultations with the Commissioner of Police. He tells me that he has no powers in the matter."

Mr. S. SATYAMURTI:—"In view of that statement, may I know if the Government are taking steps to expedite the passing of this Bill?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"11-45 a.m."

"When the Bucket Shops Bill left the Select Committee, certain questions were raised by Mr. Cunningham, the Commissioner of Police, that the provisions of the Bill were not very drastic. In order to settle the matter I came to Madras from Ootacamund a fortnight earlier. When I came here, I found that my Friend, Mr. James, was also of the opinion that the Bill should be a little more drastic and sent certain amendments to the Council Office. I then convened a conference at which Mr. Hearson, Mr. James, the Chief Secretary and myself were present. We discussed the question and came to the conclusion that Government should consider the question whether the Bill should not be made a little more drastic. For this purpose, I thought that I could bring the Bill at the next meeting."

Mr. RAMANATH GOENKA:—"Who was responsible for this conference, Sir?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I was responsible for it, Sir, in the interests of the Bill itself."

Mr. RAMANATH GOENKA:—"Is it not a fact that as a consequence of the ordinance in Ceylon, some bucket shopkeepers came here recently?"

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

Mr. RAMANATH GOENKA:—"Is the Government aware, Sir, that as a consequence of the ordinance in Ceylon, all the bucket shops were closed there and the shopkeepers made their way to the City of Madras?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I have no information."

Mr. RAMANATH GOENKA:—"May I know when the Select Committee's Report will be ready, Sir?"

[10th August 1929]

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
 “The Select Committee's Report is ready, Sir. It is now in the Legislative Council Office, as the hon. Member knows.”

Mr. RAMANATH GOENKA :—“I should like to know for how many months this Report of the Select Committee has been ready and did not the hon. the Home Member promise even then that the Bill would be introduced in the Council in this session?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
 “I do not understand the question, Sir.”

Mr. ABDUL HAMEED KHAN :—“May I know from the hon. the Home Member how many months ago the report became ready?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
 “The report was ready in March. I wanted to introduce the Bill in April, but I found later that certain members of the Select Committee did not send in their dissenting minutes. When Mr. Cunningham's dissenting minute was received by the Government, it was pointed out that the Bill was not properly drafted and it was therefore necessary that the Government should consider it again in order effectively to carry out the provisions.”

Mr. ABDUL HAMEED KHAN :—“May I know if the same could not be done in the Council itself?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—“It was not possible, Sir.”

Mr. SAMI VENKATACHALAM CHETTI :—“May I know whether amendments for this purpose were moved in the Select Committee and were rejected?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
 “Yes; but when the Commissioner of Police thinks otherwise, the Government have to consider it again.”

Mr. SAMI VENKATACHALAM CHETTI :—“Are we therefore to understand, Sir, that the Government has no policy to place before this Council in respect of this matter?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
 “The Government have their own policy, Sir.”

Number of bucket shops in the City of Madras.

* 282 Q.—Mr. SAMI VENKATACHALAM CHETTI: Will the hon. the Home Member be pleased to state—

(a) how many bucket shops otherwise called sports clubs have been started from October 1928; and

(b) what is the total strength of these clubs in the city at present?

A.—(a) & (b) The Government have called for the information.

[10th August 1929]

Mr. SAMI VENKATACHALAM CHETTI :—“May I know whether the Government propose to bring up this Bill at all before the House?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
 “Yes, Sir.”

Mr. ABDUL HAMEED KHAN :—“Sir, in view of the fact that the number of bucket shops has been increasing and in view of the fact that they have been doing so much injury to the public of Madras, may I know why the Police department under the charge of my hon. Friend has not been keeping a register of these criminals?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
 “They have got a register.”

Dr. B. S. MALLAYYA :—“Is the hon. the Home Member aware that either he or some of the members of the Select Committee were approached by respectable and influential owners of bucket shops to see that the Bill was delayed as long as possible?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
 “I protest against that suggestion, Sir.”

Mr. S. SATYAMURTI :—“May I know, Sir, whether it is the definite and specific promise of the hon. the Home Member that the Bill with such amendments as the Government may recommend to this House, will be brought before the House at the next meeting of the Council?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
 “Yes, Sir, as far as I am able to gather.”

Mr. RAMANATH GOENKA :—“Did not the hon. the Home Member promise that the Bill would be introduced even in the last session?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
 • “I have already explained the reasons why the Government were not able to introduce it last session, Sir.”

Mr. ABDUL HAMEED KHAN :—“May I know why, in that case, he can't say that he does not think it necessary to call for the information, instead of saying in the answer that he has called for the information?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
 “I have called for the information, Sir, but it takes some time to get the information.”

Mr. S. SATYAMURTI :—“May I know whether as soon as the information is received, it will be placed on the table of the House?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
 “Yes, Sir, certainly.”

Stationery

Indent of typewriters required for Government offices on the Superintendent of Stationery.

* 283 Q.—Mr. C. S. GOVINDARAJA MUDALIYAR: Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that the Government have issued a Government Order that all officers who indent for typewriters should do so on the Superintendent of Stationery, Madras;

[10th August 1929]

(b) what are the names of typewriters which the Government have approved for use in their offices;

(c) on whose recommendation they have so approved;

(d) whether it is a fact that in the case of some types of machines the Superintendent of Stationery has tried in vain to get them repaired for want of accessories or parts required for such repairs, and if so, why; and

(e) whether the Government will be pleased to place on the table of this House a copy or copies of Government Orders relating to the supply of typewriting machines to Government offices issued by the Government for the information and guidance of officers indenting for the same and the Superintendent of Stationery?

A.—(a) Yes.

(b) A list^a showing the patterns of typewriters approved for use in Government offices is annexed.

(c) The Superintendent of Stationery.

(d) No, the question does not arise.

(e) The instructions regarding the supply of typewriters to Government offices are contained in Chapter IX of the Stationery Manual, Volume I. A copy of the Manual is available for reference in the Council Library.

Criminal Justice

Enhancement of the sentence passed on Mr. White.

* 284 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Law Member be pleased to state with reference to the answers to question No. 1676 answered on 11th March 1929, whether any and if so what instructions were issued to the Crown Prosecutor in the matter of application for enhancement of sentence imposed on Mr. White for shooting a coolie in the Madras Port Trust compound?

A.—The Crown Prosecutor was asked to move the High Court for an enhancement of the sentence passed on Mr. White.

Mr. G. HARISARVOTTAMA RAO:—“May I know, Sir, whether the Crown Prosecutor did make a motion in the High Court and if so, what the result of it was?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“Yes, there was a motion in the High Court and the result was that the petition was dismissed.”

Forests

Sale of agricultural implements in Kurnool district.

* 285 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Law Member be pleased to state with reference to the replies given to question No. 1959 answered on 27th March 1929 regarding sale of agricultural implements in Kurnool district—

(a) whether the report called for has been received, and

(b) if so, what it is?

^a Printed as Appendix XI on page 583 infra.

[10th August 1929]

A.—(a) & (b) The report^a of the Chief Conservator of Forests with its enclosure is appended.

Mr. G. HARISARVOTTAMA RAO:—“Sir, in view of the fact that the agricultural implements were supplied to a very little extent in East and South Kurnool divisions, will the hon. the Law Member be pleased to order that the contractor should supply at the stipulated rates not merely at the edge of the coupes but elsewhere also?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“I shall consider the suggestion, Sir.”

Appointment of a committee to enquire into the forest grievances of ryots in this Presidency.

* 286 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Law Member be pleased to state what action he has decided to take on the resolution of this Council that a committee should be appointed to inquire into the forest grievances of the ryots in this Presidency?

A.—The Government do not at present propose to take any action.

Improvement of the financial prospects of the Chenat Nair and Mount Stuart forests.

* 287 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Law Member be pleased to state the steps taken by the Government for improving the financial prospects of the Chenat Nair and Mount Stuart forests?

A.—The question of the improvement of the financial prospects of Mount Stuart forests is now under consideration. As regards Chenat Nair, the Government have ordered that the Olavakkode Saw Mill should be closed with effect from 1st November 1929.

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR:—“May I know how the Government propose to dispose of the Saw Mill after the 1st November 1929?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“That is under consideration; this is a point on which the Government have not come to a conclusion yet.”

Mr. C. V. VENKATARAMANA AYYANGAR:—“Apart from the Saw Mill, may I know what will become of the other operations of this scheme?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“The whole thing is connected with the Saw Mill. There is no other scheme.”

Commercial undertakings in the Forest department.

* 288 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Law Member be pleased

(i) to furnish a list of the various schemes under the Forest department which are treated as commercial undertakings; and

^a Printed as Appendix XII on pages 583-588 infra.

[10th August 1929]

(ii) to state how many, if any, out of commercial undertakings in the Forest department ever worked with profit until the end of last year?

A.—(i) The list of commercial undertakings at present in the Forest department is—

- (1) The Mount Stuart Working Circle.
- (2) The Nilambur Valley Forests.
- (3) The Chenat Nair Exploitation Scheme.

(ii) The Nilambur valley forest concern is working at a profit and the profit earned in 1927-28 is Rs. 1,94,837. The Mount Stuart working concern worked at a profit of Rs. 18,961 in 1925-26.

Employment of agents in England and other foreign countries for handling Madras timbers.

* 289 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Law Member be pleased to state—

(a) the terms on which agents are employed in England and the other foreign countries for handling Madras timbers and finding markets for them;

(b) the terms on which Messrs. Howard Brothers & Co., London, were appointed as agents until last year; and

(c) whether Government propose to invite applications for the several agencies before filling up any of them?

A.—(a) There are no such agents now.

(b) The agency was terminated in December 1926. The Government do not propose to publish the terms now.

(c) No.

Mr. A. RANGANATHA MUDALIYAR:—“With reference to clause (b) to my question as to the terms on which Messrs. Howard Brothers & Co. were appointed as agents, the reply is that the agency was terminated in December 1926 and that the Government do not propose to publish the terms now. May I know the reasons why?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“Because the contract itself terminated in 1926 and it is not in the public interests to publish the terms now.”

Forest Panchayats

Consideration of the Board's Standing Order regarding Forest Panchayats.

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

(a) whether the Board's Standing Order regarding Forest Panchayats has been framed and considered by the Government;

(b) whether he is prepared to publish it for consideration by those affected; and

(c) whether he will state what it is?

A.—(a) & (c) The draft Standing Order is still under the consideration of the Government.

(b) The suggestion will be considered.

[10th August 1929]

Mr. G. HARISARVOTTAMA RAO:—“May I know for how long this Standing Order has been under the consideration of the Government?”

The hon. Mr. A. Y. G. CAMPBELL:—“I cannot remember the exact period.”

Irrigation

Repairs to the supply channel in Kurnool district.

* 291 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state in reference to answers given to questions Nos. 897, 938 and 1619 on 27th August 1927, 31st October 1927 and 28th February 1928 and the subsequent communication to the Council published at page 119 of No. 1 of Vol. XLIV of the Proceedings of the Legislative Council regarding repairs to the supply channel in Kurnool district—

(a) whether the Collector revived the concession for the clearance as per the suggestion of the Executive Engineer in his No. 6218 of 1st December 1927;

(b) what steps were taken to intimate the concession to the people of the villages concerned;

(c) whether the channel was examined and repairs executed as per the suggestion of the Executive Engineer in paragraph 5 of the said letter; and

(d) whether observation of the surplus from the two tanks has been started so that reliable information may be collected to consider whether further work in the way of enlarging the channel may be taken up?

A.—(a) to (d) The Government have not the information but have called for a report.

Examination of derelict tanks in Kurnool district by the Tank Restoration Scheme Party.

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

(a) what derelict tanks in the Kurnool district have so far been examined by the newly set up Tank Restoration Scheme Party;

(b) what tanks have been selected for being reinstated;

(c) in how many cases estimates have been prepared; and

(d) in how many cases sanctions have been accorded and work begun?

A.—The Government have not the information but have called for it.

Report on the Gudempad project.

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

(a) whether he has received the final report in regard to the Gudempad project; and

(b) if he has, what it is?

A.—(a) & (b) No. The examination of the project is not expected to be completed before January 1930.

[10th August 1929]

Report regarding the new sluice in the southern tank of the Nandyal tanks.

* 294 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state with reference to answers to question No. 1249 answered on 1st February 1929—

(a) whether the report of the Chief Engineer (Irrigation) has been received (regarding the new sluice in the southern tank of the Nandyal tanks); and

(b) if so, what it is?

A.—(a) Yes.

(b) The answers to the various clauses of question No. 1249 are attached.*

Execution of the Tippayapalem project.

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

(a) why the Tippayapalem project in the Kurnool district has not yet been taken up for execution; and

(b) when he proposes to take it up for execution?

A.—(a) & (b) A revised estimate for the project has been called for from the Chief Engineer and is awaited.

Mr. G. HARISARVOTTAMA RAO:—"May I know when this report was called for?"

The hon. Mr. A. Y. G. CAMPBELL:—"I would like to have notice of this question."

Investigation of the Tungabhadra project.

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

(a) the exact position to-day in regard to the investigation of the Tungabhadra project; and

(b) what further period would probably be occupied in further investigation?

A.—(a) Trial pits and borings have been made on the line of the site for the proposed dam, and the Government of India have been addressed to arrange for a further inspection of the site by a Geologist.

(b) Much will depend on the opinion of the Geologist as to the suitability of the site. If his opinion is favourable, it is likely to take three or four years to complete the detailed investigation of the scheme.

Mr. G. HARISARVOTTAMA RAO:—"May I know how many pits and how many borings have been made and at what distance from one another?"

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

Mr. G. HARISARVOTTAMA RAO:—"May I know why the necessity has arisen for further investigation by the Geologist?"

* Printed as Appendix XIII on page 589 infra.

[10th August 1929]

The hon. Mr. A. Y. G. CAMPBELL:—"I do not think there has been any full geological investigation of this particular site."

Mr. K. KOTI REDDI:—"With reference to the reply in clause (b) that it is likely to take three or four years to complete the detailed investigation, may I know if the detailed investigation has not already been done? So far as I know, the only thing to be done is the investigation of the site of the reservoir."

The hon. Mr. A. Y. G. CAMPBELL:—"The actual scheme must depend upon the site of the reservoir and the course of the main channel; and it will be impossible to say exactly what fresh investigation will be necessary until the site of the reservoir has been fixed."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"May I know on what basis the statement is made that it is likely that it will take three or four years to complete the detailed investigation of the scheme, taking into consideration the fact that several parts of the district have already been investigated previously?"

The hon. Mr. A. Y. G. CAMPBELL:—"In some parts the previous investigation might be useful and in other parts it may be necessary to make a fresh investigation."

Improvement of the supply of water to Chikkana Wadiar tank.

* 297 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state the measures they have taken or have ordered to be taken for the improvement of the supply of water to Chikkana Wadiar tank, Kanekal, Rayadrug taluk, Bellary district?

A.—The proposals in regard to the channel which will be carried out in due course, provide for an average bed width of 28 feet against the existing 16 feet in the upper reaches, and 21 feet against the existing 15 feet in the lower reaches.

Land Revenue

Alleged insufficiency of grazing facilities for cattle in and around Mangalore.

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

(a) whether Government have now received any representation that the cattle of the town and suburbs of Mangalore suffer considerably for great insufficiency of grazing facilities; and

(b) if so, what steps Government propose to take to provide adequate facilities for the purpose?

A.—(a) & (b) No such representation can be traced.

[10th August 1929]

Reforms*Publication of the report of the Special Officer for Reforms.*

* 299 Q.—Sriman BINWAKATH DAS Mahasayo: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have decided to place on the table of the Council the information collected by the Special Officer for Reforms for use of the Simon Commission; and

(b) whether the Government will place on the table the report of the Provincial Simon Committee?

A.—(a) The Special Officers for Reforms prepared 18 pamphlets for the use of the Indian Statutory Commission. As there are not sufficient number of copies and the reprinting would cost much, they cannot be placed on the Council table; but two sets have been kept in the Legislative Council Library for the use of the hon. Members.

(b) Copies of the report have already been distributed to the hon. Members of the Council.

Distribution of copies of the Government Memorandum to the Simon Commission.

* 300 Q.—Mr. A. B. SHETTY: Will the hon. the Member for Revenue be pleased to lay on the table of the House a copy of the memorandum submitted by the Madras Government to the Simon Commission?

A.—Copies of the Memorandum were distributed to the Members of the Legislative Council on 2nd August 1929.

Education*Alleged communal distinction in the Sanskrit College, Tirupati.*

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

(a) whether the report called for as stated in reply to (b) to (d) of question No. 1897, answered on 26th March 1929 regarding alleged communal distinction in the Sanskrit College, Tirupati, has been received; and

(b) if so, what it is?

A.—(a) & (b) Yes. It was reported that 'Vyakaranam' was not taught to the non-Brahman students of the Sanskrit College, Tirupati, but that the management was willing to employ a separate teacher for this purpose, if the number of non-Brahman students was large enough to justify this course.

Mr. G. HARISARVOTTAMA RAO:—"May I know from the hon. the Minister for Education whether this new orientation of orthodoxy is due to the stubbornness of any particular pandit?"

The hon. Dr. P. SUBBARAYAN:—"This is a private school maintained by the Mahant out of his funds, and the Government only advised the Mahant in this matter. I am glad to say that he has accepted our recommendation and agreed to appoint another teacher."

10th August 1929]

Mr. G. HARISARVOTTAMA RAO:—"May I know if it is not a recognized school?"

The hon. Dr. P. SUBBARAYAN:—"It is recognized, but it gets no grant from the Government."

Mr. G. HARISARVOTTAMA RAO:—"May I know if it cannot be penalized by the withdrawal of the recognition?"

The hon. Dr. P. SUBBARAYAN:—"It is not yet considered necessary to take such a step; but if managements go on excluding people, that step will have to be taken eventually."

Expansion of elementary education in South Kanara.

* 302 Q.—Mr. K. R. KARANT: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) the total number and names of villages in South Kanara district and also in the Presidency with a population of 500 and above;

(b) the number out of these which were provided with elementary schools till 1st April 1929 and the number which remain yet to be provided for; and

(c) what steps Government propose to take to provide elementary schools in such school-less areas during the current year?

A.—(a) The hon. Member is referred to the village statistics of the census of 1921, copy of which is available in the Chief Secretariat Library.

(b) The hon. Member is referred to table No. 40 of supplemental statistics in Volume II of the Public Instruction Report for 1927-28. Similar information for 1928-29 is not yet available.

(c) The question of opening additional schools from Provincial funds has been deferred pending the results of an enquiry now proceeding with regard to the amalgamation and consolidation of schools.

Encouragement to the organization of Indian orphanages.

* 303 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Education and Local Self-Government be pleased—

(a) to place before the House a list of the Indian orphanages among whom the budget grant for them was distributed in 1927-28 and 1928-29 with the number of orphans in each and the total, and such Indian orphanages as have applied for and are entitled to the grant in 1929-30; and

(b) to state whether the budget grant was advertised and notified to the public; and

(c) how and what attempts were made to encourage the organization of Indian orphanages?

A.—(a) Lists of Indian orphanages with the number of pupils in them on whose behalf boarding grants were sanctioned in 1927-28

[10th August 1929]

and 1928-29 are annexed.* Information for the year 1929-30 is not available; grants for this year have not yet been distributed.

- (b) The budget provision for the current year is intended for the payment of a grant of Rs. 8 a month in aid of the boarding charges of each pupil residing in an Indian orphanage or boarding home for destitute children. The rules in the Grant-in-Aid Code have recently been amended so as to provide for the payment of this grant and the amendment has been published in the *Fort St. George Gazette*.
- (c) The establishment of Indian orphanages is encouraged by the payment of boarding grants on behalf of the pupils residing in them. The grant has been raised to Rs. 8 a month for each child from the current year.

Mr. J. A. SALDANHA :—"With reference to the reply to clause (c) of my question, have the Government found on enquiry whether this Rs. 8 a month is sufficient for each child, and whether at least Rs. 5 is not necessary?"

The hon. Dr. P. SUBBARAYAN :—"Considering the original grant was Rs. 0-6-9 for a pupil, I should think that with Rs. 8 a month they should be much better off than formerly."

Tours

Tours of the hon. the Chief Minister.

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

(a) the tours the hon. the Minister undertook since the beginning of this year, the places which he visited, and the nature of the official work he did in those places;

(b) whether he did any party or propaganda work during those tours, and

(c) if so, whether he paid for those parts of the tours from his own pocket, and if not, why not?

- A.—(1) Vellore, Pallikonda, Kuppam and Bhattavaripalli.
 (2) Cuddalore and Panruti.
 (3) Palacole, Narsapur, Ichchapuram, Parlakimedi and Waltair.
 (4) Trichinopoly and Kattuputtur.
 (5) Ootacamund.
 (6) Tiruttani, Sholinghur, Chittoor, Ambur and Arcot.
 (7) Vizagapatam, Simhachalam, Rambha, Aska, Chatrapur, Berhampur, Chicacole, Vizianagram, Bimlipatam and Waltair.
 (8) Kailpatti.
 (9) Ootacamund to Madras and back (for Elementary Education Conference).
 (10) Palghat, Sankaridrug, Tenkasi, Courtallam, Papanasam, Tiruchendur, Tinnevely, Ramnad, Tanjore, Mannargudi, Kuthanallur, Tiruvarur, Trichinopoly, Srirangam, Lalgudi, Musiri and Madras.

* Printed as Appendix XIV on pages 589-600 infra.

[10th August 1929]

The hon. Minister visited the institutions connected with the departments under his charge and received representations from local bodies and the managements of educational institutions.

Mr. S. SATYAMURTI :—"With reference to clause (b) of my question, may I know whether he did any party or propaganda work during those tours? Evidently, the question has been omitted to be answered."

The hon. Dr. P. SUBBARAYAN :—"The answer to clause (b) is 'no'."

Excise

Sale of foreign liquors by Messrs. Shanmugam & Co. of Tenkasi.

* 305 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that Messrs. Shanmugam & Co. of Tenkasi, Tinnevely district, are the sole dealers of foreign liquors for the whole of Tenkasi taluk;

(b) the reasons why foreign liquors are being licensed to be sold in this taluk although the Government have stopped the sale of country liquor in that taluk for the past five years and have extended the period of prohibition for two more years;

(c) whether it is a fact that the said Shanmugam & Co. are selling each liquor bottle at a profit of Rs. 8 and whether they are profiteering at the expense of the consumers of foreign liquors there;

(d) whether the Government's attention has been drawn to the fact that on the plea of permitting this licence for foreign liquor, they compel the consumers to pay more for drink; and

(e) what steps the Government propose to take regarding this matter?

A.—(a) & (c) The Government have no information on the points but have called for it.

(b) In this taluk only the arrack shops have been closed as an experimental measure.

(d) No.

(e) The Government, as stated, have called for a report on the matters referred to in clauses (a) and (c) of the question.

Mr. S. SATYAMURTI :—"With reference to clause (a) of my question, may I know whether the Government will be pleased to place the information on the table of the House?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"That suggestion will be considered."

Mr. S. SATYAMURTI :—"May I know if the Government will be pleased to put down the evil referred to in clause (c) of my question?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I do not appreciate where the evil lies there."

[10th August 1929]

Permission to liquor shops for being opened beyond fixed hours.

* 306 Q.—Mr. K. V. R. SWAMI: Will the hon. the Minister for Public Health be pleased to state—

(a) whether any liquor shops were given permission to keep open beyond the hours fixed in the instructions governing the location, hours of sale, etc., of liquor shops;

(b) if so, how many in each of the last five years?

A.—(a) & (b) Not so far as the Government are aware.

Medical

Report of the Committee on the question of the L.M.P. Examination.

* 307 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the Committee appointed to report on the question of the L.M.P. Examination has submitted its report;

(b) if it has, what it is; and

(c) what action the Government propose to take thereon?

A.—(a) Yes.

(b) & (c) The report is under consideration.

Mr. G. HARISARVOTTAMA RAO:—“May I know from the hon. the Minister for Public Health when this report was received?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“The report was received about a month and a half ago.”

Mr. G. HARISARVOTTAMA RAO:—“May I know how long more it will take for the Government to pass final orders thereon?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“I cannot definitely say. It is being considered even now and there is a meeting on that matter this very evening.”

Training of specialists for teaching appointments in medical colleges.

* 308 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Public Health be pleased to state, with reference to the answer dated 27th March 1929 to Question No. 1997—

(a) when the Committee was asked to examine the need for the training of specialists for the teaching appointments;

(b) who its members are; and

(c) their conclusion on this and the other matters connected with the future of medical education in the Presidency?

A.—(a) The Committee was appointed on the 19th November 1928. The terms of reference included the question of the training of specialists.

(b) Major-General J. W. D. Megaw, C.I.E., V.H.S., I.M.S. (President).

The Superintendent of the General Hospital, Madras.

Dr. M. L. Kamath, B.A., M.D., C.M.

M.R.Ry. Rao Bahadur T. M. K. Nedungadi Avargal, L.M.S.

Dr. B. S. Mallayya, M.B. & C.M., M.L.O.

[10th August 1929]

Dr. (Miss) G. Findlay, M.D.

Miss H. M. Lazarus, W.M.S.I., F.R.C.S.F.

Dr. K. B. Bhujanga Rao, L.M.P.

M.R.Ry. T. Krishna Menon Avargal, M.B.C.M., M.B.C.S., L.B.C.P. (Secretary).

(c) The Committee's report is under the consideration of the Government.

Mr. A. RANGANATHA MUDALIYAR:—“May I know when the report of the Committee was received?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“The report of the Committee, as I have said, was received one and a half months ago.”

Applications for leave by the Second Assistant Chemical Examiner.

* 309 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the Second Assistant Chemical Examiner has not been able to avail himself of any leave since 1914; and

(b) how often he applied for leave during these 14 or 15 years, when and for what periods, and the reasons for the refusal of the leave, if any?

A.—(a) It is a fact that the Second Assistant Chemical Examiner did not avail himself of any leave from 1914 up to 31st May 1929. He has been granted six months' leave from the 31st May 1929 afternoon.

(b) The officer did not formally apply for leave during the period in question, but it appears that on several occasions when he proposed to take leave, the absence of a trained substitute to take the place of the Third Assistant stood in the way of the leave being granted if applied for.

Mr. A. RANGANATHA MUDALIYAR:—“Is it the case, Sir, that the Second Assistant Chemical Examiner did not apply for the leave, or he did apply and it was refused?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“When he said that he wanted leave, he might have told informally once or twice that it would be difficult to sanction leave.”

Provision of fly-proof kitchens and latrines in hospitals.

* 310 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Public Health be pleased to state how many of the Government hospitals have fly-proof kitchens and latrines?

A.—The Government have called for the information.

Tours

Tours of the hon. the Minister for Public Health.

* 311 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Public Health be pleased to state—

(a) the tours the hon. Minister undertook since the beginning of this year, the places which he visited and the nature of the official work he did in those places;

[10th August 1929]

(b) whether he did any party or propaganda work during those tours; and

(c) if so, whether he paid for those parts of the tours from his own pocket, and if not, why not?

A.—(a) Several places in North Arcot, Tanjore, Nellore, Chingleput, Trichinopoly, Madura, Salem, Coimbatore, Ganjam and Vizagapatam districts and Northern India, Inspections, interviews, conferences and addresses in connexion with the departments of Government, (particularly of those in his charge.

(b) & (c) No.

Visit of the hon. the Minister for Public Health to Kashmir.

* 312 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Public Health be pleased to state—

- (a) the nature of the official business which took him to Kashmir; and
(b) the cost to the public exchequer of his tour to Kashmir?

A.—It was a private visit and at private cost.

Mr. S. SATYAMURTI —“ May I know whether the hon. the Minister took the permission of His Excellency the Governor to go to Kashmir? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ No.”

Mr. S. SATYAMURTI :—“ May I know for how long he stayed there? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ For four days, Sir.”

Industries

Verification and testing of weights and scales in cotton ginning and pressing factories.

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

- (a) the rules now in force regarding the verification and testing of weights and scales in cotton ginning and pressing factories;
(b) whether the Provincial Cotton Committee, Madras, considered the limits of permissible errors to be too narrow for a bulky article like cotton and recommended the adoption of the Bombay system in Madras also; and
(c) the action taken by the Government thereon?

A.—(a) The hon. Member's attention is invited to the Madras Cotton Ginning and Pressing Factories Rules, 1925, published on page 1536 of Part I of the *Fort St. George Gazette*, dated 18th August 1925, and to the instructions in Board's Standing Order No. 204 as amended which the officers examining and testing the accuracy of weights and scales in use in cotton ginning and pressing factories have been requested to follow.

(b) The answer is in the affirmative.

(c) The Government are awaiting a detailed report from the Director of Agriculture on the subject.

[10th August 1929]

Construction of a cotton spinning mill in the Coimbatore Jail.

* 314 Q.—Mr. M. NARAYANA RAO: Will the hon. the Minister for Development be pleased to state—

(a) whether the Department of Industries prepared a plan for the construction of a cotton spinning mill in the Central Jail, Coimbatore;

(b) whether the Deputy Director of Industries examined the plan before forwarding it to the Executive Engineer;

(c) whether the Executive Engineer subsequently sent a complaint for furnishing him with a defective plan, and if so, what action was taken by the department;

(d) how many visits the present Deputy Director has paid to the Jail in connexion with this work;

(e) whether wrong wall boxes were purchased and fixed and then removed and replaced by new ones;

(f) whether a large number of manholes than were actually necessary, were purchased;

(g) whether cast-iron columns were first purchased and fixed and then removed to be replaced by a partition wall;

(h) whether there was delay in purchasing oil for running the engine;

(i) what is the amount of loss suffered by the Jail and whether any portion of this amount was recovered from the Deputy Director; and

(j) whether the hon. Minister will take any, and, if so, what action on the matter?

A.—(a) Yes.

(b) No.

(c) No complaint was received from the Executive Engineer.

(d) None.

(e) Wall boxes originally supplied had to be removed and replaced by new ones.

(f) Yes, this resulted from a clerical error in the final plan prepared.

(g) Yes.

(h) There seems to have been some delay in the initial stage of the trial run.

(i) As the supplying firms took back the surplus articles and gave credit for them, the only additional expenditure was that involved in the cost of labour employed in removing the original wall boxes and replacing them by new ones, which was negligible.

(j) As the Director of Industries has already issued instructions with a view to prevent the recurrence of such errors, the Government do not propose to take any further action.

Action taken on the proposed items of work in the Industries Department, for 1928-29.

* 315 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Development be pleased to place before the Council a statement showing how far the items of work proposed to be undertaken during the year 1928-29, as

[10th August 1929]

indicated in the report of the Department of Industries, Madras, for the year 1927-28, have been begun or are being carried out, at what cost, with what establishment, and with what prospects of success under the following heads:—

Industrial Engineering,
Textile Section,
Industrial Education,
Leather Research,
Kerala Soap Institute,
Madras Cottage Industries?

A.—A statement showing the action taken on the several items of work included in the programme for 1928-29 is appended.*

Mr. J. A. SALDANHA :—"With reference to the statement in Appendix XV, may I enquire why the question of the manufacture of essential oils in the Kerala Soap Institute, Calicut, has been dropped?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"Because of financial considerations."

Action taken on the recommendations of the Textile Committee.

* 316 Q.—Mr. A. B. SHETTY : Will the hon. the Minister for Development be pleased to state—

(a) whether orders have been passed by the Government on the various recommendations of the Textile Committee; and

(b) whether in constituting the Textile Advisory Committee as recommended by the Committee, it is proposed to provide representation to the weavers' co-operative societies?

A.—(a) The attention of the hon. Member is invited to G.O. No. 509, Development, dated 22nd March 1929, which was placed on the table of the House.

(b) The appointment of the Textile Advisory Committee is still under consideration, and the suggestion will be considered.

Appointment of a technically qualified man as the Director of Industries.

* 317 Q.—Mr. A. B. SHETTY : Will the hon. the Minister for Development be pleased to state—

(a) since what time the post of the Director of Industries has been held by Revenue officers or Indian Civil Service men;

(b) whether the Retrenchment Committee has recommended that the post of the Director should be held by an officer of the department and not by a member of the Indian Civil Service;

(c) whether any Government Order has been issued to the effect that this recommendation would be given due consideration when the post fell vacant;

(d) if so, when this Government Order was issued and how often vacancies have occurred in this appointment after that;

* Printed as Appendix XV on pages 600-603 infra.

[10th August 1929]

(e) whether the Industrial Commission has recommended that the Director of Industries must be a man having special qualification for the work he has to do; and

(f) whether Government are aware that technical men have been appointed as Directors in several other provinces of this country?

A.—(a) Since August 1916.

(b) Yes.

(c) Yes.

(d) The Government Order was issued in February 1924 and after that vacancies have occurred thrice.

(e) Yes.

(f) Yes. Government understand that that is so in some provinces.

Mr. R. NAGAN GOWDA :—"May I know if the Government are considering the appointment as Director of Industries of one who is an expert in Industries?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"They have already appointed one, Sir."

Mr. R. NAGAN GOWDA :—"Is he qualified technically?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"He is not technically qualified, but he has got necessary administrative qualifications otherwise."

Veterinary

Starting of a veterinary dispensary at Nandikotkur.

* 318 Q.—Mr. G. HARISARVOTTAMA RAO : Will the hon. the Minister for Development be pleased to state, in view of the answers given to question No. 1347 answered on 1st February 1929, whether the Government have decided to start a veterinary dispensary at Nandikotkur, Kurnool district, in 1929-30?

A.—Yes.

[For further starred questions please see pages 504-516 infra.]

UNSTARRED QUESTIONS

Civil Justice

Increase in the percentage of depressed classes appointed as attenders and peons.

319 Q.—Rao Sahib R. SRINIVASAN : Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that in the official year ending 31st March 1928 in the District Courts of this Province, out of the total number of 7,546 men serving as peons and attenders and drawing salaries less than Rs. 35 per mensem there were only 46 depressed classes men, i.e., 61 per cent of the total number of appointments; and

(b) if the answer be in the affirmative, whether the Government will be pleased to consider the desirability of recruiting a higher percentage of depressed class men to the above appointments?

A.—(a) Yes.

(b) The Government will consider the suggestion.

[10th August 1929]

Irrigation*Improvements to the supply channel to Anamasamudram tank.*

320 Q.—MR. B. RAMACHANDRA REDDI: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that attempts were made some years back to improve the supply channel to the Anamasamudram tank in Nellore district, and that several thousands were spent on that;

(b) if so, what amount was spent and how many years back;

(c) whether it is a fact that the work is still incomplete; and

(d) whether the Government have given up the idea of completing it; and if not, when they propose to take up the work again?

A.—(a) Yes.

(b) About Rs. 6,300 in 1913-14 and 1914-15 under 'Capital outlay,' and about Rs. 3,000 under 'Repairs' in 1914-15 and 1915-16.

(c) & (d) So far as the Government are aware, the works referred to above have been completed. The Government are however calling for a report whether any further improvements to the supply channel are under consideration by the local officers.

Local Boards*Impounding of stray cattle in district roads.*

321 Q.—RAO SABIB R. SRINIVASAN: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it was brought to the notice of the Government that cattle (buffaloes, goats and pigs) that stray in district roads are a source of danger to motor-cars and buses; and

(b) whether Government propose to take steps to impound such animals as are found straying on district roads?

A.—(a) No.

(b) Necessary provision already exists in section 11 of the Cattle Trespass Act (India), 1871. No further action is called for.

[For further unstarred question please see page 516 infra.]

STARRED QUESTIONS.**Stationery.***Typewriting machines used in Government offices.*

* 322 Q.—MR. C. S. GOVINDARAJA MUDALIYAR: Will the hon. the Home Member be pleased to state—

(a) which of the following types of typewriting machines are now in use (Remington, Underwood, Royal and Woodstock)

(1) in each of the Secretariat Departments;

(2) in other Government offices in the Madras City;

(3) in the mufassal offices, and the number now in use in each of the Secretariat offices, in the office of the Board of Revenue, and in each of the other Government offices in the City;

(b) the principle observed in the distribution of the Government patronage in this respect;

(c) the number indented by the Superintendent of Stationery in each type of typewriters from the supplying firms (Agents) in Madras during each of the last three years;

[10th August 1929]

(d) whether the Government propose to issue orders for the even distribution of patronage to these types of machines, the only criterion being the quality of the machine and durability;

(e) what is the price of each type of machine supplied by the firms for the use of Government offices; and

(f) which of these types of machines are found to require frequent repairs?

A.—(a) All these typewriters are used in Government offices in the city and in the mufassal.

Particulars of the typewriters supplied to each of the Government offices are not available

(b) The machines are purchased with regard to efficiency and economy.

(c) A statement is furnished.*

(d) No.

(e) It would not be in the public interest to give this information.

(f) None.

Forests*Reorganization of the Forest Department.*

* 323 Q.—MR. G. HARISARVOTTAMA RAO: Will the hon. the Law Member be pleased to state—

(a) whether a questionnaire was issued by the Government to the Chief Conservator of Forests on the question of forest policy and administration;

(b) whether it was issued to any other person or persons;

(c) whether the answers have been received;

(d) what the questionnaire was and what the replies are; and

(e) what action the Government propose to take?

A.—(a) & (b) A questionnaire on the work and organization of the Forest department was issued to the Chief Conservator of Forests.

(c), (d) & (e) The replies received from him are now under consideration. The hon. Member is referred to the answer given to question No. 189 asked by Mr. J. A. Saldanha.

Jails*Manufacture of yarn required for jail purposes in jails.*

* 324 Q.—MR. G. HARISARVOTTAMA RAO: Will the hon. the Law Member be pleased to state—

(a) whether he has received the report he has called for from the Inspector-General of Prisons regarding the possibility of making all the yarn required for jail purposes in the jails;

(b) if it has been received, what it is; and

(c) what action he has taken or proposes to take in the matter?

[10th August 1929]

A.—(a) to (c) The Inspector-General's report has been received. He says that with the existing machinery, it will be possible to supply jails with all the yarn required for jail purposes except 6's count. He adds that in due course it should be possible to supply the department's requirements in this count also.

Inams

Grant of villages to Colla Cunniah Chetti's choultries.

* 325 Q.—MR. C. S. GOVINDARAJA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state whether it is a fact that the Government have granted two villages to the choultries built by Colla Cunniah Chetti and if so, for what purpose and under what conditions?

A.—If the hon. Member will say where these choultries are, the information required by him will be obtained.

Landlord and tenant

Introduction of the Malabar Tenancy Bill.

* 326 Q.—MR. S. SATYAMURTI: Will the hon. the Member for Revenue be pleased to state—

- (a) when the Malabar Tenancy Bill will be introduced; and
- (b) the reasons for the delay?

A.—(a) The Bill was introduced in the Council on 6th August 1929.

(b) The Government considered it desirable that the report of the Tenancy Committee and the Bill appended to it should be carefully considered in consultation with representatives of the janmis and the tenants after the public generally had had full opportunity of studying them. After the Bill had been amended in the light of the criticisms made on it, the sanction of His Excellency the Governor-General had to be obtained for its introduction and this was received at the end of July 1929.

Land Revenue

Kudimaramat in Cumbum and Markapur taluks.

* 327 Q.—MR. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state in view of answers given to question No. 529 on 11th October 1928 regarding kudimaramat in Cumbum and Markapur taluks whether he will get the information asked for in (a) to (e) of that question?

A.—Information was called for and a report has been received but it has been found necessary to call for further information on certain points.

10th August 1929]

Settlement

Suspension of resettlement operations.

* 328 Q.—MR. S. SATYAMURTI: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have any intention of suspending the resettlement now in operation or proposed to be started shortly, pending the introduction and the passing by this Council of a satisfactory Land Revenue Legislation; and

(b) if not, why not?

A.—(a) No.

(b) The Government are of opinion that it would be contrary to the public interest to suspend or postpone any resettlements that are due.

Village Establishments

Allowances to karnams attending taluk offices.

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

(a) whether the question of granting allowances to karnams attending taluk offices has been settled; and

(b) if it has, what action the Government propose to take thereon?

A.—The hon. Member is referred to the answer given to question No. 1752 at the meeting of the Council held on 15th March 1929.

* The position remains unchanged.

Wild Animals

Extent of ravages by tigers in Gumsur forests.

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

(a) whether the Government are aware of the extent of the loss of lives of cattle, men and women from the ravages of tigers in the Gumsur forests; and

(b) whether any, and if so, what action is being taken by the District Forest Officer, Ganjam, to suppress this?

A.—(a) No. But a report will be called for.

(b) The District Forest Officer has no jurisdiction in the matter.

Protection of cattle and crops of ryots near reserves in South Kanara.

* 331 Q.—MR. A. B. SHERRY: Will the hon. the Member for Revenue be pleased to state whether the Government have considered the question of safeguarding the cattle and crops of ryots living near reserves in South Kanara by removing all restrictions on hunting in the reserves?

[10th August 1929]

A.—The Government have considered the question and have issued orders allowing, as an experimental measure, the villagers to hunt wild animals in reserved forests in the South Kanara district during the months of July to January.

Municipalities

Loans to municipalities for electric installations.

* 332 Q.—Dr. B. S. MALLAYYA: Will the hon. the Minister for Local Self-Government be pleased to state—

- (a) how many municipalities have so far applied for loans for installing electrical machinery;
- (b) how many such applications have been granted and how many of them have been rejected; and
- (c) what the names of the firms are which have been granted licences to carry out electrical schemes and the names of those which have been refused such licences?

A.—(a) Eleven.

- (b) Eight applications have been granted. The application of one more council has been published. Another council does not want the loan provided for as it has deferred the scheme. One other council has been asked to renew its loan application after getting the detailed plans and estimates for the scheme duly sanctioned. No application has been rejected.

Non-Municipal Electric Licensees.

- (c) (1) The Madras Electric Supply Corporation, Limited (for supply in the area covered by the whole of the City Corporation limits including the area administered by the Military and Port authorities).
- (2) The Crompton Engineering Company, Limited (for supply in British Cochin).
- (3) The Sri Meenakshi Electric Supply Corporation, Limited, Devakottah (for supply in Devakottah).
- (4) The Trichinopoly-Srirangam Electric Supply Corporation, Limited, Trichinopoly (for supply in the towns of Trichinopoly and Srirangam).
- (5) The Rajahmundry Electric Supply Corporation, Limited, Rajahmundry (for supply in Rajahmundry).
- (6) The Nattarasankottai Electric Supply Corporation, Limited (for supply in Nattarasankottai and Sivaganga).
- (7) Mr. K. C. Menon, Calicut (for supply in Calicut).
- (8) The Sri Meenakshi Sundareswaralu Electric Power Corporation, Limited, Karaikudi (for supply in Karaikudi).
- (9) The Kanadukathan Electric Supply Corporation, Limited (for supply in and around Kanadukathan and Pallathur).
- (10) The Vellore Electric Corporation, Limited, Vellore (for supply in Vellore).

The Conjeevaram Co-operative Electric Supply Corporation was refused a licence for supplying electrical energy to the town of

[10th August 1929]

Conjeevaram on the ground that the municipal council proposed to undertake the supply itself and that there was no scope for the operation of two licences in the same area.

Excise

Opening and closure of toddy and arrack shops during the last five years.

* 333 Q.—Mr. K. V. R. SWAMI: Will the hon. the Minister for Public Health be pleased to state—

- (a) whether any new shops for toddy or arrack were opened during the last five years;
- (b) if so, how many under each head in each year;
- (c) whether any shops were closed during the same period; and
- (d) if so, how many?

A.—(a) to (d) The net figures are as follows:—

Year.	Toddy shops.		Arrack shops.	
	Newly opened.	Closed.	Newly opened.	Closed.
1924-25	68	211	55	204
1925-26	118	129	81	120
1926-27	78	221	67	99
1927-28	135	151	50	145
1928-29	70	222	76	121

Closure of liquor shops during festival days.

* 334 Q.—Mr. K. V. R. SWAMI:—Will the hon. the Minister for Public Health be pleased to state—

- (a) whether the Government will fix the festival and other occasions when the liquor shops should be closed instead of leaving the matter to be decided by the Commissioner and Collectors; and
- (b) if so, whether the Government will appoint a Committee for the purpose?

A.—(a) & (b) The Government do not see any reason to take action as suggested.

Object of the temperance propaganda by the Government.

* 335 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Public Health be pleased to state—

- (a) what is the definite object now of the temperance propaganda of the Government;
- (b) whether total abstinence will be preached or only temperance; and
- (c) the institutions or individuals to whom the Rs. 4 lakhs is proposed to be distributed?

A.—(a) to (c) The attention of the hon. Member is invited to the answer given to question No. 122 answered on 8th August 1929. Institutions or individuals will be considered by the Central Propaganda Board when District Committees make special proposals in the matter.

[10th August 1929]

Prohibition propaganda before toddy shops.

* 336 Q.—MR. S. SATYAMURTI: Will the hon. the Minister for Public Health be pleased to state whether the Government propose to take any steps to carry on prohibition propaganda before the toddy sales are completed, and if not, why not?

A.—The propaganda will begin as soon as the District Committees make the necessary arrangements for it.

Removal of a certain toddy shop in Purasawakam.

* 337 Q.—MR. S. SATYAMURTI: Will the hon. the Minister for Public Health be pleased to state—

(a) whether a meeting of ladies in Purasawakam held on 20th July 1929 at Purasawakam has asked the Government for the removal of a toddy shop in Purasawakam where the Miller Road meets it;

(b) whether he proposes to take action on the same; and

(c) if not, why not?

A.—(a) Yes.

(b) & (c) The Government have called for a report.

Medical*Alleged complaint by a private practitioner against the Civil Surgeon, Cochin.*

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

(a) whether the Surgeon-General received in 1928 any report from a private medical practitioner, Cochin, complaining about the tactics employed by the Civil Surgeon of the place with a view to oust him from his spheres of practice on both land and sea and to usurp that practice for himself; and

(b) what action, if any, has been taken by him with regard to the complaint to avoid unnecessary conflict between Government and private medical practitioners?

A.—(a) Yes, a complaint was received from a private medical practitioner in which he made certain allegations against the Civil Surgeon.

(b) The Civil Surgeon and the private medical practitioner were advised to settle the matter amicably by mutual arrangement.

Report of the Committee on Medical Education.

* 339 Q.—MR. A. B. SHETTY: Will the hon. the Minister for Public Health be pleased to lay on the table of the House the reports submitted by the Committee appointed to consider the subject of medical education?

A.—In due course.

[10th August 1929]

Public Health*Acquisition of lands for Ahobilam water-supply scheme.*

* 340 Q.—MR. G. HARISARVOTTAMA RAO: With reference to the answer given to question No. 598 on 12th October 1928 regarding the Ahobilam water-supply scheme will the hon. the Minister for Public Health be pleased to state—

(a) whether the licence for the forest land has been granted by the Collector;

(b) whether the patta lands have been acquired; and

(c) when the work was put on hand or is likely to be put on hand?

A.—The Government have no information, but they have called for a report from the President, District Board, Kurnool.

Expenditure on the cure and treatment of leprosy.

* 341 Q.—MR. K. R. KARANT: Will the hon. the Minister for Public Health be pleased to state—

(a) the amount spent by the Government in each of the past eight years and that provided in the current year for the cure or treatment of leprosy;

(b) how much of the same is for leprosy clinics;

(c) whether Government have information of a recent leprosy survey made by the Travancore Government, and of the leprosy clinics opened as a result in the said State;

(d) whether Government propose to order a similar survey for the Madras Province or some portion of it to ascertain the extent of the disease;

(e) whether Government propose to open leprosy clinics in all Government hospitals, by stages or otherwise, and also by granting subsidies to local bodies and private practitioners as are willing to open leprosy clinics, if not, why not; and

(f) what proposals Government have to check the spread of the disease and to afford treatment in the early stages?

A.—(a) & (b) The expenditure incurred by the Government during the past eight years for the treatment of leprosy in the Government institution was as shown below:—

Year.	Expenditure incurred.	Year.	Expenditure incurred.
	RS.		RS.
1920	69,325	1924	87,584
1921	81,758	1925	42,280
1922	87,068	1926	1,07,455
1923	1,08,737	1927	1,08,830

[10th August 1929]

A provision of Rs. 1.80 lakhs is made in the budget for the current year. Besides the above, expenditure has also been incurred in some of the headquarter hospitals in which dermatological clinics have been opened. The expenditure incurred in these institutions for this purpose cannot be definitely ascertained. Contributions have also been paid by the Government to private leper asylums. A statement showing the expenditure so incurred is appended.

(c) The Government have no official information on the subject. They have however perused a report about it in the Quarterly Journal issued by the British Empire Leprosy Relief Association (Indian Council) for July 1929.

(d) In connexion with the utilisation of the contribution allotted during the current year to this province by the British Empire Leprosy Relief Association (Indian Council) it has been suggested to the Government that this amount may be expended on special propaganda and leprosy survey work in this Presidency. The question is under the consideration of the Government. The British Empire Leprosy Relief Association has also deputed Dr. Santra to make a survey of some districts in this Presidency. The Government have deputed a civil assistant surgeon, a sub-assistant surgeon and two health officers to work along with the party for a period of four months.

(e) & (f) The diagnosis and treatment of leprosy in its early stages forms the most important part of the campaign against the disease.

It can almost always be diagnosed by clinical signs before it becomes infectious and the ability to diagnose can only be acquired through attendance at a well-organized dermatological clinic. Dermatological clinics have therefore been opened in the following hospitals to which medical schools are attached :—

Government headquarter hospitals at (1) Tanjore, (2) Coimbatore, (3) Guntur, and (4) Vizagapatam. The opening of an out-patient leper clinic at the Taluk Headquarter Hospital, Krishnagiri, has also been sanctioned.

There is no proposal to grant subsidies to local bodies and private practitioners to open leper clinics.

The opening of the Lady Willingdon Leper Settlement, Tirumani, and the opening of dermatological clinics in some headquarter hospitals and the training of sub-assistant surgeons in the special treatment of leprosy at the Calcutta Tropical School of Medicine and Hygiene are the steps taken till now to check the spread of leprosy. The future policy to be adopted will depend upon the result of experience gained.

10th August 1929]

Conversion of night-soil into poudrette.

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

(a) whether the Government have considered the question of converting night-soil into poudrette as suggested by the Agricultural Commission; and

(b) whether there is any proposal to train members of the Municipal Sanitary staff in this method of disposing of night-soil?

A.—(a) & (b) No. The Public Health Department will make the experiments.

Agriculture

Establishment of a subsidiary station for millets at Adoni.

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

(a) the progress made in the establishment of a subsidiary station for millets and cotton work at Adoni, Bellary district; and

(b) when the actual work is likely to be begun at the station?

A.—(a) & (b) A site was selected last year for a subsidiary station at Adoni which was considered suitable for the purpose in every respect provided good water could be found on it or close to it. It was decided to wait until this important point had been tested. Borings have now been made and there are excellent prospects of finding water. A final test has to be made to select the best spot and make quite sure of the supply. If this proves successful proposals for opening a subsidiary station will be put up in connexion with the budget of 1930–31. Work will be begun immediately funds are sanctioned.

Industries

Progress in the setting up of an activated sludge plant at Coimbatore.

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

(a) the progress made in the setting up of an activated sludge plant at Coimbatore; and

(b) when it is likely to be finished?

A.—(a) A revised estimate for the installation of an activated sludge plant at Coimbatore was sanctioned on 16th July 1929. The masonry portion of the work has been about half finished. Further work has been stopped till the next dry season owing to a rise in the sub-soil water, with a view to avoid excess expenditure.

(b) It is not possible to say when the work is likely to be finished but it will be pushed through as early as possible.

[10th August 1929]

Tours*Tours of the hon. the Minister for Development.*

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

(a) the tours the hon. Minister undertook since the beginning of this year, the places which he visited and the nature of the official work which he did in those places;

(b) whether he did any party or propaganda work during those tours; and

(c) if so, whether he paid for those parts of the tours from his own pocket, and if not, why not?

A.—(a) North Arcot, Tanjore, Ramnad, Coimbatore, Tinnevely, South Arcot, Kurnool and Trichinopoly districts.
Inspections, interviews, addresses and attendance at conferences in connexion with the departments of Government, particularly those in his charge.

(b) & (c) No.

Education*Staff and expenditure on the Widows' Hostel in Triplicane.*

* 346 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) what amount the Government spend on the Widows' Hostel in Triplicane;

(b) who manages the hostel;

(c) how many members form the establishment;

(d) whether they are all paid by Government; and

(e) what their salaries are?

A.—(a) & (c) to (e) The information desired is not available. It will be called for.

(b) The Ice House Hostel (formerly known as the Widows' Home) is under Government management.

Alleged infirmity of the Matron of the Widows' Hostel in Triplicane.

* 347 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that all the Brahman members of the establishment of the Widows' Hostel in Triplicane are relatives of the Superintendent;

(b) whether it is a fact that the Matron suffers from an incurable disease, gout in both her legs and can hardly walk, and if so, why she is allowed to continue in service; and

[10th August 1929]

(c) whether the Government have taken medical opinion on the question whether the continuance of such a person as Matron is in the interests of the health of the students and, if so, what that opinion is?

A.—The Government will call for a report.

Number of residents in the Widows' Hostel in Triplicane.

* 348 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) what is the total number of residents in the Widows' Hostel in Triplicane;

(b) how many are Brahmans, Non-Brahmans and Adi-Dravidas;

(c) whether it is a fact that the hostel was first opened only for Brahmans;

(d) if so, when it was thrown open to members of other communities;

(e) whether it is a fact that though it is open to Non-Brahmans, Non-Brahmans are often denied admission and whether there have also been complaints that Non-Brahmans when admitted are treated badly;

(f) if the Government have no information, whether they will be pleased to call for a report on this matter;

(g) how long the present Superintendent has been in charge of this hostel and how many Brahman and Non-Brahman students have been residents during these years; and

(h) whether the Government will consider the desirability of appointing a Non-Brahman lady of enlightened views as Superintendent of this Hostel?

A.—(a) to (g) The information is not available but will be called for.

(h) The suggestion will be considered.

Opening of the Sarada Ladies' Home, Triplicane.

* 349 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that the Superintendent of the Ice House Hostel has opened privately a similar hostel in Triplicane called the Sarada Ladies' Home;

(b) if so, whether she obtained the permission of the Government to do so;

(c) whether the Government gives her a grant or proposes to give one to run the institution;

(d) if the answer is in the affirmative, how much the grant is;

(e) whether there is a necessity to have this Home, and, if so, the reasons for the proposal to close the Ice House Hostel; and

(f) whether the Government are aware that the Sarada Ladies' Home is run entirely by the members of the family of the Superintendent of the Ice House Hostel?

[10th August 1929]

A.—(a) to (d) & (f) The Government will call for the information.

(e) There is no proposal before Government to close the Ice House Hostel.

Grants to the Seva Sadan in Mylapore.

* 850 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Government are giving a grant to the Seva Sadan in Mylapore;

(b) whether the Seva Sadan is an institution similar to the Government Hostel for Widows;

(c) if the answer to (b) is in the affirmative, what is the necessity for having three institutions of the same kind for widows in Madras;

(d) whether the Government has any institutions of this kind in the mufassal; and

(e) if the answer to (d) is in the negative, whether the Government will be pleased to consider the desirability of closing one of these institutions in the city and starting some in the districts?

A.—(a) The Seva Sadan, Mylapore, is receiving grants from the Industries Department in respect of the industrial section of the institution. An application for grants in respect of its educational section is under the consideration of the Government.

(b) No.

(c) No.

(d) No. The Government are maintaining a hostel for widows in connexion with the Queen Mary's High School for Girls at Vizagapatam.

(e) The hon. Member's reference is perhaps to the Sarada Ladies' Home, the Seva Sadan and the Ice House Hostel. The first two are under private management.

UNSTARRED QUESTION

Public Health

Supply of drinking water to Salem town from the Mettur Project.

851 Q.—Subadar-Major S. A. NANJAPPA Bahadur: Will the hon. the Minister for Public Health be pleased to state at what stage the question of supplying drinking water to Salem town from Cauvery-Mettur Project stands?

A.—The financing of the scheme is being considered.

[10th August 1929]

* The hon. the PRESIDENT:—"As the time for questions has passed, the Council will proceed to the next item on the agenda."

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

III

SELECT COMMITTEE ON THE MALABAR TENANCY BILL.

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

that Messrs. E. Sankaran Unni and A. Achuthan, Members of this Council, be added to the Select Committee appointed on the 6th August 1929 to consider the Malabar Tenancy Bill (Bill No. 9 of 1929)."

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I second the motion, Sir."

Mr. MUPPIL NAYAR OF KAVALAPPARA:—"Mr. President, Sir, I beg to move—

That the following names be added to the list of members of the Select Committee on the Malabar Tenancy Bill:—

- (1) *Mr T. O. Srinivas Ayyangar.*
- (2) *Raja of Kallihote.*
- (3) *Kumararaja of Venkatagiri.*
- (4) *The Zamindar of Seithur.*"

The ZAMINDAR OF SINGAMPATTI:—"I second the motion, Sir."

* Mr. K. MADHAVAN NAYAR:—"Mr. President, Sir, I am very sorry that I have to oppose the motion made by the hon. Friend Mr. Kavalappara Muppil Nayar. You know, Sir, that we have been for some time past experiencing difficulties in the constitution of Select Committees. For instance, the Mover of a Bill proposes the names of certain members and places the motion before the Council and when it comes up for consideration by the Council, other names are indiscriminately suggested by other members, with the result that the Select Committee becomes unwieldy and ceases to be properly representative or fit to consider the question. Every one in the Council is anxious to remove that difficulty. It is with that object we have been for some time past attempting to make a convention in this House to suggest names in consultation with the Leaders of parties and then place the list before the Council. We succeeded in this effort so far as the Malabar Tenancy Bill was concerned. For this Select Committee, Leaders of parties were consulted and the names that were proposed by the mover were names that were approved by all parties in the House. If any Member had any objection or if they wanted that more names should be added to the Committee, they ought to have suggested the names to the Mover of the Bill or to their leader or could have mentioned it in the House at the time. Nothing of that sort was done. I know, as a matter of fact, that several members of my party who wanted to be on the Select Committee had to subordinate their desire to the wish of the party. It was under such circumstances that the Committee was constituted and it was also placed before the Council and passed on the understanding that the two expert Members who were not then sworn in and who could only come in later, would be added to the list of members for the Select Committee. That was the only understanding then. Now the hon. Mr. Campbell has made a motion to add the said two special members to the Select Committee. I do not now

[Mr. K. Madhavan Nayar] [10th August 1929]

see any reason why a motion should be made by any Member of this Council, to-day to add more members especially by a Member who was present all along. Why should he now make a motion for the addition of four more members, while he could have moved it at the time the select committee was constituted. I also see another motion by my hon. Friend Mr. Narayana Raju to add four more names. I am sure if my point that no new members should be added on is agreed to by the Council, my hon. Friend Mr. Narayana Raju will not move his motion, for which I can give even an assurance on his behalf. My submission, therefore to you, Sir, is this, that we ought not to tolerate such new additions, indiscriminately at any stage, and that we ought to establish a wholesome convention in this House in matters like this. On this ground, Mr. President, I most vehemently oppose the motion. As a matter of fact, the Select Committee also sat once, yesterday and the date of the next meeting has also been fixed. Whatever that may be, I am more concerned with this, that it ought to be established as a convention in this House that Select Committees should be constituted in consultation with Leaders of parties and that no new names should be indiscriminately added on at any stage, as that will lead to all sorts of difficulties and complications. I therefore appeal to the hon. the Leader of the House as well as the Leaders of the various parties to support me in this opposition and to discourage the motion that has been made for the addition of new members."

Mr. E. SANKARAN UNNI:—"Mr. President, Sir, I am extremely sorry to rise on this occasion to make a speech. At first, I thought it was an innocent motion, but the hon. Member for Malabar has raised the question of convention and convenience, but the basis on which the motion is made is this, that in a House which consists of fairly a large number of members representing landed interests, it is rather very remarkable that very few, if at all any, have been included in the list. Sir, as the House knows very well, it is a very complicated question to deal with land tenure and this question is much more complicated here than in any other Presidency. I expect that members of the aristocracy who are dealing with this problem every day would be in a position to guide the deliberations of the committee much more successfully than vakils or other professional men who may be able to guide us in other respects much better. I am sure that in a matter like this where the landlords are in a minority and where they feel so strongly, there ought to be sufficient representation. I am surprised to see the hon. Member who, I believe, speaks for a considerable section of this House though not as a Leader, rising in his place to oppose this motion on grounds of technicalities and convenience. As regards convenience, Government have found it necessary to include two names now. If you add a few more names it does not matter much. As regards the question of convention, I really do not know anything about it. Of course, I am absolutely incompetent to speak and this is the first utterance that I make in this Council. I do not wish to say what exactly the convention of the House should be. But, whatever the convention or the convenience of the House may be, I hope the House will consider this matter favourably. The landlords form a small party and they deserve to be encouraged. I do not think I should consider myself justified in rising to-day and appealing to Government to consider the matter. We consider that the Bill affects the vital interests of Malabar tenancy. I do not think that the Government would lose anything by adding a few more names, but I am quite sure that this would infuse a little

10th August 1929] [Mr. E. Sankaran Unni]

more confidence in the minds of the landed aristocracy in Malabar. While there is nothing to be lost there is a great deal to be gained. Why not give us this chance and neither the House nor the Government will lose anything. I think when a fair proposal of this kind is made, I should have expected the representatives of tenants to say to the landed aristocracy: 'come in, we shall be ready to give you all consideration we can, and we won't stand in your way'. Accordingly, here is Kavalappara Muppil Nayar's motion. So Mr. President, I appeal to Government as well as to the Members of the House to take this matter very seriously into consideration and to give us a chance now."

Mr. K. P. RAMAN MENON:—"Mr. President, I rise to oppose the motion of my hon. Friend Mr. Muppil Nayar. The hon. the Revenue Member has mentioned the names of members who have the confidence of the House in regard to this question. Now, Mr. Muppil Nayar thinks that the landed aristocracy is not properly represented and it is left to Mr. Unni, the new Member."

Mr. E. SANKARAN UNNI:—"It was not I that moved the motion, but Mr. Kavalappara."

Mr. K. P. RAMAN MENON:—"Of course he did not move the motion, but he inspired the motion and put it in the motion of Mr. Kavalappara that the landed aristocracy is not represented. I suppose when the hon. the Revenue Member when he took all these matters into consideration, must have bestowed some attention on this and consulted the Leaders of parties, who must have in turn bestowed their very best attention, so that the proposition that is now put forward is sprung upon the House as a surprise and should not be allowed. The Committee as it is now with the two experts, number 24. Of course, we have to deal with intricate and complicated questions, but as a matter of fact, the Raghavayya Committee and the various other Government committees have made this work specially easy as much as possible. If more members are added, it will certainly take more time and they will have to sit for an indefinite number of days, so that the enquiry will also be prolonged. Naturally, Mr. Unni is anxious as any one in Malabar with reference to this legislation that it must be settled as early as possible. I for one do not think that the tenants are going to be affected, much more than landholders, so that it is a matter on which we must bestow our best attention and see that no delay is caused. This is a matter in which no delay can be made. A motion that is calculated to see that the matter is prolonged beyond a reasonable length ought to be negatived by this House and I therefore strongly protest against the addition of any more members and I appeal to the House to see that the proceedings of the Committee are expedited as far as possible and that the Report is submitted to the Council as early as possible. On these grounds, I oppose the motion for the addition of the four members."

Mr. K. KOTI REDDI:—"Mr. President, Sir, I am really surprised at the attitude taken by Mr. Unni. It is not our complaint that the landed interests should not be represented in this Select Committee. As a matter of fact, it has been a standing grievance in this Council that the names of members of the Select Committee have been suggested indiscriminately by members without consulting either the Member in charge of the Bill or the Leaders of parties, with the result that it is very difficult to oppose such a motion as that. When actually moved with that experience before us, this useful and

[Mr. K. Koti Reddi]

[10th August 1929]

desirable convention has been established in this Council for some time past, viz., the Leaders of parties and the Member in charge of the Bill should be consulted before the names are suggested by members.

-16
m. "Not only that, ordinarily under the Standing Orders only 15 members are allowed for Select Committees. In this case a special concession has already been made to increase that number. I believe when members for the Select Committee on this Bill were proposed, hon. Members representing the landed aristocracy were present in this Council and if they had any grievance in the composition of the Committee, and if there is any complaint that the landed aristocracy were not duly represented on it, then was the time to raise their voice against the personnel of the Committee. And now at this late stage, to ask for more representation on that ground seems to be absolutely illogical and unreasonable. Moreover, Sir, the Select Committee is fairly representative now, and I believe the acquisition to the Committee of my hon. Friend, Mr. Sankaran Unni, is enough to put forward the Janmi point of view ably enough. If they do not happen to be satisfied with it, they are at liberty to wait on a deputation on the Select Committee and the Committee, I daresay, will be prepared to hear their case. Not only that. There is still another opportunity when the Bill comes up before the Council, the representatives of landed aristocracy will be here to discuss, oppose or support as they think proper, any provision of the Bill. It is therefore unfortunate that such a motion should be made and it is really, undesirable that the healthy convention which we have established and have been following for some time in constituting Select Committees, should be upset for the sake of a few members who, as I have already said, were in this Council and could have raised the objection then. I hope the House will seriously consider the position and vote against the motion."

* The hon. Mr. A. Y. G. CAMPBELL:—"Mr. President, I should only like to mention that when I was choosing the names of members to be put on this Committee, I received a representation from the janmis asking that Mr. Sankaran Unni should be added to the Committee. That was the only name proposed to me by the janmis. He was not then a member of the Council and so I requested His Excellency the Governor to be good enough to nominate him to the Council in order that he might be added to the Select Committee. As has been pointed out, I consulted the leaders of all parties in the House, showed them the list of names and told them that besides those who were actually on the list, there would be two expert members. I may mention in fairness to the leaders of the parties that in deference to my suggestion, the leader of more than one party was good enough to withdraw one or two names from the list which he originally submitted to me for consideration in order that the Committee should not become too unwieldy. We have now got on this Committee, with these two names added, as many as 24 members. As I have already explained in making my original motion for referring the Bill to a Select Committee, we have endeavoured not only to make it representative of the tenants and janmis but also to include representatives from other parts of the Presidency. If the janmis wished to have more representatives from elsewhere in the Presidency and if they had made representation before the names were put before the House, I should, of course, have given their suggestions very careful consideration in consultation with the leaders of various parties. But I deprecate very much the addition of further names at this stage."

[10th August 1929]

* The hon. the PRESIDENT:—"The question is:

'That the following names be added to the list of members of the Select Committee on the Malabar Tenancy Bill:—

*Mr. T. C. Srinivasa Ayyangar,
Raja of Kallikote,
Kumararaja of Venkatagiri, and
The Zamindar of Seithur'*

The motion was put and lost.

The motion of the hon. the Revenue Member was put and adopted.

IV

DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1929-30.

GRANT XXXI—CIVIL WORKS—TRANSFERRED.

The hon. the PRESIDENT:—"The Council will now resume discussion of the motion of Mr. Nagan Gowda."

* Mr. J. A. SALDANHA:—"Mr. President, I was saying yesterday that I wanted to know the policy on which the hon. the Minister has been proceeding in the matter of taking over roads formerly maintained by district boards. So far as I am able to see, I cannot find any reasonable or fair or equitable policy. Government have already taken over two roads in Malabar and they have proceeded now to take over this third one in the district of Coimbatore. The only policy I can see from my experience for the last one or two years in this respect seems to be a policy of racial discrimination, discrimination in the interests of a particular class for whom the Ministry have entertained feelings of favouritism. It is a case of favouring British vested interests, the European planting interest, whereas when the question of taking over certain roads which would benefit the Indian planters, the Government have flatly refused even a small grant of Rs. 15,000. It is, of course, said that the matter is under consideration and that for some technical reason or other it is being delayed. But in the present case, the Government come forward with alacrity and evident anxiety to take over the management of a road at enormous cost. Sir, it is common knowledge that the cost incurred by the Government through the Public Works Department in the maintenance of roads is far, far higher than that spent by district boards in that respect. In some cases, I find that the Government have spent over Rs. 2,000 per mile. Yet they are reluctant to make a grant of Rs. 1,000 on this behalf to the district boards. On behalf of the district boards, I wish to assure the Government that any amount that Government are willing to grant is as a rule being carefully spent and the ordinary roads could be better maintained by the district boards at less cost. I submit therefore there is no reason why partiality should be shown to any particular road in this way. There must be some uniform policy based on reasonable grounds. Sir, we have got before us the report of the Committee on Road Development appointed by the Government of India under the chairmanship of Mr. Jayakar. Unfortunately, I was not able to get hold of a copy of it at the present time. It is available neither in the Council library nor in the Secretariat library. But I remember having read extracts from the report which would go to show the supreme necessity for a forward policy on the part of the Government in the matter of improvement of roads. I am really anxious that Government should take over certain class of roads which require extraordinary treatment but there should be a uniform policy to be followed."

[Mr. J. A. Saldanha]

[10th August 1929]

Why should not the Government take up the whole question of classification of roads and maintaining some of them by district boards with the help of Government grants and others by Government?

"There is yet another point involved in this motion. I find that this motion is for the grant of a certain amount by the planters. I think in principle this sort of acceptance of a grant is unsound. Why should grants be made to Government to take over a road in the interests of a particular class, in this case the European planters. The Indian planters in South Kanara are ready to pay towards the cost of maintenance if the Government would take over a particular road under them for their benefit. The question again will be, how long will it be necessary to be making these grants, for how many years, for ten years, or will it be for ever? Even if the particular community or class offers to contribute, how is the obligation to be enforced, and under what law? It is evident that in the matter of spending money in the maintenance of roads, the Government have been pursuing a wrong policy. Irrespective of any class or community, the Government should pay particular attention to the condition of roads in the country. I would only suggest that the hon. Minister tours in the several parts of the country, not in cars provided for him but in his own cars, particularly in South Kanara and see for himself" . . .

* The hon. the PRESIDENT :—"I cannot allow the hon. Member or the Minister to go in his car to South Kanara on this motion." (Laughter.)

12-30 P.M. * Mr. J. A. SALDANHA :—"I was only saying, Sir, that if the hon. the Minister tours in Coimbatore district and sees the condition of the roads for himself, he will see that it is the same everywhere except some few main roads. In some places our roads are in a bad condition. They cannot stand the great demand made by the traffic on account of motors, lorries, motor buses and so on. Besides there are other reasons also why the Government should take steps to improve our roads. The Postmaster-General refuses to sanction the conveyance of mails on buses because buses cannot be sure of a smooth journey. That is another reason why I want the Government to spend money on certain roads of importance, but I want that they should go on under a comprehensive and wide policy. I may mention, Sir, that the postal communication is another argument. The post could go by bus if the roads are in a good condition, but now there are no proper roads for safe and continuous traffic of buses . . ."

* The hon. the PRESIDENT :—"I am afraid the hon. Member's observations are not relevant."

* Mr. J. A. SALDANHA :—"I would appeal to the hon. the two Ministers concerned in this matter to withdraw this demand and bring before us another demand on a more comprehensive basis based on a sound policy. There should be a clear uniform policy underlying it. At present we are at a loss to know what policy the Government are going to follow. I am sure this House cannot be befooled to vote for this grant which the Government have brought forward with a short note which only bewilders us. Probably the Ministers are not aware of what they are doing. As for ourselves, we are groping in the dark in regard to these matters. I have been asked by my hon. Friends why I follow these obstructive tactics. Sir, are we not justified in making long speeches and pointing out the defects in all these matters? Here no doubt it is a small thing, but it has got connexion with the larger

10th August 1929]

[Mr. J. A. Saldanha]

question of Government arriving at some sound and uniform policy. With these words, I request the Government to withdraw this demand now."

* The hon. Mr. M. R. SETURATNAM AYYAR :—"Mr. President, Sir, with regard to the Pollachi-Vannanthurai road, the history of the case is briefly as follows. Till the year 1924 the District Board was maintaining this road at a cost of Rs. 771 per mile. The condition of the road was said to be very bad and various representations were made to the Government about the bad condition of the road. His Excellency the ex Governor Lord Goschen, visited this place, and at that time . . ."

The hon. the PRESIDENT :—"Order, order. The name of His Excellency cannot be introduced to influence the vote of the House." (Hear, hear.)

* The hon. Mr. M. R. SETURATNAM AYYAR :—"I won't mention the name, Sir, but what he said was . . ."

The hon. the PRESIDENT :—"Whatever remarks His Excellency passed in connexion with this matter, I cannot allow the hon. the Minister to refer to here."

* The hon. Mr. M. R. SETURATNAM AYYAR :—"I am not referring to them, Sir, except to give it as one of the reasons . . ."

The hon. the PRESIDENT :—"That is exactly the reason why it should not be mentioned."

* The hon. Mr. M. R. SETURATNAM AYYAR :—"Very well, Sir, as it is at present, the Government have control over the ghat road in the Anamalai hills. So this important connecting road also has to be taken over by the Government, mostly for the benefit of the coolies that are engaged in the plantations. As soon as the road was taken over in 1925 an estimate was prepared for reconstructing or reforming the road, but in that estimate provision was not made for the complete soling of the road because they did not want to spend the whole money all at once. They wanted to do the work bit by bit. Therefore some portion of the road has been reformed, and some portions, still left unsold. The Chief Engineer now reports that the remaining portions of the road are in a very bad condition and that unless they are repaired and improved immediately, the road will go to dogs. Therefore the Government have come up with this demand before the House.

"Mr. Venkataramana Ayyangar says there are two proposals, one by the Provincial Railway Corporation with regard to the rutway, and the other the survey of a branch line by the South Indian Railway. I am not aware whether the Government have received any such proposal from the Provincial Railway Company with regard to the rutway or tramway. Even if it is carried out, I do not think it will be able to carry all the heavy traffic of the coolies engaged in these plantations. Even if there is the rutway, if there is to be a breakdown of that way, it will still be necessary to have the ghat road. With regard to the survey by the South Indian Railway, nothing is definitely known when the survey may begin, and it will certainly take a very long time to construct a branch line.

"Mr. Muniswami Nayudu raised some objections regarding the guarantee of the planters, regarding their contribution towards this work. I find from the Government Order on the subject that the Government asked the planters to pay a contribution of Rs. 200 a mile for a period of five years, and the whole question will be raised again. I have been asked to state

[Mr. M. R. Seturatnam Ayyar]

[10th August 1929]

whether the planters were given any concession in regard to this matter. I may say that no concession has been so given. They are treated just as the other passengers are treated.

"As regards the challenge made by the President of the Coimbatore District Board, the Chief Minister has already replied to it; that is about the handing over of this road and maintaining it in a proper condition. As it is, we are spending Rs. 1,000 per mile on this road, and this District Board pays Rs. 500. One of my hon. Friends said that the District Board did not propose to hand over this road. This road was taken over on the understanding that the District Board should pay Rs. 500, that the planters should pay Rs. 200 and the Government should spend Rs. 300, for each mile. Now, Sir, I want to say finally that this road has not been reformed for the planters, but for the coolies who are as much human beings as ourselves. For these reasons, I would ask the House to sanction this demand."

Mr. W. P. A. SOUNDARAPANDIYAN:—"I move that the question be now put."

*The hon. the PRESIDENT:—"In view of the light thrown by Mr Saldanha on the matter under discussion, I think I shall have to gauge the opinion of the House if the closure could be accepted. The question is that the question be now put."

The motion was declared lost. The hon. Diwan Bahadur M. Krishnan Nayar demanded a poll, and the House divided thus:—

Ayes.

- | | |
|--|---|
| 1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 35. Mr. S. Subrahmanya Moopanam. |
| 2. " Sir Thomas Moir. | 36. " D. Thomas. |
| 3. " Diwan Bahadur M. Krishnan Nayar. | 37. " S. V. Vanavudaiya Goundar. |
| 4. " Mr. A. Y. G. Campbell. | 38. " S. Venkiah. |
| 5. " Dr. P. Subbarayan. | 39. Rao Sahib R. Srinivasan. |
| 6. " Mr. S. Muthiah Mudaliyar. | 40. " C. E. Wood. |
| 7. " Mr. M. R. Seturatnam Ayyar. | 41. " A. J. Leach. |
| 8. Dr. (Mrs.) S. Muthulakshmi Reddi. | 42. " F. E. James. |
| 9. Mr. Alladi Krishnaswami Ayyar. | 43. " H. E. P. Pearson. |
| 10. " Hilton Brown. | 44. " S. N. Dorai Raja. |
| 11. " H. A. Watson. | 45. " S. Arpudawami Udayar. |
| 12. " A. G. Leach. | 46. " K. Abdul Hye Sahib. |
| 13. " J. Gray. | 47. " U. Ramaswami Ayyar. |
| 14. " S. V. Ramamurti. | 48. " G. R. Premayya. |
| 15. " C. B. Colterell. | 49. " V. Ramjee Rao. |
| 16. " V. Ch. John. | 50. " C. Gopala Menon. |
| 17. " M. A. Manikkavelu Nayar. | 51. " B. Ramachandra Reddi. |
| 18. " Syed Tajuddin Sahib. | 52. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. |
| 19. " H. B. Ari Gowder. | 53. Mr. P. Siva Rao. |
| 20. " A. B. Shetty. | 54. The Maharaja of Pithapuram. |
| 21. " J. Bharmayya. | 55. Rao Bahadur Sir A. P. Patro. |
| 22. " R. Foulkes. | 56. The Maharaja of Venkatagiri. |
| 23. " P. J. Gnanavaram Pillai. | 57. Diwan Bahadur P. C. Ethirajulu Naidu. |
| 24. " Mahmud Sohamnad Sahib. | 58. Mr. P. T. Bajan. |
| 25. The Muppil Nayar of Kavalappara. | 59. Rao Sahib S. Ellappa Chettiyar. |
| 26. The Zamindar of Singampatti. | 60. Khan Bahadur S. K. Abdul Razaq Sahib Bahadur. |
| 27. Subadar-Major S. A. Nanjappa Bahadur. | 61. Mr. Khadir Mohideen Sahib. |
| 28. Mr. J. Kuppuswami. | 62. Khan Sahib T. M. Moida Sahib. |
| 29. " T. M. Narayanaswami Pillai. | 63. Rao Bahadur B. Muniswami Nayudu. |
| 30. " K. Krishnan. | 64. Diwan Bahadur A. M. M. Murugappah Chettiyar. |
| 31. " N. Siva Raj. | 65. The Zamindar of Mirzapuram. |
| 32. " M. V. Gangadhara Siva. | 66. Raja of Kallikota. |
| 33. " V. I. Muniswami Pillai. | |
| 34. " W. P. A. Soundarapandian. | |

[10th August 1929]

Noes.

- | | |
|------------------------------------|--|
| 1. Mr. P. C. Venkatapati Raju. | 17. Mr. C. Ramasomayajulu. |
| 2. " K. Koti Reddi. | 18. " T. Adinarayana Chettiyar. |
| 3. " Sami Venkatachalam Chetti. | 19. " Ahmed Miran Sahib. |
| 4. " S. Satyamurti. | 20. Sriman Biswanath Das Mahasayo. |
| 5. " C. V. Venkataramana Ayyangar. | 21. Mr. A. Kaleswara Rao. |
| 6. " J. A. Saldanha. | 22. " C. N. Muthuranga Mudaliyar. |
| 7. " G. Harisavottama Rao. | 23. " K. V. Krishnaswami Nayakar. |
| 8. " C. S. Govindaraja Mudaliyar. | 24. " B. Venkataratnam. |
| 9. " Abdul Hameed Khan. | 25. " C. Venkatarama Nayudu. |
| 10. " K. V. R. Swami. | 26. " A. Ranganatha Mudaliyar. |
| 11. " D. Narayana Raja. | 27. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 12. " K. R. Karant. | 28. Mr. K. P. Raman Menon. |
| 13. " K. Madhavan Nayar. | 29. " R. Nagan Gowda. |
| 14. " P. Anjaneyulu. | 30. " C. B. Parthasarathi Ayyangar. |
| 15. " C. Obi Reddi. | |
| 16. " A. Parasurama Rao. | |

*Ayes 66**Noes 30.*

The motion was carried.

The hon. the PRESIDENT:—"The question is to reduce the allotment of Rs. 500 by Re. 1."

The motion was negatived.

Mr. R. NAGAN GOWDA:—"Sir, I move—

'that the allotment of Rs. 500 for Civil Works—Transferred be reduced by Re. 1.'

Sir, I want by means of this motion to find out from the Government whether they have received any preliminary report on the irrigation schemes in the Trichinopoly district that are proposed to be investigated by the proposed special division. If so, I would like to have that report placed on the table of the House. The reasons why I ask that this report should be placed on the table of the House are the following.

"Sir, the explanatory note that has been placed in the hands of Members of this honourable House shows that this work regarding the investigation of irrigations in the Trichinopoly district was taken on hand as recently as January 1929. Sir, I would like to make only one statement and it is this, that there are a great many schemes that have been pending in places where irrigation is much more necessary and greatly needed and where numerous requests for the investigation of schemes have been made for years, and in regard to which the preliminary reports and estimates have been awaiting the sanction of the Government.

"Sir, in a district like Trichinopoly, where irrigation is well developed, where as many as 150,000 acres or more are under channel irrigation, not to speak of the area that is under well irrigation, in a district like that, they have started an investigation just four or five months ago, and now they have come forward with a supplementary demand for it. Have they thought of the Tungabhadra project investigation, for which Bellary and other poor districts have been crying for long?"

"There is another important thing that I would like to press upon this House as a reason for my asking that the preliminary report on the irrigation schemes should be placed on the table of the House, and there is a very important principle involved in it. The question of the apportionment

12-15 P.M.

[Mr. R. Nagan Gowda] [10th August 1929]

of the waters of the river Cauvery among the districts of Trichinopoly, Tanjore, Coimbatore and Salem yet remains to be decided, and now, Sir, without the preliminary report being placed before this House, it would be doing an injustice to these districts to investigate the schemes, especially when Salem has been complaining of water scarcity and drought has been prevalent there very often. If those districts do not know what the scheme includes, it will be doing an injustice to them.

"Sir, I should like to have an idea of the returns that are likely to be obtained from these projects. Whenever we ask for an irrigation scheme in some of our poor districts like Bellary, they say, 'that scheme does not produce adequate returns, it would get only 2 or 3 per cent, and that is not enough.' Even a 4 per cent return is not enough for them. So, I should like to know whether this scheme is productive of a higher percentage, before I give my vote for this grant.

"There is the question of the restoration of the old course of the Uyyakondan channel, and that is a very important matter. If it is going to be restored, what the effect of it will be on the lands adjoining, and other things will have to be considered. Therefore, I propose that this grant be reduced by Re. 1."

* The hon. Mr. A. Y. G. CAMPBELL :—" Mr. President, Sir, I understand the hon. Mover of the amendment desires to have a preliminary report to be placed before the House, on the irrigation schemes which are going to be investigated. It is true that a subdivision was sanctioned about the last March for the work. It is now proposed to add some extra works to this subdivision for investigation, and it is considered desirable that it should be placed in charge of an Executive Engineer. I will certainly take into consideration the suggestion of the hon. Member that a preliminary report should be obtained, especially with reference to the high level channel, and placed at the disposal of the House."

* Mr. K. KOTI REDDI :—" Mr. President, Sir, various schemes have been put forward by the Government occasionally without any consideration as to the relative merits or the relative necessity of such schemes, in various districts. It is more than three years since the Ceded Districts Irrigation Committee sent in its report, in which various recommendations for the improvement of irrigation sources have been suggested. Mr. President, you know that many a time here, the previous Law Member had given us such splendid and wonderful promises that, in spite of the serious famines that we have been having for the last twenty or thirty years, our spirits were raised to such a high pitch that we expected our position to be much bettered in the course of two or three years. What is the result, Sir? Government comes forward with schemes and supplementary demands for large amounts of money for other districts but with nothing for our districts. Now, a number of schemes in the Ceded districts are to be investigated, for which the ordinary staff is not adequate but requires a special staff. But Government has made no serious attempts to investigate those schemes. I do not know if the Government want to shelve those schemes, or whether they really want to do anything in the matter."

The hon. Mr. A. Y. G. CAMPBELL :—" Is the hon. Member in order in referring to the schemes of other districts? "

10th August 1929]

* The hon. the PRESIDENT :—" As far as I understand the gist of his speech is, that the Government have not been impartial but have been partial to some districts."

* Mr. K. KOTI REDDI :—" Sir, that is the construction we are obliged to put on the attitude of the Government. While the Council and the Government have recognized the necessity for improving the irrigation in our districts long ago, and when it is well known that our districts have been seriously suffering from famine once in two or three years, that the Government should try to evade the whole situation and not even appoint special staff to make the investigation is a matter of great disappointment to us."

* The hon. the PRESIDENT :—" It is better the hon. Member comes to the demand first. He has sufficiently dwelt on his own district. If every Member were to go on with his own district, there would be very little discussion on the real issues."

* Mr. K. KOTI REDDI :—" Mr. President, our complaint is merely that Government has recognized the necessity for improving the irrigation in our districts and that we are suffering very much now from famines and as such, we legitimately claim that Government should pay attention first to our districts, instead of trying to go on with other districts which are not in such a bad position. Let the Government do what they can for them. On the other hand, it is my belief that most irrigation schemes pay in any district. For schemes put forward in our districts, Government for some reason or other say 'this is not productive or that is not feasible', and under all sorts of excuses they have not made any serious attempt to alleviate the situation in our districts. Sir, the Irrigation Committee's report consists of 33 pages, and whatever might be the number of recommendations made by the Committee, the Government have not paid proper attention . . ."

The hon. the PRESIDENT :—" The hon. Member is not justified in going through the details of that report."

* Mr. K. KOTI REDDI :—" I only want to point out the number of schemes which the Government have before them, which if executed, will alleviate the suffering to a large extent in our districts. For this purpose, it is absolutely necessary that some special staff ought to be appointed. The staff that is already existing is absolutely inadequate for the purpose of carrying out the recommendations made. Now it is absolutely necessary to have special staff for the restoration of tanks, for the cutting of supply channels to various tanks and for various other schemes. It is high time, Sir, that at least the Tungabhadra project is taken up and executed at once in the interests of the Ceded districts. One of the recommendations which the Ceded Districts Irrigation Committee made is to take the water from the main canal to the Dharmavaram and Anantapur taluks. For that purpose, a canal has to be made, and that is a new feature not included in the scheme of Mackenzie and therefore requires immediate investigation."

* The hon. the PRESIDENT :—" I consider that a description of the various schemes that are neglected by the Government will not be relevant to this discussion."

* Mr. K. KOTI REDDI :—" I only say that in view of the urgent necessity for improving the irrigation sources in our districts and in view of the

[Mr. R. Nagan Gowda] [10th August 1929]

of the waters of the river Cauvery among the districts of Trichinopoly, Tanjore, Coimbatore and Salem yet remains to be decided, and now, Sir, without the preliminary report being placed before this House, it would be doing an injustice to these districts to investigate the schemes, especially when Salem has been complaining of water scarcity and drought has been prevalent there very often. If those districts do not know what the scheme includes, it will be doing an injustice to them.

"Sir, I should like to have an idea of the returns that are likely to be obtained from these projects. Whenever we ask for an irrigation scheme in some of our poor districts like Bellary, they say, 'that scheme does not produce adequate returns, it would get only 2 or 3 per cent, and that is not enough.' Even a 4 per cent return is not enough for them. So, I should like to know whether this scheme is productive of a higher percentage, before I give my vote for this grant.

"There is the question of the restoration of the old course of the Uyyakondan channel, and that is a very important matter. If it is going to be restored, what the effect of it will be on the lands adjoining, and other things will have to be considered. Therefore, I propose that this grant be reduced by Re. 1."

* The hon. Mr. A. Y. G. CAMPBELL:—"Mr. President, Sir, I understand the hon. Mover of the amendment desires to have a preliminary report to be placed before the House, on the irrigation schemes which are going to be investigated. It is true that a subdivision was sanctioned about the last March for the work. It is now proposed to add some extra works to this subdivision for investigation, and it is considered desirable that it should be placed in charge of an Executive Engineer. I will certainly take into consideration the suggestion of the hon. Member that a preliminary report should be obtained, especially with reference to the high level channel, and placed at the disposal of the House."

* Mr. K. KOTI REDDI:—"Mr. President, Sir, various schemes have been put forward by the Government occasionally without any consideration as to the relative merits or the relative necessity of such schemes, in various districts. It is more than three years since the Ceded Districts Irrigation Committee sent in its report, in which various recommendations for the improvement of irrigation sources have been suggested. Mr. President, you know that many a time here, the previous Law Member had given us such splendid and wonderful promises that, in spite of the serious famines that we have been having for the last twenty or thirty years, our spirits were raised to such a high pitch that we expected our position to be much bettered in the course of two or three years. What is the result, Sir? Government comes forward with schemes and supplementary demands for large amounts of money for other districts but with nothing for our districts. Now, a number of schemes in the Ceded districts are to be investigated, for which the ordinary staff is not adequate but requires a special staff. But Government has made no serious attempts to investigate those schemes. I do not know if the Government want to shelve those schemes, or whether they really want to do anything in the matter."

The hon. Mr. A. Y. G. CAMPBELL:—"Is the hon. Member in order in referring to the schemes of other districts?"

10th August 1929]

* The hon. the PRESIDENT:—"As far as I understand the gist of his speech is, that the Government have not been impartial but have been partial to some districts."

* Mr. K. KOTI REDDI:—"Sir, that is the construction we are obliged to put on the attitude of the Government. While the Council and the Government have recognized the necessity for improving the irrigation in our districts long ago, and when it is well known that our districts have been seriously suffering from famine once in two or three years, that the Government should try to evade the whole situation and not even appoint special staff to make the investigation is a matter of great disappointment to us."

* The hon. the PRESIDENT:—"It is better the hon. Member comes to the demand first. He has sufficiently dwelt on his own district. If every Member were to go on with his own district, there would be very little discussion on the real issues."

* Mr. K. KOTI REDDI:—"Mr. President, our complaint is merely that Government has recognized the necessity for improving the irrigation in our districts and that we are suffering very much now from famines and as such, we legitimately claim that Government should pay attention first to our districts, instead of trying to go on with other districts which are not in such a bad position. Let the Government do what they can for them. On the other hand, it is my belief that most irrigation schemes pay in any district. For schemes put forward in our districts, Government for some reason or other say 'this is not productive or that is not feasible', and under all sorts of excuses they have not made any serious attempt to alleviate the situation in our districts. Sir, the Irrigation Committee's report consists of 33 pages, and whatever might be the number of recommendations made by the Committee, the Government have not paid proper attention . . ."

The hon. the PRESIDENT:—"The hon. Member is not justified in going through the details of that report."

* Mr. K. KOTI REDDI:—"I only want to point out the number of schemes which the Government have before them, which if executed, will alleviate the suffering to a large extent in our districts. For this purpose, it is absolutely necessary that some special staff ought to be appointed. The staff that is already existing is absolutely inadequate for the purpose of carrying out the recommendations made. Now it is absolutely necessary to have special staff for the restoration of tanks, for the cutting of supply channels to various tanks and for various other schemes. It is high time, Sir, that at least the Tungabhadra project is taken up and executed at once in the interests of the Ceded districts. One of the recommendations which the Ceded Districts Irrigation Committee made is to take the water from the main canal to the Dharmavaram and Anantapur taluks. For that purpose, a canal has to be made, and that is a new feature not included in the scheme of Mackenzie and therefore requires immediate investigation."

* The hon. the PRESIDENT:—"I consider that a description of the various schemes that are neglected by the Government will not be relevant to this discussion."

* Mr. K. KOTI REDDI:—"I only say that in view of the urgent necessity for improving the irrigation sources in our districts and in view of the

[Mr. K. Koti Reddi]

[10th August 1929]

neglect that the Government has so far shown in the matter of not appointing any special staff to make proper investigation of the various schemes that have been recommended, it is very difficult on our part to make up our minds to vote for this expenditure. So, I am bound to say that some special staff ought to have been appointed for the investigation of the schemes recommended by the Ceded Districts Committee."

* The hon. the PRESIDENT:—"I cannot allow the hon. Member to further develop that argument."

* Mr. K. KOTI REDDI:—"I hope, Sir, that the present Law Member will see that a special staff is at once appointed in order to investigate the various schemes that have been proposed by the Ceded Districts Irrigation Committee."

* Mr. T. M. NARAYANASWAMI PILLAI:—"Mr. President, I certainly sympathise with the position taken up by my hon. Friends, Mr. Nagan Gowda and Mr. Koti Reddi, in relation to their districts. If they want something for their districts and if irrigation facilities in their districts have to be improved, we certainly will vote for them. But I cannot understand their attitude in trying to vote against a demand relating to our district. Mr. Nagan Gowda has depicted the position of our district in rather too bright colours. It is not true that we are having such irrigation facilities as Mr. Nagan Gowda says we have. It is not true that we have a lakh and fifty thousand acres under channel irrigation. Some glamour is always attached to the position of the Trichinopoly district. We have oftentimes cried in this Council for redress, and that will show the extent of the grief we are immersed in, rather than the extent of the relief which has been given to us."

"The present demand is only to put under the charge of an Executive Engineer what has already been committed to the care of a subdivisional officer. Government now finds that one subdivisional officer is not enough to investigate four schemes, as mentioned in the explanatory note, and I am bound to say that all these four schemes are absolutely necessary for our district; in fact they are long overdue. The Uyyakondan channel, which alone is irrigating about 20,000 acres, has long been neglected, and it has been said that it was irrigating in old days a larger extent than it has been doing now."

"If by the restoration of the old course more lands could be brought under cultivation easily with less expenditure, I do not understand why other Members of the Council ought to be against such restoration."

"With regard to the second, namely, the extension of the proposed high level channel from the Kattalai South Bank canal, I think the latter part of the argument used by Mr. Nagan Gowda is an argument in favour of the investigation of the scheme completely. He said that there must be an equitable distribution of water under the Mettur scheme among all the districts concerned, namely, Coimbatore, Trichinopoly, Salem and Tanjore, and if so, the second scheme is one which is intended to carry out that object. Therefore on that account I submit that Mr. Nagan Gowda ought not to vote against this grant."

"In the case of Thottiam Chinna Voikal, this kind of redress is necessitated by the action of the Government. Twenty-five or thirty years ago, the head of this voikal was in a better place, and on the advice of the then

[10th August 1929]

[Mr. T. M. Narayanaswami Pillai]

engineering subordinates the head had been shifted to the present place. It is found from actual experience that the voikal does not work properly. It is silted up. And there are constant and persistent complaints with regard to the supply of this channel. Now, the idea is to shift this head should be some two miles further up, viz., to its old place. This has been pending for the last four or five years. Even in 1924 there was an estimate for a lakh of rupees to shift this head of the voikal to Vayalur. Though five years had elapsed, it is still in the stage of investigation, and is this a thing to excite the envy of hon. Members from other districts? Let them clearly realize our pitiable position."

"There is a scheme to be introduced under the Tungabhadra project. They could on that score deprive us of the water from the voikal which has been in existence for long but which has been neglected by the Public Works Department for over a decade."

"Then coming to the improvements necessary to the Peruvali channel, it is an important channel and there has often been a complaint that at the tail end there has been no water-supply. I should like to enter into details, but unhappily the time at my disposal is very short. So, I will cut short the discussion and request Mr. Nagan Gowda and Mr. Koti Reddi to withdraw their own amendments. It is not true to say that our position is very enviable. If we come here often and pray for relief, it is because we have not been given it. Therefore, I oppose the amendment of Mr. Nagan Gowda."

* Mr. G. HARISARVOTTAMA RAO:—"Mr. President, I am sorry that this again is a token motion. Projects in a whole district are being taken up. In January 1929, we are told, a special subdivision was sanctioned by the Government and it was part of a special programme contemplated; the second of the schemes now on paper was to cultivate 10,000 acres; and later on representations were made that 50,000 acres could be brought under cultivation. The Government decided to investigate both these schemes, the smaller and the larger, and also all the connected schemes in the district. I must congratulate, Sir, the Trichinopoly district on having its representative on the treasury bench, however disadvantageous that has been to the other parts of the country. It is particularly significant that whoever occupies the Treasury Bench has had the good fortune of serving either his own interest or the interests of his locality. The scheme which has been so long pending fruition and which is now in operation with regard to Tanjore, was the production of a Law Member who belonged to that district. The investigation into the Trichinopoly project is the result of the occupancy right of an hon. Minister, not the Law Member, on the Treasury Bench. It looks as though the Government of Madras has entered into a compact with the members on the Treasury Bench to serve the interests of the particular localities that they represent. I have no grievance if the ryots of the Trichinopoly district get some more water. But it is up to the Government, situated as it is in this country, and situated as the people are, to consider the claims all round and make up their mind as to the programme that they should take up. It is a wonder that the Government previously sanctions some things, then after six months make up its mind to come to this House on a token motion, and ask for a grant and that for a very large grant indeed. I am very sorry that this kind of business is being done in the Public Works Department."

[Mr. G. Harisarvottama Rao] [10th August 1929]

"I want to draw attention especially of the hon. the Revenue Member to this aspect of the question. He ought to set right the house of the Public Works Department. The Public Works Department as I have already said, I do not want to dilate upon it, has become irresponsible on account of plenty of money in its possession."

The hon. the PRESIDENT :—"The hon. Member, I think, is only repeating the arguments of yesterday."

* Mr. G. HARISARVOTTAMA RAO :—"I draw the attention of the hon. the Revenue Member to the fact that I have stated, namely, the irresponsible way in which the Public Works Department is capable of spending the moneys in its possession. We have a large number of demands to make on the attention of the Government and it is necessary that the Government should conserve its resources and spend them in a judicious manner. It would not have been probably so very difficult for this House to understand this demand if the Trichinopoly district were not well provided already. There is no question that the Trichinopoly district does not require more or deserve more. I do not want to discuss that question at all. It may be possible that Trichinopoly deserves more, it may be possible that Trichinopoly has capacities to do more in the matter of agriculture. I have not the slightest desire to discuss those questions. But what I do want to discuss is this, that it is incumbent on the Government to examine the needs of the whole Presidency to find out which is the most needy. As a matter of fact, once in three years, there are parts of the Presidency like the district to which I belong which are stricken with famine. This year, the prospects in our district are very bad and as such, attention should be paid more to the localities that are in great need of water and facilities for irrigation than the others. Instead of that, day in and day out, we have some demand or other on the floor of the House to feed the already well-fed district of Tanjore or Trichinopoly. He that hath is given more; but he that hath not is deprived of the little that he hath. That is the principle adopted by this Government. I therefore feel that a demand like this—though it would be graceless on my part to oppose it and say that Trichinopoly shall not have any more water, a demand like this cannot help producing the impression upon the people of this country that Government is neglecting the more needy populations of the Presidency and feeding those who have already enough."

"I know, Sir, that the Government has been promising a number of things. I know also that mention was made of the investigation that is being carried on in regard to the Thungabhadra project. But I equally know that there are a large number of miscellaneous demands, a large number of miscellaneous irrigation sources which without the Thungabhadra project would be of use to the districts that require irrigation most; and these large number of demands are never met. They are merely brushed aside as things that need not be looked into because they do not pay the Government very heavy returns. As long as this policy is followed we cannot help standing against demands like this and crying for water as representatives from the most waterless tracts of the Presidency. I feel therefore the hon. the Revenue Member will do well before launching into this expenditure to examine the whole needs of the Presidency; and if this expenditure might be undertaken in addition to what is most needed to meet the necessary demands of other districts, I should certainly have no objection to his investigating in a wholesale manner the necessities of the

[10th August 1929] [Mr. G. HARISARVOTTAMA RAO]

Trichinopoly district. It is not one project that is contemplated here; one project is connected with another, and the second is connected with a third, and the third with a fourth and so on, and the schemes of the whole district are under investigation under this grant. I therefore feel that this grant cannot be so easily supported by the representatives of the poorer portions of the Presidency."

* The hon. Mr. M. R. SETURATNAM AYYAR :—"Sir, my position in the Cabinet has nothing to do with this scheme. It is not a new matter. On account of the floods in 1924, the head sluices of several channels in the district were damaged and irrigation was considerably handicapped. Some head sluices were reconstructed and some proposals regarding the bed regulator, etc., are still pending. Now that the question of the improvements to the several channels in the district are under consideration, the needs of the whole district have to be considered. Meanwhile the irrigation schemes for Salem and other places came up for investigation. I mean the Mettur Project. There is a number of schemes which have to be taken on hand when the area is surveyed. I have only to say that I agree to the proposals. I have no idea of opposing any grants for other districts. These have nothing to do with my position in the Cabinet. With these words, I appeal to the House to support this grant."

Mr. W. P. A. SOUNDARAPANDIAN :—"I move that the question be now put."

The motion was put and declared carried.

Mr. S. Satyamurti demanded a poll and the House divided thus :—

1-15
p.m.

Ayes.

- | | |
|--|--|
| 1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 30. Mr. W. P. A. Soundarapandian. |
| 2. " Sir Thomas Moir. | 31. " S. Subrahmanya Mooppanar. |
| 3. " Diwan Bahadur M. Krfahnan Nayar. | 32. " Daniel Thomas. |
| 4. " Mr. A. Y. G. Campbell. | 33. " S. Venkiah. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 34. Rao Sahib B. Srinivasan. |
| 6. " Mr. S. Muthiah Mudaliyar. | 35. Mr. A. J. Leach. |
| 7. " Dr. P. Subbarayan. | 36. " F. E. James. |
| 8. Dr. (Mrs.) S. Muthulakeshmi Reddi. | 37. " S. N. Dorai Raja. |
| 9. Mr. Hilton Brown. | 38. " S. Arpudaswami Udayar. |
| 10. " H. A. Watson. | 39. Raja of Kallikota. |
| 11. " A. G. Leach. | 40. Mr. U. Ramaswami Ayyar. |
| 12. " J. Gray. | 41. " V. Ramjee Rao. |
| 13. " S. V. Ramamurti. | 42. " P. Siva Rao. |
| 14. " C. B. Cotterell. | 43. The Maharaja of Pithapuram. |
| 15. " V. Ch. John. | 44. Mr. C. Gopala Menon. |
| 16. " M. A. Manikkavelu Nayakar. | 45. " B. Ramachandra Reddi. |
| 17. Syed Tajudin Sahib Bahadur. | 46. Rao Bahadur Sir A. P. Patro. |
| 18. Mr. A. B. Shetty. | 47. The Maharaja of Venkatagiri. |
| 19. " J. Bheemayya. | 48. Mr. P. T. Rajan. |
| 20. " R. Foulkes. | 49. Rao Bahadur S. Ellappa Chettiayar. |
| 21. " P. J. Gnanavaram Pillai. | 50. Khan Bahadur S. K. Abdul Razaak Sahib Bahadur. |
| 22. Mahmud Schammad Sahib Bahadur. | 51. Muhammad Khadir Mohideen Sahib Bahadur. |
| 23. Mr. J. Kuppuswami. | 52. Khan Sahib T. M. Moidoo Sahib Bahadur. |
| 24. Subadar-Major S. A. Nanjappa Bahadur. | 53. Rao Bahadur B. Muniswami Nayudu. |
| 25. Mr. T. M. Narayanaswami Pillai. | 54. Diwan Bahadur A. M. M. Murugappa Chettiayar. |
| 26. " K. Krishnan. | 55. The Zamindar of Mirzapuram. |
| 27. " N. Siva Raj. | |
| 28. " M. V. Gangadhara Siva. | |
| 29. " V. I. Muniswami Pillai. | |

[10th August 1929]

Noes.

- | | |
|-------------------------------------|--|
| 1. Mr. P. O. Venkatapathi Raju. | 16. Mr. A. Parasurama Rao. |
| 2. " R. Koti Reddi. | 17. " C. Ramasomayajulu. |
| 3. " Sami Venkatachalam Chetti. | 18. Ahmed Miran Sahib Bahadur. |
| 4. " S. Satyamurti. | 19. Sriman Biswanath Das Mahasayo. |
| 5. " C. V. Venkataramana Ayyangar. | 20. Mr. A. Kaleswara Rao. |
| 6. " J. A. Saldanha. | 21. K. Uppi Sahib Bahadur. |
| 7. " G. Harisarvottama Rao. | 22. Mr. Mothay Narayana Rao. |
| 8. " C. S. Govindaraja Mudaliyar. | 23. " C. N. Muthuranga Mudaliyar. |
| 9. Abdul Hameed Khan Sahib Bahadur. | 24. " K. V. Krishnaswami Nayakar. |
| 10. Mr. K. V. R. Swami. | 25. Diwan Bahadur B. N. Arogyaswami Mudaliyar. |
| 11. " D. Narayana Raju. | 26. Mr. K. P. Raman Menon. |
| 12. " K. B. Karant. | 27. " B. Nagan Gowda. |
| 13. " K. Madhavan Nayar. | 28. " C. E. Parthasarathi Ayyangar. |
| 14. " P. Anjaneyulu. | |
| 15. " C. Obi Reddi. | |

Ayes 55. Noes 28.

The motion was carried.

The hon. the PRESIDENT:—"I will now put the motion of Mr. Nagan Gowda to reduce the allotment of Rs. 500 for Civil Works—Transferred by Res. 1."

The motion was put and declared carried.

A poll was demanded and the House divided thus:—

Ayes.

- | | |
|-------------------------------------|--|
| 1. Mr. P. O. Venkatapathi Raju. | 16. Mr. K. R. Karant. |
| 2. " K. Koti Reddi. | 17. Ahmed Miran Sahib Bahadur. |
| 3. " Sami Venkatachalam Chetti. | 18. Sriman Biswanath Das Mahasayo. |
| 4. " S. Satyamurti. | 19. Mr. A. Kaleswara Rao. |
| 5. " J. A. Saldanha. | 20. K. Uppi Sahib Bahadur. |
| 6. " G. Harisarvottama Rao. | 21. Mr. Mothay Narayana Rao. |
| 7. " C. S. Govindaraja Mudaliyar. | 22. " C. N. Muthuranga Mudaliyar. |
| 8. Abdul Hameed Khan Sahib Bahadur. | 23. " K. V. Krishnaswami Nayakar. |
| 9. Mr. K. V. R. Swami. | 24. Diwan Bahadur B. N. Arogyaswami Mudaliyar. |
| 10. " D. Narayana Raju. | 25. Mr. Ramanath Goenka. |
| 11. " K. Madhavan Nayar. | 26. " Raman Menon. |
| 12. " P. Anjaneyulu. | 27. " B. Nagan Gowda. |
| 13. " C. Obi Reddi. | 28. " C. E. Parthasarathi Ayyangar. |
| 14. " A. Parasurama Rao. | |
| 15. " C. Ramasomayajulu. | |

Noes.

- | | |
|--|---|
| 1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 13. Mr. S. V. Ramamurti. |
| 2. " Sir Thomas Moir. | 14. " C. B. Cotterell. |
| 3. " Diwan Bahadur M. Krishnan Nayar. | 15. " V. Ch. John. |
| 4. " Mr. A. Y. G. Campbell. | 16. " M. A. Manikkavelu Nayakar. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 17. Syed Tajudin Sahib Bahadur. |
| 6. " Mr. S. Muthiah Mudaliyar. | 18. Mr. A. B. Shetty. |
| 7. " Dr. P. Subbarayan. | 19. " J. Bheemayya. |
| 8. Dr. (Mrs.) S. Muthulakshmi Reddi. | 20. " B. Foulkes. |
| 9. Mr. Hilton Brown. | 21. " P. J. Gnanavaram Pillai. |
| 10. " H. A. Watson. | 22. Mahamud Shammad Sahib Bahadur. |
| 11. " A. G. Leach. | 23. Subadar-Major S. A. Nanjappa Bahadur. |
| 12. " J. Gray. | 24. Mr. J. Kuppuswami. |
| | 25. " T. M. Narayanaswami Pillai. |
| | 26. " K. Krishnan. |

10th August 1929]

Noes—cont.

- | | |
|---------------------------------|--|
| 27. Mr. N. Siva Raj. | 43. Mr. C. Gopala Menon. |
| 28. " M. V. Gangadhara Siva. | 44. " B. Ramachandra Reddi. |
| 29. " V. I. Maniswami Pillai. | 45. Rao Bahadur Sir A. P. Patro. |
| 30. " W. P. A. Soundarapandian. | 46. The Maharaja of Venkatagiri. |
| 31. " S. Subrahmanya Moopanar. | 47. Mr. P. T. Rajan. |
| 32. " D. Thomas. | 48. Rao Bahadur S. Ellappa Chettiyar. |
| 33. " S. Venkiah. | 49. Khan Bahadur S. K. Abdul Kasaak Sahib Bahadur. |
| 34. Rao Sahib R. Srinivasan. | 50. Muhammad Khadir Mohidin Sahib Bahadur. |
| 35. Mr. A. J. Leech. | 51. Khan Sahib T. M. Moidoo Sahib Bahadur. |
| 36. " F. E. James. | 52. Rao Bahadur B. Maniswami Nayudu. |
| 37. " S. N. Dorai Raja. | 53. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 38. " B. Arpudaswami Udayar. | 54. The Zamindar of Mirzapuram. |
| 39. Raja of Kallikota. | |
| 40. Mr. U. Ramaswami Ayyar. | |
| 41. " V. Ramjee Rao. | |
| 42. " P. Siva Rao. | |

Neutral.

- | | |
|--------------------------------------|--------------------------------|
| 1. Mr. C. V. Venkataramana Ayyangar. | 1. The Maharaja of Pithapuram. |
|--------------------------------------|--------------------------------|

Ayes 28. Noes 54. Neutral 2.

The motion was lost.

* Mr. S. SATYAMURTI:—"Mr. President, Sir, we are now dealing with a kind of demand which consists of so many sub-heads I quite recognize Mr. President that under the existing constitution, the allocation of the various heads and sub-heads under these demands is entirely in the hands of the Finance Department. But I would like to invite the attention of this House, Mr. President to this fact that this demand of Rs. 500 consists of five items for each one of which Rs. 100 are asked for as token demands. Some of these items are good, some are bad and some are indifferent; and I think it is less than fair to this House that all these demands should be put together and the House asked to vote for them.

"My second point, Mr. President, is that the new rule authorizing the Government to put forward token demands before the House in order to get an expression of opinion of this House to the policy underlying those token demands is being rather freely taken advantage of by the authorities. It was intended, I presume, Sir, for large questions of policy with regard to financial commitments of which the Government would not be in a position to state accurately in terms of rupees, annas and pies, but with regard to which they wanted a general sanction of the House for the policy underlying that expenditure. I should have expected, Sir, that a rule like that would have been very sparingly used by the Government. But, as a matter of fact, Mr. President, I think it has become latterly a habit of this Government to truncate even the otherwise limited financial powers of this Honourable House by resorting freely to this process of submitting token demands.

"Sir, moreover, if the House will examine these schemes one by one, they will find that there is no clear need made out for these demands not having been included in the budget which was presented to the House in March this year. The House has got to be satisfied that certain new circumstances have arisen since the passing of the budget by this House, which

[Mr. S. Satyamurti]

[10th August 1929]

could not have been foreseen at the time the budget was framed, and in respect of which the Government are compelled to resort to what should be the extraordinary course of putting forward supplementary demands, or, there should have been a need for a new service arising in the course of the year which could not have been foreseen.

"Sir, I hope to satisfy this Honourable House that in respect of none of these items can the Government plead that these requirements could not have been foreseen when they framed the budget for this year. Taking item '(a) Additional establishment required in connexion with repairs and improvements to roads in the West Coast to be carried out by the Public Works Department', this is what the explanatory note says: 'The Calicut-Vayittiri-Gudalur road and the Calicut-Gudalur or Nadghani Ghat road under the Malabar district having fallen into a state of disrepair. . . I should like to know when these roads fell into disrepair and when this matter was brought to the notice of the Government. If these roads fell into disrepair sometime last year, when was this matter brought to the notice of the Government? Unless the Government can state that the matter was not brought before them till after the time for including this item in the budget had passed, I submit to the House that the Government would have no right to come to us with a supplementary demand for this purpose.

"Then, Sir, the explanatory note goes on to say, 'the Government have ordered that the execution of special repairs to the roads should be undertaken by the Public Works Department and finished as early as possible.' Now, Sir, I should like to know what is the policy—if the Government has any policy—in regard to this matter. Some of these roads are taken up by the Public Works Department and some are left to the District Boards themselves. What are the peculiar circumstances of Malabar which render it necessary that these two roads should be taken up or ordered to be taken up by the Public Works Department? Moreover, Sir, does the district board make any contribution and does the Government propose to do these special repairs for the benefit of the Malabar district board without getting from that board any contribution at all?

"The explanatory note again goes on to say: 'The cost of the repairs to both the roads is now estimated by the Public Works Department at Rs. 3,53,000—Rs. 2,80,000 for the Vayittiri road and Rs. 73,000 for the Nadghani Ghat road.' The earlier sentence in the note, however, points out that the Government disallowed the extra demand. Now, what has happened since, for the Government to change its opinion? Further on, the note says 'It is proposed to sanction the employment of two temporary clerks and a draughtsman for the West Coast Division and one clerk for the Nilgiris Subdivision of the Coimbatore division to the end of the year. The extra cost involved can be met by reappropriation.' On that matter, I want to say one word. Sir, you have got to be satisfied or at least the House has got to be satisfied when a demand like this is made not only by a statement of the Government that the demand can be met by reappropriation, but also that the reappropriation is going to be made from this sub-head to that sub-head or from this major head to that major head. No such details are forthcoming with regard to this demand.

1-30 P.M. "Therefore, Sir, on these two grounds, viz. that the financial implications of the proposals are not before the House, and even to the extent to which they are before the House, they are indefinite and inconclusive, and also

[10th August 1929]

[Mr. S. Satyamurti]

because Government have not placed their cards on table of the House as to what is their policy with regard to taking these roads from the district boards and maintaining them themselves, and if so, what is the proportion of the cost which the district board and the Government should bear for the maintenance or construction of these roads, I think this part of the demand should be opposed."

The hon. the PRESIDENT:—"The Council will now adjourn and re-assemble at 2-30 p.m."

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

V

DURATION OF THE CURRENT SITTING OF THE COUNCIL.

* The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"Mr. President, as we are not making progress with regard to the agenda as we anticipated and as we have many other Bills for the next meeting on behalf of the Government I request you to continue the sittings on Monday so that we may finish the business. If necessary, I may request you, Sir, again on Monday to continue the sitting in case we have not finished the business."

* Mr. P. C. VENKATAPATHI RAJU:—"Mr. President, we have already sat nearly for one week. You were pleased to announce yesterday that the Council would close this evening and on the strength of that statement some of my friends have left the place and many more have booked or reserved their berths. Some other members of my party have got other engagements to attend to on Monday. Therefore it would be very inconvenient for my party and they asked me to request you to adjourn the Council to-day as it would be inconvenient if the sitting is continued."

* The hon. the PRESIDENT:—"Regarding the point that some members may be put to unnecessary expenditure I think the Government will be prepared to examine the question whether if any Members have incurred any expenditure on account of the announcement yesterday they should be reimbursed or not. The disposal of work before us is necessary and the Legislative machinery must be available for the Government to dispose of their business. I think that there is no reason for refusing to continue the sittings. After all what I announced yesterday was only for the convenience of hon. Members and till the actual moment when an adjournment is announced, the sittings continue and information might be given to Members from time to time as to the intentions of Government."

* Mr. P. C. VENKATAPATHI RAJU:—"It is not on account of financial considerations that I made these representations."

The hon. the PRESIDENT:—"I have already asked the Secretary to wire to those Members who have left the place."

* Mr. P. C. VENKATAPATHI RAJU:—"With regard to the disposal of the business, His Excellency the Governor has got other means of finishing it off. He can summon the Council ten or fifteen days earlier in September instead of in the latter part of September."

The hon. the PRESIDENT:—"As far as the continuance of this sitting is concerned, until the actual adjournment is announced, its continuance cannot be said to be illegal."

[10th August 1929]

* Mr. P. C. VENKATAPATHI RAJU :—"I am not questioning the legality or otherwise of the continuance of the sitting of the Council, but I am simply pointing out certain inconveniences which my party will be put to in the matter."

VI

THE "JUSTICE" AND THE MADRAS LEGISLATIVE COUNCIL.

Mr. P. C. VENKATAPATHI RAJU :—"Now, Sir, before we commence the regular business of the day, I wish to draw your attention and also the attention of this hon. House to the leading article published in one of the daily journals of this place, viz., *Justice* of Thursday the 8th August 1929. I feel that is an attack bringing both this House and the hon. the President to contempt and I bring it to your notice for such action as you deem fit under the circumstances."

* The hon. the PRESIDENT :—"I am glad the hon. the Leader of the Opposition has drawn my attention to the article in question. What I propose to do is to call a conference of all Leaders of Parties and also the Advocate-General and consider what steps, if any, should be taken."

The debate on the adjournment motion will continue till 5 minutes after 5 p.m.

VII

ADJOURNMENT MOTION RE THE SUPERSESSION OF THE ANAKAPALLE MUNICIPALITY.

Mr. A. KALESWARA RAO :—"I beg to move that the business of the House be adjourned for the purpose of discussing a definite matter of urgent public importance, viz., the supersession of the Anakapalle Municipal Council for two years by the Government."

"Sir, I beg to state that I would not have undertaken this task but for the grave constitutional issues involved in the supersession of the municipality and in debarring the citizens of that municipality from exercising their rights of franchise for two years. The hon. the Chief Minister seems to believe in exhibiting the powers that he possesses under the Act and in inflicting the extreme punishment. If he were a judge, God forbid he should be one, he would have sentenced every accused in a sedition case for transportation for life. When a grave thing like this occurs, Members on this side of the House who believe that the rights of the people should not be treated so lightly try to put questions and get answers and explanations from the hon. the Chief Minister with regard to the circumstances under which he took this extreme step. When asked whether severe strictures were passed by the Collector or the Government on the administration reports of this municipality for the years 1927-28 and 1928-29, the hon. the Minister wanted notice. When asked to show the report of the Collector upon which this action was based he said that it was confidential. When asked whether the Collector himself made preliminary enquiry or whether he deputed one of his subordinates to make the enquiry, he said that it was his impression that the Collector made the enquiry, but he could not be definite. Sir, this is the third instance in which the supersession of local bodies has taken place in the Telugu country during the last two years. Kistna District Board was superseded for one year. There was a deadlock, which was due to the nomination of 18 members, for which the hon. the Minister himself

10th August 1929]

[Mr. A. Kaleswara Rao]

was responsible and in consequence of that deadlock he superseded that district board. In Ellore there was a deadlock and he superseded it for one year. He seems to believe in the second portion of section 41 of the District Municipalities Act and he does not care for the first portion which relates to dissolution and reconstitution. Here we have the third instance. It was elicited from his answers that no previous warnings were given to the Council. The only warning that was given was the statutory notice to show cause why the Council should not be superseded and the Council naturally gave bona fide answers that they would try to improve matters and try to conduct the municipal administration efficiently. Mr. Alexander Wright is an Anglo-Indian gentleman with business experience. Though he had no communal strength, he was elected to the Municipal Council for two successive terms. He was nominated by the Government themselves and therefore he must have possessed some amiable and social qualities which have made him somewhat popular with the Municipal Council and enabled him to become the Chairman. There is no case that he was not getting on well with the Municipal Council. He had a majority, and no action was taken against him under section 40 of the District Municipalities Act. There is no question of his infringing any resolution of the Council. So, here there is action taken by the Government against the Council including the Chairman. The Government's action, according to the answers given by the hon. the Chief Minister the other day, is based on two things—(1) Mr. Bracken's report and (2) the representation of some people to the Minister when he went to Waltair. Collector Mr. Bracken is not famous for his sympathies with Indian aspiration with regard to self-government. He is an autocratic bureaucrat. His trampling under his feet the Swaraj flag, his bringing military to Godavari district to terrorize the people and his sending hundreds of people, including that old lady Subbamma Garu, to jail, are well known. He seems to believe only in the competence of officials, and in the incompetence of non-officials, including my hon. Friend the Chief Minister. That is the sort of man who has made the report. Another report is that which was made by some people to the Minister. Who they are the hon. Minister does not know. To which party they belong he does not know. He seems to believe they are colourless people because they came to him. One thing must be said now, and that is this: that the hon. Minister has gone all the way from Madras to Waltair spending much public money. That was probably his triumphal entry to Vizagapatam after he gave the headquarters of the Andhra University to that town. He seems to have been too much engrossed in tea parties and other social functions to have gone to Anakapalle, to have visited the municipality, to have called all the municipal councillors, to have seen personally whether all the roads were in bad condition, whether the sanitation was bad and whether the drainage system was better there than in Madras, and whether there were not less mosquitoes there than in Madras. He did not do anything like this. I submit with all due respect to my hon. Friend that here is a dereliction of duty. Before the hon. Minister took such a serious action, before he infringed the birth-right of the people and before he superseded the municipality for a period of two years, he ought to have availed himself of the opportunity and paid a visit to the municipality and had a heart-to-heart talk with all the electors, with the chairman, with the councillors, with the majority party, with the minority party and so on.

[Mr. A. Kaleswara Rao]

[10th August 1929]

2-46
P.M.

"With regard to the representations of the people, I want to say one thing. In almost every council there is a desperate minority party. They would prefer supersession for the longest period because the minority party wants that the majority party should go and never return. It is but natural therefore that some people, whom the hon. Minister does not know, and cannot be expected to know, should come to him and tell him that the chairman and the majority party should go away bag and baggage so that an official may be appointed or they themselves may come to power some day. If the chairman belongs to the majority party and is able to have a majority, then it is said there is a clique; if he is not able to command a majority, then it is said he is incompetent. This is the philosophy of removing chairmen and dissolving councils. Anakapalle is a small municipality with a small population. We have yet to know from the hon. Minister if there are any specific charges against the municipality. We have only a notification, a bare notification that Anakapalle Municipality has been superseded. That is the extent to which we have been taken into confidence by the hon. the Chief Minister. I must submit that the burden of proof that supersession is wrong does not lie upon me. It is for him to justify his action and to show that supersession was perfectly justified, that all the preliminaries necessary to supersession were taken, and that there was no other course but to supersede. So far as we are concerned, we have been informed by way of answers to supplementary questions that there was maladministration. Maladministration is a hazy and vague thing. He said in his answer that roads were bad. I should be surprised if the roads of a small municipality, a poor municipality like Anakapalle, were good. Most of the municipalities in this province have very bad roads, including Bezawada—our municipality. But we are trying to improve them because we are much more prosperous than Anakapalle. Anakapalle is a small place. At the same time, it is a commercially active place and the traffic is very heavy. Therefore its roads will be bad. It is the duty of the Government to come to the rescue of the municipalities, to help them and not to condemn them because the roads are bad.

"The second charge against the municipality is that sanitation is bad. In this respect also the condition of almost all the municipalities I have seen are bad. It is said that there is no drainage scheme and no water-supply scheme. If all municipalities are to have these schemes it will cost lakhs of rupees. In the matter of child mortality, according to the administration reports, the two capitals of the Government are the worst—Madras and Ootacamund. If there are any two municipalities that ought at once to be superseded because they are insanitary or because child mortality is very high, they are the two capitals of the Government—Madras and Ootacamund. With regard to mosquito nuisance, Madras is proverbial. I do not see how a poor municipality like Anakapalle can be charged with insanitation. The third charge is unsound finance. If there is any embezzlement or misappropriation, there is the Examiner of Local Fund Accounts to surcharge. I do not know if the hon. Minister has to disclose some more charges against the municipality. The charges so far disclosed are trifling. Of all the defaulters in the matter of arrears of collections, Madura Municipality stands first. With regard to factions, everywhere there are factions. Sometimes these factions are vociferous; sometimes it is too insignificant to talk of. On these grounds no municipality should be condemned. If somebody else

10th August 1929]

[Mr. A. Kaleswara Rao]

were to see the administration of this Presidency and if the existence of factions were a thing to be condemned I do not think we would be better off than these municipalities. None of these grounds are tenable.

"With regard to financial matters, the Examiner of Local Fund Accounts seems to make a distinction between officials and non-officials. Non-officials who cannot devote all their time and who have other avocations are being treated with greater rigour instead of with greater leniency than official chairmen and presidents of local bodies. As a matter of fact no official chairman or president of a local body has been surcharged. That is the rule. With regard to local funds branch . . ."

The hon. the PRESIDENT:—"The hon. Member has exceeded the prescribed time-limit. I extend the time by five minutes."

Mr. A. KALESWARA RAO:—"I would submit two more points and resume my seat."

Mr. P. C. VENKATAPATHI RAJU:—"It is usual, Sir, to allow half an hour to the Mover of a motion. Of course, according to the Standing Order, discretion is vested in you. I request you to allow the hon. Member half an hour."

The hon. the PRESIDENT:—"The hon. Member has agreed to finish his speech within five minutes."

Mr. A. KALESWARA RAO:—"I would like to take more time. I leave the matter to your discretion."

The hon. the PRESIDENT:—"The hon. Member would have to make his speech very interesting if he wants more time." (Laughter.)

Mr. A. KALESWARA RAO:—"I wish to draw the attention of the Council to one important fact. Mr. Wright may be an inefficient administrator; the councillors may not be highly enlightened; I do not know Mr. Wright; we have no political connexion whatever. I have never seen him. But what I beg to submit to this House is that even the humblest of the municipal servants has a right before he is punished, to a certain procedure being followed, viz., that the charges against him should be placed before him, that he should be given the right of cross-examination, that he should be allowed to adduce his own evidence and then he should be judged. I am surprised to see that the first citizen of a municipality should be punished without the proper and usual procedure being followed, and that he should be removed altogether by a confidential report from the District Collector or some subordinate official of the Government. This state of things is really intolerable. Irrespective of parties, I think that no non-official with any self-respect can serve on these local bodies so long as this Damocles' sword hangs over him. Any day a Collector like Mr. Bracken may not like the chairman or president of a taluk board; he may write a confidential report against him and some party may come forward and say that the president is a very bad man; if the chairman or the president is to be removed like this, then self-government is really doomed. I have to protest against the recent action of the Government in the case of the non-official chairman of the Anakapalle municipality. If the charge of corruption is proved, then he may be prosecuted; if there is irregularity in the management of money matters he may be surcharged. But in the case of general bad administration he should be given one opportunity and again another. It is the duty

[Mr. A. Kaleswara Rao]

[10th August 1929]

of the hon. Minister who is the head of local self-government in this province to go to such places and to advise the people or he should send his secretary to the place for the purpose. He should not depend upon the Collectors whose angle of vision is altogether different; they are the representatives of the Reserved half of the Government. Here we are in swaraj, that portion of swaraj that is given to the people of India. The angle of vision of the municipalities and the hon. Minister is the same but not that of the Collectors who are autocrats of the districts and who feel that they are autocrats.

"One word more and I shall finish. With regard to section 41 of the District Municipalities Act there are two provisions, re-constitution and supersession. Why not try re-constitution? Why should not the hon. Minister ask the Tahsildar who is paid, to prepare the electoral rolls—it will be ready by this time in the usual course of things—and to hold elections in August or September according to the Act? I am told that the Tahsildar who is appointed is paid salary. Nobody can vouchsafe that the Tahsildar will be very honest and efficient. From our experience of Ellore we know that there were more complaints during the regime of the paid chairman Tahsildar than during the regime of Mr. Venkataramayya during whose regime unfortunately there was deadlock. Why should the hon. Minister take the course of supersession and appoint a special officer and why should the municipality be superseded for a period of two years, the extreme period stipulated in the Act? I therefore protest against the procedure, against the unconstitutional and illegal action of the Government as well as against the severity of the sentence pronounced upon the citizens of the Anakapalle municipality. I hope the Council will take a very dispassionate view of the matter and not any party point of view. This is a question of local self-government and I request hon. Members to give a verdict consistent with the proper growth of local self-government in this Presidency."

MR. P. ANJANEYULU:—"Mr. President, Sir, I second this motion and in so doing I beg to state the facts as they reach me for such thorough enquiry and investigation as the hon. Minister may think fit. According to my information, Sir, though the hon. Minister was saying the other day in answer to supplementary questions on the floor of this House, that it was the Collector who conducted the enquiry, the Collector simply passed on the papers, for enquiry and report, to the Revenue Divisional Officer. The Revenue Divisional Officer in his turn passed them on to the very Tahsildar who has now been appointed as the chairman of the municipality. He was then Tahsildar and was about to retire; I leave it there. The Tahsildar, it was, according to my information, who conducted the enquiry and made strictures against the chairman. I must also admit that the state of affairs was somewhat rotten in that municipality for the previous two years. But that chairman was not there; that council was not there. Another chairman and a new council was functioning for six months before it was superseded. During these months, I am told, Sir, that the administration was improving, and that uncollected taxes were being collected. There was no special complaint against this particular chairman. But just as the vernacular proverb goes they gave medicine after the burial ceremonies were over. Previous administration had gone; investigation began when a new chairman came and when a new council was functioning. Everything was improving. I do not know if my facts are correct. They have to be verified; I think I am

10th August 1929]

[Mr. P. Anjaneyulu]

correct. After the Tahsildar's report was sent, it was submitted to the Revenue Divisional Officer. My information again is that the Revenue Divisional Officer did not agree with the report submitted by the Tahsildar. He offered his own remarks, widely different from those of the Tahsildar but, all the same, not in favour of the then administration and the then municipal chairman. He however suggests that another opportunity might be given. Then the whole record goes to the Tahsildar—in most cases, the Collectors simply forward the papers to the Tahsildar—who makes the enquiry and he submits his own report. It is very likely in this case Mr. Bracken did not go there and conduct the enquiry. I should however like to be corrected, if I am wrong. Mr. Bracken might be a very good officer, but I do not know what sort of man Mr. Bracken is. I do not want to pass any remarks on the administration of a gentleman about whom I know absolutely nothing, but if my facts are incorrect, it is up to the Government to correct me. I do admit that there are certain municipalities and certain district boards which ought to be suppressed. Things may be very rotten there, but yet they are allowed to go on. They might have come to the notice of the hon. the Minister and he must know the reasons for allowing them to continue. Sir, I am a plain and blunt man and I state facts plainly and bluntly. It looks to me that if the chairmen concerned are his party men, whether they commit sin or no sin, they are all treated as good boys. They may be good boys, and may be treated as in a criminal court where a man is not said to be guilty until the contrary is proved. Here, however the case is the reverse; the chairman, if he is not his party man, he is considered to be a bad man until the contrary is proved. Not even an opportunity is given to that chairman to prove his innocence or to put his case before the Government and the hon. Minister makes up his mind at once. Sir, it is the principle involved that I am questioning. I know some municipalities are grossly bad, and I dare say my hon. Friend the Chief Minister knows that, but he winks at them. What is the reason? What is the policy behind this? Is he responsible to anybody? Is he responsible even to those who put him there? I will tell him this, Sir: when he leaves that seat and comes over here once again, if at all he is elected, I am perfectly sure he won't be there much longer. Therefore he is indefinite about his own place, he is indefinite in his answers and he is indefinite in his policy. We, of course, expected much better things from him—of course I have great personal respect for my friend; but so far as his administration is concerned, I know that his policy in superseding some municipalities, in cancelling the holding of certain elections and in allowing certain others to be held, is very objectionable. He has not exercised his responsibility in these matters in the manner in which a responsible Minister ought to exercise and done justice between man and man, irrespective of party. No one in the House or outside who is interested in the good administration of local self-governing bodies will say for a minute that they should not be checked now and again. In this matter, two points should be taken into consideration. All these men who are chairmen are doing honorary service. They must be given a different treatment from that given to those who are paid. Here, Sir, the Tahsildar writes his own judgment, makes up his own decree and takes the benefit also himself. I would therefore make this suggestion: there must have been something behind the mind of the Tahsildar when he sent his report, something intensely personal, something intensely selfish. If that report is

[Mr. P. Anjaneyulu]

[10th August 1929]

not supported by even his immediate superior officer, the Revenue Divisional Officer, it is up to my friend the Minister to have paused and considered before he passed this extreme sentence of supersession, because he could not do anything worse under the provisions of the District Municipalities Act. I also suggest that the case may be examined again. It is never too late to mend; but I do not know whether my hon. Friend will make up his mind to undo his own orders. That really requires more of courage and more of sportsmanlike nature than to stick to the orders already passed purely because they have been once passed. With these words, Sir, I have the honour to second the motion."

* Mr. F. E. JAMES:—"Mr. President, Sir, it is always a pleasure to hear my friend the Mover of this motion. He is one of the few in this House who, although he says bitter things, and sometimes foolish things, always says them in a charming manner. I think on this occasion he has introduced this motion."

Mr. R. NAGAN GOWDA:—"On a point of order, Mr. President. Can any Member of this House say that the speech of another Member is foolish?"

The hon. the PRESIDENT:—"Will the hon. Member repeat what he said?"

Mr. F. E. JAMES:—"I said, Sir, that occasionally he says foolish things, but in a very charming manner." (An hon. Member: The hon. Member's charm is all right.)

The hon. the PRESIDENT:—"He has not characterized Mr. Kaleswara Rao or his speech as foolish. He has only characterized the things of which he spoke."

Mr. SAMI VENKATACHALAM CHETTI:—"May I know to whom the 'charming manner' refers to?"

The hon. the PRESIDENT:—"It refers to Mr. Kaleswara Rao." (Laughter.)

* Mr. F. E. JAMES:—"There seems to be some competition for my description of Mr. Kaleswara Rao. His speech, however, gave me the impression that his heart is not really in this motion. Of course he is the chairman of a municipality and naturally he goes to the help of another municipality and characterizes the action of the Government as an illegal one. He knows, in spite of what all he has said, that the particular section under which this action has been taken is the section which hangs, like Damocles' sword, even over his own head. If that Damocles' sword now falls on the head of another chairman, naturally he becomes very nervous because he knows that it might one day fall on his own head as it has fallen on his neighbour's. But, apart from this, Sir, somehow or other I feel that Mr. Kaleswara Rao has not made a good case. It is really unfair to Mr. Bracken to say that he has been sending the records to the Tahsildar and that he did not make any enquiry himself. I have not the pleasure of Mr. Bracken's acquaintance; but I know, from all records, that he is an extremely efficient officer. I have also noticed that an officer who is noted for his efficiency is invariably accused of not being alive to the interests of the people. I wish to suggest that there are occasions and times when that very efficiency which seems to

[10th August 1929]

[Mr. F. E. James]

unsettle my hon. Friend's mind is and can be used to very good purpose on behalf of the people. He referred to the present chairman of the municipality, Mr. Alexander Wright and I believe he characterized him as one having considerable business experience. I am sorry to observe that this has not been to Mr. Alexander Wright's advantage or to that of the municipality over which he presides. On enquiry I find that the municipality was superseded because of faction, of extravagance and of incompetency. If there was any virtue at all in what Mr. Kaleswara Rao has said, it seems to be this: that Government might have explained in this order the reasons for the supersession of the municipality. I always feel that in these matters the Government should take the public entirely into their confidence, and I think the term 'maladministration' might have been explained in some detail. But surely, Sir, faction and extravagance are quite enough reasons for the supersession of a municipality. It is no argument to say that there are many other municipalities which are doing just the same thing. Indeed the Mover had the courage to say that, but that is no argument at all. What I suggest is that such an argument might be dangerous to the Mover. I understand that the municipality has about 18,000 inhabitants. It was considered useless to hold fresh elections, because the same people would have been elected and the same trouble would have occurred. Then take the question of extravagance. I am given to understand that this municipality of about 18,000 inhabitants is in debt to the extent of many thousands owing to very extravagant schemes which it wanted to carry out. In the matter of competency again, I understand that, apart from the question of bad sanitation, conservancy of roads and the general financial administration, a large part of the municipal staff has not received its pay since March or April of this year. Is that competency, I ask? Is that the result of the chairman's ability or his business capacity? I suggest those are reasons which are entirely adequate.

"Now, Sir, the seconder in his speech has let the cat out of the bag. He indiscreetly described the motion as a motion of no-confidence against the Minister and it is strange to me to observe that those who are anxious to supersede the present Ministry on account of its maladministration, should be anxious to revoke the supersession of the Anakapalle municipality on the same ground. (An hon. Member: 'Not once'). Government have only superseded five municipalities during the past nine years. I congratulate this country upon the excellence of its administration of local bodies, but I would suggest that in order to preserve that reputation, it must be prepared to supersede such of the administrations as are not keeping up that high level. We have also been told that the Minister has done this on his own responsibility and without making sufficient enquiry. I am quite prepared to be convinced on those points; but from the information which has been placed in my hands and from the enquiry I made when the question came up, I find that this supersession did not take place until it was carefully considered and enquired into. After all, Mr. President, no Government, particularly no transferred section of the Government is going to take action which is liable to lead to any agitation in this Council. Therefore, I say that this Government and the hon. the Minister in charge of the Local Self-Government Department have done a real service to the cause of the administration of local bodies in this Presidency, and I trust that as a result of this

[Mr. F. E. James]

[10th August 1929]

motion, the action that has been taken by this Government will not deter them in the future from taking similar action wherever such action is needed."

3-15
P.M.

Mr. G. HARISARVOTTAMA RAO :—" Mr. President, Sir, I am surprised at the adroit cleverness of the representative for the planters. He tried to characterize his colleague from Kistna in a manner that does no credit to him or to his community. Failing that, he has thrown a red-herring in front of this House in the shape of a cry of this, 'no-confidence' motion. I expect that this House will not be misled by any such ideas as have been thrown before it by this adroit performer on the floor of this House. The municipality of Anakapalle has a population of 20,360 souls and its income and expenditure according to the 1927-28 report, do not show very much of an amount. The opening balance was Rs. 222 and the receipts Rs. 11,292, and the expenditure was Rs. 10,966, the closing balance being Rs. 548. This was in reference to its general account. With regard to the other things, take capital account, for example, it is a very small figure, namely, Rs. 518 of opening balance that it has ; it has no other account except the account in the form of deposits and advances. Its closing balance is Rs. 17,857 under that head. I see no other account in its favour. It is a very tiny municipality and the hon. the Minister for Self-Government is using the thunder-bolt of a power that he possesses under the Act to crush this tiny place. It is open to question whether the hon. Minister has carefully examined the situation before ordering supersession of this municipality for two years. There are two provisions in the Act. Even granting that there was something very materially wrong either with the chairman or with the municipality, the hon. Minister has two courses open to him. He has the right and power to dissolve the municipal council and he has the right to supersede the council. Has he for one moment considered why these two powers are vested in him and when these two powers have to be used ? With regard to supersession it is clear that those who are punished are the voters and the electorate. With regard to dissolution, it would be the administrators for the time being, that is, those who hold power for the time being in the municipality and run its administration. Now, Sir, how does the hon. Minister for Self-Government feel confident in this case that he has to punish the rate-payers and the electorate. He has taken the extreme expedient of superseding the municipality. That means that the voter is deprived of his right to vote at an election and return his men to administer his local affairs. If the municipality has gone wrong, if the chairman has gone wrong, the appeal that should have been made by a responsible Minister who is responsible to an elected house like this, must have been to the electorate. It should not have been to himself. He has avoided that altogether in this case. I do not know what justification he has to avoid that particular course. It is quite possible that I shall be told that the municipality would return the same people again. Well, Sir, has he given an opportunity to the municipality to try that method and has the municipality proved its inability to change its men or to send its men properly chastened ? He has not tried that expedient at all in this case. He has, on the other hand, chosen to rely upon the reports of the district collector. I do not for one moment want to suggest that the district collector has not made his report in a *bona fide* manner. It is quite possible

10th August 1929]

[Mr. G. Harisarvottama Rao]

that he has believed what he has stated and has stated it in the manner in which he has stated it. But, does not the hon. Minister know that there will be occasions on which men are prejudiced or pre-possessed ? There may be occasions when even Collectors may be misled in their estimate of men and matters, and there may be occasions in which a man in the position of Collector, looking on the municipality from a distance, may look at it in a wrong manner. For instance take this particular municipality. Cannot the hon. Minister for Self-Government realize that with its small resources, it is possible that a tiny municipality like that might have had its roads not in very good order ; and one big jerk for this great potentate of a collector received on the roads and probably a little pain in his loins—sometimes that also happens on the roads of certain municipalities, I admit—if a thing like that had happened and if the man was a man of temper—it is quite possible that he could have had a prejudice against that particular municipality. How is it that the hon. Minister for Self-Government declines to look into anything except the report of the collector in this matter ? He was asked twice over yesterday during question-time whether he would reconsider the question, and whether he would employ any other agency to consider the matter once more before he finally decides. But, he declined and said that sufficient opportunity had been given for the consideration of this question. How does he hold that sufficient opportunity had been given ? He has not given anything to convince us that sufficient opportunity has been given for the consideration of the matter at all. Even supposing that there were mistakes, he being a representative of a democratic institution has he not got the right to come before us and tell us that he would exercise those democratic powers placed in his hands by giving the democracy an opportunity to rectify its faults at least once in its life ? The hon. Minister has not tried the expedient of giving such an opportunity to the municipality concerned. And therefore it comes with ill-grace from a person placed in the position of a Minister to say that he would supersede municipalities like this and appoint his own men. It is by this means that he is attempting to hold on to the power that he now has by manipulating situations like this and creating creatures of his own. I do not for one moment lay a specific charge in this case against him. I have not heard him yet and so I shall not make charges against him specifically, but he must consider this situation that, if he declines to give opportunities which must be given technically—I shall not call it legally—for every action taken by Government is said to be now legal—he is making certain defaults on his behalf. If he gives a proper opportunity there is sufficient time for him to judge of the performance of the electorate and he can give that municipality one more chance and ask the people to elect proper representatives and work at it. Sir, if he has misgivings as to the nature of the composition of the municipality if it is dissolved and re-elections are held, there is even power in him to appoint a chairman of his own choice, if it comes to that. He has still reserve powers and he can allow the municipality to elect its own members and yet he can give a paid chairman or a chairman of his own choice, so that the administration cannot go wrong. Has he tried any of these expedients in the case of this municipality ? If he has not tried these things, how do you believe that democratic institutions will progress in this country ? Granting that there is something wrong with the municipality, granting

[Mr. G. Harisarvottama Rao] [10th August 1929]

that there is something wrong with the chairman of the municipality and granting that the municipality requires some form of punishment, is this the way in which the Minister should have gone on with his business? Has he considered at all the alternative weapons that he has in his hands and has he used the mildest of them in the first instance? No. On the other hand, he has chosen to use the harshest of them. He has most injudiciously attempted to use the worst power that he has in his hands. This is a comment upon the administration of a local self-government institution under this Government. My Friend the hon. Minister for Local Self-Government must have regard for the democracy that he is called upon to work. He should not lose opportunities of giving latitude to democratic institutions even of making mistakes. Democratic institutions cannot develop without mistakes. Even for making mistakes there must be room and it should not be said that he put his foot upon every small mistake that a local body committed. It is impossible for local administrations to become an accomplished fact if he went on in that fashion. He ought to have tried every expedient possible and even now it is not too late for him to do it. I expect that he would rise in his place and tell us that he has tried every expedient before he superseded this municipal council. It may be difficult for him to make up his mind in this direction having once made up his mind in another direction. Democracy requires it and in the name of democracy and in the name of responsible government which he considers he has got to-day by being the Chief Minister, I would call upon him to make a statement on the floor of this House that he would try that expedient, that he will once more go into the matter through another agency than the Collector, that he would issue the less officious instructions in his power and that he would give all opportunities for democratic institutions like the tiny municipality of Anakapalle to correct itself and to make its own being."

Dr. B. S. MALLAYYA:—"Sir, I have been listening to the speech made by Mr. James, who claims to be a type of British sportsman. Sir, the British sportsman will not shoot his own dog even without giving it a second chance. The hon. Minister has levelled charges against a tiny municipality managed by rather under-educated people. Now, has that same test been applied to the premier municipality of Madras by the hon. Minister for Local Self-Government? Sir, I am afraid that there is very little to choose between a councillor who will barter his vote for a pot of toddy and the Minister who will make nominations in the interests of his own party. Sir, there were defalcations and embezzlements in the Corporation of Madras to the tune of lakhs. I brought forward that question several times before this House and nothing was done and they would not do anything. In fact the Revenue Officer and the Commissioner who were then in charge and who were found fault with by the enquiry committee, were taken away and given higher appointments by Government. What is their fate to-day? Sir, the Minister for Public Health told us yesterday that the tours undertaken by the Inspector-General of Registration who was Commissioner at the time timber defalcations were detected in the Corporation were not in the best interests of the services, that they were not economical and that Government were making enquiries into those irregularities. I put some questions this morning about transfers and other things and no proper answer was

10th August 1929] [Dr. B. S. Mallayya]

given. When there is a charge of embezzlement (during the regime of a particular person, why don't you hold a public enquiry and either exonerate him or book him? Why do you allow that? Now, in this case, why do you take such drastic steps against this poor municipality? Did you apply the proper tests? In regard to sanitation for the city of Madras, you told us last year and the year before last that you would not allow us to have the health officer even when there was cholera in the city. As a matter of fact, smallpox is still continuing . . ."

* The hon. the PRESIDENT:—"I request the hon. Member to leave alone the Corporation of Madras."

Dr. B. S. MALLAYYA:—"It is only a parallel case. I want to know whether the same tests have been applied in the case of the Anakapalle municipality . . ."

* The hon. the PRESIDENT:—"I am sorry that the remarks of the hon. Member are not relevant to the matter under discussion."

Dr. B. S. MALLAYYA:—"Thank you, Mr. President, I will go to Anakapalle again. If Anakapalle is to be tested by the same standard as other cities, the same rules must be applied to it also and the same rule must be applied to all irrespective of extraneous considerations. If taxes are not collected in Anakapalle, the same was the case in Madras. If the health of the people is not properly looked after in Anakapalle, the same was true of Madras. The Government said that they would not allow the Revenue Officer and the Health Officer of the Corporation to continue. But what did they do later? They have accepted the Health Officer whom they condemned. They have accepted the Revenue Officer whom they equally condemned. Nay, the Revenue Officer who was supposed to be responsible for the embezzlements of the funds of the Corporation was promoted to a higher post."

* The hon. the PRESIDENT:—"Order, order. The hon. Member has chosen a very wrong occasion to ventilate his grievances regarding the Corporation of Madras."

Dr. B. S. MALLAYYA:—"I am sorry, Mr. President, but my only object is to impress upon my friend Mr. James and others who think with him that all local bodies must be judged by the same standards. The Chief Minister is supposed to be the father of Local Self-Government in the whole of the Presidency. He is supposed to encourage every self-governing institution, but only he has got into the undesirable habit of trampling over the weaklings. He buried Coochin last year and this year he has buried Anakapalle. Two others, I understand, are gasping and I fear graves are being dug for them. Is it not the duty of the hon. the Minister to see that these erring children are rectified and made to do their work properly and not to throttle them and bury them? That is hardly the policy to be followed. Even in the interests of justice, British justice as we call it, pray judge all municipalities by the same standard and not each by different standards out of party views. Sir, if it is even justice, let it be even to big municipalities as to small ones. It is now not too late for the hon. Minister to revoke this order. In the case of the Madras Corporation, the Government said that they would not take back the Revenue Officer, that they would not take back the Health Officer, but they have gone back on those orders and have taken them back.

8-30
P.M.

[Dr. B. S. Mallayya]

[10th August 1929]

Why not, similarly, revoke this order, give Anakapalle another trial to form a new council? Why penalize the rate-payers as well as the Council for the sins of one man? I appeal to the hon. the Chief Minister—he is himself a sportsman—to give them a second chance and a fair trial.”

* Mr. C. RAMASOMAYAJULU :—“ Mr. President, Sir, while we are on this question, I think, Sir, it is proper and necessary that we should bear in mind that there are certain provisions in the Madras District Municipalities Act which have a particular bearing upon the question of the extent of control which the Government has got to exercise by way of supervision, by way of preventive action and of remedial action as well in the case of irregularities. These provisions are covered by sections 34 to 42 of the Act. My object in pointing this out to the House is this, that the Government is not expected to take the extremest of measures before steps are taken, before resort is had to the other remedial measures with a view to bettering the condition of the municipality that are provided in the Act. There is provision, Sir, for the Collector or the Government entering upon and inspecting any municipality or calling for information with reference to any estimate or plan or calling for other information with a view to set matters right. There is also provision for the Government or the Collector to put into effect any resolution that is passed by the Council but which the Chairman for reasons of his own refuses or neglects to put into effect. Under these circumstances, Sir, Government can intervene, put into effect any resolution so passed but not given effect to and the expenses incurred by the Collector in that behalf are the first charge upon the funds of the municipality. There is also provision for suspending any resolution passed by the Council from being given effect to or withholding any licence which the municipality has sanctioned on the ground that it is detrimental to public health or safety and similar grounds. There is besides provision for what are called emergency provisions, for the Government taking any emergency action which is required in the interests of sanitation or public health of the people which the Council refuses to take. There is further provision for what are called superintending powers. There is provision for Government asking to inspect the records of municipalities, making remarks upon them, bringing them to the notice of the Municipal Council, calling them for explanation or guide them in the discharge of their duties. Section 40 provides for removal of chairman and 41, for the supersession of the municipality. Even here, there are two clauses in section 41, the first is that the municipality may be superseded and provision made for the election of a new set of members and a new council to be brought into existence to carry on the administration. The utmost penalty, the severest penalty is the one that comes last and that is the supersession of the municipality and the extremest period is two years, when a revenue officer or some other officer may be appointed to carry on the work for that period. The present one is a case in which the extremest provision is given effect to by the Government and that to the extremest period of time granted by the statute. That is to say, Anakapalle is superseded, and superseded for a period of two years. The object of the adjournment of the House to-day is to get from the Chief Minister information of what vigilance the Government exercised over the municipality prior to their taking recourse to this extreme step so far as the superintendence and the exercise of control over the municipality is concerned. What is it that the Government has done during all these years of maladministration to get into touch with the irregularities

[10th August 1929]

[Mr. C. Ramasomayajulu]

that have been going on in the municipality? What is the supervision that the Government have exercised, and what is the guidance that the Government has given? Is it with a view to come with the rod at the fag-end of their career upon the municipal council and say: You have no business to continue any longer. Is that the attitude of the Government? From a perusal of the sections from 34 to 42 of the Act, one would be led necessarily to the inference that the Government are bound to take all the preliminary and preventive measures before taking the extremest course of action which they have taken in this instance. During question time when the matter was raised, we were not given any explanation as regards the Government having been in touch with the maladministration of the municipality at any time prior to this, and as regards their efforts to better the condition of the municipality in spite of which the municipality continued in the same bad state. My point, Sir, is this, that unless and until the Government is able to convince the House that it came into touch with the condition of affairs, and tried its best to better it but that the municipality continued to go in the wrong way in spite of the warnings of the Government and in spite of circumstances within its control, it failed to set its house right, we should all vote for the motion. I submit in the absence of such convincing proof, this Government is not all justified in imposing this extremest penalty of supersession, without giving even the opportunity of having another elected house. And I may go the length of saying, from the way in which the sections are worded, from the way in which the provisions in the several clauses are arranged one after another, that the procedure taken by Government is most irregular, if not actually illegal. Now, Sir, the Government takes shelter under the fact that they called for an explanation and that they were not satisfied with the explanation. So far as the information disclosed in this House yesterday goes, this explanation was not called for till the last stage, till after they received the report of the Collector. My point is this. Before imposing the extreme penal provision upon individuals or institutions, it is absolutely necessary that some *locus penitentiae* should be given to set their house right, particularly as my hon. Friend observes when people are out for honorary service for which they may or may not have the technical fitness but all the same had had the confidence of the people but for which they would not have been elected. These institutions are not to be smothered in this way without even a *locus penitentiae*. The Act provides for giving them an opportunity to set their house in order. As Mr. Anjaneyulu observed, if he is correct in the information which he has given to the House, the present council seems to have come into existence only six months prior to this supersession. If that is the case, six months is a very short period within which to set things in order. May I point out in this connexion to the fact that the present hon. the Chief Minister has been promising to us for the last three years an amending measure to this Act and yet we have no measure at all up till now when we are within sight of dissolution. After all, is six months such a long period for a municipal institution to set matters right, particularly when it is observed that the previous administration had gone rotten and the present council had to set right all the irregularities during the regime of its predecessor. Six months' time, I think, is barely sufficient. Sir, this is not a party question; it is a matter affecting local self-government; it is a question purely regarding

[Mr. C. Ramasomayajulu]

[10th August 1929]

the attitude which the Government ought to follow in regard to local self-governing institutions. My point is that the hon. the Chief Minister will be well-advised in further considering the matter and in giving a further opportunity to the Anakapalle municipal council to set its house right."

Mr. D. THOMAS:—"Mr. President, Sir, it appears to me that all the speeches which have been made by my hon. Friends from the opposite benches have been based on a rather one sided and partial aspect of the question. It appears to me that they have spoken from the view point of the municipal chairman and the municipal councillors rather than from that of the people at large. No doubt, my hon. Friend Mr. Kaleswara Rao and certain other speakers referred to the people's point of view. They referred to the right of the voters to have their own councils, their own representatives. But besides these voters I believe there are in this municipality of Anakapalle as well as in other municipalities a certain body of people who are not voters. Again even in respect of the voters, not only have they got the right to vote but also they have other fundamental, elementary rights which ought to be taken into consideration. I would ask, Mr. President, this hon. House to consider whether this body of non-voters and also the voters have not got the right to see that the municipality is run properly, that sanitary arrangements are properly made, that the municipality is run on a sound, efficient, economical and a financially stable basis. I submit that these are rights which cannot be overlooked, that these are rights of a fundamental character, that these are rights which are much more important than the right to vote for a councillor once in three years. And therefore, I submit that the Government have been right and entirely justified in looking to the more important, more fundamental rights of the people than the mere right to vote at the election.

"One other aspect also I should like to submit for the consideration of this hon. House. Some of my hon. Friends on the opposite benches have been referring to a remedy which might have been allowed by the Government, namely, to dissolve the present council and order fresh elections. But I would submit, Sir, that from one point of view that would not be quite fair in the present circumstances. I submit it has not been controverted, it has not been seriously questioned by any of my hon. Friends on the opposite benches that the affairs of this Anakapalle municipality have reached such a rotten condition that it must have led to an absolute impasse, and that matters were in such a condition as to necessitate a radical remedy for improving the situation. It has been stated by my hon. Friends opposite that just six months back a new municipal council had been elected, and that that new municipal council had been trying all these six months to see that things are improved. Under the present circumstances, to order fresh elections and to have another municipal body with the legacy of this state of affairs which is a handicap practically incurable by means of any ordinary remedies, would have been a very bad start to give to any municipal council. I therefore think, Sir, that in the interests of the public itself, it is right and proper on the part of the Government to supersede the council so that the whole matter may be satisfactorily settled, so that after this period of two years a new municipal council may start with a blank sheet of white paper, with more worthy records to handle. In the light of these circumstances I submit that the action of the Government in superseding the municipality, giving them

[10th August 1929]

[Mr. D. Thomas]

ample time to set things right, to set things in a working order and to give a chance to the new municipal council to work with better facilities and produce better results is the best. That would be a fair and more proper way of taking the affairs of this municipality into consideration.

"One of my hon. Friends, Mr. Anjaneyulu, referred to the method of enquiry that was adopted by the Collector and said that he did not enquire into the matter in person but that he asked his subordinates to make the enquiry. But it appears to me that after all it is a technical objection. (Voices 'Oh, oh'.) My hon. Friend himself did not object to the actual findings of that enquiry. Neither my hon. Friend, Mr. Anjaneyulu, nor any of my other hon. Friends on the opposite benches controverted the position that the affairs of this municipality were really in a rotten condition, and its financial condition was far from satisfactory. My hon. Friend, Mr. James, in the course of his speech remarked that according to his information a good portion of the employees of the municipal council had not been paid their salaries for months past. That is a very serious allegation to be made against any municipal council. That shows that the whole administration of the municipal council is at a standstill. The affairs of the municipal council could not be carried on by servants who have not been paid their monthly wages or salaries. I submit when that is the position and when that position is not seriously controverted by my hon. Friends on the opposite benches, it is no use raising technical objections to the method of enquiry and so on. Again, the question to be considered is whether as a matter of fact the interference of the Government was justified in the prevailing conditions of the municipality. If the prevailing conditions were unsatisfactory and unsound, then whatever the method of enquiry has been and whatever may be the manner in which those conclusions were arrived at, when the fact of the unsatisfactory nature of the affairs is not controverted, then the remedy also must be deemed to be sound, proper and satisfactory. My hon. Friend, Mr. Ramasomayajulu, in the course of his speech referred to various other things that might have been done; he said that time might have been given for the municipality and that the resolutions of the municipality could have been modified and so on. But I submit all this will be more or less a sort of tinkering with the condition of things. After all, advice or guidance can be given to people who are willing to take it, but if the conditions had reached such a pass that the people were not in a position to carry out the necessary administrative work of the municipality, then, mere counsel, mere guidance, and mere advice will not be of any use. It is not because that the municipal council was not in a position to know what is to be done that they landed themselves in this difficulty. But it is because they were not able to do it. It is want of capacity for the conduct of affairs on the part of its members that is responsible for the present position of the municipality. In these circumstances, I submit that the Government are justified in taking the action they did in regard to this Anakapalle municipality."

* Mr. K. MADHAVAN NAYAR:—"Sir, I rise simply to answer some of the points that were raised by that prince among fallacious reasoners in this Council, Mr. Daniel Thomas. His first point was that whatever may be the opinions of the voters of the Anakapalle municipality, there is a very considerable body of the inhabitants of that municipality who have not the

[Mr. K. Madhavan Nayar]

[10th August 1929]

right to vote and, it is not the wishes or the opinions of the voters of the municipality that have to be considered, but that it is the elementary rights of those persons that are the non-voters of the municipality that have to be valued and given greater importance. And if their opinions, and their rights, are to be taken into consideration, the Anakapalle municipality ought to be suppressed. That was the reasoning that was first advanced by my hon. Friend, Mr. Thomas. I ask him whether the rights of the non-voters, the elementary rights and privileges of the non-voters of the Anakapalle municipality are not shared by the voters of that town. Do not the voters possess at least the same rights and the same powers as the non-voters of the municipality? Why it is that he makes an invidious distinction between voters and non-voters and gives more importance to the non-voters than to the voters of the municipal council is a thing that I cannot comprehend. The voters are the persons in whom the responsibility of the municipal administration is to a great extent vested, whereas the non-voters are people who have no right to vote, who have no responsibility, who are simply a section of the beneficiaries of the municipality. If voters have no complaint, if voters who have rights and responsibilities have no complaint, what are the complaints of the non-voters which deserve greater consideration? And farther, how is it that my hon. Friend, Mr. Daniel Thomas, knew that non-voters had a complaint to make when the voters had no complaint? Has he gone and made an enquiry there? Has he got materials or records to show that as against voters the non-voters have a complaint against the municipality? That was the fundamental basis of my hon. Friend's argument so far as non-voters are concerned and I fail to see any force in that; and he has only made a distinction simply to build an argument upon."

Mr. D. THOMAS:—"As a personal explanation, I want to say, Sir, that what I stated was that the body of non-voters as also the voters have the fundamental rights."

*Mr. K. MADHAVAN NAYAR:—"Whatever it may be, Sir, we do not see, when we examine the grounds that have been mentioned by the hon. the Chief Minister in this Council in answer to interpellations, that there is any body or section of the people in the Anakapalle municipality that wants the suppression of that municipality. The argument, therefore, of my hon. Friend need not be taken very seriously."

"One reason mentioned by my friend, Mr. James, is that the municipality has not been paying its employees regularly. That has been one of the reasons mentioned by the Chief Minister also in the answers he gave in this Council when he was interpellated in regard to this matter yesterday or day before yesterday. Well, Sir, if the employees are not paid properly and if the grounds that have been mentioned by the hon. the Chief Minister are true that may be some reason for the suppression of the municipality, I do not deny it. But I ask the hon. the Chief Minister as well as the Members supporting him whether it is a fact that the Anakapalle municipality having funds at its disposal failed to disburse pay to its employees, or is it the case that the Anakapalle municipality is short of funds, is an impecunious municipality, and therefore did not pay them. Were they criminally negligent in the payment of the salaries of their employees? As a matter of fact, I have been making enquiries so far as this point of

10th August 1929]

[Mr. K. Madhavan Nayar]

payment of employees is concerned, and I come to understand that there are several municipalities, not Anakapalle alone, in which the employees are not regularly paid at all, not because they are unwilling to pay or because they are mismanaging the affairs of the municipality, but because it is only in a certain part of the year that their income comes in and they find it difficult or impossible to pay their staff at other times regularly. In such a case, it is for the Government to come to their rescue, and help them instead of suppressing them. If as a matter of fact the Anakapalle is so placed that it cannot get funds at all at any time, I do not say that it should always be supplied with funds. That is not what I mean. But a poor municipality ought not to be so severely penalized for some irregularity in paying the employees. That is all. I say, Sir, that the various reasons mentioned by the hon. the Chief Minister for the suppression of this municipality apply equally well to various other municipalities and local boards and district boards in this Presidency. It is not peculiar to the Anakapalle municipality alone. I can understand if the hon. the Chief Minister has been impartial in his treatment of the various municipalities and local boards. We know as a matter of fact there are several taluk boards and municipalities which are very much worse than this Anakapalle municipality. Why then is it that the hand of the hon. the Chief Minister does not fall as heavily upon those municipalities, local boards and district boards as upon this? We know as a matter of fact that many such bodies are manned and are presided over by people who belong to his party and who are his friends and allies. We know as a matter of fact some cases where, he himself knows of such mismanagement and yet he does not move his little finger to control such bodies or check such mismanagement. He allows them to go on and he even re-nominates people who have been mismanaging like this. We know this as a matter of fact, and that is our grievance in this matter. If a municipality has to be suppressed for the reasons stated in the case of the Anakapalle municipality, if inefficiency and mismanagement are grounds of such suppression, I am sure it is not this municipality alone that has to be suppressed, but several other local bodies and the local Self-Government Department itself with the Chief Minister at its head may have to be suppressed. I therefore say that there is no justice in the suppression of this municipality alone.

"With regard to my hon. Friend Mr. James, I have only to say one thing. Whether Mr. Kaleswara Rao says foolish things in a charming way or not, Mr. James is slowly gaining the reputation in this House of saying dangerous things in a charming way. He is approximating himself to his Friend Mr. Arpudaswami Udayar who sits behind him and he is gradually becoming the supporter of the Government in season and out of season. In the earlier days of his councillorship we were looking to him for impartial expression of opinion, but as days go on his outlook is becoming one-sided and we are gradually losing that confidence in him which we once possessed."

Mr. F. E. JAMES:—"May I say, Sir, that this is not a question of a vote of no-confidence in me but on the hon. the Chief Minister?"

*Mr. K. MADHAVAN NAYAR:—"If my hon. Friend might refer to Mr. Kaleswara Rao in the way he did, I think I am entitled to express my views of Mr. James also, and I hope he will take my words in the spirit in which I offer them. I have nothing more to say, Sir, except this: if, as a matter of fact, the Chief Minister is going to exercise his authority equally,

[Mr. K. Madhavan Nayar]

[10th August 1929]

equitably, impartially with regard to all municipalities and local boards in the Presidency, we have not the slightest objection for the suppression of any municipality so long as it does not discharge its duty properly. It is because we think that considerations other than the defects of these municipalities intervene and invidious distinctions are shown that we question the propriety of such suppression in individual cases."

4 p.m. * The hon. Dr. P. SUBBARAYAN :—" Mr. President, I am rather surprised to hear the speech of the hon. Gentleman from Malabar, who has just sat down. If what he has said is the case, he seems to be in favour of supersession of almost all other municipalities and every taluk board in this Presidency. (A Voice: 'Including the Local Self-Government Department'.) As Mr. James said, we have been using this power very sparingly. Since 1920, there have been only five municipalities including Anakapalle which have been superseded. (Mr. G. Harisarvottama Rao: How many during your term?) There have been four. During the period 1916 to 1928, there have been four supersessions. Why? For the simple reason of mismanagement. The fact that the hon. Members opposite did not raise a word of protest against the three which have been already superseded in spite of the information about them only shows that at least with regard to those three they did not feel they had a grievance. But with regard to Anakapalle, they seem to have a grievance, and in the view of some hon. Members opposite the grievance is that it has been superseded for a longer term than the other municipalities. If the supersession had been only for a year, some hon. Members said to me there would not have been such outcry."

Mr. G. HARISARVOTTAMA RAO :—" On a point of order. May I know if the hon. Minister is within his rights in introducing a conversation that took place between him and some other member?"

* The hon. the PRESIDENT :—" If other Members spoke to him and expressed their thoughts, he is right in criticising. They must have been careful not to express their thoughts and feelings in that way." (Laughter.)

* The hon. Dr. P. SUBBARAYAN :—" This question of supersession of the Anakapalle municipality was taken into consideration as far back as the beginning of the year 1928. I have said 'from the beginning,' as we thought we ought to give these people a chance and we ought to try other methods that were at our disposal. Only as far back as the beginning of this year, I even suggested that if we could possibly dissolve the council and reconstitute it and be sure of getting a council which would get rid of the bad elements I would be inclined to take the step of dissolution and reconstitution rather than that of supersession. But, after a great deal of correspondence and after my visit to Waltair, I could come only to one definite conclusion. Then, I had the opportunity of conversing not only with the chairman of that municipality, Mr. Alexander Wright, but also other members of the municipal council, including his henchman and friend, Mr. Brahmananda Nayaka Patrudu, and also other people who were against the chairman. Among those who met me, apart from members of the municipal council, were rate-payers, as my Friend Mr. Thomas put it, and not non-rate-payers as Mr. Madhavan Nayar took it. The rate-payers complained that the municipality was getting from bad to worse, and the municipal high school was getting from bad to worse as the chairman has refused to pay even the schoolmasters, and they said they would be put to

10th August 1929]

[Dr. P. Subbarayan]

much suffering unless some steps were taken. I put to them whether they would be in favour of supersession and steps being taken to run the school as well as the administration of the municipality. Mr. Bracken actually paid a visit to the spot to examine the condition of the school, drainage, sanitation and other state of affairs, and he said—in spite of my hon. Friend Mr. Anjaneyulu who waxed eloquent on Deputy Tahsildar's and Divisional Officer's report—that the only way to reform the municipality would be to get rid of the present municipal council. I put to him also whether dissolution and reconstitution would bring about results which he and I had at heart. He said the result would be very likely that Mr. Brahmananda Patrudu or some one of that ilk would become chairman in the place of Mr. Alexander Wright, and that would be worse. That is what Mr. Bracken said. So, the Government had no other alternative but to supersede the municipality.

" Again the question as to whether the extreme step of superseding it for the whole term allowed by section 41 (1) of the Act should be taken was also gone into very carefully by us, and we considered whether conditions could be improved in less time. But it was thought that if the improvement of schools, sanitation, repair of roads, were to be properly undertaken, the least time that would be required for the special officer to put things right would be two years. So, after a great deal of consideration and hesitation, I accepted that it would be best to supersede the municipality for two years.

" Of course, it has been said that the Registrar-General of Panchayats had sent in a report about the merits of this gentleman, Mr. Alexander Wright. That was in the year 1925, when Mr. Gopalaswami Ayyangar, after a visit to the municipality, said that everything was running in a smooth way. But, after 1925, somehow, things began to take a different turn altogether. Because, from the administration report of 1926, which was submitted by Mr. Souter, it looked as if all was not well.

" Of course some people suggested that Mr. Bracken was not a sympathetic officer and did not care for the liberty of this country but only intended to put in prison gentlemen like my hon. Friend, Mr. Kaleswara Rao, and other national workers, and that he had no heart to look after the interests of local self-governing institutions. I can tell the House that Mr. Bracken had as much hesitation as I had with regard to the supersession of this municipality. He went into the matter carefully, and he did consider for a long time whether it would be possible to reconstitute a municipality after dissolution of the present council. But after going into the case very carefully, he felt there was no other alternative to remedy the evils that were present. Mr. Bracken, in spite of what has been said by Mr. Kaleswara Rao and Mr. Anjaneyulu and others—I can say, has handled this question very carefully, and I can only say from my knowledge of Mr. Bracken that he is as sympathetic an officer as any other officer, who is interested in the advancement of this country towards self-government. It was said that he insisted on efficiency. As Mr. James put it, efficiency is a good test of an officer. Of course, efficiency might be embarrassing to some of my hon. Friends like Mr. Kaleswara Rao, who do not like being pitched upon when they go wrong. Mr. Kaleswara Rao gave me the information that his roads were bad in Bezvada. I am very glad for this information. If the state of

[Dr. P. Subbarayan]

[10th August 1929]

things in Bezwada is as bad as those in Anakapalle, as Mr. Kaleswara Rao attempted to draw an analogy, perhaps the next municipality to be superseded will be Bezwada (Laughter) (Mr. Ramanath Goenka : Madras also). As for the question of Madras, I am residing here. . ."

* The hon. the PRESIDENT :—" I rule that Madras and Bezwada are not at all relevant to the discussion."

* The hon. Dr. P. SUBBARAYAN :—" I am sorry, Sir. As I was mentioning, Mr. President, I can honestly tell Members of this House that we did consider all other methods before this extreme step was taken. It is because we were really convinced that it was impossible to get rid of Mr. Alexander Wright and his henchmen and friends, who were really managing the municipality to their benefit, that we had to take that extreme step, in order that the Augean stables may be cleaned. But I can tell hon. Members that, if after a year we find things are getting to such a state that we may be certain that the same methods will not be repeated, we might think of shortening the period of supersession of two years."

4-15
p.m.

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR : " Mr. President, I did not intend to take part in this debate ; but, after hearing the speech of the hon. Minister, I feel that I am not at all convinced with the reasons for the supersession. Nor do I hope it is going to result in any improvement. We have heard a great deal about efficiency. I am myself a believer in efficiency within certain limits. There is no use driving a coach and four through local self-governing bodies on the score of efficiency regardless of other considerations. Let us assume for a moment that a municipality is inefficient. We should consider in what particular way it is inefficient and whether the thing will be improved by the step taken. We have heard from previous speakers that there were factions in the Anakapalle municipality, that sanitation was bad, that the roads were bad. Now as for factions, I do not know if the step taken now is going to stop factions. After all, I suppose there are very few places in the world, where there are no factions at all. Concerning the other two grounds, the state of sanitation and the state of roads, I would like to know why sanitation is bad and the roads are bad. Is that condition directly due to the neglect of the municipality ? That is a point on which we have very little information. Of course, in judging the matter, we should see how far it was due to want of finance. As to the neglect on the part of the municipality in this case, I am not at all convinced on the point. I believe there are very few municipalities in this Presidency where sanitation is at all satisfactory. The reason is this ; where this is the state of sanitation generally, improvement is beyond the resources of a municipality. It is no use finding fault with municipalities ; or for the matter of that, with the local boards, for the condition of their roads. Unless Government carefully examines all the reasons why the present condition of the roads of a municipality or of a local board is bad, it is no use getting rid of the municipality or the local board, and say that they should place the roads in order. Municipalities and local boards are not able to maintain roads, etc., in better condition because they have not got the money. That is the reason why we have seen, for instance, from the proceedings of the Council, motions made by Government for grants to take over certain roads from district boards, such as the Pollachi-Vannanthorai road, and so on. Well, the reason, Sir, in my opinion, why sanitation is so bad in most

[10th August 1929] [Mr. R. N. Arogyaswami Mudaliyar]

municipalities and why the condition of roads also is very bad, is because with the present taxable capacity of municipalities and local boards they are not able to rectify and keep things in proper order. Government is, I think, well aware of this fact. Government themselves, as more funds are becoming available, are placing funds at their disposal. As for the Anakapalle municipality, we have received no assurance from the Government that the state of things can be remedied from the existing municipal resources. The Government might of course turn round and say, why can you not increase the taxation ? It is very easily said, but, increased taxation will tell very hard on the bulk of the people. That is why municipal councils are ordinarily unwilling to increase the taxation. Now, in the case of Anakapalle, what guarantee is there that things will improve by this action of Government ? It may be, as I said, that any improvement is dependent on money being available to a larger extent than can be met from the sources of the municipality. For this reason I feel that possibly the better course is for Government to suspend the order of supersession, examine the state of things and then come to a decision as to why sanitation and roads of the municipality were not in a satisfactory condition. If it is then found that the existing state of things could not be remedied with the existing resources of the municipality, Government should give them financial assistance. Not having done these things, I feel there is no justification for the action Government have taken to supersede this municipality.

" As I said it is very easy to talk of efficiency, but it is not useful to talk of efficiency unless you feel that such efficiency must be subject to reasonable considerations. For instance, the question of resources has to be considered. If Government is not going to assist them with money where necessary, then their condition will not be improved.

" There is a third thing which I wish to place before the House. Local self-government is yet in its infancy. We are making a great experiment in local self-government. We expect honorary workers to come forward in large numbers to take up this work. So Government should be extremely wary in taking such drastic steps. They must be thoroughly convinced that the action they propose to take is justified. The resources of the Anakapalle municipality might be inadequate and the unsatisfactory state of things might be due to want of adequate finance. I do not think, no hon. Member of this Council would think, that the action of the Government could at all be justified, for the reason that in the matter of local self-government we expect public workers to come forward without expecting any return to place their services at the disposal of the local bodies, and it is necessary that Government should exercise the greatest caution before they decide on drastic action as in this case. It is for these reasons that I feel unconvinced that the action taken by Government is justified."

Mr. W. P. A. SOUNDARAPANDIAN :—" I move that the question be now put."

The motion was put and declared carried.

A poll was demanded and the House divided thus :

While poll was going on, Mr. Harisavottama Rao raised a point of order and said : " The hon. representative for Anantapur was not in his seat when voting, and I want to know whether his vote is valid ? "

[10th August 1929]

The hon. the PRESIDENT :—" If the Secretary is able to mark his name, it is valid."

Ayes.

- | | |
|--|---|
| 1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 32. Mr. K. Krishnan. |
| 2. " Sir Thomas Moir. | 33. " N. Siva Raj. |
| 3. " Diwan Bahadur M. Krishnan Nayar. | 34. " M. V. Gangadhara Siva. |
| 4. " Mr. A. Y. G. Campbell. | 35. " V. I. Muniswami Pillai. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 36. " W. P. A. Soundarapandian. |
| 6. " Mr. S. Muthiah Mudaliyar. | 37. " S. Subrahmanya Moopnar. |
| 7. " Dr. P. Subbarayan. | 38. " D. Thomas. |
| 8. Diwan Bahadur P. Kesava Pillai. | 39. " S. V. Vanavudaiya Gounder. |
| 9. Mr. Alladi Krishnaswami Ayyar. | 40. " S. Venkiah. |
| 10. " Hilton Brown. | 41. Rao Sahib R. Srinivasan. |
| 11. " H. A. Watson. | 42. Mr. O. E. Wood. |
| 12. " A. G. Leach. | 43. " A. G. Leech. |
| 13. " J. Gray. | 44. " F. E. James. |
| 14. " S. V. Ramamurti. | 45. " R. J. C. Robertson. |
| 15. " C. B. Cotterell. | 46. " S. N. Dorai Raja. |
| 16. " V. Ch. John. | 47. " S. Arpudaswami Udayar. |
| 17. " M. A. Manikkavelu Nayakar. | 48. The Raja of Kallikota. |
| 18. Tajudin Sahib Bahadur, Syed. | 49. Mr. K. Abdul Hye Sahib. |
| 19. Munshi Abdul Wahab Sahib Bahadur. | 50. Khan Bahadur P. Khalif-ul-lah Sahib Bahadur. |
| 20. Mr. C. D. Appava Chettiyar. | 51. Mr. G. R. Premayya. |
| 21. " H. B. Ari Gowder. | 52. Rao Bahadur Sir A. P. Patro. |
| 22. " A. B. Shetty. | 53. Mr. P. T. Rajan. |
| 23. " J. Bheemayya. | 54. " C. K. Chidambaramatha Mudaliyar. |
| 24. " B. Foulkes. | 55. Rao Bahadur S. Ellappa Chettiyar. |
| 25. " Gnanavaram Pillai. | 56. Khan Bahadur S. K. Abdul Razack Sahib Bahadur. |
| 26. Mahmud Sohamnad Sahib Bahadur. | 57. Muhammad Kadir Mohideen Sahib Bahadur. |
| 27. Mr. Muppi Nayar of Kavalappara. | 58. Khan Sahib O. M. Moidoo Sahib Bahadur. |
| 28. The Zamindar of Singampatti. | 59. Diwan Bahadur A. M. M. Mr. Murugappa Chettiyar. |
| 29. Mr. J. Kuppuswami. | 60. The Zamindar of Mirzapuram. |
| 30. Subadar-Major S. A. Nanjappa Bahadur. | 61. Mr. A. V. Bhanaji Rao. |
| 31. Mr. T. M. Narayanaswami Pillai. | |

Noes.

- | | |
|--|---|
| 1. Mr. P. C. Venkatapathi Raju. | 19. Mr. T. Adinarayana Chettiyar. |
| 2. " K. Koti Reddi. | 20. Ahmed Miran Sahib Bahadur. |
| 3. " S. Satyamurti. | 21. Sriman Biswanath Das Mahasayo. |
| 4. " C. V. Venkataramana Ayyangar. | 22. Mr. A. Kaleswara Rao. |
| 5. " J. A. Saldanha. | 23. K. Uppi Sahib Bahadur. |
| 6. " G. Harisavottama Rao. | 24. Mr. Mothay Narayana Rao. |
| 7. Basheer Ahmed Sayeed Sahib Bahadur. | 25. " C. N. Muthuranga Mudaliyar. |
| 8. Mr. C. S. Govindaraja Mudaliyar. | 26. " K. Krishnaswami Nayakar. |
| 9. " Abdul Hameed Khan. | 27. " C. Venkatarangam Nayudu. |
| 10. " K. V. R. Swami. | 28. " K. S. Sivasubrahmanya Ayyar. |
| 11. " D. Narayana Raju. | 29. " A. Ranganatha Mudaliyar. |
| 12. Dr. B. S. Mallayya. | 30. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 13. Mr. K. B. Karant. | 31. Mr. C. R. Parthasarathi Ayyangar. |
| 14. " K. Madhavan Nayar. | 32. " R. Nagan Gowda. |
| 15. " P. Anjaneyulu. | 33. " Ramanath Goenka. |
| 16. " C. Obi Reddi. | 34. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. |
| 17. " A. Parasurama Rao. | 35. Rao Bahadur B. Muniswami Nayudu. |
| 18. " C. Ramasomayajulu. | |

Ayes 61. *Noes* 35.

The motion was carried.

The adjournment motion was then put to the House and declared lost.

10th August 1929]

Mr. G. Harisavottama Rao demanded a poll and the House divided thus :—

Ayes.

- | | |
|--|--|
| 1. Mr. P. C. Venkatapathi Raju. | 17. Mr. A. Parasurama Rao. |
| 2. " K. Koti Reddi. | 18. " C. Ramasomayajulu. |
| 3. " S. Satyamurti. | 19. " T. Adinarayana Chettiyar. |
| 4. " C. V. Venkataramana Ayyangar. | 20. Ahmed Miran Sahib Bahadur. |
| 5. " J. A. Saldanha. | 21. Sriman Biswanath Das Mahasayo. |
| 6. " G. Harisavottama Rao. | 22. Mr. A. Kaleswara Rao. |
| 7. Basheer Ahmed Sayeed Sahib Bahadur. | 23. K. Uppi Sahib Bahadur. |
| 8. Mr. C. S. Govindaraja Mudaliyar. | 24. Mr. Mothay Narayana Rao. |
| 9. Abdul Hameed Khan Sahib Bahadur. | 25. " C. N. Muthuranga Mudaliyar. |
| 10. Mr. K. V. R. Swami. | 26. " K. Krishnaswami Nayakar. |
| 11. " D. Narayana Raju. | 27. " C. Venkatarangam Nayudu. |
| 12. Dr. B. S. Mallayya. | 28. " K. S. Sivasubrahmanya Ayyar. |
| 13. Mr. K. B. Karant. | 29. " A. Ranganatha Mudaliyar. |
| 14. " K. Madhavan Nayar. | 30. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 15. " P. Anjaneyulu. | 31. Mr. C. R. Parthasarathi Ayyangar. |
| 16. " C. Obi Reddi. | 32. " R. Nagan Gowda. |

Noes.

- | | |
|--|--|
| 1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 33. Mr. N. Siva Raj. |
| 2. " Sir Thomas Moir. | 34. " M. V. Gangadhara Siva. |
| 3. " Diwan Bahadur M. Krishnan Nayar. | 35. " V. I. Muniswami Pillai. |
| 4. " Mr. A. Y. G. Campbell. | 36. " W. P. A. Soundarapandian. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 37. " S. Subrahmanya Moopnar. |
| 6. " Mr. S. Muthiah Mudaliyar. | 38. " D. Thomas. |
| 7. " Dr. P. Subbarayan. | 39. " S. V. Vanavudaiya Gounder. |
| 8. Diwan Bahadur P. Kesava Pillai. | 40. " S. Venkiah. |
| 9. Mr. Alladi Krishnaswami Ayyar. | 41. Rao Sahib R. Srinivasan. |
| 10. " Hilton Brown. | 42. Mr. O. E. Wood. |
| 11. " H. A. Watson. | 43. " A. J. Leech. |
| 12. " A. G. Leach. | 44. " F. E. James. |
| 13. " J. Gray. | 45. " R. J. C. Robertson. |
| 14. " S. V. Ramamurti. | 46. " S. N. Dorai Raja. |
| 15. " C. B. Cotterell. | 47. " S. Arpudaswami Udayar. |
| 16. " V. Ch. John. | 48. The Raja of Kallikota. |
| 17. " M. A. Manikkavelu Nayakar. | 49. Mr. K. Abdul Hye Sahib |
| 18. Syed Tajudin Sahib Bahadur. | 50. Khan Bahadur P. Khalif-ul-lah Sahib Bahadur. |
| 19. Munshi Abdul Wahab Sahib Bahadur. | 51. Mr. G. R. Premayya. |
| 20. Mr. C. D. Appava Chettiyar. | 52. " V. Ramjee Rao. |
| 21. " H. B. Ari Gowder. | 53. " P. T. Rajan. |
| 22. " A. B. Shetty. | 54. " T. K. Chidambaramatha Mudaliyar. |
| 23. " J. Bheemayya. | 55. Rao Bahadur S. Ellappa Chettiyar. |
| 24. " B. Foulkes. | 56. Khan Bahadur S. K. Abdul Razack Sahib Bahadur. |
| 25. " P. J. Gnanavaram Pillai. | 57. Muhammad Kadir Mohideen Sahib Bahadur. |
| 26. Mahmud Sohamnad Sahib Bahadur. | 58. Khan Sahib T. M. Moidoo Sahib Bahadur. |
| 27. Mr. Muppi Nayar of Kavalappara. | 59. Rao Bahadur B. Muniswami Nayudu. |
| 28. The Zamindar of Singampatti. | 60. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 29. Mr. J. Kuppuswami. | 61. The Zamindar of Mirzapuram. |
| 30. Subadar-Major S. A. Nanjappa Bahadur. | 62. Mr. A. V. Bhanaji Rao. |
| 31. Mr. T. M. Narayanaswami Pillai. | |
| 32. " K. Krishnan. | |

[10th August 1929]

Neutral.

- | | |
|----------------------------|-------------------------------------|
| 1. Mr. C. Gopala Menon. | 3. Rao Bahadur C. S. Ratnasabapathi |
| 2. " B. Ramachandra Reddi. | Mudaliyar. |
| | 4. Rao Bahadur Sir A. P. Patro. |

Ayes 32. Noes 62. Neutral 4.

The motion was lost.

IV—cont.

DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1929-30—*cont.*

Grant XXXI—Civil Works—Transferred—(cont)

The hon. the PRESIDENT :—" The Council will now resume the debate on the supplementary grants."

* Mr. S. SATYAMURTI :—" Mr. President, I was speaking about the first item in this demand when we adjourned for lunch. I now come to the second item which relates solely to the soling of the Pollachi-Vannanthorai road. I want to say that the explanatory note under this item is scrappy and inconclusive.

(At this stage Mr. B. Muniawami Nayudu took the Chair.)

"The explanatory note says that it was taken over from the District Board in 1924, and in March 1925 an estimate for Rs. 71,460 was sanctioned for reforming the road. I should like to know, Mr. Chairman, whether that estimate included the cost of soling the road, and, if it did, what part of it represented the soling, and why if it did not include either complete soling or partial soling, it did not so include it. Is this House going to be asked to vote for supplementary demands of this sort because the Government cannot or does not get expert engineering advice?

"Then it says: 'This estimate did not provide for the complete soling of the road.' I should like to know why it did not so provide. Then again, 'the Chief Engineer has now submitted an estimate for Rs. 77,700 for the complete soling of the road.' I take it, Sir, therefore that, besides the sum of Rs. 71,460 already spent, they now want Rs. 77,700 more. When was this estimate submitted? Was it after the time for preparing the budget estimate had elapsed and if so, why was it delayed? Could not the Chief Engineer have submitted it last year itself? Again, the note says: 'the work has to be carried out urgently during the current year and cannot bear postponement as the traffic in the road is very heavy and the road wears out quickly owing to lack of soling.' Taking these two reasons into consideration, Mr. Chairman, you will find that the traffic should have been very heavy in the road at least last year, unless the hon. Minister is able to say that after March this year the traffic has become heavier than last year, and the road wears out quickly owing to lack of soling. But that is also an engineering fact which should have been brought to the notice of the Government even last year.

"Again, Mr. Chairman, the note has it: 'The work is very urgent and the amount required for the current year will be found by reappropriation.'

10th August 1929]

[Mr. S. Satyamurti]

I submit, Sir, that the House is entitled to know why this sum of Rs. 77,700 is required for the current year and how it is going to be found by reappropriation.

"Apart from that, on the merits of the case I submit that the Minister has not answered completely or satisfactorily the feeling on this side of the House that this road is being treated specially because of powerful vested interests on the Anaimalai Hills. We feel that the planters are as much entitled to good roads as any other citizen of this Presidency, but they are no more entitled to it than other citizens. I should like to know therefore from the hon. Minister the special reasons why this expenditure on these roads is being hurried up and why the road is being completely soled. Is it because planters are a powerful community, or is it because this road is urgently required?

"We have been told a great deal about the labourers. Now, Mr. Chairman, I should like to know whether the labour which comes to the hills is migratory labour coming to the hills everyday and returning all the thirteen miles, or whether it is not a fact that the labour which works in these plantations lives there. If the latter is the case, how often in the year do the labourers working in the Anaimalai plantations use this road and how many, if any of them, use a conveyance at all? Will not, Sir, a footpath, be as good for them as this expensive road? Is it or is it not a fact that this road is required to convey the heavy trucks which take away the tea chests from the plantations or the plantation products for sale in other countries? I do not envy the planters the convenience they desire to have. But I think it is a well-known rule of modern statecraft that if any class of citizens want extra privileges, they must pay for them. By all means let the planters have the road, but let them pay their share of it. My hon. Friend the Minister said that the district boards pay Rs. 500, the Government Rs. 300 and the planters Rs. 200. Mr. Chairman, I want to know whether there is any method in this madness. Is the Government contribution relative to the interests of the Government in this road? Why should the district boards be made to pay most of all to these roads? I should like to hear my hon. Friend, the President of the District Board of Coimbatore, whether he is satisfied at this inequitable distribution of the burden of maintaining this road. I expect the planters to pay Rs. 500, the Government to pay Rs. 300 and the district board to pay Rs. 200. That would be in my judgment an equitable distribution of the burden seeing *prima facie* who are the people who use these roads most frequently and who are therefore benefited by the repair thereof. (A voice: And these are second-class roads!) I am reminded that it is a second-class road. That reminds me of the large question which I desire to raise on this matter. I know, when we raise questions of policy we are always given treats of either heavy, humorous jokes or inanities; so it is useless to raise such questions. But I think as the Opposition, we are bound to place our position before the House and through the House before the country.

"Now, what is the policy of the Government with regard to roads in this Presidency? What is their policy with regard to the maintenance of the roads? Has this Government heard of a committee called the Roads Committee? Has the Government made a report to that committee? Does the Government propose to consider the recommendations of that Committee and if so, when?

[Mr. S. Satyamurti]

[10th August 1929]

"Sir, why should the Government take up a second-class road without having yet taken up all first-class roads in the Presidency? My own personal view is that it is much better that our trunk roads and first-class roads are provincialized. But then it should be done on broad principles and policy. It should not be done by looking to a particular president of a district board or to the existence of planters somewhere near and determining this question. I am instructed, Sir, and I speak subject to correction that, so far as plantations are concerned our Government has got a paternal interest in the roads leading up to and from the plantations. Whether these plantations exist in the Madras Presidency or in the neighbouring Indian States of Travancore and Cochin, the roads, so far as they lie in our province and to and from these plantations, are practically all of them maintained at heavy cost by the Provincial Government. I should like to ask the Minister whether that is the position of the Government and, if so, what the reasons are for this special treatment of the planters.

"Then my hon. Friend said that he agreed with the view of his Chief Minister—that was the phrase he used, whatever that may mean—that if the district board president offered to take up the road and maintain it at half the cost which the Government is now proposing to spend upon it, he will be glad to hand it over. I want to know whether he realizes the implications of that statement. If he did, he ought to withdraw this grant; consider the question in consultation with the President of the Coimbatore District Board; take expert advice on the matter and come before the next meeting of the Council with another demand if he wants it or hand the district road over to the district board. But to say that they will accept that solution and then at the same time press their own solution to the vote of the House shows that they are merely paying lip homage to my friend, lest he may vote against them, if they persist in their method of dealing with these roads. Now, I should like my hon. Friend to clutch at this offer of the Government and insist upon their fulfilling the offer and not give his vote for the demand. That is the only way in which we can make any Government and certainly this Government keep its promise.

"Now, if this supplementary grant is made, nothing will be heard of it, I am sure, until next year when the budget comes and some more money is required and then questions will be put and answered in the manner we are accustomed to, viz., that the matter is under consideration. When the consideration will be over we do not know and the year would be running out. Therefore it seems to me that if my hon. Friend is serious he should accept the offer.

"Now, I come to the third item in this grant, viz., reconstruction of the bridge at 36/5 on the Calicut-Mysore Frontier Road. Again, Sir, I complain that the financial conscience of the Madras Government has become very lax recently. I remember the time—I do not want to cast any aspersions on the Finance Department—but I remember the time when the Finance Department was much stricter than it is to-day. To-day it seems to me that the Finance Department sanctions all the demands which the spending departments want without looking into the financial implications or propriety of those demands.

"Now, Sir, look at this explanatory note: 'The old bridge with an arched span of 26 feet built in brick in lime mortar is cracked at more places

[10th August 1929]

[Mr. S. Satyamurti]

than one in the arch *soffit* (i.e., ceiling) and is likely to collapse at any time the mortar being quite dead. This bridge was damaged in the heavy floods of 1924 with the result that the up-stream right wing collapsed and was reconstructed. At present the 8-ton steam roller is not allowed to pass over the bridge for fear of a collapse and every time it is required on the other side of the bridge, it has to be taken to pieces in order to be conveyed across. Now, if this state of affairs existed from 1924 and the up-stream right wing collapsed and it was reconstructed and all these defects existed all these five years, may I know the reason, Mr. Chairman, whether the Minister has ever thought of enquiring of his subordinates why this proposal was not sent up last year in time for being included in the budget for this year? Are these highly paid engineers to go about merely sending such proposals as may come into their minds, and be encouraged in the idea that they need not ask for these things in proper time, but could do so whenever they like, the House and the Government being willing to look into and grant their supplementary demands whether there is reason for them or not? The Chief Engineer has forwarded an estimate amounting to Rs. 10,600 for the reconstruction of the bridge. May I know when this estimate was forwarded to the Government and why it was not forwarded earlier? If the existing bridge is likely to collapse at any time, how long has this state of things existed? I know the Ministry is able to reconcile itself with a state of collapse at any time. Probably they are not very much impressed with the reconstruction of bridges which may collapse at any time. I should like to know when this new circumstance arose, whether it arose after the last budget, and whether it is not earlier than that.

"Again, we are told that the amount required will be found in the savings in the grants for other works. We should like to know what are the works on which savings are anticipated or intended to be effected. The House has a right to know when it is asked to vote for grants like this, whether the work from which savings are sought to be effected are equally important and urgent as the work now suggested and on which the money is to be spent or whether they may not be even more important and more urgent. To keep back that information and to say 'we propose somehow or other to save the money and spend it' is not dealing fairly by the House.

"Then we have got the fourth item, viz., the construction of a girder bridge on the Ootacamund-Mettupalaiyam road. Here also the floods of 1928 are responsible. I think these floods happened in time for this demand to have been included in this year's budget. I speak subject to correction, but I think the bridge was washed away. And you will remember, Mr. Chairman, that in this House the practice has grown up that until the last day of the budget in March, some items known as further demands are put in and I think it should have been possible if the floods occurred at all in the year 1928 and if the bridge was washed away even as late as December 1928, for that further demand to be included.

"Again, you have got this. 'This Chief Engineer expects to spend Rs. 10,000 on the work during the current year.' As far as I can see at present from the explanatory note—perhaps the hon. Minister may be able to throw some light upon that—it is not stated what the total demand is which this House is asked to vote for in respect of this demand. We are merely told that they are going to spend Rs. 10,000 during the current year. We

[Mr. S. Satyamurti] [10th August 1929]

are not told what is the total cost of rebuilding this bridge and how much does this Rs. 10,000 represent of that proposed cost.

"Then we have the demand on which I congratulate my hon. Friend the Minister for Development. Although he has not been able to develop much in his own department, he has been able, as an elected Member from Trichinopoly, to see that his voters at least should realize his responsibility as the elections are approaching, but does not realize his responsibility to this House. He knows that his voters will ask him and therefore he has managed to include under this head a number of schemes for Trichinopoly.

"I am quite glad that Trichinopoly is taking up all these schemes. I do not grudge it. But, Sir, my point is this: any serious Government ought not to depend upon the accident of a Minister coming from a particular district for taking up all the schemes concerning his district. My hon. Friends have spoken of other and more urgent schemes. Luckily, I do not represent in this House any particular district and I can therefore speak with detachment. While I am sincerely glad that all the schemes which are important or are urgent or are essential to meet the needs of Trichinopoly district are going to be taken still it is important, Mr. Chairman, that there ought to be some policy with regard to these matters and it ought not, as I said, to depend upon the accident of the composition of the Government.

"I have one or two words more to say about this demand. It is stated here: 'A sum of Rs. 20,000 is required for expenditure in the current year and it can be found by reappropriation.' It seems to me that if this House is to exercise even the very truncated financial powers it possesses to any effect, it should have some information as to the total and complete commitments, financially, of these schemes. To say that a sum of Rs. 20,000 is required for the current year does not prove many things. It certainly does not prove that the schemes may not cost very much more. Even if they cost very much more I can quite conceive that this House may have to agree to it. But I think we should know what the total commitment is. Having stated all this I only want to add what I said at the beginning, viz., that these token demands or rather the new rule under which these token demands are permitted is rather more frequently resorted to than it is authorized to be resorted to or intended to be resorted to. I hope the Government will not come forward with these supplementary grants or token demands without the slightest provocation. If they do so, it will tend to decrease the budget control which the House and the Government as a whole, especially the Finance Department, should have over spending departments. If the budget is to be supplemented every time by large and increasing expenditure then the budget will become a meaningless farce. The budget should as far as possible contain all the financial transactions of the year whether on the revenue side or on the expenditure side, and it ought not to be sought to be amended from time to time unless there is a compelling cause. I regret to say that in none of these cases the Government have been able to say what were the compelling causes. I should like the House to keep a watchful eye on such supplementary demands, especially when they come in the form of token demands."

* Mr. C. V. VENKATARAMANA AYYANGAR:—"Before I deal with individual cases I appeal to the Government, especially the hon. the Finance Member, to look into the matter as to how five items have been included in one grant,

10th August 1929] [Mr. C. V. Venkataramana Ayyangar]

I do not myself know how to vote on this demand. It deals with five items of which I intend to deal only with three. The first is repair of a road under the Malabar District Board. I am against that. The second is Vannanthurai road. I am in favour of it. The third is 'irrigation schemes in the Trichinopoly district.' I do not know how to vote for this. Such being the case, how am I to vote upon the grant of Rs. 500? I appeal to the Government and the hon. the Finance Member not to club such things hereafter. So far as the irrigation schemes in Trichinopoly district are concerned, it is a matter in which one Member of the Government is interested, viz., the Revenue Member, but this proposal is moved by the hon. the third Minister. So far as big roads in the Malabar district are concerned, I want to say one or two words as to the policy of the Government. I can understand the Government's taking some roads such as the Vannanthurai road under its own management. I can understand the Government helping the district boards as regards trunk roads and other important roads, but I cannot understand this dyarchic management, viz., of certain roads being taken over by Government for repairs when the roads continue to belong to the district boards. So far as the Malabar District Board is concerned their earnings are very large and yet the roads of Malabar are worse than those in Coimbatore. The roads of the two district boards are contiguous to each other and they are equally bad. But certainly that is no compliment to the Coimbatore District Board for keeping their road in a bad condition. If the roads of the District Board of Malabar are treated with paternal care, I say the policy of the Government is very bad. When once they understand that the Government undertake to repair their bad roads, they will naturally keep their roads in a very bad condition because they know full well that the Government come to their rescue. As regards Vannanthurai road, I am sorry my friends on my side are against it.

* Sir, the hon. the Minister for Development has a tendency of asking his standing counsel to speak for him. Mr. James is the leader of that standing counsel, while Mr. Daniel Thomas and Mr. Arpudaswami Udayar are also his other standing counsels. We have been regarding Mr. James and his party as an independent party except during times of 'No-confidence motions.' They were telling us that they were taking an impartial view of things always and we expect that impartial attitude in this matter also."

Mr. C. E. WOOD:—"May we know how these references are relevant to the demand under discussion."

* Mr. C. V. VENKATARAMANA AYYANGAR:—"I am afraid the hon. the Leader of the European party is ashamed when I say that they were not acting impartially. If they claim to be a party, they must vote in whatever manner their conscience dictates to them and take the consequence. If they have wrongly taken up an attitude in this question, they must reconsider their position and I would appeal to them to do that. Here is Mr. James to whom the conditions of these roads are absolutely unknown. But I understand from enquiries made that the standing counsel has gone to the hon. the Chief Minister and got some instructions regarding the necessity for this demand . . ."

Mr. F. E. JAMES:—"I have not taken any part in this debate. Therefore neither I nor my party had anything to do with this motion."

[10th August 1929]

Mr. CHAIRMAN:—"The hon. Member from Coimbatore will kindly proceed with his subject."

* Mr. C. V. VENKATARAMANA AYYANGAR:—"Well, Sir, I was only going to compare the present attitude of the European party with their attitude in respect of other motions that have been discussed on the floor of this House. Some of my friends have legitimately remarked that Mr. James has kept quiet because the planters have no case to make out, otherwise such a big speaker as Mr. James would have supported the motion. The very fact that they have not supported this motion is evidence of the fact that they have no case. However the attitude of silence which he has taken in this matter would have been all right if he had kept quiet in all other matters too. Therefore his attitude in the present case is certainly inconsistent."

"Finally, Sir, I say that this Vannanthurai road is a road which requires repair and I do not want to say anything more about it."

"So far as irrigation schemes of Trichinopoly district are concerned, it is a matter in which I am also interested. But Government have not given us any information on the point. Mr. Satyamurti was very hopeful that after all these schemes were going to fructify. My fear is that the hon. Minister has just appointed some officers just after the scheme, proposals have been sanctioned, and that is the reason they have sanctioned Rs. 20,000 for this year but nothing will probably be done next year. As to whether this scheme comes under the Mettur project is a very important matter. I am sure Mysore will assert that this is an additional scheme in the Cauvery-Mettur project. We have been told again and again by the hon. the Law Member who was in charge of this portfolio that these 801,000 acres come under the Mysore treaty; so we cannot ask for any additional water for the Mettur scheme from the Cauvery river. Sir, if these new schemes are going to be executed under the Mettur scheme and if they are included in the Mettur scheme, Tanjore will lose, Coimbatore will lose and Salem also will share the same fate. So I am asking whether Government wants to add some 50,000 acres of wet lands to the lands that are to come under the Mettur project. Mysore can say 'That is all the water-supply of the Mettur project throughout the year and if you want water for additional acres of wet land, you will exceed the limit of 801,000 acres. Sir, if the Trichinopoly irrigation schemes are also brought under the Cauvery-Mettur project, then Tanjore will not get its water as promised. I want to know whether Government have reserved any quantity of water for irrigating a large number of acres in the Tanjore district under the Mettur scheme. Are they going on with the canal system of the Mettur project in Tanjore district or not? If they are going on and if they draw away water for 50,000 acres of wet lands under the Trichinopoly irrigation scheme, how can they find water for the whole area in Tanjore? Therefore I would certainly oppose the suggestion of the Government that by this addition of 50,000 acres, Tanjore district will not in any way be affected. This House has been over and over again expressing its opinion that in fairness, justice and equity the supply of water to Salem and Coimbatore should have the first preference. May I ask the hon. the Finance Member what the implications of this grant are financially? It may be that such a grant pleases the hon. the Minister and other Members of Trichinopoly district who are to support the Government. I want to know what are the

[10th August 1929.] [Mr. C. V. Venkataramana Ayyangar]

implications of this scheme; whether Tanjore will lose a portion of its water or whether Coimbatore and Salem will lose their share. Unless these things are satisfactorily answered, I must remain neutral on that point, because though I am for Trichinopoly district taking the benefit of the schemes which are intended to benefit Salem and Coimbatore, I should certainly oppose any attempt made on behalf of Trichinopoly people to benefit the people of Trichinopoly at the cost of Salem or Coimbatore. I do want a definite statement on these points. I hope the hon. the Finance Member or the hon. the Minister will be able to tell us, at least on Monday, what the implications of these schemes are."

Mr. G. HARISARVOTTAMA RAO:—"May I draw the attention of the Chairman that it is 5 p.m. now?"

The CHAIRMAN:—"Is it the pleasure of the House to continue?"

A closure motion was moved which was put to vote and declared carried.

A poll was demanded and the House divided thus:—

Ayes.	
1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur.	27. Mr. T. M. Narayanaswami Pillai.
2. " Sir Thomas Moir.	28. " K. Krishnan.
3. " Diwan Bahadur M. Krishnan Nayar.	29. " N. Siva Raj.
4. " Mr. A. Y. G. Campbell.	30. " M. V. Ganghadara Siva.
5. " Mr. M. R. Seturathnam Ayyar.	31. " V. I. Maniswami Pillai.
6. " Mr. S. Muthiah Mudaliyar.	32. " W. P. A. Sundarapantian.
7. " Dr. P. Subbarayan.	33. " S. Subrahmanya Moopanar.
8. Mr. Hilton Brown.	34. " D. Thomas.
9. " H. A. Watson.	35. " S. Venkiah.
10. " A. G. Leach.	36. " V. Samjee Rao.
11. " J. Gray.	37. " G. R. Premayya.
12. " S. V. Ramamurti.	38. " S. Arpudaswami Udayar.
13. " C. B. Cotterell.	39. " C. E. Wood.
14. " V. Ch. John.	40. " A. J. Leach.
15. " M. A. Manikkavelu Nayakar.	41. " F. E. James.
16. Syed Fajudin Sahib Bahadur.	42. The Raja of Kallikota.
17. Mr. H. B. Ari Gowder.	43. Mr. C. Gopala Menon.
18. " A. B. Shetty.	44. " B. Ramachandra Reddi.
19. " J. Bheemayya.	45. Rao Bahadur C. S. Ratnasabapathi Mudaliyar.
20. " R. Fonlkes.	46. Rao Bahadur Sir A. P. Patro.
21. " P. J. Gnanavaram Pillai.	47. Diwan Bahadur P. C. Ethirajulu Nayadu.
22. Mahmud Schannad Sahib Bahadur.	48. Mr. P. T. Rajan.
23. Mr. Muppil Nayar of Kavalappara.	49. " T. K. Chidambaramanatha Mudaliyar.
24. The Zamindar of Singampatti.	50. Rao Bahadur S. Ellappa Chettiyar.
25. Mr. J. Kuppuswami.	51. Khan Bahadur S. K. Abdul Razaak Sahib Bahadur.
26. Subadar-Major S. A. Nanjappah Bahadur.	52. Mr. A. V. Bhanaji Rao.
Noes.	
1. Mr. P. O. Venkatapathi Raja.	14. Mr. A. Parasurama Rao.
2. " K. Koti Reddi.	15. " C. Ramasomayajulu.
3. " S. Satyamurti.	16. Sriman Biswanath Das Mahasayo.
4. " C. V. Venkataramana Ayyangar.	17. Mr. A. Kaleswara Rao.
5. " J. A. Saldanha.	18. " K. Uppi Sahib.
6. " G. Harisarvottama Rao.	19. " K. Krishnaswami Nayakar.
7. " C. S. Govindaraja Mudaliyar.	20. " C. Venkatarangam Nayudu.
8. " Abdul Hameed Khan.	21. " K. S. Sivasubrahmanya Ayyar.
9. " K. V. B. Swami.	22. " R. Nagan Gowda.
10. " D. Narayana Raju.	23. " C. R. Parthasarathi Ayyangar.
11. " K. R. Karant.	24. " A. M. Ahmed Miran Sahib.
12. " K. Madhavan Nayar.	
13. " C. Obi Reddi.	

Ayes 52. Noes 24.

The motion was carried.

[10th August 1929]

The CHAIRMAN:—"I shall now put the demand to the vote of the House."

Mr. G. HARISARVOTTAMA RAO:—"Sir, some hon. Members expressed some difficulty in voting on this demand as many items are included in the same demand. We can give support to some of the items and not the others. I request you to split the demand and put it in parts."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I do not think so; it is better to put the whole demand to the House."

Mr. S. SATYAMURTI:—"It is not a question of the convenience of the hon. the Home Member. It is a question of what you think. Even if a single Member of this House wants, for the proper exercise of his franchise, that he should be allowed to vote on these items separately, unless there are rules and Standing Orders to the contrary. I submit that the convenience of the House will be best consulted if the demand is put to vote in parts."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I want to vote for some of the items and not for the others."

The CHAIRMAN:—"May I know which of the items should be put separately?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"The usual practice has been to put the whole demand to the House as one item."

Mr. P. C. VENKATAPATHI RAJU:—"No such request was made by hon. Members in those cases."

The hon. Sir THOMAS MOIR:—"Sir, perhaps I may point out that the procedure under which the individual items coming under a grant are clubbed together in this manner was at the suggestion of the House. All agree that the procedure in respect of supplementary grants should correspond as much as possible to the budget procedure. I think that it would be in accordance with the budget procedure if the total of the items which come under one grant was put to the House."

The CHAIRMAN:—"In the case of a budget grant it is open to any hon. Member to move for the deletion of any particular item separately by way of amendments. As that has not been done in this case, I put the whole demand to the vote of the House."

"The question is that the Government be granted a further sum not exceeding Rs. 500 under Grant XXXI—Civil Works—Transferred."

The demand was put and declared carried.

A poll was demanded and the House divided thus:—

Ayes.

- | | |
|--|------------------------------------|
| 1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 4. The hon. Mr. A. Y. G. Campbell. |
| 2. " Sir Thomas Moir. | 5. " Mr. M. R. Seturatnam Ayyar. |
| 3. " Diwan Bahadur M. Krishnan Nayar. | 6. " Mr. S. Muthiah Mudaliyar. |
| | 7. " Dr. P. Subbarayan. |
| | 8. Mr. Hilton Brown. |

[10th August 1929]

- | | |
|---|--|
| 9. Mr. H. A. Watson. | 33. Mr. S. Subrahmanya Moopnar. |
| 10. " A. G. Leach. | 34. " D. Thomas. |
| 11. " J. Gray. | 35. " S. Venkiah. |
| 12. " S. V. Ramamurti. | 36. " V. Ramjee Rao. |
| 13. " C. B. Cotterell. | 37. " G. R. Premayya. |
| 14. " V. Ch. John. | 38. " S. Arpudaswami Udayar. |
| 15. " M. A. Manikkavelu Nayakar. | 39. " C. E. Wood. |
| 16. Syed Tajudin Sahib Bahadur. | 40. " A. J. Leech. |
| 17. Mr. H. B. Ari Gowder. | 41. " F. E. James. |
| 18. " A. S. Shetty. | 42. The Raja of Kallikote. |
| 19. " J. Bheemayya. | 43. Mr. C. Gopala Menon. |
| 20. " R. Foulkes. | 44. " B. Ranaachandra Reddi. |
| 21. " P. J. Gnanavaram Pillai. | 45. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. |
| 22. Mahmud Schammad Sahib Bahadur. | 46. Rao Bahadur Sir A. P. Patro. |
| 23. Mr. Muppil Nayar of Kavalappara. | 47. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 24. The Zamindar of Singampatti. | 48. Mr. P. T. Rajan. |
| 25. Mr. J. Kuppuswami. | 49. " T. K. Chidambaramatha Mudaliyar. |
| 26. Subadar-Major S. A. Nanjappa Bahadur. | 50. Rao Bahadur S. Ellappa Chettiayar. |
| 27. Mr. T. M. Narayanaswami Pillai. | 51. Khan Bahadur S. K. Abdul Razack Sahib Bahadur. |
| 28. " K. Krishnan. | 52. The Zamindar of Mirsapuram. |
| 29. " N. Siva Raj. | 53. Mr. A. V. Bhanoji Rao. |
| 30. " M. V. Gangadhara Siva. | |
| 31. " V. J. Muniswami Pillai. | |
| 32. " W. P. A. Soundarapandian. | |

Noes.

- | | |
|-------------------------------------|--|
| 1. Mr. P. C. Venkatapathi Raju. | 14. Mr. A. Parasurama Rao. |
| 2. " K. Koti Reddi. | 15. " C. Ramasomayajulu. |
| 3. " S. Satyamurti. | 16. Sriman Biswanath Das Mahasayo. |
| 4. " C. V. Venkataramana Ayyangar. | 17. Mr. A. Kaleswara Rao. |
| 5. " J. A. Saldanha. | 18. " K. Uppi Sahib. |
| 6. " G. Harisarvottama Rao. | 19. " K. Krishnaswami Nayakar. |
| 7. " C. S. Govindaraja Mudaliyar. | 20. " C. Venkatarangam Nayudu. |
| 8. Abdul Hameed Khan Sahib Bahadur. | 21. " K. S. Sivasubrahmanya Ayyar. |
| 9. Mr. K. V. R. Swami. | 22. " A. Ranganatha Mudaliyar. |
| 10. " D. Narayana Raju. | 23. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 11. " K. R. Karant. | 24. Mr. R. Nagan Gowda. |
| 12. " K. Madhavan Nayar. | 25. " C. R. Parthasarathi Ayyangar. |
| 13. " O. Obi Reddi. | |

Ayes 53.

Noes 25.

The demand was carried and the grant made.

The CHAIRMAN:—"The House will now adjourn and meet again on Monday the 12th instant at 11 a.m."

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

[10th August 1929]

APPENDIX I.

[Vide answer to question No. 205 asked by Mr. K. R. Karant at the meeting of the Legislative Council held on the 10th August 1929, page 442 supra.]

To the Collector and District Magistrate, South Kanara.

Residents of the patta lands to the west of the Muhammadan burial ground (S. No. 1231) of Kodialbail West Ward—
Petitioners.

The petitioners above named beg to submit as follows :—

1. That this petition is made so that the ever-growing dispute between the petitioners on one side and the Muhammadans on the other side may be settled once for all.

2. Of late, there has been a recrudescence of trouble which was once partially settled but is now showing its head up once again owing to failure of the municipal authorities to fulfil the pledges made by them.

3. The order passed by Mr. Chantan, the then Subdivisional Magistrate, on 18th April 1911 is filed herewith.

A certified copy of the petition, dated 21st April 1911, and the order of the Subdivisional Magistrate thereon is also filed herewith for perusal and information.

4. A plan of the locality showing the mamul footpaths that exist on the ground is also filed.

5. Now the trouble is that the Muhammadans are blocking all the paths and indiscriminately burying their corpses and thus make it impossible for the petitioners to find their way to the main road from their holdings.

6. The slightest protest from the petitioners against indiscriminate burial flares up the irresponsible section of the Muhammadans who are usually on the alert to create trouble and excitement.

7. The result is a number of vexatious petitions and complaints.

8. A complaint that some of the petitioners committed sacrilege of the burial ground is pending enquiry in the Court of the Stationary Second-class Magistrate and a petition or two is pending enquiry with the station-house officer, Mangalore.

9. Of late, the unruly section among the Muhammadans have begun to bury right in front of petitioners' houses, under their very nose as it were, simply to provoke them.

10. This matter has to be settled once for all. Otherwise, it may lead to very serious trouble between the parties.

11. This can only be done by the construction of a regular road alongside the holdings with a connexion to the main road, and for this, a local inspection by your honour with the chairman of the municipality would be absolutely necessary.

12. Unlike as in the past, if the chairman undertakes the construction at once, all troubles could be set at rest.

13. This proposal is nothing new as the order of the Subdivisional Magistrate filed herewith will show. M.R.Ry. Diwan Bahadar Subba Rao,

[10th August 1929]

who was the then chairman, had promised to construct a road as required. The non-fulfilment of this pledge has caused this trouble to show its head again.

14. In the interests of public tranquillity, the petitioners therefore humbly pray that your honour may be pleased, after giving due notice to the chairman, Mangalore Municipality, to inspect the locality with him, and direct immediate steps to be taken towards the final settlement of dispute between the parties.

Mangalore, 12th April 1929.

(Sd.) Three marks of Guruvappa.

APPENDIX II.

[Vide answer to question No. 213 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 10th August 1929, page 445 supra.]

Names of districts and taluks.	Loss of human life.	Loss of cattle.	Number of houses collapsed.	Damage to standing crops.
Vizagapatam district—				ACS.
Anakapalli taluk ..	1	170	2,800	1,200 *
Viravilli ..	3	100	1,400	200
Sarvasiddhi ..	11	50	3,000	3,000
Golugonda ..	9	40	650	300
Bimlipatam ..	..	..	25	50
East Godavari district—				
Cocanada taluk ..	1	Nil.	2,000 (mud) and 20 (brick).	19,485 (paddy crop).
Peddapuram ..	Nil.	6-7 goats.	708 (mud) and 1 (brick).	..
Ramaohandrapuram taluk	Nil.	Nil.	148 (mud).	..
Ellavaram ..	..	..	Verandah of Public Works Department rest house fallen.	..
Tuni ..	9	Rs. 1,500 worth of cattle and goats.	935 (mud) and 10 to 15 (brick).	..
Pithapuram ..	1	..	627 (mud) and 10 (brick).	3,220 (chillies).
West Godavari district ..	1	53	2 tiled houses, 90 thatched houses, 40 thatched houses partially damaged.	Loss of dry crops estimated at Rs. 11,000.
South Kanara district—				
Mangalore taluk ..	1 man.	Nil.	80 huts and shops.	Not reported.
Panemangalore ..	Nil.	Nil.	Not reported.	Do.
Puthur ..	Nil.	Nil.	12 houses and shops.	Do.
Kasaragod ..	Nil.	Nil.	13 mud houses.	Do.
Malabar district ..	5	9 (of various sorts)	171 huts.	Loss to crop is not considerable.

* Paddy crops in Sarvasiddhi taluk particularly in the low-lying villages under the rivers suffered most. There was no serious damage to crops in the other parts of the district.

[10th August 1929]

APPENDIX III.

[Vide answer to question No. 219 asked by Mr. K. R. Karant at the meeting of the Legislative Council held on the 10th August 1929, page 448 supra.]

STAFF SELECTION BOARD.

Probationary Deputy Tahsildars—Selection 1928.

Non-Brahmans—

- * 1. Anandan, Kotieth.
- 2. Parthasaradhiswami, Erra.
- * 3. Prabhakara Rao, Tamarapakam.
- 4. Venkata Ranga Reddi, Gownavaripalle.

Muhammadans—

- 1. Ghulam Ghouse, Muhammad.
- * 2. Kunhamed, Arakkal.

Indian Christian—

- * 1. Stanis Sundararaj.

Depressed class and other—

- 1. Chakravarti, A.

Brahmans—

- 1. Govindarajan, V.
- 2. Krishnamurthi, R.
- 3. Ranga Rao, Patri Pandu.

Probationary Deputy Superintendents of Police—Selection 1929.

Non-Brahmans—

- * 1. P. Dhanarajulu Nayudu.
- 2. V. Sobhanadri Rao Nayudu.

Brahman—

- 1. P. P. Ranga Rao.

Muhammadan—

- * 1. Y. Roshan Sahib.

Indian Christian—

- 1. R. C. Joseph.

APPENDIX IV.

[Vide answer to question No. 224 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 10th August 1929, page 451 supra.]

G.O. No. 855, Law (Education), dated 19th May 1925.

Under rule 92 of the Madras Educational Rules a pupil belonging to one of the backward classes shall be allowed to pay half the standard rates of fees in a secondary school or a college if his parents are so poor that the grant of the half-fee concession is necessary to enable him to continue his studies. It has been brought to the notice of Government that converts to Christianity from backward classes are denied on their conversion to Christianity the half-fee concession to which they were eligible prior to their conversion and that this practice entails hardship on such of the converts as originally belonged to the depressed classes.

[10th August 1929]

The Government are pleased to direct that the half-fee concessions to which poor pupils of the depressed classes are otherwise eligible should not be denied to them because of their conversion to Christianity.

(By order of the Government, Ministry of Education)

V. T. KRISHNAMA ACHARIYAR,
Secretary to Government.

To the Director of Public Instruction.

Copy to the Finance Department.
" Accountant-General (through Finance Department).
" Local Self-Government Department.
" Law (General) Department.
" Superintendent, Government Press (for publication in the Gazette).

G.O. No. 117, Law (General), dated 12th January 1926.

The Government direct that applications for educational concessions on behalf of converts from the depressed classes to Christianity should be dealt with in the Department of Education and not by the Commissioner of Labour.

(By order of the Governor in Council)

V. T. KRISHNAMA ACHARIYAR,
Secretary to Government.

To the Commissioner of Labour.

" Director of Public Instruction.
" Law (Education) Department.

G.O. Mis. No. 1705, Education, dated 5th September 1927.

The Director of Public Instruction is informed that Indian Christian teachers belonging to the depressed classes who undergo training of the lower elementary grade may be allowed the higher rate of stipend, namely, Rs. 10-8-0 a month, provided for in rule 117 of the Madras Educational Rules.

To the Director of Public Instruction.

" Accountant-General (through the Finance Department).
Copy to the Finance Department.

G.O. Mis. No. 1015, Education, dated 10th May 1929.

In G.O. No. 117, Law (General), dated 12th January 1926, it was ruled that educational concessions on behalf of converts to Christianity from the depressed classes should be dealt with in the Department of Education and not by the Commissioner of Labour. Recently the Commissioner represented that though the facilities for the education of Christian pupils under reference might in the main be considered sufficient in areas where missions are active, conditions are different in places not adequately served by missions. As the number of scholarships and fee-remissions at the disposal of the Director of Public Instruction specially intended for depressed classes are limited, the question of increasing their number with a view to enabling the Director to consider the claims of converts to other

[10th August 1929]

religions from the depressed classes has been engaging the attention of the Government. They are now pleased to sanction the institution with effect from 1929-30 of the following additional scholarships and fee-remissions :—

(i) Six collegiate scholarships—one in each of the B.A. classes (pass course) and two in each of the Intermediate classes of the monthly value of Rs. 14 and Rs. 9, respectively.

(ii) Sixteen scholarships in each of Forms I to VI of the monthly value of Rs. 7. When held in Form VI, Rs. 6 in Form V, Rs. 5 in Form IV and Rs. 3-8-0 in Forms I to III.

(iii) Sixteen fee remissions in each of Forms I to VI.

(iv) Twenty-seven scholarships of the value of Rs. 2 each a month tenable in each of classes or standards IV and V of secondary and elementary schools.

(v) Twenty-seven fee remissions in each of classes IV and V secondary schools.

3. The existing scholarships and fee remissions as well as those now sanctioned will be awarded by the Director of Public Instruction to pupils belonging to the depressed classes including aboriginal and criminal tribes irrespective of creed.

Necessary provision has been made in the Civil Budget Estimate for 1929-30.

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

J. VENKATANARAYANA,
Secretary to Government.

To the Director of Public Instruction (with reference
to his letter No. 77-D/21, dated 25th August 1929).
" Commissioner of Labour.
" Public Works and Labour Department.
" Finance Department.
" Accountant-General, through Finance.

10th August 1929]

APPENDIX V.

[Vide answer to question No. 229 asked by Dr. B. S. Mallayya at the meeting of the Legislative Council held on the 10th August 1929, page 453 supra.]

G.O. No. 2013, L. & M., dated 30th April 1929.

The Electrical Inspector has brought to the notice of Government certain irregularities in the matter of acceptance of tenders for electrical works by some municipal councils. With a view to prevent such irregularities in the future necessary provision as shown in the annexure to this order will be inserted in the Municipal Account Code.

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

HILTON BROWN,
Secretary to Government.

To the Examiner of Local Fund Accounts.

" Electrical Inspector to Government, through Public Works and Labour Department.

Copy to Public Works and Labour Department.

" all Chairmen of Municipal Councils.

" the Inspector of Municipal Councils and Local Boards.

Annexure.

Amendments to the Municipal Account Code.

1. The following will be inserted as article 304-B :—

"Except where the local authority possesses an Electrical Engineer who will deal with works costing less than Rs. 10,000, estimates and plans for electric light and power installation will, if desired, be prepared by the Electrical Inspector to Government, a charge being made for the services of the staff employed for the purpose in accordance with the scale laid down by Government. Plans, designs and estimates prepared by private firms will be subject to the scrutiny and approval of the Electrical Inspector to Government and this condition will be enforced in cases where a local body applies for financial assistance from Government towards the execution of a scheme for the supply of electricity. No deviation from the estimate, plans, design, specification or drawings prepared or approved by the Electrical Inspector to Government shall be made without his previous approval."

2. The following will be inserted as Note 1 under article 334 (b) :—

"No tenders shall be received after the date fixed for their final receipt."

3. The following will be inserted as article 334-A :—

"The following procedure should be adopted in the case of tenders for electrical works costing more than Rs. 10,000 :

"On the date fixed for the opening of the tenders, the chairman shall open all the tenders and make sure by a preliminary examination that each tender satisfies the conditions specified. He shall reject any which is defective in any respect. The tenders which have not been rejected shall be forwarded to the Electrical Inspector to Government who will certify on

[10th August 1929]

each tender whether it is in accordance with the approved estimate, specification and design and recommend whether the tender is acceptable. In cases where the Electrical Inspector certifies a tender to be in order but does not recommend it he shall record his general reasons for not recommending it. The municipal council shall immediately reject all tenders which have not been certified to be in order and shall make a selection from the remaining tenders having due regard to the recommendations of the Electrical Inspector to Government in regard to them. It is open to the chairman of the municipal council to address Government for obtaining a second opinion if he wishes to press the merits of any particular tender which has not been recommended by the Electrical Inspector. No loan will be disbursed to a municipal council until a tender has been finally accepted by it."

APPENDIX VI.

[Vide answer to question No. 231 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 10th August 1929, page 456 supra.]

Statement showing the list of District Board Members, Trichinopoly, for the quarter ending 30th June 1929.

Name.	Caste.
M.R.By. T. M. Narayanaswami Pillai Avargal, M.A., B.L., M.L.C., President.	Non-Brahman.

Nominated Members.

M.R.By. K. O. Muthu Venkatachala Reddiyar Avargal, Vice-President.	Reddiyar.
" Bai Bahadur U. Rama Rao Avargal, Collector.	Brahman.
" K. K. R. Muthia Nayakar Avargal ...	Nayakar.
" P. Subbaraya Kavandar Avargal ...	Kavandar.
Janab Muhammad V. S. Ibrahim Ravuttar Bahadur.	Muhammadan.
M.R.By. Rao Bahadur S. Rm. O. T. Sabaratnam Chettiyar Avargal.	Chettiyar.
" * P. Ratnavelu Thevar Avargal ...	Thevar.
" * Subramania-Moopenar Avargal ...	{ Moopenar (Adi-Dravida).
Mrs. Swarnammal Jesudoss ...	Christian.

Elected Members.

M.R.By. K. Singam Ayyangar Avargal ...	Brahman.
" T. K. Periyasami Pillai Avargal ...	Non-Brahman.
" R. Venkatarama Ayyar Avargal ...	Brahman.
" M. Sangilimuthu Thondamar Avargal...	Thondamar.
Janab Muhammad Fakruddin Sahib Bahadur ...	Muhammadan.
" Muhammad Ibrahim Ravuttar Bahadur ...	Do.
" R.By. R. M. A. R. Ramaswami Pillai Avargal.	Non-Brahman.
" S. Lakshmana Reddiyar Avargal ...	Reddiyar.

* Classified as depressed classes.

[10th August 1929]

Elected Members—cont.

Name.	Caste.
M.R.By. M. M. Krishnaswami Pillai Avargal ...	Non-Brahman.
" L. Ramaswami Reddiyar Avargal ...	Reddiyar.
" Sellamuthu Pillai Avargal ...	Non-Brahman.
" M. N. Pethu Pillai Avargal ...	Do.
" N. S. Annathurai Ayyar Avargal ...	Brahman.
" O. R. Ratnachalam Ayyar Avargal ...	Do.
" V. S. Sundaresa Ayyar Avargal ...	Do.
" K. Marudai Reddiyar Avargal ...	Reddiyar.
" O. V. Baluswami Nayudu Garu ...	Nayudu.
" T. Chellandi Pillai Avargal ...	Non-Brahman.
" Nattu Periyamuthu Vijayamachi Reddi- yar Avargal.	Reddiyar.
" C. Nallappa Reddiyar Avargal ...	Do.
" M. Krishnaswami Reddiyar Avargal ...	Do.
" A. Krishnaswami Reddiyar Avargal ...	Do.
" P. Muthu Venkatachala Reddiyar Avar- gal.	Do.
" K. S. Velayuda Udayar Avargal ...	Do.
" S. Balakrishnam Pillai Avargal ...	Non-Brahman.
" Adivaragam Pillai Avargal ...	Do.
" Doraiswami Pillai Avargal ...	Do.
" O. M. Kandaswami Pillai Avargal ...	Do.
" A. K. Nataraja Mudaliyar Avargal ...	Mudaliyar.
" Rangaswami Vandayar Avargal ...	Vandayar.
" S. Kaliyanna Kavandar Avargal ...	Kavandar.
" S. Silambana Kavandar Avargal ...	Do.
" K. Chinnaswami Kavandar Avargal ...	Do.
" K. Palaniswami Kavandar Avargal ...	Do.
Janab Periyasakarai Ravuttar Bahadur ...	Muhammadan.
M.R.By. S. Shanmugasundaram Pillai Avargal ...	Non-Brahman.
" P. B. Krishnaswami Reddiyar Avargal.	Reddiyar.
" L. N. Paramasivam Pillai Avargal ...	Non-Brahman.
" T. S. Minakshisundaram Mudaliyar Avargal.	Mudaliyar.
" N. Adimoola Vandayar Avargal ...	Vandayar.
" N. Veeriyar Vandayar Avargal ...	Do.
" T. V. Somasundaram Pillai Avargal ...	Non-Brahman.

APPENDIX VII.

[Vide answer to question No. 238 asked by Dr. (Mrs.) S. Muthulakshmi Reddi at the meeting of the Legislative Council held on the 10th August 1929, page 461 supra.]

G.O. Mis. No. 1374, P.H., dated 31st May 1929.

The Government are pleased to pass the following orders on some of the recommendations contained in section I—'Medical' and section IV—'Social' of the report of the Indian Delegation of the British Social Hygiene Council recorded in G.O. No. 489, P.H., dated 3rd March 1928.

[10th August 1929]

2. *Section I—Recommendation 2 (b) and (c)—Provision of treatment centres in the Hospital for Women and Children and the Victoria Caste and Gosha Hospital for married women and children and pregnant mothers.*—An out-patient treatment centre has been opened at the Hospital for Women and Children. The opening of a similar centre at the Victoria Caste and Gosha Hospital has to be deferred pending the extension of the hospital buildings, proposals for which are now under consideration. The Surgeon-General has in this connexion suggested the opening of afternoon and evening sessions in the General Hospital to deal with the large number of cases of venereal disease reporting to that institution. He is requested to submit detailed proposals to give effect to this suggestion.

3. *Section I—Recommendation 2 (d)—Provision of treatment centres in one or more child-welfare centres for children.*—The Surgeon-General considers that the establishment of treatment centres at the child-welfare centres is not an urgent necessity and that any children requiring treatment can be transferred to one of the Government Hospitals in Madras. The Corporation of Madras will be requested to issue necessary instructions to the officers in charge of the child-welfare centres to direct cases requiring treatment to the General Hospital, the Hospital for Women and Children or the Victoria Caste and Gosha Hospital.

4. *Section IV—Recommendation 1—Co-operation between hospital authorities and social organisations.*—The Surgeon-General will be requested to arrange in consultation with the Madras Branch of the British Social Hygiene Council, to bring the hospital facilities available for in-patient and out-patient treatment of venereal diseases to the notice of social organizations responsible for the management of rescue homes and other similar institutions.

5. *Section IV—Recommendation 3—Appointment of trained almoners in hospitals.*—The Surgeon-General considers that almoners might with advantage be appointed in the Government Hospital for Women and Children and the Victoria Caste and Gosha Hospital, Madras. He is requested to consult the Director of Public Instruction and social agencies in Madras and ascertain whether any suitable candidates with experience of social work are willing to undergo the necessary training and if so, under what conditions.

6. *Section IV—Recommendation 9—Certification of mental defectives and their accommodation in separate institutions.*—The Government agree with the Surgeon-General that it is premature at present to undertake legislation on this subject. The Surgeon-General is requested to have the question examined in due course by the special officer now on deputation for training in Psychiatry.

7. *Section IV—Recommendation 14—Promotion of the organization of work rooms for women and girls run on a commercial basis.*—Work of this nature is essentially a matter for private agencies. The Government will be prepared to render all possible assistance in cases where suitable facilities and agencies for the organization of such work-rooms exist.

(By order of the Government, Ministry of Public Health)

S. RANGANATHAN,
Deputy Secretary to Government.

To the Surgeon-General.
" Director of Public Health.
" Honorary Secretary, Madras Branch of the British Social and Hygiene Council.
" Development Department.
" President, Corporation of Madras.

[10th August 1929.]

APPENDIX VIII.

[Vide answer to question No. 256 asked by Mr. P. Anjaneyulu at the meeting of the Legislative Council held on the 10th August 1929, page 468 supra.]

Statement showing promotions from clerks in the Registration Department as Sub-Registrars, direct appointments of Sub-Registrars and appointments of District Registrars made from 27th July 1925 up to 30th July 1929.

	Brahmans.	Non-Brahmans.	Christians.	Muhamedans.	Europeans or Anglo-Indians.	Others.	Total.
<i>Sub-Registrars.</i>							
Promoted from clerks	5	8	3	1	..	1	18
Direct appointments	7	51	5	4	1	..	68
Total	12	59	8	5	1	1	86
District Registrars	3	7	2	2	1	..	15

APPENDIX IX.

[Vide answer to question No. 263 asked by Mr. G. Harisarvottama Rao at the meeting of the Legislative Council held on the 10th August 1929, page 471 supra.]

*Copy of letter from the Director of Agriculture, Madras, D. Dis.
No. D. 404/29, dated 14th March 1929.*

2. I am quite familiar with the experiments which are being conducted at Pusa, and when I was there at Christmas time, 1927, I took the opportunity of going into the question with Dr. Shaw who kindly showed me all he was doing.

3. Some very promising hybrid types of tobacco have been produced by crossing Adecock and Burley and experiments have also been carried out with the flue curing of tobacco. These have produced a very satisfactory type of cigarette leaf. The results obtained, together with a description of the method of cultivating and flue curing tobacco, are shortly being issued, I understand, in Bulletin form. This Bulletin may well be awaited.

4. It does not appear to me that it will be necessary to repeat these experiments in Madras. Any one who wishes to do so can adopt the methods which will be described in this promised Bulletin and the Agricultural Department will be prepared to advise them as to how to do so and also advise on the results obtained.

[10th August 1929]

6. I may also call the attention of Government to the fact that some work has been done and is still being done with tobacco improvement on the Guntur Experiment Station. In 1928-24 local, Pusa, and Virginia varieties were tried side by side and this work has been continued ever since. Curing was done on the farm but not by the flue process and good quality which commanded a good price was obtained. Low yields have been obtained in recent years due probably to bad seasons.

7. With our present resources I think that we are now doing all that is possible or really necessary with this crop.

APPENDIX X.

[Vide an answer to question No. 269 asked by Dr. B. S. Mallayya at the meeting of the Legislative Council held on the 10th August 1929, page 474 supra.]

Annexure.

Date.	Number of tour days.	Places visited.	Number of days halted.	Purpose.
December 1922, 10th to 20th.	4	Calicut	1	To inspect the Soap Factory, Calicut.
February 1923, 17th to 19th.	2	Trichinopoly ..	1	To discuss with the President Sir T. Desikachariyar preliminary details in connexion with the Leather Industries Committee appointed in G.O. No. 148, dated 25th January 1923, and to inspect tanneries.
November 1923, 2nd to 9th.	7	Calicut Coonoor	2 2	Inspection of Soap Factory at Calicut and inspection of Fruit Preserving Institute, Coonoor.
March 1924, 17th to 20th.	3	Calicut	1	To settle an urgent matter in regard to the conduct of a member of the staff of the Institute.
April 1924, 5th to 13th.	8	Calicut Coonoor	2 3	Annual stock-taking at the Kerala Soap Institute, Calicut, and the Fruit Preserving Institute, Coonoor.
May 1924, 13th to 18th.	5	Calicut Ootacamund ..	1 1	To inspect the Soap Factory at Calicut and to arrange for the execution of a large order for the Controller of Contracts and to consult with the Director of Industries at Ootacamund.
October 1924, 5th to 20th.	15	Madura Tanjore Coonoor	2 1 7	Inspection of the Government Industrial Institute, Madura, and interviewing applicants for appointment as stockists for the products of the Kerala Soap Institute. Inspection of the Office of the Assistant Industrial Engineer and interview with the agent for the Kerala Soap Institute at Tanjore. To discuss with Sir Frederick Nicholson and the Business Manager the development of the sales organization and the future of the Fruit Preserving Institute generally preliminary to the submission of a report to Government.

[10th August 1929]

Date.	Number of tour days.	Places visited.	Number of days halted.	Purpose.
March 1925, 10th to 16th.	5	Coonoor	4	To arrange for the continuance of the Fruit Preserving Institute beyond 31st March 1925 and to inspect the sericultural operations of the Department at Coonoor.
April 1926, 11th to 15th.	4	Do.	2	To arrange for the winding up of the affairs of the Fruit Preserving Institute and to inspect the sericultural operations of the department at Coonoor.
May and June 1926, 27th May to 3rd June.	6	Ootacamund .. Coonoor Calicut	2 2 ..	In connexion with the winding up of the affairs of the Fruit Preserving Institute to discuss with the Director of Agriculture and Mr. S. Holmes the offers received from them for certain of the assets and to examine in conjunction with the Assistant Agricultural Engineer, the machinery and plant of the factory, inspect the mulberry plantation at Coonoor and the Kerala Soap Institute, Calicut, and to discuss matters with the Director of Industries.
October 1926, 21st to 26th.	5	Godavari	3	Inspection of the Carnatic Paper Mills with a view to the submission of a report to Government.
November 1926, 25th to 29th.	4	Coonoor	2	To settle outstanding questions in connexion with the disposal of the assets of the defunct Fruit Preserving Institute, Coonoor.
December 1926 — January 1927, 28th December 1926 to 3rd January 1927.	5	Calicut Areakode. Mangalore.	1	Inspection of the Kerala Soap Institute, Calicut, and of the Industrial school and the work carried on by the Young Men Christian Association at Areakode.
February 1927, 18th to 25th.	5	Mangalore .. Coondapoor.	..	Inspection of factories and workshops on the West Coast and discussions with local authorities with a view to the preliminary selection of a centre for the establishment of the projected Industrial School.
April 1927, 4th to 8th.	4	Calicut	3	To inspect the Canara Rice and Saw Mills (State aided) with a view to deciding whether the unexpended balance of the loan should be refunded and if not in what manner it should be applied.
May and June 1927, 30th to 3rd.	3	Tanjore Dindigul.	1	Annual stock-taking at the Kerala Soap Institute.
September 1927, 12th to 14th.	2	Coimbatore	..	Inspection of groundnut decorticating factories in connexion with the preparation of a departmental bulletin on groundnut decortication.
December 4th. December 27th to 1st January 1928.	1 4	Poonamallee .. Knappam	.. 1	Tour of inspection.

* Tours performed by Officiating Deputy Director.

[10th August 1929]

Date.	Number of tour days.	Places visited.	Number of days halted.	Purpose.
January 1928, 18th to 16th.	2	Nellore	1	Tour of inspection.
17th to 18th.	1	Tanjore	..	Inspection of the St. Xavier's Industrial School, Tanjore.
March 1928, 8th to 11th.	3	Rajahmundry ..	1	To take over charge of the land, machinery, plant and buildings belonging to the Carnatic Paper Mills.
April 1928, 7th to 12th.	5	Calicut	3	To conduct the annual stock-taking of the Kerala Soap Institute and to discuss certain schemes and proposals with the Superintendent.
June 1928, 9th to 11th.	2	Kallakurichi ..	..	Inspection of the oil expeller experiments and of the four factories of the Kallakurichi Co-operative and Industrial Society.
June 1928, 16th to 19th.	3	Madura	1	To inspect the Government Industrial Institute, Madura, and to discuss certain questions with the Superintendent prior to his proceeding on leave.
September 28, 6th to 8th.	2	Calicut	1	To inspect the Kerala Soap Institute, Calicut, and to discuss with the Superintendent details of Part II schemes for the next year's budget.
January 29, 18th to 22nd.	4	Coonoor	2	To inspect the sericultural farm and to devise measures for dealing with the fungus disease. To consult with the Curator, Government Parks, in regard to the cultivation of gambier. To check the stock of the defunct Fruit Preserving Institute as required by the Auditors and to discuss with Sir Frederick Nicholson the progress of his experiments on fruit preservation and the arrangements for storing the items of plant in his custody during his ensuing absence in England.
21st March 1929 to 7th April 1929.	7	Ootacamund ..	..	Investigation of application for a loan under the State Aid to Industries Act received from Mr. J. P. Parry for the purpose of developing the wattle industry.
		Calicut	2	Annual stock-taking of the Kerala Soap Institute and discussion of pending questions with the Superintendent.

* Tour performed by Deputy Director as Officiating Industrial Engineer.

[10th August 1929]

APPENDIX XI.

[Vide answer to question No. 283 asked by Mr. C. S. Govindarraja Mudaliyar at the meeting of the Legislative Council held on the 10th August 1929, page 487 supra.]

Statement showing the patterns of typewriting machines approved for use in Government offices—vide answer to clause (b).

1. Remington No. 11 now known as Remington No. 30.
2. Remington No. 12.
3. Underwood.
4. Royal.
5. Woodstock.
6. L.C. Smith.
7. Imperial.
8. British Empire.
9. Barlook.
10. Empire No. 1.
11. Empire No. 2.
12. Oliver No. 15—The latest model which has replaced Oliver No. 11.
13. Victor No. 10.
14. Corona 4 Portable.
15. Remington Portable.
16. Underwood Portable.
17. Royal Portable.
18. Molle Portable.

APPENDIX XII.

[Vide answer to question No. 285 asked by Mr. G. Harisavottama Rao at the meeting of the Legislative Council held on the 10th August 1929, page 488 supra.]

Letter from the Chief Conservator of Forests, L. Dia. No. 478/29, dated the 25th March 1929.

[Reference:—Government Memorandum No. 19/I-29-1, dated the 9th January 1929.]

[SUBJECT:—Legislative Council question—Agricultural implements—Kurnool district.]

Statements showing the agricultural implements and fuel issued for genuine domestic consumption at departmental rates during the months of June, July, August, September and October 1928 in the three forest divisions of Kurnool district are submitted.

2. The quantities shown in the above statements represent sales made by the contractors at the edges of coupes. Sales elsewhere than at the edges of coupes are not subjected to restriction and so contractors are not bound to render accounts of such sales.

3. In Kurnool East division, except in one coupe, there was no sale of agricultural implements as such, as the ryots buy the wood by the cart-load and convert such of the materials as are fit for agricultural implements.

[10th August 1929]

Statement showing the number of agricultural implements and fuel sold by contractors to ryots for domestic use in the Kurnool South division from June 1928 to October 1928.

Number and name of contractor.	Coupe and range.	June.				July.				August.	
		Agricultural implements.		Fuel.		Agricultural implements.		Fuel.		Agricultural implements.	
		Num-ber.	Amount.	C.L. num-ber.	Amount.	Num-ber.	Amount.	C.L. num-ber.	Amount.	Num-ber.	Amount.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
	<i>Giddalore Range.</i>		RS. A. P.		RS. A. P.		RS. A. P.		RS. A. P.		RS. A. P.
1. A. Peddanna ..	Sandrapodu T.C., Giddalore.	..	..	..	..	..	..	..	..	..	..
2. Gurunatham ..	Chinthalapalli F.C. ..	..	..	..	..	..	..	..	..	..	..
3. D. Kondareddi ..	Mallamma F.C. ..	..	..	..	..	..	..	..	..	..	..
4. M. P. V. Subbiah ..	Yerraguntla F.C. ..	..	..	..	..	..	..	..	..	..	..
5. S. Kasanna ..	Diguvametta F.C. ..	..	..	..	..	..	..	..	..	..	..
	<i>Chelams Range.</i>										
6. Medara Narasappa ..	Dorasanibhavi T.C.I. ..	229	180 8 0	46	23 0 0	..	..	..	..	..	..
7. B. Venkataswami ..	Pacherla T.C. IV ..	..	..	..	..	..	..	..	..	..	..
8. Mulla China Poti- reddi.	Mahanandi T.C. IV ..	..	..	..	..	..	..	..	..	..	..
	<i>Gendlakamma Range.</i>										
9. N. Gurappa Chetti.	Timber cum Fuel Coupe IV, Vedurlakonda.	..	..	..	..	..	..	..	..	..	..
	<i>Sireel Range.</i>										
10. Ediga Paleeranna ..	T.C. IV Series 2 ..	..	..	..	..	73	13 11 0	14	33 4 0	129	60 0 0
11. B. Venkataswami ..	Fuel coupe V Series 2 ..	..	..	..	..	80	30 0 0	33	32 0 0	40	10 0 0
12. J. Obul Reddi ..	Do. 4 ..	..	..	..	..	12	12 0 0	..	..	47	11 12 0
13. Venkatarani Reddi ..	Do. 9 ..	..	..	..	..	150	73 0 0	6	30 0 0	88	88 0 0
14. S. Pamuleti ..	Do. 8 ..	..	..	..	..	..	..	..	..	..	..

Statement showing the number of agricultural implements and fuel sold by contractors to ryots for domestic use in the Kurnool South division from June 1928 to October 1928—cont.

Number and name of contractor.	Coupe and range.	August—cont.				September.				October.			
		Fuel.		Agricultural implements.		Fuel.		Agricultural implements.		Fuel.		Agricultural implements.	
		C.L. num-ber.	Amount.	Num-ber.	Amount.	C.L. num-ber.	Amount.	Num-ber.	Amount.	C.L. num-ber.	Amount.	C.L. num-ber.	Amount.
		(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)		
	<i>Giddalore Range.</i>		RS. A. P.		RS. A. P.		RS. A. P.		RS. A. P.		RS. A. P.		RS. A. P.
1. A. Peddanna ..	Sandrapodu T.C., Giddalore.	..	..	..	..	..	..	..	..	..	..	..	..
2. Gurunatham ..	Chinthalapalli F.C. ..	18	12 0 0	..	..	21	26 4 0	..	..	4	4 0 0	..	..
3. D. Kondareddi ..	Mallamma F.C. ..	..	..	..	..	11	11 0 0	..	..	182	217 0 0	..	..
4. M. P. V. Subbiah ..	Yerraguntla F.C. ..	..	..	..	..	..	..	..	..	..	..	..	..
5. S. Kasanna ..	Diguvametta F.C. ..	30	30 0 0	..	..	24	36 0 0	..	..	36	54 0 0	..	..
	<i>Chelams Range.</i>												
6. Medara Narasappa ..	Dorasanibhavi T.C. I. ..	123	66 8 0	..	..	154	77 0 0	1	1 0 0	76	38 0 0	..	..
7. B. Venkataswami ..	Pacherla T.C. IV ..	111	55 8 0	..	..	87	43 8 0	..	..	16	8 0 0	..	..
8. Mulla China Poti- reddi.	Mahanandi T.C. IV ..	10	5 0 0	..	..	42	21 0 0	..	..	22	11 0 0	..	..
	<i>Gendlakamma Range.</i>												
9. N. Gurappa Chetti ..	Timber cum Fuel Coupe IV, Vedurlakonda.	..	..	..	..	..	..	16	24 0 0	..	..	..	..
	<i>Sireel Range.</i>												
10. Ediga Paleeranna ..	T.C. IV Series 2 ..	20	47 8 0	73	13 11 0	..	..	42	23 8 0	18	43 2 0	..	..
11. B. Venkataswami ..	Fuel coupe V Series 2 ..	57	57 0 0	41	12 5 0	74	74 0 0	3	18 0 0	5	5 0 0	..	..
12. J. Obul Reddi ..	Do. 4 ..	..	..	47	11 12 0	10	16 0 0	..	..	8	9 8 0	..	..
13. Venkatarani Reddi ..	Do. 9 ..	8	37 0 0	48	40 0 0	..	..	348	145 0 0	..	..	..	..
14. S. Pamuleti ..	Do. 8 ..	..	..	..	..	7	7 0 0	..	..	9	9 0 0	..	..

10th August 1929]

Statement showing agricultural implements sold by contractors to ryots in Kurnool East district from June to October 1928.

Name of coupe contractor.	June.		July.		August.		September.		October.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
Contractor of Magatur Coupe I.	..	..	..	..	..	..	..	..	2 headloads of plough of 2 cubic feet at Rs. 6 per cubic foot. 1 cartload of 50 vassals—20 cubic feet at Rs. 6 per 100. • 2 cartloads of fuel of 144 cubic feet at Rs. 1-8-0 per cart-load.	Rs. A. P. 0 12 0 3 0 0 1 8 0

Statement showing fuel sold by contractors to bona fide ryots at edge of coupes.

(1) Magatur fuel coupe contractor (area of coupe 83.75 acres).	..	..	..	..	..	..	..	..	2 stacks of 72 cubic feet each at Rs. 1-4-0.	2 8 0
(2) Ragatikunta fuel coupe contractor (P. Narasayya), area 15.65 acres.	..	..	..	..	..	..	..	..	12 stacks of 72 cubic feet each.	15 0 0

* Part of the wood in such cases is utilized for agricultural implements after the wood is removed to the village by ryots.

[10th August 1929]

10th August 1929]

Statement showing fuel sold by contractors to bona fide ryots at edge of coupes—cont.

Name of coupe contractor.	June.		July.		August.		September.		October.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
(3) Tallappaya fuel coupe contractor G. Venkatayya (11 acres).	..	..	..	..	..	..	9 stacks of 100 cubic feet each at Rs. 1-12-0 per stack.	Rs. A. P. 15 12 0	17 stacks of 100 cubic feet at Rs. 1-12-0 each.	Rs. A. P. 29 12 0
(4) Somdevipalle fuel coupe contractor G. Narayana Vothu.	5 stacks of 72 cubic feet each.	6 4 0	7 stacks of 72 cubic feet each.	8 12 0	4 stacks of 72 cubic feet each.	5 0 0	4 stacks of 72 cubic feet each.	5 0 0	8 stacks of 72 cubic feet each.	10 0 0
(5) Tummalapenta fuel coupe contractor (area 42.50 acres).	12 stacks of 72 cubic feet each.	Free of cost.	4 stacks of 72 cubic feet each.	Free of cost.	2 stacks of 72 cubic feet each.	Free of cost.	4 stacks of 72 cubic feet each.	Free of cost.	4 stacks of 72 cubic feet each.	* Free of cost.

* The total quantity of 26 stacks fuel was given free to the ryots by the contractor in return for supply of labour.

[10th August 1929]

Serial number and district.	Name of institution.	Total number of children on whose behalf a grant was sanctioned.
<i>Orphanages for boys—cont.</i>		
5. East Godavari ...	U.L.C.M. Boarding Home, Yelleswaram.	30
6. Kistna ...	St. Antony's R.C.M. Orphanage, Bezwada.	52
7. Do. ...	St. Joseph's Orphanage, Gundala ...	89
8. Do. ...	C.B.M. Boarding Home, Avani-gadda.	24
9. Do. ...	C.M.S. Higher Elementary School and Orphanage, Vidyanagar, Kondapalle.	70
10. Guntur ...	U.L.C.M. Orphanage, Narasaraopet.	59
11. Do. ...	U.L.C.M. Boarding Home, Sattana-palle.	95
12. Do. ...	U.L.C.M. Boarding Home, Tenali ...	77
13. Do. ...	U.L.C.M. Boarding Home and Orphanage, Chirala.	80
14. Guntur ...	U.L.C.M. Boarding Home and Orphanage, Repalle.	48
15. Karnool ...	A.B.M. Boarding School and Orphanage, Bestwarpet.	58
16. Anantapur ...	London Mission Boarding Home, Gooty.	79
17. Do. ...	Martha Watts Boys' Home, Hindu-pur.	25
18. Bellary ...	Telugu Village Mission Boys' Boarding School, Bellary.	25
19. Cuddapah ...	London Mission Boarding Home, Cuddapah.	50
20. Nellore ...	The Christian Educational Boarding Home, Kanigiri.	12
21. Do. ...	A.B.M. Middle School, Kavali ...	49
22. Do. ...	U.L.C.M. Orphanage, Taralupada ...	48
23. Do. ...	A.B.M. Boarding Home, Udayagiri.	27
24. Madras ...	Ramakrishna Mission Students' Home, Mylapore.	45
25. Do. ...	Society for the Protection of Children's Home, Tondiarpet.	72
26. Do. ...	Madras Tamil Mission Orphanage, Washermanpet.	59
27. Do. ...	St. Francis Xavier's Boarding Home, Alwarpet.	32
28. Do. ...	N.E.M. School and Orphanages, Kilpauk.	45
29. Chingleput ...	Wesleyan Mission Orphanage, Poona-	24

10th August 1929]

Serial number and district.	Name of institution.	Total number of children on whose behalf a grant was sanctioned.
<i>Orphanages for boys—cont.</i>		
30. Chingleput ...	Wesleyan Mission Boarding Home, Ikkadu.	41
31. Do. ...	Wesleyan Mission Boarding Home, Madurantakam.	29
32. Do. ...	E.L.M. Orphanage, Pandur ...	30
33. Do. ...	St. Joseph's Orphanage attached to R.C.M. School, Chingleput.	25
34. Chittoor ...	Hope Higher Elementary School and Orphanage, Madanapalle.	34
35. Do. ...	A.A.M. Rural Boarding Home, Kothamalapalle and Barakayala-kotta.	12
36. Do. ...	A.P.M. Boys' Home, Pullipet ...	30
37. Do. ...	O.E.L.M. Boys' Orphanage, Puthur.	58
38. North Arcot ...	St. Andrew's Orphanage, Arkonam...	24
39. Do. ...	Anjuman Industrial Orphanage, Melvisharam.	61
40. Do. ...	A.A.M. Boys' Boarding Home, Aini.	69
41. South Arcot ...	C.S.M. Orphanage, Chidambaram ...	28
42. Do. ...	Danish Mission Orphanage, Fort St. David.	33
43. Do. ...	St. Joseph's Orphanages, Tindivanam.	100
44. Tanjore ...	Don Bosco's Elementary Boarding School, Tanjore.	19
45. Do. ...	S.P.G. Boys' Boarding Home and Orphanage, Kumbakonam.	23
46. Do. ...	Sentamil Vidyasala Orphanage, Erukattucherry.	11
47. Trichinopoly ...	St. Joseph's Industrial School and Orphanage, Trichinopoly.	66
48. Do. ...	Madrasa Majlis-ul-Ulama Orphanage, Trichinopoly.	38
49. Madura ...	C.S.M. Orphanage, Dindigul ...	15
50. Do. ...	C.S.M. Boys' Boarding Home, Ponnagaram.	34
51. Do. ...	St. Mary's Orphanage, Madura ...	48
52. Do. ...	Bird's Nest Orphanage, Madura ...	33
53. Ramnad ...	C.S.M. Boys' Boarding Home, Paramakudi.	34
54. Do. ...	S.M. Orphanage, Mount Zion ...	14
55. Do. ...	C.S.M. Boys' Boarding Home, Kamuti.	19
56. Tinnevely ...	St. John's Orphanage, Nazareth ...	64
57. Do. ...	St. Joseph's Orphanages for boys, Adaikalapuram.	85

[10th August 1929]

Serial number and district.	Name of institution.	Total number of children on whose behalf a grant was sanctioned.
<i>Orphanages for boys—cont.</i>		
58. Tinnevely ...	Sacred Heart Orphanage, Irudaya-kulam.	17
59. Do. ...	Kshatriya Committee Orphanage, Vengadampat.	2
60. Salem ...	S.B.M. Boarding Home and Orphanage, Namakkal.	20
61. Coimbatore ...	St. Michael's Orphanage, Coimbatore.	113
62. Do ...	London Mission Boys' Orphanage, Coimbatore.	26
63. Do. ...	C.S.M. Orphanage, Coimbatore ...	32
64. Do. ...	London Mission Boarding Home, Erode.	76
65. Do. ...	Wesleyan Mission Orphanage, Dharpuram.	99
66. The Nilgiris ...	Wesleyan Mission Boys' Orphanage, Katty.	80
67. Malabar ...	Basel Evangelical Mission Orphanage, Parapari.	48
68. Do. ...	J.D.J. Islam Mappilla Orphanage, Calicut.	92
69. South Kanara ...	St. Joseph's Asylum Male Orphanage, Mangalore.	80
70. Do. ...	K.E.M. Boys' Orphanage, Udipi ...	68
<i>Orphanages for girls.</i>		
71. Ganjam ...	B.C.M. Orphanage for girls, Surada.	19
72. Vizagapatam ...	St. Joseph's Convent Orphanage, Waltair.	63
73. Do. ...	C.B. Orphanage, Vizianagram ...	59
74. Kistna ...	C.E.Z.M. Orphanage, Masulipatam.	80
75. Guntur ...	St. Joseph's Girls' Orphanage, Guntur.	112
76. Do. ...	St. Anne's Boarding Home, Phirangipuram.	21
77. Kurnool ...	B.C.M. Boarding Home, Kurnool ...	38
78. Do. ...	A.B.M. Boarding Home, Bestwampet.	21
79. Anantapur ...	S.I.G. Mission Boarding Home, Penunkonda.	14
80. Nellore ...	A.B.M. Boarding Home, Kanigiri.	79
81. Do. ...	St. Joseph's Higher Elementary School and Boarding Home, Nellore.	66
82. Madras ...	The Holy Family Orphanage, San Thomé.	9

10th August 1929]

Serial number and district.	Name of institution.	Total number of children on whose behalf a grant was sanctioned.
<i>Orphanages for girls—cont.</i>		
83. Madras ...	St. Joseph's Indian Girls' Orphanage, Vepery.	18
84. Do. ...	St. Anne's Convent Orphanage, Rayapuram.	52
85. Do. ...	St. Lazarus Girls' Boarding School, Mylapore.	39
86. Do. ...	Harriot Bond Skidmore Girls' Boarding School, Vepery.	131
87. Chingleput ...	Mount Carmel Orphanage, Kovelong.	5
88. Do. ...	Wesleyan Mission Girls' Boarding Home, Ikkadu.	44
89. Do. ...	St. Anne's Orphanage, Kilacheri ...	27
90. Chittoor ...	A.A.M. Boarding Home for Girls, Madanapalle.	59
91.	St. Antony's Orphanage for Girls, Chetput.	6
92. North Arcot ...	St. Mary's R.C. Panchama Orphanage, Vellore.	9
93. Do. ...	St. Aloysius' Convent Orphanage, Vettapalem, Vellore.	6
94. Do. ...	A.P.M. Girls' Boarding Home, Sholinghur.	16
95. Do. ...	A.A.M. Children's Home, Vellore ...	30
96. South Arcot ...	St. Joseph's Orphanage for Girls, Tindivanam.	49
97. Tanjore ...	S.P.G. Girls' Boarding Home, Nagar.	20
98. Do. ...	St. Paul's R.C. Girls' Orphanage, Mayavaram.	23
99. Do. ...	St. Theresa's Girls' Orphanage, Tranquebar.	32
100. Do. ...	E.L.M. Boarding Home, Porayar ...	37
101. Do. ...	St. Mary's Girls' Orphanage, Vallam.	16
102. Trichinopoly ...	R.O. Girls' Orphanage, Cantonment, Trichinopoly.	17
103. Do. ...	All Saints' S.P.G. Girls' Orphanage, Puthur.	65
104. Do. ...	St. Anne's Orphanage, Cantonment, Trichinopoly.	67
105. Do. ...	C.S.M. Girls' Orphanage, Kemp Town, Trichinopoly.	40
106. Do. ...	Wesleyan Mission Girls' Orphanage, Worayur.	11
107. Do. ...	Holy Cross Orphanage, Trichinopoly.	32

[10th August 1929]

Serial number and district.	Name of institution.	Total number of children on whose behalf a grant was sanctioned.
<i>Orphanages for girls—cont.</i>		
108. Madura ...	A.M.C.C. Girls' Boarding School, Dindigul.	80
109. Do. ...	Lucy Perry Noble Institute Orphanage, Rachanyapuram.	66
110. Do. ...	St. Joseph's Indian Convent Orphanage, Madura.	47
111. Ramnad ...	C.M.S. Boarding Home, Sachiya-puram.	23
112. Tinnevely ...	Elliot 'Tuxford Girls' Orphanage, Megnanapuram.	85
113. Do. ...	Indian Orphanage Cottage, Palam-cottah.	10
114. Do. ...	St. Joseph's Orphanage, Adaikala-puram.	84
115. Do. ...	Sacred Heart Girls' Orphanage, Srivilliputtur.	196
116. Coimbatore ...	Wesleyan Mission Orphanage and Boarding Home, Dharapuram.	47
117. Do. ...	London Mission Boarding Home, Erode.	58
118. Do. ...	London Mission Girls' Orphanage, Coimbatore.	24
119. Do. ...	Immaculate Conception Convent, Orphanage, Coimbatore.	99
120. Do. ...	Presentation Convent Orphanage, Coimbatore.	32
121. The Nilgiris ...	St. Michael's Orphanage, Kaity ...	14
122. Do. ...	Wesleyan Mission Orphanage, Kottagiri.	19
123. Do. ...	Nazareth Convent Indian Orphanage, Ootacamund.	79
124. Salem ...	London Mission Boarding Home, Hasthanpatte.	47
125. Do. ...	R.C. Girls' Orphanage, Settipatti ...	27
126. Malabar ...	St. John's Convent Orphanage, Calicut.	30
127. Do. ...	Basel Evangelical Mission Orphanage, Chombala.	58
128. South Kanara ...	St. Joseph's Asylum Orphanage, Mangalore.	80
129. Do. ...	K.E.M. Girls' Orphanage, Moolky.	72
Total ...		<u>5,764</u>

10th August 1929]

Serial number and district.	Name of institution	Total number of children on whose behalf a grant was sanctioned.
<i>1928-29.</i>		
<i>Orphanages for boys.</i>		
1. Ganjam ...	R.O.M. Boys' Orphanage, Surada.	36
2. Vizagapatam ..	C.B.M. Boarding Home, Bimlipatam.	40
3. Do. ...	R.C.M. Church Compound School, Palakonda.	12
4. East Godavari ...	U.L.C.M. Boarding Home, Yelleswaram.	29
5. Do. ...	Adi-Andhra Free Boarding Home, Pithapuram.	44
6. Kistna ...	St. Antony's R.O.M. School and Orphanage, Bezwada.	41
7. Do. ...	St. Joseph's R.C.M. Orphanage, Gundala.	116
8. Do. ...	C.B.M. Boarding Home, Avani-gedda.	22
9. Do. ...	C.B.M. Boarding Home, Ayyur.	103
10. Guntur ...	U.L.C.M. Boarding Home, Repalle.	9
11. Do. ...	U.L.C.M. Boarding Home, Sattenapalle.	25
12. Do. ...	U.L.C.M. Boarding Home, Chirala.	8
13. Do. ...	U.L.C.M. Boarding Home, Narasaraopet.	26
14. Kurnool ...	A.B.M. Middle School and Boarding House, Bestwarpet.	41
15. Cuddapah ...	London Mission Boarding Home, Nagarajapet.	61
16. Nellore! ...	U.L.C.M. Boarding Home, Taralapadu.	60
17. Do. ...	Christian Council Boarding Home, Kanigiri.	46
18. Do. ...	Boarding Home attached to the A.B.M. Middle School, Kaval.	46
19. Do. ...	A.B.M. Boarding Home and Orphanage, Udayagiri.	19
20. Madras ...	M.E.M. Orphanage, Kilpauk.	52
21. Do. ...	Madras Society for the Protection of Children, Tondyarpet.	27
22. Do. ...	Madras Tamil Mission Orphanage Home, Washermanpet.	66
23. Do. ...	St. Francis Xavier's Boarding Home, Alwarpet.	49

[10th August 1929]

Serial number and district.	Name of institution.	Total number of children on whose behalf a grant was sanctioned.
<i>Orphanages for boys—cont.</i>		
24. Chingleput ...	Wesleyan Mission Indian Orphanage, Poonamallee.	27
25. Do. ...	Wesleyan Mission Boarding Home, Madurantakam.	39
26. Do. ...	St. Joseph's Orphanage attached to the R.C.M. School, Chingleput.	25
27. Do. ...	E.L.M. Boarding Home, Pandur.	28
28. Do. ...	Wesleyan Mission Boys' Boarding Home, Ikkadu.	47
29. North Arcot ...	St. Andrews Orphanage, Arkonam.	19
30. Do. ...	Anjuman-I-Islam Muslim Orphanage, Melvisbaram.	53
31. Chittoor ...	Hope Higher Elementary School and Orphanage, Madanapalle.	32
32. Do. ...	A.A.M. Elementary Central School Rural Boarding House, Kothamalapalli and Barkalayalakotta.	16
33. Do. ...	Australian Presbyterian Boys' Boarding Home, Pullipetta.	26
34. Do. ...	Wesleyan Mission Boarding Home, Nagari.	18
35. South Arcot ...	St. Joseph's Orphanage, Tindivanam.	93
36. Do. ...	Danish Mission Orphanage, Fort St. David.	18
37. Do. ...	Tamil Evangelical Mission, Chidambaram.	24
38. Do. ...	A.A.M. Boarding Home, Tindivanam.	42
39. Tanjore ...	Senthemil Vidyasala Orphanage, Erukkattucheri.	12
40. Do. ...	Don Bon Beucos Boarding Home, Tanjore.	33
41. Do. ...	S.G. Adi-Dravida Boarding Home, Kumbakonam.	26
42. Do. ...	St. Francis Xavier's Orphanage, Tanjore.	24
43. Do. ...	Theettakkadu Higher Elementary School and Orphanage, Theettakkadu.	10

10th August 1929]

Serial number and district.	Name of institution.	Total number of children on whose behalf a grant was sanctioned.
<i>Orphanages for boys—cont.</i>		
44. Trichinopoly ...	The Madrasa-I-Haylisa-Ulama Orphanage, Trichinopoly.	55
45. Do. ...	St. Joseph's Industrial School and Orphanage, Trichinopoly.	64
46. Madura ...	C.S.M. Boarding Home, Ponnagar, Madura.	30
47. Do. ...	St. Mary's Orphanage, Madura.	39
48. Do. ...	Birds' Nest Orphanage, Madura.	32
49. Do. ...	Truman Port Elementary school and Orphanage, Rachanyapuram, Madura.	13
50. Ramnad ...	A.M.C.C. Mixed Boarding School, Manamadura.	11
51. Do. ...	C.S.M. Boys' Boarding Home, Kamuti.	8
52. Do. ...	C.S.M. Boarding Home, Paramakudi.	9
53. Do. ...	Orphanage Boarding Home attached to the First-grade Elementary School, Mount Zion.	12
54. Tinnevely ...	St. Joseph's Orphanage, Nazareth.	66
55. Do. ...	St. Joseph's Orphanage, Adai-kalapuram.	76
56. Do. ...	Sacred Heart Orphanage, Irudayakulam.	14
57. Coimbatore ...	Wesleyan Mission Orphanage and Boarding Home, Dhara-puram.	110
58. Do. ...	London Mission Boys' Boarding House, Erode.	118
59. Do. ...	St. Michael's Orphanage for Boys, Coimbatore.	90
60. Do. ...	C.S.M. Orphanage, Coimbatore.	34
61. Do. ...	London Mission Boys' Orphanage, Coimbatore.	32
62. Salem ...	S.B.M. Boarding Home and Orphanage, Namakkal.	17
63. Malabar ...	J.D.T. Islam Moplah Orphanage, Calicut.	104
64. Do. ...	Basel Evangelical Mission and Orphanage, Parapperi.	45
65. South Kanara ...	Basel Evangelical Mission Boarding Home, Udupi.	71
66. Do. ...	St. Joseph's Asylum Male Orphanage, Jeppo.	73

[10th August 1929]

Serial number and district.	Name of institution.	Total number of children on whose behalf a grant was sanctioned.
<i>Orphanages for girls.</i>		
67. Ganjam ...	R.C.M. Girls' Orphanage, Surada.	19
68. Vizagapatam ...	St. Joseph's Convent Orphanage, Waltair.	72
69. Do. ...	C.B.M. Girls' Orphanage, Vizianagram.	69
70. Kistna ...	C.M.S. Sharkey Memorial Girls' Orphanage, Masulipatam.	66
71. Do. ...	C.E.L.M. Girls' Orphanage, Masulipatam.	27
72. Anantapur ...	C.I.G. Boarding Home, Penukonda.	12
73. Kurnool ...	A.B.M. Boarding Home, Bestwarpet, Cumbum.	24
74. Do. ...	R.C.M. Boarding Home, Kurnool.	44
75. Bellary ...	St. Joseph's Orphanage for Girls, Bellary.	55
76. Guntur ...	St. Anne's Orphanage Home, Phirangipuram.	53
77. Do. ...	St. John's Orphanage, Guntur.	122
78. Nellore ...	The Union Council Boarding Home attached to the A.B.M. Girls' Higher Elementary School, Kanigiri.	31
79. Do. ...	St. Joseph's Orphanage for Girls, Nellore.	72
80. Madras ...	The Holy Family Orphanage, San Thomé.	95
81. Do. ...	St. Lazarus Girls' Boarding School, Mylapore.	33
82. Do. ...	St. Anne's Orphanage, Rayapuram.	53
83. Do. ...	Harriet Bond Skidmore Girls' Boarding School, Vepery.	132
84. Chingleput ...	St. Ann's Orphanage, Kilacherri.	20
85. Do. ...	Wesleyan Mission Girls' Boarding Home, Ikkadu.	45
86. Chittoor ...	A. A. M. Boarding Home, Madanapalle.	53
87. North Arcot ...	St. Aloysius' Convent Orphanage, Vettapalam.	10
88. Do. ...	A. P. M. Girls' Board School, Sholinghur.	15

10th August 1929]

Serial number and district.	Name of institution.	Total number of children on whose behalf a grant was sanctioned.
<i>Orphanages for girls—cont.</i>		
89. North Arcot ...	St. Joseph's Orphanage for Girls, Tindivanam.	46
90. Tanjore ...	St. Michael Orphanage, Michaelpet.	37
91. Do. ...	S. P. G. Panchama Girls' Boarding School, Nangur.	22
92. Do. ...	St. Teresa's Orphanage, Tranquebar.	45
93. Do. ...	E. L. M. Orphanage, Porayar.	39
94. Do. ...	St. Paul's Orphanage, Mayavaram.	24
95. Trichinopoly ...	Holy Cross Orphanage, Trichinopoly.	33
96. Do. ...	E.L.M. Orphanage, Kemp Town, Trichinopoly.	36
97. Do. ...	St. Ann's Orphanage, Cantonment, Trichinopoly.	63
98. Do. ...	All Saints S.P.G. Girls' Boarding, Puthur, Trichinopoly.	50
99. Do. ...	Wesleyan Mission Girls' Boarding Home, Woraiyur, Trichinopoly.	7
100. Madura ...	C.S.M. Boarding Home, Madura.	61
101. Do. ...	A.M.C.O. Girls' Boarding School, Dindigul.	95
102. Do. ...	St. Joseph's Orphanage for Girls, Madura.	47
103. Do. ...	Lucy Perry Noble Institute Orphanage, Rachanyapuram, Madura.	86
104. Ramnad ...	St. Francis Xavier's Orphanage, Srivilliputtur.	138
105. Do. ...	C.M.S. Girls' Boarding Home, Sachiapuram.	34
106. Tinnevely ...	St. Joseph's Orphanage, Tangaseri.	15
107. Do. ...	Sacred Heart Girls' Orphanage, Anjengo.	28
108. Do. ...	Indian Orphan College, Palamcottah.	10
109. Do. ...	St. Joseph's Orphanage, Adaikalapuram.	82
110. Coimbatore ...	Wesleyan Mission Girls' Orphanage, Dharapuram.	88
111. Do. ...	London Mission Girls' Orphanage, Erode.	20

[10th August 1929]

Serial number and district.	Name of institution.	Total number of children on whose behalf a grant was sanctioned.
<i>Orphanages for girls—cont.</i>		
112. Coimbatore	... Immaculate Conception Convent Orphanage, Coimbatore.	110
113. Do.	... London Mission Boarding Home, Coimbatore.	30
114. Do.	... Presentation Convent Orphanage, Coimbatore.	35
115. The Nilgiris	... Wesleyan Mission Orphanage, Kotagiri.	25
116. Do.	... St. Michael's Orphanage, Kaity.	14
117. Do.	... Nazareth Convent Orphanage, Ootacamund.	75
118. Salem	... London Mission Boarding Home, Hasthampatti.	45
119. Do.	... R.O. Girls' Boarding Home, Shettipatti.	35
120. Do.	... S.B.M. Girls' School, Kalli Hills, Valavandi.	11
121. Do.	... R.C. Girls' St. Patrick's School Orphanage, Shevapet.	8
122. Do.	... St. Gabriel's Orphanage, Meenamballi Agraharam.	4
123. Do.	... St. Teresa's Girls' Orphanage, Elathagiri.	10
124. Malabar	... St. Joseph's Convent Orphanage, Calicut.	38
125. Do.	... Basel Evangelical Mission Orphanage, Chombala.	58
126. South Kanara	... St. Joseph's Asylum Female Orphanage, Jeppo.	81
127. Do.	... Basel Evangelical Mission Orphanage, Moolky.	68
		5,523

APPENDIX XV.

[Vide answer to question No. 315 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 10th August 1929, page 501 supra.]

Statement showing action taken on the several items of work in the Industries department included in the programme for 1928-29.

Industrial Engineering section.—(i) Sugarcane crushing.—An investigation into the possibilities of establishing a power cane-crushing station

[10th August 1929]

in the Vizagapatam district or the Agency tracts was conducted last year but the results were not encouraging. Further investigations are proceeding.

(ii) *Survey of surface and sub-soil water in the Ceded districts and (iii) investigation of a scheme for pumping water from the Tungabhadra river.*—It has been decided that the investigation of surface water supplies is the function of the Public Works (Irrigation) Department. The survey of sub-soil water supplies in the Ceded districts will be taken up only after the results of the survey, now in progress in Bellary, are known.

(iv) *Formation of co-operative Societies for pumping water for irrigation.*—A co-operative irrigation society has been formed at Melpattambakkam, South Arcot district, for the extension of irrigation by pumping water from a well. A departmental pumping plant was lent to the society in the first instance and the society purchased, later, an engine and pump which were erected by the department. At the request of the Deputy Registrar of Co-operative Societies a proposal for the formation of irrigation society at Nadivi village, Siruguppa taluk, with a view to popularizing lift irrigation was investigated and necessary assistance rendered by the department. A proposal to irrigate about 225 acres on co-operative lines by pumping water from a vagu in the Kovvur taluk, Nellore district, was investigated by the department, but, as it was found that the scheme would not be an economic proposition owing to the insufficiency of water-supply, it was abandoned. A co-operative irrigation society has been formed at Putlur, Kaudukur taluk, Nellore district, and a departmental pumping plant was placed at the disposal of the society for over three months to serve as demonstration. It is understood that the society propose to purchase an engine and pump for their use as soon as the requisite funds are forthcoming. Similar assistance is being rendered in regard to a co-operative society at Muchikotta, Anantapur district.

Textile section.—(i) Demonstration of silk-twisting plant.—A silk-twisting plant was purchased at a cost of about Rs. 7,076-12-0 and installed in the institute. The plant is operated by one of the demonstrators in the institute. Students were trained in the operation of the plant during the year.

(ii) *Installation of wool-spinning plant.*—The plant arrived very recently and is being worked by one of the demonstrators in the institute. Twisting of wool is already in progress.

(iii) *Development of the Dyeing section.*—Additional equipment was purchased at a cost of Rs. 2,500.

(iv) *Formation of a peripatetic dyeing party.*—A Superintendent on Rs. 100-5-150 and two demonstrators on Rs. 40-1-50 have been employed. The party is educating the dyers in the districts.

Formation of dyers co-operative societies.—Nothing has yet been accomplished in this direction.

(v) *Utilisation of waste silk.*—A scheme for utilizing waste silk was examined and discussed with Japanese experts but finally dropped as the plant required for conversion of waste silk into spun yarn was found to be very expensive.

(vi) *Weaving of mosquito curtains.*—The question was examined and has been deferred as the cost of machinery was reported to be too expensive.

[illegible]

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Monday, the 12th August 1929.

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

PRESENT:

Usman Sahib Bahadur, <i>Kt.</i> , The hon. Khan Bahadur Sir Muhammad.	Maharaja of Venkatagiri, K.C.I.E.
Moir, K.C.I.E., C.S.I., I.C.S., The hon. Sir Thomas.	Mahmud Sobannad Sahib Bahadur.
Krishnan Nayar, The hon. Diwan Bahadur M. Campbell, C.S.I., C.I.E., O.B.E., V.D., I.C.S., The hon. Mr. A. Y. G.	Mallayya, Dr. B. S.
Subbarayan, The hon. Dr. P.	Manikkavelu Nayakar, Mr. M. A.
Muthiah Mudaliyar, The hon. Mr. S.	Moidoo Sahib Bahadur, Khan Sahib T. M.
Seturam Ayyar, The hon. Mr. M. R.	Muniswami Nayudu, Rao Bahadur B.
Abdul Hameed Khan Sahib Bahadur.	Muniswami Pillai, Mr. V. I.
Abdul Rasack Sahib Bahadur, Khan Bahadur S. K.	Murugappa Chettiyar, Diwan Bahadur A. M. M.
Abdul Wahab Sahib Bahadur, Munshi.	Muthulakshmi Reddi, Dr. (Mrs.) S.
Adinarayana Chettiyar, Mr. T.	Muthuranga Mudaliyar, Mr. C. N.
Anjaneyulu, Mr. P.	Nagan Gowda, Mr. R.
Appavu Chettiyar, Mr. C. D.	Nanjappa Bahadur, Subadar-Major S. A.
Ari Gowder, Mr. H. B.	Narayana Raju, Mr. D.
Arogyaswami Mudaliyar, Diwan Bahadur B. N.	Narayana Rao, Mr. Mothay.
Arpudaswami Udayar, Mr. S.	Narayanaswami Pillai, Mr. T. M.
Basheer Ahmad Sayeed Sahib Bahadur.	Obi Reddi, Mr. C.
Bhanoji Rao, Mr. A. V.	Parthasarathi Ayyangar, Mr. C. R.
Bhitemayya, Mr. J.	Patro, <i>Kt.</i> , Rao Bahadur Sir A. P.
Biswanath Das Mahasaya, Sriman.	Premayya, Mr. G. B.
Chidambaranatha Mudaliyar, Mr. T. K.	Raja of Kallikota.
Cotterell, C.I.E., I.C.S., Mr. C. B.	Rajan, Mr. P. T.
Dorai Raja, Mr. S. N.	Ramachandra Reddi, Mr. B.
Ellappa Chettiyar, Rao Bahadur S.	Ramamurthi, I.C.S. Mr. S. V.
Ethirajulu Nayudu, Diwan Bahadur P. C.	Ramasomayajulu, Mr. C.
Foulkes, Mr. B.	Ramjee Rao, Mr. V.
Gangadhara Siva, Mr. M. V.	Ranganatha Mudaliyar, Mr. A.
Gnanavaram Pillai, Mr. P. J.	Ratnasabapathi Mudaliyar, Rao Bahadur C. S.
Gopala Menon, Mr. C.	Robertson, Mr. R. J. C.
Govindaraja Mudaliyar, Mr. C. S.	Saldanha, Mr. J. A.
Gray, O.B.E., I.C.S., Mr. J.	Sami Venkatachalam Chetti, Mr.
Hariservottama Rao, Mr. G.	Sarabha Reddi, Mr. K.
Hearson, Mr. H. F. P.	Satyamurti, Mr. S.
Hilton Brown, I.C.S., Mr.	Shetty, Mr. A. B.
James, Mr. F. E.	Siva Raj, Mr. N.
John, Mr. V. Ch.	Sivasubrahmanya Ayyar, Mr. K. S.
Kaleswara Rao, Mr. A.	Soundarapandian, Mr. W. P. A.
Karant, Mr. K. B.	Srinivasan, Rao Sahib R.
Kesava Pillai, C.I.E., Diwan Bahadur P.	Subrahmanya Mooponar, Mr. S.
Khadir Mohidin Sahib Bahadur, Muhammad.	Swami, Mr. K. V. B.
Koti Reddi, Mr. K.	Tajudin Sahib Bahadur, Syed.
Krishnan, Mr. K.	Tulasiram, Mr. L. K.
Krishnaswami Ayyar, Mr. Alladi.	Uppi Sahib Bahadur, K.
Krishnaswami Nayakar, Mr. K. V.	Venkatapathi Raju, Mr. P. C.
Kuppuswami, Mr. J.	Venkatarama Ayyar, Mr. K. R.
Leach, I.C.S., Mr. A. G.	Venkataramana Ayyangar, Mr. C. V.
Leach, Mr. A. J.	Venkataramana Nayudu, Mr. C.
Maharaja of Jeypore.	Venkiah, Mr. S.
	Watson, I.C.S., Mr. H. A.
	Wood, Mr. C. E.
	Zamindar of Neithur.
	Zamindar of Singampatti.

[12th August 1929]

I
QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Depressed Classes

Amelioration of the condition of depressed classes working in plantations.

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

(a) whether the Government have at any time received any report from the Labour Officer in South Kanara regarding the large number of Adi-Dravida men, women and children who go to work in the coffee plantations of Coorg and Mysore and the ways in which they suffer from malaria and become indebted to the recruiting agents;

(b) whether it is a fact that the Adi-Dravida population in South Kanara is becoming reduced in numbers and if so, what it is due to; and

(c) whether the Labour Department is doing anything to ameliorate the condition of these people who suffer physically and economically by going to the ghats for work?

A.—(a) & (c) In the Administration Report of the Labour Department for 1927-28 it is stated that a large number of Adi-Dravidas in the district go to the plantations every year. The Government have received no report that they suffer from malaria or fall into debt.

(b) The Government have no information.

Mr. A. B. SHETTY:—"May I know, Sir, whether the Government will call for information regarding the condition of the Adi-Dravidas who go to these plantations, with reference to clause (b) of my question?"

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

Public Service

Improvement in pay and prospects in various departments.

* 353 Q.—Sriman BISWANATH DAS Mahasaya: Will the hon. the Member for Revenue be pleased to state—

(a) the improvement in pay or prospects or both that has been effected since 1st April 1929 with the names of the departments and the cadres of service in which such improvement has been newly effected; and

(b) the financial effects of the improvement?

A.—(a) & (b) A statement is appended.* The statement does not include isolated posts created or small additions to the cadres of an existing service on the sanctioned scales of pay not materially affecting the pay or prospects of the services as a whole.

Mr. G. HARISARVOTTAMA RAO:—"May I know, Sir, the reason why in the case of the police sergeants there is such an addition to the number and the pay has enormously increased as shown in the appendix?"

The hon. Mr. A. Y. G. CAMPBELL:—"The question should be addressed to the hon. the Home Member, Sir."

* Printed as Appendix I on pages 672-674 infra.

12th August 1929]

Industries

Admission and training of apprentices in the Kerala Soap Factory.

* 354 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Development be pleased to place before the Council—

(i) the rules laying down the conditions under which apprentices are admitted and trained in the Kerala Soap Factory and other Government industries in the Presidency; and

(ii) a statement of the number and names with religion, caste and qualifications of all apprentices admitted and trained in the several Government industries during the years 1927-28, 1928-29 and 1929-30, also showing how the passed apprentices are employed?

A.—(i) The rules laying down the conditions under which apprentices are admitted and trained in the Kerala Soap Institute and the Government Industrial Institute (Ink Factory), Madras, are appended.* It may be mentioned that manufacture of writing inks at the Government Industrial Institute has since been stopped. As regards the Kerala Soap Institute, attention of the hon. Member is also invited to the answer to question No. 1341 given on 1st February 1929. No rules have been framed for the admission of apprentices for training in the Research station at Tanur and in the Government Cannery at Chaliyam.

(ii) A statement in respect of the Kerala Soap Institute and the Government Industrial Institute (Ink Factory), Madras, is appended.* No apprentices were trained in the Cannery during 1927-28 or in subsequent years as it has not been working during that period. As regards the Research station at Tanur, one Mr. K. C. Kesava Pillai of Travancore State service underwent training for three months in 1927-28. He is a non-Brahman caste Hindu. There is no information about his qualifications or his present employment, but it is presumed that he is still employed in Travancore Government service. No one came forward for training in 1928-29. For 1929-30 it is reported that a candidate has been deputed by the Government of Bihar and Orissa for training and that he is expected to arrive shortly.

Mr. J. A. SALDANHA:—"May I know the reason why no rules have been framed for the training of apprentices in the Research station at Tanur?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"I don't know."

Mr. G. HARISARVOTTAMA RAO:—"May I know whether there is any provision for the exemption of poor students from payment of the fees?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"I don't know."

Mr. G. HARISARVOTTAMA RAO:—"May I know, Sir, if the hon. the Minister will consider the matter?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"Yes, Sir, I shall consider the matter."

* Printed as Appendix II on pages 675-677 infra.

[12th August 1929]

Working of the Industrial Schools at Calicut, Mangalore and Bellary.

* 355 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Development be pleased to state—

(a) whether the Industrial Schools at Calicut, Mangalore and Bellary have commenced working;

(b) whether it is a fact that in these schools, while stipends and wages are paid to apprentices undergoing training in cabinet-making, blacksmithy, etc., a fee of Rs. 12 per mensem is charged in the case of pupils undergoing training in motor-driving;

(c) whether, in view of the short period of training for motor-driving and the fact that mostly poor young men are taking up this course, the Government are considering the desirability of giving free tuition or of reducing the fees?

A.—(a) Yes.

(b) The attention of the hon. Member is invited to paragraph 5 of G.O. No. 691, Development, dated 12th April 1929, which has been placed at the disposal of the Press.

(c) They have no such proposal under consideration.

Floods*Prevention of floods in the Thandava river.*

* 356 Q.—Mr. C. RAMASOMAYAJULU: Will the hon. the Member for Revenue be pleased to state with reference to the answer given to question No. 1711 on 12th March 1929—

(a) whether the report of the Chief Engineer referred to in answer to clause (a) has been received;

(b) if so, whether any, and if so, what action was taken by the Government thereupon; and

(c) whether the report and any orders passed thereon would be placed upon the table?

A.—(a) & (b) The report has been received and is under consideration.

(c) The question will be considered.

Mr. C. RAMASOMAYAJULU:—“May I know if the report of the Chief Engineer will be placed on the table?”

The hon. Mr. A. Y. G. CAMPBELL:—“I have said that the suggestion will be considered.”

Political Detenues*Internment of Deo Brothers at Bellary.*

* 357 Q.—Mr. K. V. R. SWAMI: Will the hon. the Member for Revenue be pleased to state—

(a) the reason why the Deo Brothers are still interned at Bellary after a lapse of about a year since the agreement between them and the Maharaja of Jeypore, dated 8th July 1928;

(b) the amount of allowance that Government have to pay every month to the Deo Brothers;

[12th August 1929]

(c) whether a number of representations were received from the Deo Brothers either by the Government or the Collector of Bellary or the Collector of Vizagapatam after the date of the said agreement up to 30th June 1929; and

(d) whether they have seen the report of Mr. Kudva, I.C.S., Special Assistant Agent, Parvatipuram division, regarding the affairs of Kalyanasingapore while he was in charge of the said division?

A.—(a) The attention of the hon. Member is invited to the answer given to clause (a) of question No. 362 asked at the meeting of the Legislative Council on the 27th August 1927. The reasons given in that answer still hold good. The agreement referred to was a private one. An essential prior condition is a complete settlement in Kalyanasingapore. This stage of a complete settlement has not been reached.

(b) The attention of the hon. Member is invited to the answer given to clause (d) of the question referred to above.

(c) Three petitions have been received by the Government within the period indicated. The Government have no information as to the petitions received by the Collectors of Bellary and Vizagapatam.

(d) No.

Mr. D. NARAYANA RAJU:—“May I know when the Government expect that the affairs in Kalyanasingapore will be settled?”

The hon. Mr. A. Y. G. CAMPBELL:—“I am afraid, Sir, it will not be possible for me to say when they will be settled.”

Mr. D. NARAYANA RAJU:—“May I know when the Government received the last report with regard to the affairs in Kalyanasingapore?”

The hon. Mr. A. Y. G. CAMPBELL:—“Quite recently, within the last few days.”

Mr. T. ADINARAYANA CHETTIYAR:—“May I know what steps the Government have taken in order to expedite the settlement of the affairs at Kalyanasingapore?”

The hon. Mr. A. Y. G. CAMPBELL:—“I am in close touch with the Agent to the Governor there, and we are shortly going to have an interview with the Agent.”

Mr. P. O. VENKATAPATHI RAJU:—“May I know from the hon. the Revenue Member whether there is any necessity for the continuance of the internment of the Deo Brothers at Bellary?”

The hon. Mr. A. Y. G. CAMPBELL:—“Yes, Sir, because in our opinion, a continuance of their internment is necessary for the preservation of public peace. The conditions under which these two gentlemen were interned are still prevailing, and we fear that if they return there, the peace of that portion of the agency would be disturbed.”

Mr. P. C. VENKATAPATHI RAJU:—“Will the hon. the Revenue Member be pleased to enquire whether the taking away of these people from their own place and their internment at another place is not itself the cause of the agitation in Kalyanasingapore?”

[12th August 1929]

The hon. Mr. A. Y. G. CAMPBELL :—" It is not our information that their having been taken away from there is really the cause of the agitation there."

Mr. P. C. VENKATAPATHI RAJU :—" May I know if there was any agitation in Kalyanasingapore when these gentlemen were there ? "

The hon. Mr. A. Y. G. CAMPBELL :—" Yes, there was, and it was after proper enquiry that the Government thought it better to intern them at Bellary."

Mr. P. C. VENKATAPATHI RAJU :—" Was it before any agreement was reached between them and the Maharaja of Jeypore ? "

The hon. Mr. A. Y. G. CAMPBELL :—" Yes, Sir."

Mr. P. C. VENKATAPATHI RAJU :—" And after the dispute was settled, what is the objection to their being sent to their own place ? "

The hon. Mr. A. Y. G. CAMPBELL :—" The Government understand that even now the ryots refuse to pay rents to the Maharaja and to obey the orders of the courts."

Mr. P. C. VENKATAPATHI RAJU :—" If, as is said, the dispute has been settled, what is there that made the Government think that the Deo Brothers will not try to discharge the obligations laid on them by the agreement by informing the people that the dispute was settled ? "

The hon. Mr. A. Y. G. CAMPBELL :—" The Government are not aware of any."

Mr. P. C. VENKATAPATHI RAJU :—" Was the agreement brought to the notice of the people either by the Government or by the Jeypore Estate people ? "

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

Mr. K. V. R. SWAMI :—" May I know whether the hon. Member will ask the Collectors of Bellary and Vizagapatam to send up all the petitions that are pending with them ? "

The hon. Mr. A. Y. G. CAMPBELL :—" The Government have already received petitions through those officers."

Mr. D. NARAYANA RAJU :—" May I know if the internment of the Deo Brothers is being continued at the instance of the Agent to the Governor or at the instance of the Maharaja of Jeypore ? "

The hon. Mr. A. Y. G. CAMPBELL :—" At the instance of the Government Agent."

Mr. D. NARAYANA RAJU :—" May I know if the Government have ascertained the wishes of the Maharaja of Jeypore in this respect ? "

The hon. Mr. A. Y. G. CAMPBELL :—" The Government do not propose to ascertain the wishes of the Maharaja of Jeypore as they are not relevant to the internment. These two people were interned in the interests of the public peace of the district."

[12th August 1929]

Local Boards

Proposed construction of the new Salem College.

* 358 Q.—Subadar-Major S. A. NANJAPPA Bahadur : Will the hon. the Minister for Education and Local Self-Government be pleased to state when the work for the proposed construction of the new Salem College will commence ?

A.—Government have no information.

Introduction of Bills to amend the Local Boards Act, the District Municipalities Act, etc.

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

(a) when he proposes to introduce the Bills to amend the Local Boards Act, the District Municipalities Act, the Madras City Municipal Act, the Hindu Religious Endowments Act and the Elementary Education Act; and

(b) the reasons for the delay ?

A.—The hon. Member's attention is drawn to my answer to question No. 65 in regard to the Bills other than the Madras City Municipal Act Amendment Bill. The latter is now under correspondence with the Corporation of Madras.

Mr. J. A. SALDANHA :—" May I enquire whether, since the reply was given the other day, the Government have submitted the Bill to amend the Madras District Municipalities Act to the Government of India ? "

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

Taking charge of the office of the elected President of the Taluk Board before publication in the Gazette.

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

(a) whether the President, District Board, East Godavari, asked the Government if a president of a taluk board elected but whose name is not published in the Gazette could take over charge of office and also if he could act as an ex-officio member of the district board; and

(b) if so, what was the reply given ?

A.—(a) Yes.

(b) The reply was in the affirmative in both the cases.

Mr. C. RAMASOMAYAJULU :—" May I enquire why there is such an enormous delay in the matter of the issue of notifications to the Gazette of the names of members elected to the local boards ? "

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

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR :—" May I know if the Advocate-General was consulted in this matter, and if so, what his reply was ? "

The hon. Dr. P. SUBBARAYAN :—" The whole matter was considered by the Government."

[12th August 1929]

Excise*Inspection of liquor shops by the Members of the Excise Licensing Board, etc.*

* 361 Q.—Mr. C. GOPALA MENON: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the Prohibition League, Calicut, has addressed the Government requesting them that the members of the Excise Licensing Board and the advisory committees should be permitted to inspect the liquor shops within their jurisdiction with a view to see that the conditions of licence with special reference to sanitation, hours of sale, etc., are followed;

(b) whether the Government have declined to consider the request favourably; and

(c) whether he will be pleased to place on the table of the House the letter of the League and the reply of the Government thereon?

A.—(a) & (b) Yes.

(c) The papers are laid on the table.*

Mr. C. GOPALA MENON:—"May I know, with reference to clause (b), why the Government declined to consider the request favourably of the Calicut Prohibition League with regard to the inspection of the liquor shops with special reference to the sanitary conditions of those shops?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"In the last but one sentence of the appendix, it is stated 'It will be an advantage however, if any member of the Licensing Board or Advisory Committee will bring to the notice of the Revenue or Excise Officers instances in which the sanitation of a shop is found to be defective or the prescribed hours of sale are disregarded.' So if any defect is pointed out, it will be alright. But with regard to inspection being obligatory on the members of the Licensing Board, the Government have the apprehension that it will spoil the whole case as the licensees may not like their shops to be inspected too often. That is the reason why the Government did not think it necessary."

Mr. G. HARISARVOTTAMA RAO:—"May I know whether the Inspector, Sub-Inspector and others spoken of in the answer are not interested in the income of the department?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"What is talked of in the answer is the sanitation of the shops and nothing else."

Extension of the hour of closure of liquor shops from 8 p.m. to 9 p.m.

* 362 Q.—Mr. C. GOPALA MENON: Will the hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that in the case of arrack shops and foreign liquor taverns in Madras City, the hour of closure has been extended from 8 p.m. to 9 p.m., and if so what reasons led the Government to adopt this course; and

(b) what the reasons are for closing the arrack and toddy shops in Tuticorin town and toddy shops in Mangalore town at 9 p.m. while 8 p.m. is the general hour of closure in all other places in the Presidency?

* Printed as Appendix III at page 678 infra.

[12th August 1929]

A.—(a) Yes. The closing hour was changed by the Commissioner from 8 p.m. to 9 p.m. on the ground that closure at 8 p.m. led to over-crowding in shops and to clandestine sales after the regular hours.

(b) The information has been called for.

Mr. C. GOPALA MENON:—"May I know from the hon. the Minister whether the opening hours remain the same as before?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"May I know if the hon. Member wants the information for all the shops?"

Mr. C. GOPALA MENON:—"For foreign liquor shops."

The hon. Mr. S. MUTHIAH MUDALIYAR:—"The closing hour has been extended from 8 to 9 p.m."

Mr. C. GOPALA MENON:—"I want to know if the opening hour remains the same."

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I think so, but I am not quite sure."

Mr. G. HARISARVOTTAMA RAO:—"May I know if the hon. the Minister for Excise has considered the alternative of improving the accommodation in these shops instead of extending the time of sale?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Improvement of the accommodation of the shops won't bring in all the people within the prescribed time."

Mr. G. HARISARVOTTAMA RAO:—"May I know whether the hon. the Minister expects to provide for people who are going there after 8 o'clock? Is that the reason why the closing hour has been extended to 9?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Because by closing the shops at 8 o'clock, many people were not able to go there before that time, and it was therefore found necessary to extend it to 9."

Mr. T. ADINARAYANA CHETTIYAR:—"May I know if the hon. the Minister is aware that the sales of liquor have increased enormously owing to this change of hours from 8 to 9?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Notice."

Mr. T. ADINARAYANA CHETTIYAR:—"Has it been extended only in the City of Madras or elsewhere also, Sir?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"The answer is only as regards the City of Madras."

Mr. G. HARISARVOTTAMA RAO:—"May I know for how long this complaint of people not being able to go before 8 o'clock has been in existence?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"The complaint was there, and then only the hour was changed."

Mr. K. R. KARANT:—"May I ask whether this is a part of the policy of prohibition or of getting maximum revenue?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Whether the shops are closed at 8 o'clock or 9 o'clock is all the same so far as prohibition is concerned."

[12th August 1929]

Mr. D. NARAYANA RAJU :—" May I know if the hon. the Minister is prepared to extend the time still further, so that people who cannot go before 9 o'clock may take advantage of such extension of time ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The question will be considered if there is reasonable complaint."

Mr. G. HARISARVOTTAMA RAO :—" May I know whether there was any representation made to the Minister that the time should be extended from 8 to 9 ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" It was after getting representations from various people that the time was extended."

Adoption of the system of rationing of country liquor.

* 363 Q.—Mr. O. GOPALA MENON: Will the hon. the Minister for Public Health be pleased to state—

(a) whether some system of rationing of country liquor has been adopted in any part of the Presidency; and

(b) if the answer to (a) is in the affirmative, whether he will be pleased to state in detail the scheme adopted ?

A.—(a) & (b) The arrack shops in the municipalities of Bimlipatam, Vizagapatam and Vizianagram have been sold in auction as a block and leased for a period of two years from 1st April 1929, subject to the right of the Government at the end of six months to determine the lease on 31st March 1930. The sale of liquor in these shops is being rationed, the ration being calculated at 5 per cent less (in round figures) than the average consumption of the shops for the five years ending 30th September 1928.

Number of foreign liquor shops and toddy shops in taluks where country liquor has been prohibited.

* 364 Q.—Mr. O. GOPALA MENON: Will the hon. the Minister for Public Health be pleased to state—

(a) the number of foreign liquor shops and toddy shops in the taluks in which the sale of country liquor has been prohibited;

(b) whether it is a fact that some of the taluks are situated on the borders either of Indian States or French territory; and

(c) the consumption of toddy and foreign liquor in these taluks before and after the prohibition of the sale of country liquor ?

A.—(a) The number in 1928-29 was as follows :—

Taluk.	Number of toddy shops.	Number of foreign liquor shops.
Shiyali ...	62	1
Tirutturaippundi ...	98	1
Tiruvadanai ...	86	1
Tenkasi ...	40	1
Attur ...	43	Nil.

(Experiment being tried only from 1st April 1929.)

12th August 1929]

(b) The Tiruvadanai taluk of the Ramnad district borders on Pudukottai and the Tenkasi taluk of the Tinnevely district borders on Travancore.

(c) The consumption of foreign liquor was as shown below :—

(Foreign liquor, number of gallons.)					
	1928-29	1924-25	1925-26	1926-27	1927-28.
Shiyali ...	...	84	103	87	130
Tirutturaippundi ...	95	147	120	159	839
Tiruvadanai ...	100	161	240	255	203
Tenkasi ...	181	294	325	408	431
Attur ...	...	Nil	...	...	...

Statistics of the consumption of toddy are not available.

Mr. J. A. SALDANHA :—" May I enquire why the number of foreign liquor shops has increased from one at the close of the regime of the late Excise Minister, Sir A. P. Patro, to four this year ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Where did the hon. Member get the information from ? "

Mr. J. A. SALDANHA :—" I knew it was one then because that answer was given by Sir A. P. Patro at that time."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I am not aware of the actual number of shops at the time when Sir Patro laid down his office. If the number has increased, it must have been in 1927, before I took up office—if the hon. Member is sure that it was only one when Sir A. P. Patro laid down his office."

Extension of the system of licensing boards.

* 365 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Minister for Public Health be pleased to state—

(a) what steps have been taken to extend the system of licensing boards;

(b) when he proposes to extend the system to all municipalities; and

(c) whether he has considered the question of utilizing local boards for that purpose ?

A.—(a), (b) & (c) Excise licensing boards have been formed in the fifteen major municipalities. The idea of the Excise Advisory Committee in recommending the creation of such boards was that they should form a basis of experiment and that the experience gained by their working should determine further action. The licensing boards were actually constituted so recently as 1927, and the Government are of opinion that it is as yet too soon to consider an extension of the system in the directions suggested.

Mr. G. HARISARVOTTAMA RAO :—" May I know if the hon. the Minister for Excise will tell us if he has received reports about these licensing boards from 1927 up to now ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Licensing boards have been working and we must have heard something about them."

[12th August 1929]

Mr. G. HARISARVOTTAMA RAO :—" But has he received reports and has he considered whether these reports justify the extension of this system of licensing boards ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" We have received reports but we do not think sufficient time has elapsed for a reconsideration of the matter. "

Mr. G. HARISARVOTTAMA RAO :—" May I know what the gist of the reports has been, whether the system has been a success or not ? "

The hon. the PRESIDENT :—" That is asking for an opinion. "

Manufacture of country liquor.

* 366 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Public Health be pleased to state—

(a) the various firms which manufacture country liquor by contract with Government for supply to depots in the Presidency ;

(b) the basis of materials from which the liquors are made ;

(c) where the distilleries are ;

(d) the places to which the distilleries supply liquor and what kind of liquor is supplied ;

(e) what are the prices charged by the distillers for the several kinds of liquor ;

(f) which distillery supplies country liquor to South Kanara ;

(g) whether it is a fact that only liquor made from molasses or the refuse in a sugar manufactory is supplied for sale as country liquor in South Kanara ;

(h) whether it has been found possible to supply liquor from sugarcane or palmyra or coconut jaggery in large quantities from Indian distilleries in the Coimbatore district ;

(i) whether there has been a fall in consumption of the country liquor and fall in rentals in South Kanara and whether this is due to inferior quality and unpopularity of the liquor supplied ;

(j) whether there has also been an increase in the illicit distillation of liquor in the district during the last five years with figures ; and

(k) whether Government have before them proposals to license local distillation from various materials, and what steps Government propose to take regarding the matter ?

A.—(a) to (g) A statement* is appended.

(h) The Government have no information on the point.

(i) Figures showing the consumption of country liquor and the rentals realized in the South Kanara district during the five years ending 1927-28 are given below :—

Year.			Consumption in imperial proof gallons.	Rentals. RS.
1923-24	...	...	62,804	1,34,815
1924-25	...	...	60,440	1,24,169
1925-26	...	...	52,507	1,03,649
1926-27	...	...	49,995	1,03,947
1927-28	...	...	51,848	99,310

* Printed as Appendix IV on pages 679-680 infra.

[12th August 1929]

The Government have no reason to think that the variation in the figures of consumption and rentals was due to the inferior quality and unpopularity of the liquor supplied.

(j) The number of cases of illicit distillation and of possession and sale of illicitly distilled spirit detected in the South Kanara district during the four years ending 1927-28 (for which period figures are available) is as follows :—

1924-25	...	...	...	...	120
1925-26	...	...	...	...	172
1926-27	...	...	...	...	168
1927-28	...	...	...	...	250

No separate figures are available for cases of illicit distillation.

(k) The Government have no such proposals under consideration, nor do they propose to take any action in the direction suggested.

Mr. J. A. SALDANHA :—" May I know from the hon. the Minister, with reference to the answer to clause (h), whether Government have any information that liquor should be supplied from distilleries like Nellikuppam ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" If the hon. Member will convince Government that it should be otherwise, they will consider the suggestion. "

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" May I know from the hon. Minister whether the system of calling for open tenders for the manufacture of country liquor is still in existence ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" So far as I am aware, there is no change during the last year and a half. "

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" My question has not been answered. What I want to know is whether the system of calling for open tenders is in force. "

The hon. the PRESIDENT :—" This is not the occasion to criticise the nature of the reply. There are other avenues open to the hon. Member to criticise the nature of the reply given. "

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" May I ask the hon. Minister whether the people who manufacture country liquor have been given these privileges by calling for tenders in the open market ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I do not believe that tenders are called for every year. Probably these people were given licences at the time the distilleries were started and unless there is any substantial reason for cancelling those licences, I do not think we can cancel them. "

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—" May I ask the hon. Minister, why it is that there is great disparity with regard to the number of districts allotted to the various companies ? For instance, the companies noted in the statement, namely, items 1 to 6, are given three districts each, whereas Messrs. Parry & Co. are given ten districts to sell arrack ? "

[12th August 1929]

The hon. Mr. S. MUTHIAH MUDALIYAR:—"If any detailed information is wanted, I require notice. I can now only say that when these distilleries were started, the capacity of the distilleries and the financial resources of these companies would have been taken into consideration."

Mr. G. HARISARVOTTAMA RAO:—"May I know whether the question of calling for tenders in this case is under the consideration of Government?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I never said that it was under the consideration of Government."

Mr. G. HARISARVOTTAMA RAO:—"Will the Government consider the question?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"There is no reason to consider."

Medical

Appointment of an All-India Inspector of Medical Education.

* 367 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Public Health be pleased to state—

(a) whether he has agreed to the appointment of an All-India Inspector of Medical Education on behalf of the British General Medical Council;

(b) if so, the reasons why he has agreed to that appointment; and

(c) whether the Government of Madras have committed themselves to bear any portion of the cost of such office, and if so, what portion and the reasons why?

A.—(a), (b) & (c) The Government have agreed to the temporary appointment of a whole-time Commissioner of medical qualifications and standards for India and to meet one-seventh of the expenditure involved in the creation of the appointment. The necessity for the appointment is explained in the appended note a copy of which was placed on the table* in connexion with the supplementary grant voted by the Council at the meeting held on the 8th October 1928.

Removal of the sheep shed near Neiveli village.

* 368 Q.—Dr. B. S. MALLAYYA: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the residents of Neiveli village in Tiruvallur taluk have petitioned the Collector, the Director of Public Health and the Surgeon-General to remove the sheep-shed near the village to a place more distant from the village;

(b) whether any enquiry was made on the petition by the Public Health Department; and

(c) whether the Government will pass favourable orders on the petition of the villagers?

A.—Government have no information.

12th August 1929]

Agriculture

Admissions into the Agricultural College last year.

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

(a) How many applications there were for seats in the Agricultural College, Coimbatore, last year;

(b) the number of students admitted;

(c) the educational qualifications of the students admitted; and

(d) whether the Government will provide more seats this year?

A.—(a) 303.

(b) The Committee selected 48 candidates, but 2 candidates did not present themselves for admission; therefore only 46 candidates were admitted.

(c) All the candidates selected were duly qualified; the minimum qualification required being that they should have passed the Intermediate Examination in Arts and Science of the University of Madras and have qualified in Group I or II of part II thereof under the old Regulations, or in Group A of part III under the new Regulations with any two subjects other than Geography, or an examination of some other University recognized as equivalent to the examination specified above.

(d) The question is engaging the attention of the Government.

Mr. K. KOTI REDDI:—"May I know from the hon. Minister why, when so many as 303 students applied, only 48 candidates were selected? May I know the difficulty? Is it with regard to accommodation or anything else?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"Accommodating the staff and other considerations."

Mr. K. KOTI REDDI:—"What are the other considerations?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"Hostel accommodation, laboratory and the extra staff necessary."

Mr. K. KOTI REDDI:—"May I know if the accommodation could not be easily extended by the provision of a small extra expenditure?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"Not small, but more expenditure will be required in connexion with laboratory arrangements."

Mr. K. KOTI REDDI:—"May I know with regard to answer to clause (b) why they have not selected two more candidates for the two candidates who did not present themselves for admission?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"I do not know."

Mr. G. HARISARVOTTAMA RAO:—"May I know how many of the 303 applicants were from the districts of Cuddapah, Kurnool, Bellary and Anantapur?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"Notice, Sir."

Mr. K. KOTI REDDI:—"May I know whether the Government have seriously taken into consideration the fact that as there is a large demand for higher agricultural education in this Presidency, more students should be entertained and more accommodation should be provided?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"Yes, Sir."

[12th August 1929]

* The hon. the PRESIDENT :—"The Council will now pass on to the next item of business."

"The remaining supplementary demand under Grant XXXV—Agency Tracts—Reserve is not to be moved and so it shall be deemed to have been withdrawn."

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

II

SELECT COMMITTEE ON THE BILL FOR THE SUPPRESSION OF BROTHELS AND IMMORAL TRAFFIC.

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"Mr. President, I beg to move—

'that Mr. E. J. Rowlandson, a Member of this Council, be added to the Select Committee appointed on the 12th October 1928, to consider the Bill for the Suppression of Brothels and Immoral Traffic (Bill No. 16 of 1928).'

"Sir, when we referred the Bill to the Select Committee last time we included the name of Mr. Cunningham. As he has now gone on leave, and as it is very important that a non-official Bill of this importance should have expert official assistance, I make this motion."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"I second the motion."

Mr. C. GOPALA MENON :—"Sir, I beg to move—

'that Mr. F. E. James be also added to the Select Committee on the Bill for the Suppression of Brothels and Immoral Traffic.'

"Sir, this is not an addition to the already existing number of members on the Select Committee, but this is as a substitute for Mr. Wright who has resigned from the Legislative Council, and therefore I hope the Council will have no difficulty in accepting my motion?"

Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—"I second the motion."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"I have great pleasure in accepting it."

* The hon. the PRESIDENT :—"The question is that Mr. E. J. Rowlandson and Mr. F. E. James be added to the Select Committee appointed on the 12th October 1928 to consider the Bill for the Suppression of Brothels and Immoral Traffic."

The motion was carried.

III

REPORT OF THE COMMITTEE APPOINTED BY THE LEGISLATIVE COUNCIL TO CONFER WITH THE INDIAN STATUTORY COMMISSION.

Rao Bahadur Sir A. P. PATRO :—"Mr. President, Sir, in accordance with the resolution of the Madras Legislative Council passed on the 4th September 1928, I beg to present the report * of the Committee appointed by the Council in pursuance of the said resolution."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"Sir, I beg to move—

'that the report of the Committee of this Council elected in pursuance of the resolution of this Council dated 4th September 1928 to confer with the Indian Statutory Commission be taken into consideration.'

* Printed as Appendix VI on pages 682-700 infra.

REPORT OF THE COMMITTEE APPOINTED BY THE LEGISLATIVE COUNCIL 621
TO CONFER WITH THE INDIAN STATUTORY COMMISSION

12th August 1929]

The hon. Dr. P. SUBBARAYAN :—"I second the motion Sir."

* Mr. P. C. VENKATAPATHI RAJU :—"Mr. President, Sir, at the outset I wish to make clear the position of my party, the Congress party, in respect of the motion now before the House . . ."

* The hon. the PRESIDENT :—"I wish to know under what Standing Order the hon. Member is making the position of his party clear."

* Mr. P. C. VENKATAPATHI RAJU :—"Just as any member has a right to make a statement . . ."

* The hon. the PRESIDENT :—"Now, the motion is for consideration. Any statement made during the debate on this motion must be relevant to the question whether the report be taken into consideration or not. Any statement as to the position of the party except as to this question is not relevant to the motion before the House. I want that to be made clear. Any statement which a member makes on behalf of the party must be relevant to the motion. The motion now before the House is that the report be taken into consideration."

* Mr. P. C. VENKATAPATHI RAJU :—"Mr. President, I wish to submit that what I am going to state is only with reference to the motion before the House. As the leader of a party, I think, I have every right, in order to minimise discussion . . ."

* The hon. the PRESIDENT :—"The hon. Member and his party have got every right to discuss the motion."

* Mr. P. C. VENKATAPATHI RAJU :—"As the Leader of the Congress Party, I am going to express my views on the motion before the House."

* The hon. the PRESIDENT :—"I have not the slightest objection to the hon. Member expressing his views on the motion."

* Mr. P. C. VENKATAPATHI RAJU :—"I think as the leader of the party I can also say that that is the view of my party."

* The hon. the PRESIDENT :—"You may say that, but any speech that the hon. Member makes must be relevant to the motion."

* Mr. P. C. VENKATAPATHI RAJU :—"The Indian Statutory Commission, otherwise known as the Simon Commission, was appointed in the teeth of the opposition of practically all the important political parties in the country who boycotted the Commission in all the stages of its work in India. That the boycott has been successful has been admitted by the British Premier himself, Mr. Ramsay MacDonald, who had to admit that influential sections of political opinion in India had kept aloof from the Commission. All that has happened since has confirmed us in the view that the wisest and the most dignified and self-respecting course for India was only to boycott the Simon Commission. The 'gory progress' of the Commission throughout this country has still further alienated the country from that body."

"Moreover, the procedure of the Commission and the way in which it has treated with contempt the Central Committee and the Provincial Committees has shown that these Committees have nothing like an equal status with the Commission and that they are glorified witnesses who were tolerated as mere ornamental appendages. The Legislative Council was right in

[Mr. P. C. Venkatapathi Raju] [12th August 1929]

deciding to boycott the Commission. We opposed the motion to appoint a 'Committee to co-operate with the Simon Commission'. We see no reason to change our opinion.

"We feel that no useful purpose will be served by taking part in this discussion. We certainly cannot agree to the humiliating position which this motion and the amendment thereto ask the Legislative Council to agree to, namely, to submit a report to the Simon Commission. The country stands to gain nothing by the 'co-operation' but will lose a great deal in its prestige and honour. So far as the authorities either here or in Great Britain are concerned, our position is or ought to be well known. The national demand has been put before the country and the Government by the Indian National Congress. We stand by it . . ."

* The hon. the PRESIDENT:—"Order, order: I do not find any portion of the speech relevant to the motion before the House."

Mr. P. C. VENKATAPATHI RAJU:—"We cannot stultify ourselves by taking any part in this discussion. We therefore propose to abstain from this discussion altogether."

* Mr. P. ANJANEYULU:—"Mr. President, with due respect to your ruling, I beg to state that the President may be pleased to consider where a motion before the House is for consideration, a speech for non-consideration also is consideration. Portions of such speech may relate to the reasons why it may not be considered; and the Leader of my party was only urging those reasons why the Swarajists as a party are not inclined to consider the report presented to the House, and will have nothing to do with it. So, the reasons advanced by my Leader are relevant to this matter."

* The hon. the PRESIDENT:—"I have already stated that the hon. Member will be perfectly justified in saying that he will not consider the motion."

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"Mr. President, on behalf of myself and of the group on this side of the House, I rise to say that we do not agree either with the recommendations of the Madras Simon Committee or even with the basic principles on which the Simon Commission itself was constituted. We believe that the report of the Committee is not conducive to the highest interests of the country and we could not believe that if the idea of the Government was to give this country responsible Government, it was necessary at all to send a roving Commission or to set up committees like this to consider the fitness of the people for responsible Government. We believe, Sir, that responsible Government is the birthright of the people and in accordance with that view we have always felt and expressed that we would have nothing to do with the Commission or the Committee constituted under it. We, therefore, Sir, do not propose to discuss this report, because we consider that it is not in the best interests of the country."

(At this stage the Congress Party and the Independent Nationalist Opposition Party headed by the respective Leaders walked out of the Chamber.)

12th August 1929]

[Sir A. P. Patro]

* Rao Bahadur Sir A. P. PATRO:—"Sir, I beg to move the following amendment to the motion:

'The words: "*and that it may be forwarded to the Indian Statutory Commission*" be added at the end.'

"Sir, it is unnecessary for me to go into the details of the report which has been placed before this House and circulated to every member. All that I propose to do in support of this motion is only to attempt a brief survey of what we have been able to submit to this House and for the consideration of the public. Sir, in the large volume of evidence that was placed before us we have been able to see that there was a fundamental error in dealing with this question of the future political advance of the country. Witnesses and public men have placed greater reliance upon the working of the dyarchical system, upon its success or failure as affording the real test for the next political advance. We believe, Sir, that it is not the proper standard from which the political capacity of the Indians should be judged. If the circumstances and the conditions which existed in 1918 when the Montagu-Chelmsford report was published and which have compelled the British House of Commons to grant the concessions and to formulate the proposals which are embodied in the Government of India Act were now existing in greater and more intense form and whether within this period of nine years there has been any great advance which could justify the suggestions made in the report, it seemed to us as the proper criterion from which the political advance of the country could be judged."

* The hon. the PRESIDENT:—"Order, order. I am not able to follow how the hon. Member's speech is relevant to the amendment before us."

Rao Bahadur Sir A. P. PATRO:—"I respectfully ask, Sir, whether in moving my amendment I shall not have the opportunity of discussing what we have stated in the report of the Committee."

* The hon. the PRESIDENT:—"The position is this. The amendment may be put to the House and when once it is carried, then the amended proposition will be before the House for discussion. But the member who has moved an amendment will not be allowed to speak again."

Rao Bahadur Sir A. P. PATRO:—"I am very sorry that that is a very unfortunate position."

* The hon. the PRESIDENT:—"The rules are so. I am equally sorry but the rules have to be enforced." (Laughter.)

Rao Bahadur Sir A. P. PATRO:—"That is a very unfortunate position, Sir, to which the Mover of an amendment is subject. If he did not move his amendment, he would perhaps be in a better position. But having moved the amendment he is deprived of the privilege and right of speaking."

* The hon. the PRESIDENT:—"Further, if he speaks, he will not be allowed to move an amendment." (Laughter.)

Rao Bahadur Sir A. P. PATRO:—"In obedience to your ruling, Sir, I move—

'That the following words be added at the end:

"*and that it may be forwarded to the Indian Statutory Commission*".'

[12th August 1929]

Rao Bahadur C. S. RATNASABHAPATHI MUDALIYAR :—" I second it."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" If you will allow me, Sir, I move for a small verbal alteration and that is,

' That the word, " may " in the amendment be omitted as also the words " Indian Statutory " . '

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

* The hon. the PRESIDENT :—" It has been moved and seconded

" That the words " may " and " Indian Statutory " in the amendment be omitted. "

The amendment was put and carried.

* The hon. the PRESIDENT :—" I shall now put the amended amendment of Sir Patro to the House. The question is :

' That the words : " and that it be forwarded to the Commission " be added at the end. '

The amendment was carried.

* The hon. the PRESIDENT :—" The motion as amended is now for the discussion of the House."

Rao Sahib R. SRINIVASAN :—" Sir, I rise to make the following few observations after reading the report of the Committee of this Council which is now before the House. The question may be asked in the first place : Is there the need for political changes in the country at present ? I think not myself. But who are the people who clamour for changes ? It is not the millions of the depressed classes of the population, nor again the hard-worked labouring class from whom the cry for any advance should legitimately originate, but it is from the comparatively small educated, wealthy and interested people."

* The hon. the PRESIDENT :—" Order, order. I am closely following the speech of the hon. Member ; but how all this is relevant to the motion I fail to see. Any remark of the hon. Member accepting, modifying or rejecting any of the views expressed by the Committee will be relevant. As the hon. Member is bringing in extraneous details, I am bound to say that the speech is irrelevant to the motion."

* Mr. S. N. DORAI RAJA :—" Mr. President, Sir, it is a great pity that my hon. Friends the Swarajist Members of this Council who are able and intelligent men should run away at the first touch of responsibility."

* The hon. the PRESIDENT :—" Order, order. I request the hon. Member to confine himself to the terms of the motion, instead of making such observations. He must be aware that the Swarajist Members are not present here to hear the music of his words."

* Mr. S. N. DORAI RAJA :—" Sir, I rise to offer my sincere congratulations to Sir A. P. Patro, a true patriot, and an astute statesman and to the Members of the Madras Parliamentary Committee who have been equally good and true for the excellent and interesting report which they have produced. Sir, constituted as we are, human nature being what it is, and in consideration of the fact that we are obsessed with communal troubles, it is easy for any one to find arguments for or against the points contained in the report. For

12th August 1929]

[Mr. S. N. Dorai Raja]

instance, some may agree and some may not, on the question of the constitution of a Second Chamber in the province. I should however express myself here in its favour. There are similarly other points open to discussion but one thing is certain. The magnificent gesture in favour of provincial autonomy recommended by the Committee is a striking testimony to the great work done by the great democratic party. I mean the Justice Party."

* The hon. the PRESIDENT :—" I am afraid the hon. Member is not at all relevant."

Mr. S. N. DORAI RAJA :—" I congratulate the Parliamentary Committee constituted by this House, and also the Government for their generosity and great political acumen in giving us the proper panacea for the political ills we are suffering from."

* Mr. S. ARPUDASWAMI UDAYAR :—" Mr. President, Sir, the President, members and the Secretary of this Provincial Committee are to be congratulated on the excellent report they have submitted to this Council. They have done their work with a thoroughness and breadth of outlook which should satisfy the most exacting political critic. The recommendations they have made are the result, I find, of careful investigation, a searching analysis, and an independent and impartial estimate of the present political situation and of future requirements. Sir, it would take too long a time to enter into a detailed criticism of the report. I should satisfy myself with drawing attention to three or four salient features which go to show that the Committee have made the best use of their opportunities and to justify the opinion, that the report, as we have it, has a special value both by reason of its safeguards and on account of the frank and fearless exposition of the case necessitating a bolder advance in the direction of full responsible government. As a proof of the Committee's clearness of vision, I beg to cite the following : At page 5 in the first paragraph, we find this sentence :

' Peace is good but when for the large mass of the people it is not coupled with economic progress, it is but barren. '

Again, at page 12 we read :

' Those economic departments of the Central Government are of vital importance to the people of India in all the Provinces. The appalling poverty of the people, the large amount of unemployment among the educated classes and the comparatively small return India gets from her enormous natural resources, all demand that control over the economic life of India should be transferred to the people of India. In these departments no religious or caste differences can have any effect. '

" This is a striking recognition of the rapid change that is coming over this country and is bound to come with accelerated speed in future on account of the growth of that new humanity consequent upon mass civilization. By mass civilization I mean, the civilization not so much of masses in the ordinary sense of the word but of economic aggregates which arise from the grouping of masses of population and capital round particular economic interests. This new humanity which is bound to increase with the creation of new sources of wealth can live only in masses. "

" The end of its civilization which is the material well-being is not restricted to a particular class, but is the common aim of every member of the group. It makes life for the ordinary person more enjoyable, richer in opportunities than it ever was before. Critics, Sir, may sneer at it and term it

[Mr. S. Arpudaswami Udayar] [12th August 1929]

the civilization of a train-driver, but nothing can check the tentacular advance of the civilization of the wireless set, the cinema, the theatre, the motor bike, the motor car and the bungalow. We find members of this group putting off their individuality and conforming to standardized types of thought and conduct. This, Sir, extends even to details of taste and personal habits. A certain way of dressing, furnishing the home, feeding and of enjoying oneself once advertized to the public and successfully launched becomes entrenched and defended through the solidarity of manufacturers, workers, whole-salers, shop-keepers, salesmen all banded together in quest of profits they will commonly share. Now, Sir, this civilization which finds itself in its most fully developed form in the United States of America is not wholly materialistic. Its enthusiasm for ethical and social progress is shown by the successful working of prohibition in that country. This report shows, Sir, the clearness of vision with which the Committee have grappled with the problem of having direct control over economic forces, and this new humanity and mass civilization which probably will give our statesmen many moments of anxious consideration in the near future.

"Secondly, I find that the same clearness of vision characterizes the sections of the report on the general survey, the working of dyarchy in Madras, the working of the Central Government, etc. Full responsible government is demanded as a *sine qua non* for awakening and developing of the newly awakened public opinion, for stimulating social legislation, for reshaping of Indian society, for stimulating the progressive spread of effective education and for the radical improvement or rather the awakening of selfless patriotism for the radical improvement of the amenities of the village. The conclusion arrived at at the end of the third paragraph on page 10, namely, 'if the principle of democratic government is to be introduced, it is as necessary to introduce it in regard to central subjects as in regard to provincial subjects' is the result of a fine piece of reasoning as convincing as it is obvious.

"Thirdly, Sir, dealing with the actual political changes and the proposals submitted by this Committee, it might be thought that they fall short of the ideal set up, that the form and shape given to the demand by the Committee in their recommendations on pages 11 to 14 do not fully rise up to the national claim for the introduction of democracy into this country. I for one have no misgivings or apprehensions on this point. Somehow Indian politicians have come to link up political developments in this country with political developments in the west. They speak of the constitutional changes always in terms of parliamentary institutions and that, at a time, when parliamentary government even in England is beginning to show signs of political and social weakness and is said, by some critics, not to be thoroughly representative, at a time when parliamentary government on the continent is shown to be a failure by the growth of fascism and the setting up of dictatorships. But parliamentary government has come to stay and, as I shall show later, we can build only on the past, that is to say, on the constitutional changes already introduced into this country and especially the Montagu-Chelmsford Reforms which have formed the subject of further investigation by this Committee. But I want to emphasize one point, Sir. The essential thing is the creation not so much of a new state machine as of new minds and a new spirit. The parliamentary system can only function in a stable society, where all active political elements are agreed on fundamental matters. It invokes the opposition of parties and

12th August 1929] [Mr. S. Arpudaswami Udayar]

also, and chiefly, their co-operation. Every party conflict cannot be a fight to the last, a fight to the bitter end. It is a game which can only be played by strict adhesion to the rules of the game. It is not an accident that the very same people that created this parliamentary system of government were also the inventors of the game of cricket. Both are parallel expressions of the same psychic principle. Therefore, whatever my other friends may think of these proposals, I think that the safeguards which the Committee have thought fit to introduce, the anxiety they show to avoid the preponderance or class interests are very necessary; at least they are perfectly intelligible. The Committee want to guard against two dangers. First there is the danger of political parties becoming the organs of predominating class interests, in which case we are threatened with social weakness or even social disruption. The other danger is the danger of the politician becoming the agent of industrial and financial powers who dictate his policy from behind the scenes. In either case, the Council will become not a healthy political debating ground or society, not a sound deliberative assembly, but a battle field for impersonal forces. Therefore the very anxiety shown by the Committee to have all classes and interests represented is a precaution taken by them to avoid the predominance of class interests, the shifting of the centre of gravity from the political to the economic or class sphere.

"Sir, the essential point in parliamentary government as I have stated is not conflict but co-operation. Should the Council for instance become a chaos of warring parties it would represent, not permanent interests, but shifting interests or a shifting coalition of opinions. There is much practical wisdom shown by the members of this Committee in turning to the past, to the constitutional changes so far introduced into this country in taking stock of the actual situation, the defects or the advantages in the working of, or the benefits or otherwise which have followed in the wake of the Montagu-Chelmsford Reforms, and in making their suggestions for the future rest upon the past, the experiment so far tried, the working of the constitution so far. Hence also the political wisdom of the members of this Committee in emphasizing the need for social legislation in order to avoid a class conflict. This class conflict is a morbid symptom, an ugly phenomenon flourishing in a society where the class system or class distinctions have become antiquated and no longer represent the real economic or social interests. The reshaping of Indian society so much emphasized here by the Committee will bring it into harmony with existing social and economic realities. Sir, there is also one dominating note running through the entire report pointing out and demanding that India should be allowed to live its own life. This is but the expression of the ideal that by allowing full scope for the spontaneous activities of the people the way should be prepared for the union of all creative forces of national life in the service of a constructive policy. There are, Sir, in this report, sentences like the following:

'As regards the formation of constituencies, we are in favour of single-member constituencies provided they are formed so as to avoid the preponderance of one community in any particular constituency.'

"And again, 'Just as the Council had the power to give votes to women and did give them, the Council may well be given the power to extend the franchise as and when it thinks fit.'

[Mr. S. Arpudaswami Udayar] [12th August 1929]

"While the Committee therefore are anxious to avoid the clash of preponderating class interests and want to hold the scales even between different communities, they also suggest how very necessary it is that reform must proceed from within by the union of the creative national forces and by the gradual reform and transformation of political and social institutions which will bring them into line with the new type of cultural unity. Sir, the changes recommended here are the necessary and natural results or developments of political life and political growth which as I said, have struck deep roots. Such healthy natural developments or political changes, which are but adaptations or fuller realizations of the new need or spirit have always the power and the vigour which make them endure. I for one believe, Sir, that . . ."

The hon. the PRESIDENT :—"Order, order. I have been trying to follow the hon. Member, and his attempt seems to be to comment upon every recommendation made by the Committee. I do not think that is the real scope of the motion. The real scope of the motion is to express the opinion of the House as far as the various recommendations of the Committee are concerned, to say whether they disagree, and if they disagree, how they propose to amend it. Mere running comment on the various recommendations of the Committee cannot be relevant strictly to the motion now under discussion. Whatever the members of the Committee wanted to say, they have expressed in the report and I think the House will not be right in making comments on the various recommendations. The Committee have taken very good care to put the recommendations in as concise a manner as possible, and this should not be taken as an opportunity to explain every idea therein contained."

* Rao Bahadur B. MUNISWAMI NAYUDU :—"May I submit for your consideration one point, Sir? At the time this Committee was appointed it was mentioned in this House that the proposals to be made by them might be placed before the House, so that the Council may have an opportunity to express its opinion on the recommendations, and in expressing their opinions now hon. Members have to state . . ."

* The hon. the PRESIDENT :—"If you give a shape to any opinion, I shall put it to the House as an amendment to this report. The terms of the proposition may be 'we agree with the recommendations' 'we modify the recommendations in this particular,' and so on. That may be a relevant amendment to the motion, and that will be really expressing an opinion. An opportunity is given to the House to express its opinion regarding the report of this Committee. You may say that you agree with it, or that you do not agree with particular recommendations which you want to be modified, and state it in the form of amendment. So there is every opportunity for the Members if they want to raise any particular point."

Rao Bahadur B. MUNISWAMI NAYUDU :—"As you said, Sir, one method is to express the opinion of the House definitely in the form of a resolution or resolutions. Another method is, as Sir Patro moved that this report may be submitted to the Simon Commission, to send it along with the speeches made by individual Members of this House. In that way the opinion of the House can be ascertained. It may not be a clear opinion of the House, but it would contain statements of what the various Members of this House feel

12th August 1929] [Mr. B. Muniswami Nayudu]

on the matter. Therefore, Sir, I respectfully submit that, whether we agree or we do not agree with some recommendations, we may be allowed to express an opinion."

* The hon. the PRESIDENT :—"The only difficulty for me is to control the relevancy. If you take the whole field of the contents of the report, and if you make speeches thereon, really I will not be in a position to control the debate. Of course, if hon. Members want to make comments on every sentence, it will mean speaking on the report, but it will not be relevant to the motion before the House on which the discussion has to be concentrated."

Mr. S. ARPUDASWAMI UDAYAR :—"Sir, my words may not have conveyed a correct impression to you. What I wanted to say was that I was in substantial agreement with the recommendations of the Committee, and that I consider that these recommendations are in accordance with sound political principles. If I have not exactly conveyed that impression, I beg your pardon, Sir. I will finish what I have to say in one or two sentences."

"I was saying, Sir, that the proposed changes or modifications are all based on, grow out of and are relevant to, or are adaptations of the old order of things, and I congratulate the Committee on having made such important modifications as are really needed by the new conditions. I hope, Sir, that this report of the Provincial Committee will, like the other report submitted by the Madras Government, contribute not a little to the proper shaping of the new constitution to which we are all anxiously looking forward as destined to usher in a new era of peace and prosperity to the people of this country."

* Mr. F. E. JAMES (speaking from the front Opposition bench) :—"Mr. President, Sir, . . ."

* The hon. the PRESIDENT :—"The hon. Member speaking from there will give the impression that he is constituting a temporary Opposition."

Mr. F. E. JAMES (speaking from the Treasury bench) :—"I desire, Sir, . . ."

Mr. S. N. DORAI RAJA :—"Is he in order, Sir, to speak from the Treasury bench?"

* The hon. the PRESIDENT :—"He is perfectly in order."

Mr. F. E. JAMES :—"I speak from here as a matter of convenience, with your kind permission."

"I desire to support the motion, which is before the House, for the consideration of the Report of the Provincial Committee and for its being forwarded to the Simon Commission. In doing so, Sir, I should like to make one or two observations upon the recommendations contained in this report. I have to say, in the first place, that most of the recommendations, so far as they relate to the Provincial Government, have our approval and sympathy. There are one or two points on which it appears that the Committee itself was to some extent divided, and, on these points, I should like to make a few observations."

"In the first place, when we turn to the extension of the franchise, it is the considered opinion of those whom I represent that at the present stage there should not be any further extension of the franchise for the reason that

[Mr. F. E. James]

[12th August 1929]

when we are engaged in building a new structure it is wise to make the foundation on which that structure is built absolutely stable and secure. To extend the franchise at the same time, as if you are building your upper structure, seems to be political unwisdom.

"In the second place, with regard to the representation of the depressed and labouring classes, I am asked to mention that the Planters' Constituency, which I represent in my capacity in this House, are very anxious that the representation of the depressed classes should be extended. As to whether the method suggested in the Report is the best method is perhaps a matter of some debate. But on the principle of securing an increased representation to the labouring or depressed classes, there is absolutely no difference of opinion between the authors of this Report and the constituents whom I represent.

"Further, I have to make one observation with regard to the recommendation which refers to the transfer of what is popularly known as law and order. The group which I represent and the interests which that group represents are entirely in favour of the transfer of the Police department, if I may put it more accurately, to the ministry which is responsible to the House. Our view is very clearly stated in a paragraph which is taken from the original memorandum submitted by the Associated Chambers of Commerce to the Simon Commission, which reads 'that the problem is largely one of principle, that the elementary and primary duty of any government is the maintenance of law and order and that if provincial governments are not to be trusted with that responsibility, the only logical attitude is to say that the time has not yet come for any further advance towards provincial autonomy.' It is the view of my constituents that the time has come, in Madras at any rate, for a further advance towards provincial autonomy, and in that advance it is essential that the control of the forces of law and order should be handed over to a newly constituted ministry. I have also to observe that on the part of my constituency there is apprehension in regard to the Malabar Special Police Force. This force is by them regarded as a force of armed troops, and they suggest that if this force is to be given a new lease under the new constitution there should be some arrangement whereby it should be subject to the control and administration of the Central Government.

"With regard to the recommendation in this Report concerning the second Chamber, I have only one observation to make. The members of our group and indeed the various constituencies which this group represents, are divided in their opinion as to the necessity for a second Chamber. The majority hold that there is no necessity for a second Chamber in this province, and therefore agree with the memorandum submitted by the Government of Madras on that point.

"Now, Sir, we come to the proposals of the Provincial Committee in regard to the Central Government, and here I have to observe that we do differ to a considerable extent from the proposal they outline. The main proposal is that the principle of diarchy should be introduced into the Central Government. I am aware that the authors of this Report state that by fixing the budgets of the three non-transferred departments for a number of years they will have a system which they suggest does not correspond to the system of diarchy which obtains in the provinces and which has been condemned by so many. We are not of the same opinion as the authors of that report. We

12th August 1929]

[Mr. F. E. James]

think that the principle of a fixed budget for a number of years is a very dangerous one to introduce in any Government. The fixing of the budget would not in any way detract from the central defect of the scheme, namely, that it introduces this principle of diarchy. It has been admitted on almost every hand that the principle of a divided executive, generally speaking, is a bad one. It is urged of course that it is necessary under certain conditions, especially during conditions of transition. But, nevertheless the defects of that hybrid system have been too obvious to my own constituency, and therefore we are not able to support this particular part of the recommendation. We do suggest that when you are devolving tremendous powers of responsibility in the provinces, you should take every step to ensure that the central executive is strong. The objection to diarchy urged by many intelligent politicians was that diarchy means weakness in the executive, and it is on this account and this account alone that we fear the introduction of the same principle into the Central Government. My community is in no way suggesting this to effect any barrier to normal progress towards self-government in this country. But they are frankly apprehensive that the particular method suggested by the authors of this report is not in the best interests of the country, and certainly is not conducive to the establishment of that strong executive at the centre, which we believe is absolutely essential in view of the devolution at the circumference which is to proceed. We believe that the number of the Members of the Executive Council should be increased. We think that there should be included in the Executive Council Members who are chosen by His Excellency the Viceroy from the Indian Legislature; but beyond these two general, slight recommendations we do not commit ourselves further.

"One other small thing I would say in this respect, and that is that we do agree with the suggestion that has been made in one quarter that the official representatives of provincial Governments who attend the Indian legislature should be free to vote as instructed by their Governments and should not form part of the Central Governmental block.

"There is one other point, which I omitted to mention earlier, and that is in regard to the suggestion made by one of the Members of the Provincial Committee that there should be introduced into the system of election for the Central legislature the principle of indirect election. We do agree with that on general principle. We do believe that by a system of indirect election from local Provincial Councils and from other public bodies you would probably get a more representative imperial Assembly than is possible to obtain through the medium of direct election by an enormous constituency.

"I only have one or two observations to make in regard to a few more suggestions in the Report. With regard to defence, we entirely agree—the European Association has suggested so time and again, and their representatives have said so in the Legislative Assembly—we entirely agree that increased opportunities should be opened and offered to Indians of all provinces for military training. Speaking further still on the constitutional matter, we agree with the authors of this report when they urge that whatever changes are made as a result of the present discussion of the Simon Commission, they trust that the constitution will have, within itself, its own seeds of development and that we should not have recourse after a period of years to another commission of enquiry, an external commission in order to discover wherein the

[Mr. F. E. James]

[12th August 1929]

constitution needs further development or wherein its development should be retarded. We believe that this country has got to decide its own development and we hope that whatever constitution is given to this country as a result of the present deliberations it will contain within itself the germs of that orderly development which are so important for its prosperity and welfare.

"I have two other things to say in regard to this report. The first is that while my constituents are prepared to support the general provisions of this report as far as they relate to Madras, they wish to make one thing perfectly clear. They have felt for some time past that there has been in this country a tendency to introduce legislation and other executive action of Government which discriminate or tend to discriminate against the commercial interests of the British community in this country. Now, Sir, I will not say anything more about that in detail except this, that while we are prepared to support and urge further advance in the province, we definitely do ask, not for special treatment, but at least for national treatment for the industries and commerce which are established in India, whether registered or not. And we ask that those interests which we have in this country should be adequately protected against discriminatory legislation of a racial character. We feel naturally that our request for what we conceive to be simple elementary justice in this matter should not operate in the case of those nationals which discriminate against India. This restraint, if restraint it may be called, upon the power of the legislature should only apply to the case of those countries which do not discriminate against India. We Britishers ask for no privilege, but we ask for the same impartial treatment as is accorded to Indian commerce in Britain. If such a provision were incorporated, either by instrument or in the statute itself, many of our apprehensions as to the future would vanish and we should find ourselves ready to support many of the propositions put forward by leaders of Indian opinion.

"I have nothing more to say in regard to this report except this, that we congratulate its authors upon the document which they have presented. We trust and believe that it will receive the consideration which it deserves at the hands of the Simon Commission. We believe it has in it opportunities for co-operation amongst all sections and races in this country, and I speak on behalf of the Europeans, when I say this, that we do hold out to those who are endeavouring to advance the political status of Madras the hand of co-operation, and we trust they will take it. We do feel increasingly the urgent need for a constitutional settlement. We feel that it becomes more urgent as time goes on. It is urgent because unless and until political conditions in this country are settled, there cannot be any rapid development in trade and commerce. We feel also that there are in the situation to-day elements of danger not only to Government but to many of the national leaders of India. I need not enter into those elements. They are at the bottom of all social and economic disturbance in the life of the masses to-day. But those elements are increasing in importance, and I venture to suggest that unless India can achieve within the near future some settled condition of political development, there is a danger lest this new force will not only sweep away that order in the life of the country for which the British Government in this country is largely responsible but will also sweep away in its onrush those stable factors which contribute towards the progress and prosperity of the country. I therefore have pleasure in supporting the motion that this report be forwarded to the Simon Commission for consideration."

12th August 1929]

* Mr. V. I. MUNISWAMI PILLAI:—"Mr. President, I rise to congratulate the Chairman and the members of the Committee for the able work they have done in preparing this memorandum to the Simon Commission. Sir, if I begin to observe certain things, it is in connexion with the depressed classes which form one-sixth of the population of this country. Sir, at page 8 of the report, it is said 'District and taluk boards and municipal councils have been almost completely democratized and de-officialized.' Sir, there are still municipal councils and district boards unrepresented by this community, and if any member of this community stands for election, they think that the very portals of the Council chambers will be polluted if such members were returned.

"At page 11, the Committee have recommended 'the grant of full provincial autonomy or full responsible Government.' Personally I say it is good but considering the position of the depressed classes, their backwardness in education and their economic state, I should not think that we could embrace this provincial autonomy. Whatever form of responsible Government the framers of the constitution may give us, I would suggest that proper safeguards must be provided to give the depressed classes a share in the political power of the land.

"On page 16, we see that the Committee has reported that the number of electors belonging to the depressed classes is only 4 per cent of the total voters. But under franchise they say that they are not in favour at present of an extension of the franchise. I quite see the difficulty of the authors of the report, but what I would advance is this, that unless the depressed classes are given an increased franchise, they will not be able to come in large numbers into the provincial and imperial legislatures. One of the complaints, the report says, is that in the public services all communities are not well represented. From practical experience I know that in every district and taluk, in all the higher offices, a very small number of depressed class people have found place. And if there is any complaint it is from the depressed classes, and I am sure the British Government, when dealing with this question, will see that according to population the recruitment to service is made from the depressed classes. Another thing is no provision has been made for the representation of agricultural labour. Sir, in the report submitted by the Government of Madras, I find that they have suggested twelve seats for the depressed classes. I do not know whether they include agricultural labour. Whatever it may be, most of the agricultural labourers are drawn from the depressed classes, and there must be a certain amount of representation for agricultural labour in the legislatures, local and imperial.

"One other point I would draw attention to is that under the 'Defence of India,' it is said 'Recruitment to officerships should be open to all classes.' I think that a special preference should be given to the families of depressed classes who have done meritorious service to the Crown. Sir, it is admitted that during the past wars the depressed classes have shed their blood at the altar of service and had been loyal to the very core, and under 'Defence of India,' the depressed classes must be given a very big share. With these observations, I again congratulate the members and the Chairman of this Committee."

* Mr. C. GOPALA MENON:—"Sir, I wish to express my appreciation of the work done by Sir A. P. Patro, Chairman of the Committee, and his colleagues

12-3
p.m.

[Mr. C. Gopala Menon]

[12th August 1929]

in bringing out this report. They undertook the work in the teeth of opposition but they did the work because they considered it a patriotic duty and that it is for the lasting good of the province. It must, also, be pointed out that they did the work on equal terms with the Simon Committee; they had the liberty of seeing every document and memoranda that were submitted to the Commission and hearing every witness that came up before the Commission. The recommendations of the committee, all put together, constitute a case for the grant of provincial autonomy and full responsible Government to the province. Their claim for provincial autonomy is based as pointed out in the report not on the working of diarchy for the past ten years, but on the plea of the forces that were in existence at the time the 1917 declaration was made. How far the forces which existed at the time of Montague-Chelmsford report still exist and how far they have been strengthened for the last ten years are factors that go to determine the further advance in granting political reforms. These forces may be mentioned as the country's leaning towards democracy, India's fidelity to Great Britain, war services, announcement of the 1917 declaration, the political awakening in India, the progress of local self-government institutions, the responsible positions held by Indians since Minto-Morley reforms, and the progress of non-official elements of the Legislative Councils since Morley's time.

"The report says in a general way that the progress made in the last ten years under Indian direction in education, local self-government and in general enterprise amply justifies further political advance. It would have been better if the committee in recording this statement showed by giving statistics how far local self-government institutions have progressed during the decade under ministerial administration in respect of sources of revenue, systematic expenditure, political education of the masses by means of the franchise, progress of panchayats and unions in villages, administrative capacity for local conditions, educational and sanitary progress and communications. It would have been better if they had examined the financial relations between the provincial Government and the local bodies, in respect of further financial powers to be delegated to local bodies, how far more resources could be left to them to be tapped and how far their function could be expanded to approximate to, say, to the County Councils in Great Britain in regard to the control of public servants of the area, police surveillance, etc. The Committee should also have examined the necessity for the several, present local bodies, and for an equitable re-allocation of functions without causing friction between two local authorities. In cases of dispute between local authorities in England there is an institution called the Local Self-Government Board to whom all questions of dispute are submitted for arbitration. Whether such a body needs to be created under the new reforms should have been examined and recommendations made by the Committee. With regard to franchise, I find that the Committee are for retaining the present system of franchise and voted for single member constituencies. Of course, there is difference of opinion on this question and as for my part, I am of opinion, that plural constituencies are better than single constituencies."

"With regard to the second chamber, I find that the memorandum of the Madras Government have wisely voted for a single house but the committee are for the creation of a second chamber. I do not agree with the

12th August 1929]

[Mr. C. Gopala Menon]

report in this respect. In so far as the franchise is so limited and the percentage of electors to the population is so small, one cannot be afraid of mob-legislation for a long time to come in India and the necessity for a revising second chamber is hard to see."

"Coming now to the question of finance, I find that question has been brushed aside by the Committee by merely mentioning that they fully agree with the views expressed in the memorandum of the Madras Government. This is the last sentence under paragraph 'financial' in the report dealing with finance:—'If the Meston Settlement is to be revised, there should be no loss to any province of the revenues which it now enjoys.' Sir, it would have been better if the Committee had given an allocation of financial relations between this province and the central Government so as to allow an equitable distribution of the resources of the country. We all know that the central Government has to be made as strong as possible, and therefore a contribution from provincial Governments will be necessary and for that purpose it would have been better if the Committee had suggested a method of allocation of the funds between the provincial and central Governments. As it is, they (the Committee) are satisfied with the Meston Settlement while on the other hand we have been agitating for the abolition of the Meston Settlement. This aspect of the financial relationship should have been closely examined."

* The hon. the PRESIDENT :—"I do not think the hon. Member will be justified in making the House wait."

MR. C. GOPALA MENON :—"I heartily support the motion for the adoption of the report."

* MR. A. B. SHETTY :—"Mr. President, Sir, I shall confine my observations only to two matters, viz., the question of communal electorates and the proposal to have a second chamber. The proposals made in this report are more or less similar to those made in the Government memorandum so far as they relate to the provincial Government. The new constitution is proposed to be modelled in the main on the British Parliamentary system. Now, Sir, it is well known that the (British) Parliamentary form of Government is based on the existence of established party politics. The system of party organizations based on political programmes has not yet grown up in this country. We must create the conditions necessary for such a growth, if we want to work successfully any system of responsible Government."

"The system of communal electorates is admitted by the Madras Government in their memorandum to be contrary to the true spirit of representative institutions. The Montagu-Chelmsford's report has also condemned it on the ground that it is opposed to the teaching of history, that it will teach men to think as partisans and not as citizens and perpetuate class division and that it will be a serious obstacle to the growth of responsible Government. The distinguished authors of this report felt, however, compelled to recommend its retention for some time, because of the Lucknow pact and the pledge given by the Government to the Muhammadans. But they expressed the hope that a time would come when communal electorates would be voluntarily given up by the people who wanted it. At a time like this when we are taking a big step towards self-government, it will be very unfortunate if the system of communal electorates is to be allowed to continue as proposed by this Simon Committee. If we are to evolve a party system based on political differences

[Mr. A. B. Shetty]

[12th August 1929]

and not on class distinctions, we must give up communal electorates. It is noteworthy that a number of All-India Christian Conferences have expressed themselves to be in favour of joint electorates, though the Christians in this province are not prepared to go with them. The Sikhs also have agreed to give up the privilege of a separate electorate. A considerable section of progressive Muslims too in this country have agreed to give up communal electorates, if there be reservation of seats for them. It is on the basis of the agreement reached at the All-Parties Conference that the Nehru Committee has made its proposals in regard to the adoption of a joint electorate with reservation of seats. These proposals deserve, therefore, the best consideration of the Government. If the Muslims and other minority communities could be persuaded to agree to the abolition of communal electorates, it would be a great step towards national unification. The Ceylon Reforms Enquiry Committee has recommended the abolition of communal electorates and I trust this will be taken note of and the advantages and possibilities of doing away with communal electorates will be examined by the Government, though this Simon Committee has not made such a recommendation. It is true that Muslims and other minority communities are distrustful of the Hindu majority but special safeguards may be provided for them in the constitution and guarantees given for the educational and economic advances of backward communities as proposed by the Nehru Committee. The provision of a second chamber proposed in the report of this Committee will further safeguard the interest of minorities. My hon. Friends, Mr. James and Mr. Gopala Menon, expressed themselves against the constitution of a second chamber but they did not give any reasons for doing so. The second chamber has been almost universally adopted in countries where the popular form of government has been established. It is intended for the purpose of revising legislation passed by the popular branch of the legislature, for preventing hasty legislation and for protecting the interests of minority communities. The Montford Report decided for the time against bicameral institutions in the provinces but it has said that, as provincial councils approach more closely to parliamentary forms, the need for second chambers may be all the more felt. Accordingly under section 84-A of the Government of India Act, the question of establishing second chambers in the local legislatures has been put down as one of the points for inquiry by the next Commission. A second chamber, if its powers and functions are restricted, cannot by any means be said to be against the democratic principle. Political thinkers are generally agreed as to the need for a second chamber, a need which is more and more felt with the growth of democracy. The second chamber must be so constituted as to give proper representation to men of age, ability and experience who will not ordinarily seek election to the lower house. It must also give more effective representation to minorities so that all exploitation of and injustice to minority communities may become impossible. If we have such a second chamber, the popular chamber can be made an entirely democratic body with no communal or special electorates. The popular chamber will then educate the people to nationalism. I am, therefore, in sympathy with the committee's proposal to have a second chamber and I trust it will make it easier for us to drop communal electorates for the lower house."

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

12th August 1929]

[The President]

"The question is—

'that the report of the Committee of this Council elected in pursuance of the resolution of this Council, dated 4th September 1928, to confer with the Indian Statutory Commission be taken into consideration and that it be forwarded to the commission.'

The motion was put and carried.

IV

THE MADRAS SERVICES COMMISSION BILL.

* The hon. the PRESIDENT :—"The Council will now take up for consideration the Madras Services Commission Bill of 1929." 12-45 p.m.

Clause 4.

Clause 4 was put, passed and added to the Bill.

Clause 5.

Clause 5 was put, passed and added to the Bill.

Clause 6.

* Mr. C. V. VENKATARAMANA AYYANGAR :—"I beg to move—

'that clause 6 of the Bill be omitted.'

"Clause 6, as you know, deals with appointment and salary of the Secretary to the Commission and I propose that the clause be omitted. I do not think that it is usual, Sir, that, in such Bills where provision is made for the appointment of any particular commissions or departments, even the Secretary is appointed by the Act itself. We can understand the Commission being appointed under the Statute itself, but there is absolutely no reason why the Secretary of the Commission also is to be appointed under the Act. Our complaint is that the Commission is a very costly business and whenever and wherever it is possible to reduce the cost we must do so. In this case, we have not only provided for the appointment of the Secretary but his salary is practically fixed at Rs. 1,500. Of course, it may be said that this amount has been given as the maximum limit and not the minimum. But our experience of the last nine years and more tells us that whenever a maximum is fixed for a post, any officer who is appointed to that post is at once given the maximum pay with a possible request sooner or later that his pay should be increased. In this case that the pay of the Secretary of the Commission should be fixed at Rs. 1,500 seems to be very, very high. I believe the Secretary of this Legislative Council whose functions are, I think, varied and very difficult to perform, gets only Rs. 1,000 and there is no reason at all why the Secretary of this Commission should get Rs. 1,500. There is again, Sir, a proviso in the clause that if the person so appointed is at the time of his appointment a Government servant his salary shall be fixed with the previous sanction of the Local Government.

"It may be said that this proviso will prevent the indiscriminate appointment of a Government servant as the Secretary. So far as I am concerned, it does not very much matter whether the Secretary is to be a Government servant or not. Probably if Government servants are appointed it will be a great advantage to the Commission because these Government servants would have had sufficient experience in performing executive functions. There is no meaning in saying that we have provided a proviso

[Mr. C. V. Venkataramana Ayyangar] [12th August 1929]

creating a difficulty for the Government, as it were, in appointing a Government servant. The one important objection to this clause is that once we put this appointment of Secretary as a provision under this Act, his salary becomes non-votable. The question is as to whether it is necessary that even the salary of the Secretary of this Commission should become non-votable. We take it that this appointment is to be made in India and I do not think the Secretary of State is to be called upon to make this appointment and that the selection will be made by him. Therefore I take it that under ordinary circumstances the pay of this officer will be votable but for this clause. That is one of the very good reasons as to why we should not have this clause. If it is not put in this Bill, it will be included in the budget every year and certainly the Finance Committee will have an opportunity of going into the question when Government make proposals for additional expenditure. Then the Legislative Council also will have a right to go into it. As it is, neither the Government nor even this Council will have any chance of dealing with this question and our idea is, that this salary of Rs. 1,500 is very, very high. In this connexion I may state that even the Indian Officers' Association when submitting a memorandum to the Lee Commission, I believe, stated that when Europeans were not demanding very high salaries, the Indians, as a matter of rule, should be satisfied with the maximum of Rs. 1,000. Sir, we are asking for *Swaraj* chiefly with a view, in addition to other things, to have a cheap executive functioning in this country. Our experience during the last seven years points to the fact that the expenses of the local Government have gone up like anything, from 10 crores to 17 crores, a very high jump in seven years which means about a crore every year. Practically, a large portion of it has gone to the pockets of Government servants, whether they are Indians or Europeans. There should be a limit to the maximum percentage of salaries to be paid to Government servants. I would appeal to the Government to refer to the famous Kautilya's Artha Sastra which book was once referred to by Sir Charles Todhunter as a thing to be followed. I believe Kautilya says that the total cost of all the establishments of a Government should not at any time exceed more than 25 per cent of the total revenues collected by the Government. I am afraid that so far as the local Government is concerned, it is more than 75 per cent of the total revenues that goes into the pockets of officers. The sooner we make an attempt the better for us. In the *Swaraj* we expect to come we must have to reduce taxation and that would be possible only if the salaries of all officers are reduced. Here is a case where we are creating a new Commission and the suggestion that the Secretary of that Commission is to have his pay fixed is a novelty. Therefore, we are trying our best to see that this clause is omitted from the Bill. Our idea is to show that we are paving our way for conducting the *Swaraj* Government—we will be getting it one day or other—in the most economical manner and this will be a touch-stone for us. If the Government want a Commission, by all means let them have it. If the Government want the Commission to be a creature of theirs, by all means let them have it as their creature. If they want that the Commission should not only be their creature receiving fat salaries but that they should be dancing at the doors of the Government, by all means let them appoint such a Commission. But I ask whether it is necessary that even the Secretary of that Commission should be a man with a big salary appointed by them. That is one point which we want the House to seriously consider. We want that either the Government or the Commission should come before the House whenever occasions may arise either for increase or reduction of salary, as it may suit

[12th August 1929] [Mr. C. V. Venkataramana Ayyangar]

them. Certainly, we have already stated in our adjournment motion that the functions of this Commission are not very serious and it is nothing but an honourable body where some persons will be able to get some patronage, doing whatever the Government ask them to do. As I said already, by all means let the Government have such a Commission. But having appointed a Commission, why should we give them a costly Secretary. It is said that the Secretary must be intelligent and at the same time obedient. If there is not a good deal of difference between the salary of the Secretary and that of the Commissioners, then how would the Secretary be obedient to the Commissioners? Therefore, I would strongly ask this House to accept my motion. This is a small matter after all and it does not go to the root of the question of appointment of the Commission. It only says that we in this Council are not prepared to sign blank cheques and give away large sums of money which do not belong to us but which we collect from the poor ryots to be spent by the Commission in any way they chose. By omitting this clause the House will not be doing anything to put an end to the Commission or to obstruct the creation of the Commission. This House will be doing a very good thing if they remove this clause and do not give a blank cheque to the Government to appoint anybody whom it pleases on such a high salary as Rs. 1,500. There will be no qualifications fixed and once an officer is appointed there will be no power on earth to reduce his salary. Therefore I strongly recommend this amendment for the acceptance of the House."

Mr. ABDUL HAMEED KHAN :—" I second it. "

* The hon. Mr. A. Y. G. CAMPBELL :—" Sir, the object of this clause as well as of certain other clauses in this Bill is to enable the Commission to carry out its duties free of all political influences which might be brought to bear upon them by the Ministerial party. If the Commission were deprived by the Legislative Council of the pay of the Secretary and the staff and of money for office expenses, its expenses, its functions would be very materially hampered. The Legislative Council could render the provisions of the Bill absolutely inoperative. For these reasons, it is proposed in this clause and the following one to make provision for the pay of the Secretary, and of the staff and for the office expenses of the Commission so that they shall not be liable to any vote by the Legislative Council. It has to be borne in mind that the Ministry by means of its majority in the Legislative Council will be able to carry out their own proposals, and to withhold, if they so desire, any provision for the Secretary and the staff of the Commission which is 'votable'."

* Mr. S. SATYAMURTI :—" Sir, I entirely agree with my hon. Friend the Revenue Member, that this Commission should be allowed to function without being interfered with in its work by political parties or political influence. If this Bill had made this Commission practically autonomous in all matters of recruitment and patronage, I could have understood the argument of the hon. the Revenue Member. May I invite my hon. Friend to look at clause 12 of this Bill? 'In the exercise of its function under sections 9, 10 and 11, the Commission shall observe the rules, if any, made by the Local Government regarding the constitution of or recruitment to any provincial or subordinate service of special post.' I take it, Sir, the Local Government will mean very shortly a Ministry responsible to this House. If that Ministry is to make rules with regard to recruitment and so on and if this Commission is only to carry out those rules in its work, I should like to know what becomes of the somewhat powerful argument which my

[Mr. S. Satyamurti]

[12th August 1929]

hon. Friend advanced that this Commission ought to be free from political influence. May I ask whether he will kindly meet this point and whether he expects the Local Government not to make rules that will commend themselves to a majority of the House. I take his own argument. His argument is that the Ministry is presumed to have a majority. I shall be glad if it is so because we have seen Ministers functioning without any majority in this House. May I ask him to answer my question why the rules should not be made by the Legislative Council? When these rules are made, they ought to commend themselves to the majority of this House. If they do not, the Local Government will be censured. So they are not to make any change in the rules made for the constitution of these services. If my hon. Friend would agree to omit all such clauses in the Bill as seek to fetter to any extent the functions of this Commission which I agree with him ought to be entirely unfettered, I can understand his position. As it is, Sir, it seems to me that clause 6 of the Bill is wholly unnecessary unless it be to make even the salary of the Secretary and all the servants of this Commission non-votable. May I also invite the attention of the House to the fact that the Registrar of the High Court and his establishment are subject to the vote of this hon. House? I am sure every hon. Member agrees that the High Court ought, certainly, to be independent of any political influence. I am glad to say that High Courts in our country have on the whole maintained that independence, but the Registrar of the High Court and the whole establishment of the High Court come under review of this House every time when the budget is presented. Is it seriously suggested that, because the ministerial establishment of the High Court and their salaries have to be voted by this House, the independence of the judges is affected?

"May I give one other example? His Excellency the Governor ought to be above all political considerations. His bodyguard, his band, his furniture, etc., come under the vote of this House. Is it suggested that because this House has got the power of voting on these personal conveniences of His Excellency the Governor including his tour expenses—my hon. Friend suggests dietary charges—we are likely to fetter the political independence of the Governor?"

"Sir, I want to advance one more argument. The other day it was said on my motion for the adjournment of the consideration of this Bill for one year that we must have this Commission as early as possible and that if there were any defects found in its working, we can remove them afterwards. May I use that argument, and say that we may well accept this amendment, remove this clause and see how the Bill works for the next two or three years and if it is found that this House is interfering too much with the discretion or independence of the Commission, then it will be time enough to come before this House for the salary of the Secretary being removed from the vote of this House? I feel, Mr. President, that, while the Commission should be independent and exercise its patronage without any political influence, there should be some power somewhere to control them. After all, to err is human; we may appoint the very best men; we may make the best provisions. But it seems to me, Mr. President, that in the last resort this House should have power to tell this Commission what they are about. I am sure every hon. Member of this House will be convinced that it is not likely that this House will lightly interfere with the discretion of this Commission until and unless a very strong case is made out. -For all these reasons, and with a view to

12th August 1929]

[Mr. S. Satyamurti]

improve this Bill and have a really independent Commission, the incorporation in it of a similar provision as we have with regard to the High Court and His Excellency the Governor can very well be accepted. I therefore commend this amendment to the acceptance of the House."

* Mr. J. A. SALDANHA :—"Sir, I am afraid that this objection on the part of the hon. Revenue Member comes with some inconsistency, because when the appointment of the Commissioners themselves is made by the Governor in Council, I do not see any reason why the Legislature should not have some voice in the appointment of the Secretariat of this Commission. Besides that, Sir, these Commissioners can be removed by the Governor in Council subject of course to the approval of His Excellency the Governor. When the Governor in Council finds that the Commission shows some real independence, I am sure that the Commissioners will be removed by the Governor in Council. Where is the independence of this Commission at all, when the Commissioners can be appointed and removed at the pleasure of the Governor in Council? Now the hon. Revenue Member is very anxious to secure the independence of the Secretary of the Commission from the influences and votes of the Legislature. This is inconsistent."

"Sir, we have tabled amendments to that clause, but unfortunately the discussion on the report of the Madras Simon Committee was finished early and we could not be here in time. We thought there would be discussion for a long time on that report; we thought that at least two hours would be devoted to that business. But it was finished earlier and we were quite taken aback. . . ."

* The hon. Mr. A. Y. G. CAMPBELL :—"Is the hon. Member in order to refer to the discussion on the Report of the Simon Committee?"

* Mr. J. A. SALDANHA :—"The fact is there has been some delay in our coming in. . . ."

* The hon. the PRESIDENT :—"I do not think that will be relevant to the discussion."

* Mr. J. A. SALDANHA :—"The Council has passed the previous clauses of the Bill without considering the amendments that have been tabled. The Council has accepted the provisions of the Bill that the Commissioners might be appointed and removed by the Governor in Council. Then where is the independence of that body? It will not be an independent body; it will be a wing of the Secretariat, a weak wing of the Secretariat under the thumb of the Governor in Council and the departments of the Secretariat. It is not fair on the part of the hon. the Revenue Member to object to the Legislative Council having some control over the vagaries of this Commission. The Commission will be under the whims and fancies of the Governor in Council and of the Ministry also and their Secretaries. It will not be an independent body. I appeal to the dignity and prestige of this House and ask whether we should not exercise occasionally some supervision over the arbitrary discretion of the Commission. I appeal to the House to omit this clause."

Mr. ABDUL HAMIED KHAN :—"Mr. President, Sir, I do not think that the Government need feel worried over this question because, after all, what they intend to legislate will result in giving power to the Governor in Council. As things are to-day and in the present constitution of the Government, it may be possible to keep out the present Ministry from exercising its

[Mr. Abdul Hameed Khan]

[12th August 1929]

influence over the services in the province. But as, we all know, it will not be far when we will bring into existence a cabinet consisting of Ministers only, who, along with the Governor, will form the Governor in Council. In these circumstances I do not know how, with a clause like the present and without the Council having no say in the matter, it will be possible to keep the Ministry from interfering or influencing the discretion of the Commission. The clause, as it stands, says that the Governor in Council will have power to appoint or dismiss the Commissioners; of course no such order can be passed without the personal concurrence of His Excellency the Governor. I do not think that the argument that the Ministry will have no voice in the appointment to public services will hold water. I think that it is incumbent that the Legislature should have some voice in some form or other over the activities of the Commission even though it should not exercise its influence over the details of the functions of the Commission. I have, therefore, great pleasure in supporting the amendment."

1-15.
p.m.

* Mr. H. F. P. HEPSON:—"Mr. President, Sir, I rise to oppose this amendment. This amendment is, as far as I can see, supported by two arguments. One is that the inclusion of clauses making the salaries of the Secretary and staff part of the Bill makes them non-votable, and therefore this Council is thereby deprived of any opportunity of discussing or criticising the work of the Commission. This annual opportunity of discussion and criticism is very highly valued and appreciated by the Council in the case of other departments not dissimilar to this Commission, notably the High Court, and my Colleagues and I have every sympathy with this point of view. This object however, we feel, can be equally well achieved by the omission of clause 7.

"The second reason put forward in favour of this amendment is that the salary of the Secretary suggested at a maximum of Rs. 1,500 a month is too high. My Colleagues and I do not agree with this view. We appreciate that the work of the Commission will be important and arduous and that it is highly essential that a Secretary of first-class ability should be available for the Commission, and that to achieve this an adequate salary is necessary, and we do not agree that a maximum of Rs. 1,500 is too high. The hon. Member for the University has stated that Members of this Council will not lightly interfere with the working of the Commission by taking advantage of the opportunity of discussion and moving cuts in budget debates. Seeing however that his Colleague the hon. Mover of this amendment is of opinion that this maximum salary is too high and that he is already ready to move a motion reducing such salary, my Colleagues and I feel that the danger of throwing open the salary of the Secretary to a budget debate is a considerable one, and we therefore are strongly of opinion that clause 6 should be retained in the Bill.

"As regards clause 7, however, which refers to the clerical staff, etc., of the Commission, we are inclined to the opinion that that clause might well be omitted."

Mr. A. KALESWARA RAO:—"Mr. President, the opposition to this amendment has come on two grounds, one that by removing this clause, political considerations will prevail which will hamper the work of the Commission; and two, that clause 7 is sufficient to bring the work of the

[12th August 1929]

[Mr. A. Kaleswara Rao]

Commission before this House from time to time to enable this House to express its opinion upon the work done. I submit that both these arguments are fallacious. In the first place, while the Commission itself is made to depend entirely on the executive of the day for its existence and continuance, I do not see how political considerations could not come into play in the appointment of the Commissioners and the Chairman. Under clause 4, the Commissioners have got to be appointed by the Executive Government, now by the Governor in Council and hereafter by the Governor and his Ministers. Of course, His Excellency the Governor will not exercise his discretion against the advice of the Cabinet in future, and therefore it is the political party in power, that is the Ministry in power, that will control the appointment of the Commissioners. The Commissioners are not made absolutely independent of the Local Government like the High Court Judges. The Commissioners can be removed at the pleasure of the Local Government. I submit there is full play for political feelings here. As pointed out by Mr. Saldanha, we had no opportunity to move our amendments in respect of clause 4 and that clause has been passed already. It is therefore right that the appointment of the Secretary and his pay should not be fixed by statute but should come for the vote of this House year after year at the time of the budget, so that the House may have then an opportunity of discussing the way in which the Commissioners are appointed and the way in which the work is done by the Commission. With regard to the argument that clause 7 is quite sufficient, I do not understand the point at all. Clause 7 says that the Commission may spend up to Rs. 1,000 for the appointment of such staff as may be necessary and also for contingencies, stationery, etc. Therefore, by giving a blank cheque for Rs. 1,000 the Commissioners themselves can appoint whatever staff they want and they need not come to the vote of the House for that purpose. Therefore I say both the clauses 6 and 7 should go, but our amendment to clause 7 will come later. It is thus clear that both the arguments advanced against this amendment are fallacious and there should be at least this safeguard that the whole thing should come before this House for discussion at least during the budget time every year, so that this popular body elected by the people may have an opportunity of expressing its opinion on the work of the Commission and controlling the idiosyncracies of the executive."

* The hon. the PRESIDENT:—"The question is
'Omit clause 6'."

The amendment was put and declared lost. A poll was demanded and the House divided thus:—

Ayes.

- | | |
|------------------------------------|--|
| 1. Mr. P. C. Venkatapathi Raju. | 16. Mr. T. Adinarayana Chettiyar. |
| 2. " K. Koti Reddi. | 17. Sriman Biswanath Das Mahasayo. |
| 3. " Sami Venkatachalam Chetti. | 18. Mr. A. Kaleswara Rao. |
| 4. " C. V. Venkataramana Ayyangar. | 19. " K. Uppi Sahib. |
| 5. " S. Satyamurti. | 20. " M. Narayana Rao. |
| 6. " J. A. Saldanha. | 21. " C. N. Muthuranga Mudaliyar. |
| 7. " G. Harisavottama Rao. | 22. " K. Krishnaswami Nayakar. |
| 8. " Abdul Hameed Khan. | 23. " C. Venkatarangam Nayudu. |
| 9. " L. K. Tulasiram. | 24. " A. Ranganatha Mudaliyar. |
| 10. " K. V. R. Swami. | 25. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 11. " D. Narayana Raju. | 26. Mr. R. Nagan Gowda. |
| 12. " K. R. Karant. | 27. " C. R. Parthasarathi Ayyangar. |
| 13. " P. Anjaneyulu. | 28. " K. R. Venkatarama Ayyar. |
| 14. " Obi Reddi. | |
| 15. " C. Ramasomayajulu. | |

[12th August 1929]

Noes.

- | | |
|--|---|
| 1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 29. Subadar-Major S. A. Nanjappah Bahadur. |
| 2. " Sir Thomas Moir. | 30. Mr. T. M. Narayanaswami Pillai. |
| 3. " Diwan Bahadur M. Krishnan Nayar. | 31. " N. Siva Raj. |
| 4. " Mr. A. Y. G. Campbell. | 32. " M. V. Gangadhara Siva. |
| 5. " Mr. M. R. Setaratnam Ayyar. | 33. " V. I. Muniswami Pillai. |
| 6. " Mr. S. Muthiah Mudaliyar. | 34. " W. P. A. Soundarapandian. |
| 7. " Dr. P. Subbarayan. | 35. " S. Subrahmanya Moopanar. |
| 8. Dr. (Mrs.) S. Muthulakshmi Reddi. | 36. " S. Venkiah. |
| 9. Diwan Bahadur P. Kesava Pillai. | 37. Rao Sahib R. Srinivasan. |
| 10. Maharaja of Jeypore. | 38. Mr. V. Ramjee Rao. |
| 11. Mr. Alladi Krishnaswami Ayyar | 39. " G. R. Premayya. |
| 12. Mr. Hilton Brown. | 40. " H. F. P. Hearson. |
| 13. " H. A. Watson. | 41. " S. Arpudawami Udayar. |
| 14. " A. G. Leach. | 42. " O. E. Wood. |
| 15. " J. Gray. | 43. " A. J. Leech. |
| 16. " S. V. Ramamurti. | 44. " F. E. James. |
| 17. " C. B. Cotterell. | 45. Raja of Kallikota. |
| 18. " V. Ch. John | 46. Mr. B. Ramsahandra Reddi. |
| 19. " M. A. Manikkavelu Nayakar. | 47. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. |
| 20. Syed Tajudin Sahib Bahadur. | 48. Rao Bahadur Sir A. P. Patro. |
| 21. Mr. C. D. Appavu Chettiyar. | 49. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 22. " H. B. Ari Gowder. | 50. The Maharaja of Venkatagiri. |
| 23. " A. B. Shetty. | 51. Mr. P. T. Rajan. |
| 24. " J. Bheemayya. | 52. Rao Bahadur S. Ellappa Chettiyar. |
| 25. " P. J. Gnanavaram Pillai. | 53. Khan Bahadur Syed Abdul Haseeb Sahib Bahadur. |
| 26. Mahmud Sahammad Sahib Bahadur. | 54. Mr. Khadir Muhi-ud-din Sahib. |
| 27. The Zamindar of Singampatti. | 55. Rao Bahadur B. Muniswami Nayudu. |
| 28. Mr. J. Kuppuswami. | 56. Mr. A. V. Bhanoji Rao. |

Ayes 28. Noes 56.

The amendment was lost.

* The hon. the PRESIDENT:—"The Council will continue to sit till 1-45 p.m. and re-assemble after lunch at 3 o'clock."

* Sriman BISWANATH DAS Mahasayo:—"Mr. President, Sir, I beg to move

'that in line 3, the words "and five hundred" be omitted.'

"Sir, this amendment cuts down the pay of the Secretary to Rs. 1,000 from Rs. 1,500. Hon. Members of this House have just now passed clause 6 making the pay of the Secretary non-votable, so as to keep it out of the purview of the discussions of this House. No case has been made out either by the Select Committee or by the hon. Member in charge of the Bill as to why the pay of the Secretary should be Rs. 1,500. In this connexion, let me mention that the Indian Officers' Association in its memorandum submitted to the Lee Commission very frankly, fairly and with a patriotism, all its own, stated that a pay of Rs. 1,000 was a satisfactory pay for all the higher services in India. Sir, ours is a poor country, a country where the average annual income of the people does not exceed Rs. 36 a year. It is therefore unfair to fix a pay of Rs. 1,500 here, as in other countries which are richer and more prosperous. I may also remind hon. Members of this House that in the first Council, 1921-23, a resolution was moved—and I think, Sir, you were also a party to that resolution—when the Council unanimously decided that, so far as the pay of the higher officers was concerned, a third of it should be reduced, having regard to the poverty of the country. Sir, a poor country cannot afford to have too many high paid offices and much less, pay high salaries to its officers.

12th August 1929] [Sriman Biswanath Das Mahasayo]

Looking at the minutes of dissent appended to this Public Services Commission Bill I find a number of hon. Members of this House have recorded their protest against the high rate of salaries that have been fixed by the Government and by the majority of the Members of the Select Committee.

"That being so, I think it is now time that hon. Members of this House should right the wrong that has been done to the public finances of the country. Sir, my hon. Friend Mr. Hearson said, while discussing the last clause, that he would be quite willing to bring the pay of the Secretary within the purview of the discussion of the Legislative Council. I vainly waited to see a motion of that kind from him. I therefore request you to see that in view of the security that has been offered, in view of the poverty of the country, and in view of the previous commitments of this House, it is unfair to fix the salary of the Secretary at Rs. 1,500 a month. The pay of the Registrar of the Madras University is fixed at a thousand rupees, though he has been recruited from time to time only on a short tenure of 4 or 5 years. The Registrar of the Andhra University is paid much less; and the duties of these Registrars are far more onerous than those which have to be performed by the Secretary to the Public Services Commission. I think, to my recollection, the highest pay that is offered to a Member of the Madras Provincial Service is Rs. 800, unless they are taken to the selection cadre. Moreover, the highest pay that we offer to the Sub-Judges is Rs. 1,200. So, I think it is very unfair on our part to fix the maximum salary of Rs. 1,500 to the Secretary to the Commission, who will be after all at the mercy of the Commission and I feel sure that they will very soon exercise their discretion and give him the maximum pay at their pleasure. With these remarks, Sir, I move that the pay of the Secretary to the Public Service Commission be reduced from Rs. 1,500 to Rs. 1,000 a month."

Mr. R. NAGAN GOWDA:—"Mr. President, Sir, I wish to second the motion made by my hon. Friend, Mr. Biswanath Das. Sir, in doing so, I wish to take exception to one or two statements that the hon. Mover has made. Sir, if I understood him rightly, he said it may be all right in other countries for the Secretaries and others to get higher salaries, but here in a poor country like ours, we ought not to pay such high salaries comparable to the pay in other countries. Sir, I wish to state that this salary of Rs. 1,500 will be high almost anywhere in the world. In the United States, it would be equivalent in its purchasing power to 15 hundred dollars. In the whole of the United States I do not know of a single Member of Government getting more than a thousand dollars. Mr. Hoover, while he was the Secretary of the Interior in the last Cabinet was getting but a thousand dollars, which would be equivalent to our thousand rupees in its purchasing capacity. And these salaries are really very high when we compare them not even with the average earnings of the people here, but with the living wage in this country. I am sure any economist would agree with me when I say that Rs. 75 to Rs. 100 would be a decent living wage in this country and to pay more than ten or even fifteen times that amount, simply because he is a Secretary or simply because the Government want to favour a particular person, for what else is it?—to pay ten or fifteen times the living wage or almost fifty times the average earning capacity of a citizen in this country is doing a great disservice to the people of this country. Sir, in this country, by paying such huge salaries you are creating a wide gulf between the masses of the people and the officials who, receiving huge salaries fail to understand the difficulties of the poor masses. After all, these gentlemen might perhaps come from families eating rice and pepper water and in paying

[Mr. R. Nagan Gowda]

[12th August 1929]

the Rs. 500 or Rs. 1,000 each what is the object achieved except wasting public money. I therefore have great pleasure in seconding the motion made by my hon. Friend, Mr. Biswanath Das."

* The hon. Mr. A. Y. G. CAMPBELL:—"Mr. President, Sir, I am sorry I cannot accept the motion, but I would like to correct one or two mistakes which were perhaps unintentionally made by both the Mover and the Seconder. The maximum pay of a Sub-Judge or a Deputy Collector in the selection grade is about Rs. 1,200 and they have opportunities of rising still higher as Collectors or District Judges on very much higher salaries."

Mr. R. NAGAN GOWDA:—"I think those salaries also are unjust."

* The hon. Mr. A. Y. G. CAMPBELL:—"Mr. Nagan Gowda seems to be under the impression that a rupee is equivalent to a dollar. If you accept a salary in America on fifteen hundred a month, it would be equivalent roughly to 500 dollars a month and so, that argument does not seem to be sound."

"Sir, we want to provide the Commission with the power to appoint a Secretary who will, in their opinion, be able to carry out the ordinary duties with which he will be entrusted. There is no doubt that he will have most important functions to perform and it is desirable that the Commission should not be hampered in their choice by having too low a maximum salary fixed for the appointment of the Secretary. The clause provides for a maximum figure, but it is not necessary for the Commission to give the whole of that amount and especially on the first appointment, and I have no doubt that they will pay whatever amount they find necessary in the public interests to pay for the man they require. The exact figure may be fixed on a careful consideration, but this figure has been fixed by the Select Committee and I think that we should accept the opinion of the Select Committee."

Mr. R. NAGAN GOWDA:—"On a point of personal explanation, Sir. What I said was that the purchasing value of a dollar in the United States is equivalent to the purchasing value of a rupee in India."

Mr. K. R. KARANT:—"Mr. President, Sir, I beg to support the amendment of my hon. Friend, Mr. Biswanath Das. I think that thousand rupees a month is more than enough and there must be some limit to the extravagant expenditure of this Government. I think it was brought to the notice of this House about nine years ago that the expenditure of this Government was somewhere about 1,200 lakhs and in the course of nine years, they have managed to take it to 1,800 lakhs or one and a half times more. So far as these Secretaries are concerned, I think, hon. Members are aware that last year a motion was passed in this House to give relief to the non-gazetted officers, especially in the lower grades and with a slight modification, wherever possible we may also reduce higher salaries. The Government were not good enough to accept that resolution. In every other case, it is our misfortune to find that they take great pleasure in giving abnormal salaries. If it is a case of some benefit to the agricultural ryots in this country, they, instead of doing this, go on increasing the salaries of the higher officers in agricultural reorganization, which will cost three to four lakhs recurring every year, I can assure, that with my little knowledge of local conditions, not a pie will go to the benefit of the poor people."

"Again, in regard to the question of Forests, a resolution was passed in this House some time back . . ."

[12th August 1929]

* The hon. the PRESIDENT:—"I do not see the relevancy of the case of other departments to this debate."

Mr. K. R. KARANT:—"I want to point out the general extravagance on the part of Government."

* The hon. the PRESIDENT:—"They may be excellent reasons at the time of voting, but are not really important as far as the discussion is concerned."

Mr. K. R. KARANT:—"Sir, I wish to say that we cannot afford to waste money like this if we want to do any real good to the public, like the eradication of malaria or helping the agricultural ryots with subsidiary industries. If we want to do all these things, we must have funds and so we cannot vote for a sum like Rs. 1,500. When we have been asked to vote for a salary of Rs. 1,500 we ought to take all these considerations into account and we cannot afford to pay such salaries, because we have other needs. For these reasons I support the amendment."

* Mr. K. KOTI REDDI:—"Mr. President, Sir, I rise to correct a very false impression in the mind of the hon. the Revenue Member who rose up in order to correct what he termed a misapprehension that some hon. Members here have made. Sir, when Mr. Nagan Gowda told the House that one rupee in this country is equivalent to a dollar in America in its purchasing power, I thought the hon. Revenue Member would understand the implications of the words 'purchasing power'. Everyone of us, I believe, including Mr. Nagan Gowda knows the equivalent value of a dollar is about three or four rupees, but the purchasing power of a dollar in that country is really equivalent to, and not much more than, the purchasing power of a rupee here. What is the value of the silver by itself! We cannot eat silver when we are hungry, nor can we drink it when we are thirsty, and after all, the use of money is only in purchasing the necessities for the existence of life. From that point of view, the dollar in America is equivalent to the rupee in India. When in a country like America, a country which is really the wealthiest in the world, the highest officers are not paid more than two or three thousand dollars, it is all the more reasonable why the highest officers should be paid not more than Rs. 2,000 in a poor country like this. When such is the case, I really believe that the Secretary to a Commission should not be paid more than Rs. 1,000. I think it is no doubt a question on which a sympathetic view has to be taken, namely when there are so many Secretaries who are paid high salaries, why this Secretary alone should be made to receive less. It looks unfair that we should now try to reduce the salary of the Secretary to this Commission. But, really this is the opportunity that we have. We know that the public expenditure on administration is going from bad to worse. And for every necessary and useful purpose in this country we are told that there is not enough money. The one way of reduction of expenditure will be to cut short the expenditure on officers wherever possible. In the case of officers who are already receiving high salaries, it is not fair and just to reduce their salaries even if possible."

* The hon. the PRESIDENT:—"The Council will now adjourn and re-assemble at 3 o'clock."

After Lunch (3 p.m.).

* Mr. K. KOTI REDDI:—"I was going to say, Sir, that the administrative expenses of this province have nearly doubled in a decade and the increase of

[Mr. K. Koti Reddi]

[12th August 1929]

salaries in the higher services of the Government has been, I daresay, very high judging from the standard of the pay that is being paid in the richer countries. I believe, Sir, that in other countries the difference in the pay between the lowest-paid and the highest-paid public servant in the State is nothing more than in the proportion of 1 to 10, whereas in this country the proportion would work out to 1 to 50. Such being the case, Sir, it is in the interests of this province that whenever we have an opportunity of trying to see that the expenses of administration do not multiply, that we should use that opportunity for achieving this end and not feel ourselves satisfied with the satisfaction that since so many things are being allowed, why not this also. Judging from the poverty of the country, Rs. 1,000 per month is a reasonable sum and I have every reason to hope that this amendment will be carried in this Council."

* Mr. P. ANJANEYULU:—"Mr. President, Sir, I thought that the Government when it put the salary at the high pitch of Rs. 1,500 a month had not any particular individual in mind whose services were required as Secretary for this Commission and who would not be prepared to serve as Secretary unless at least that sum was given to him. I did not expect the Government to have bargained with the intelligentsia of the land for the post of Secretary and that intelligentsia refused to serve for a less sum. I fail to understand, without repeating the argument of my hon. Friends, why the Government should not have said that they would pay only a thousand, why they could not accede to this small amendment. They are not particularly interested in seeing that the salaries of the Secretaries are put at a very high rate in the interests of efficiency, for there is no reason to despair of getting proper men for a salary of a thousand rupees a month. That being the case, I appeal to the hon. Member in charge whether he cannot make up his mind to accept this amendment."

Sriman BISWANATH DAS Mahasayo:—(Rising to speak).

* The hon. the PRESIDENT:—"The hon. Member as the Mover of the amendment has no right of reply."

* Mr. L. K. TULASIRAM:—"Mr. President, Sir, after all the request that has been made in the amendment moved by the hon. Member from Ganjam is only to reduce the salary of the Secretary of the Commission from Rs. 1,500 to Rs. 1,000. Sir, it will be admitted on all hands that the duties of the Secretary to the Commission will not be more onerous than those of the Secretary to our Council who has to manage with nearly 132 members. And the salary that we are giving to our Secretary is I understand—I am speaking subject to correction—a maximum of Rs. 1,000. Sir, this country is admittedly very poor and people outside this House are really watching the proceedings of the Council eager to know whether their representatives whom they have sent here after a great deal of difficulty and expense really safeguard the interests of the *plebes* or whether they are helping the administration to squander the resources of the country, slender as they already are. I wish, in this connexion, to draw the attention of my hon. Friend Mr. James representing the European group and always speaking on their behalf—I have great respect for him—to the fact that even in very big firms of the City they do not employ Secretaries on Rs. 1,500. The highest salary that they may be paying in the biggest of mercantile firms to the Secretary who should be doing more work than the Secretary to this Commission is nothing more than a thousand rupees. I appeal to the hon. Members of the European group

[12th August 1929]

[Mr. L. K. Tulasiram]

who are supposed to be disinterested and not to take sides one way or other to come to our rescue and see, if our demand is right, that they vote in favour of the amendment. Sir, if the Government are really well minded, if they are generous, if they are really sincere in all their actions, they will not raise the slightest objection to this amendment. But what is the attitude of the Government as we find it? When they catch a fox, their attitude is to persist in saying that it has three legs. We want them to change that attitude if they really want to have co-operation from this side of the House. It is equally incumbent on their part to co-operate with us when we are prepared to meet them. Without saying much, I think that it would be very generous on the part of the Government to accept the amendment.

"Again, Sir, taking the question of pay and pensions, our suspicion, when they are putting the salary of the Secretary to a maximum of Rs. 1,500 is that the place will go to a retired servant of Government who will be enabled to draw a fat pension and go home to enjoy in the shades of Lancashire or Yorkshire. It is also another reason why we feel obliged to curtail the salary, so that the post may go to a son of the soil who will be true to the salt that he eats and remain here.

"With these words, Sir, I have great pleasure in supporting the amendment so ably moved by my hon. Friend from Ganjam which I expect the Government will have the wisdom to accept."

* The hon. the PRESIDENT:—"The question is—

'That in line 3 the words "and five hundred" be omitted.'"

The amendment was put and declared lost.

A poll was demanded and the House divided thus:—

Ayes.

- | | |
|-----------------------------------|-------------------------------------|
| 1. Mr. P. C. Venkatapathi Raju. | 14. Mr. P. Anjaneyulu. |
| 2. " K. Koti Reddi. | 15. " C. Obi Reddi. |
| 3. " Sami Venkatachalam Chetti. | 16. " C. Ramasomayajulu. |
| 4. " S. Satyamurti. | 17. " T. Adinarayana Chettiar. |
| 5. " J. A. Saldanha. | 18. Sriman Biswanath Das Mahasayo. |
| 6. " G. Harisaravottama Rao. | 19. Mr. A. Kaeswara Rao. |
| 7. " O. S. Govindaraja Mudaliyar. | 20. " K. Uppi Sahib. |
| 8. " K. Abdul Hameed Khan. | 21. " C. N. Muthuranga Mudaliyar. |
| 9. " L. K. Tulasiram. | 22. " K. V. Krishnaswami Nayakar. |
| 10. " K. V. R. Swami. | 23. " C. Venkatramangam Nayudu. |
| 11. " D. Narayana Raju. | 24. " K. S. Sivasubrahmanya Ayyar. |
| 12. Dr. B. S. Mallayya. | 25. Diwan Bahadur R. N. Arogyaswami |
| 13. Mr. K. R. Karant. | Mudaliyar. |

Noes.

- | | |
|--|--|
| 1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 13. Mr. S. V. Ramamurti. |
| 2. " Sir Thomas Moir. | 14. " C. B. Cotterell. |
| 3. " Diwan Bahadur M. Krishnan Nayar. | 15. " V. Ch. John. |
| 4. " Mr. A. Y. G. Campbell. | 16. " M. A. Manikkavelu Nayakar. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 17. " Syed Tajudin Sahib. |
| 6. " Mr. S. Muthiah Mudaliyar. | 18. " Abdul Wahab Sahib. |
| 7. " Dr. P. Subbarayan. | 19. " H. B. Ari Gowder. |
| 8. Mr. Alladi Krishnaswami Ayyar. | 20. " J. Bhimsayya. |
| 9. " Hilton Brown. | 21. " P. J. Gnanavaram Pillai. |
| 10. " H. A. Watson. | 22. " Mahmud Schammad Sahib. |
| 11. " A. G. Leach. | 23. " J. Kuppuswami. |
| 12. " J. Gray. | 24. Subadar-Major S. A. Nanjappah Bahadur. |
| | 25. Mr. T. M. Narayanaswami Pillai. |
| | 26. " M. Gangadhara Siva. |

[12th August 1929]

Noes—cont.

27. Mr. V. I. Muniswami Pillai.
 28. „ W. P. A. Soundarapandian.
 29. „ S. Subrahmanya Moopanar.
 30. „ S. Venkiah.
 31. Rao Sahib R. Srinivasan.
 32. Mr. C. E. Wood.
 33. „ A. J. Leach.
 34. „ F. E. James.
 35. „ R. J. C. Robertson.
 36. „ H. F. P. Hearson.
 37. „ S. N. Dorai Raja.
 38. „ S. Arpudawami Udayar.
 39. „ G. Premayya.
 40. „ C. Gopala Menon.
 41. „ B. Ramachandra Reddi.

42. Rao Bahadur C. S. Ratnasabapathi
 Mudaliyar.
 43. „ Sir A. P. Patro.
 44. Diwan Bahadur P. O. Ethirajulu Nayudu.
 45. Mr. P. T. Rajan.
 46. „ T. K. Chidambaramatha Mudaliyar.
 47. Rao Sahib S. Ellappa Chettiyar.
 48. Khan Bahadur S. K. Abdul Razack Sahib
 Bahadur.
 49. Mr. Khadir Mohidin Sahib.
 50. „ T. M. Moidoo Sahib.
 51. Rao Bahadur B. Muniswami Nayudu.
 52. Mr. K. Sarabha Reddi.
 53. „ V. Ramji Rao.
 54. „ A. V. Bhanaji Rao.

Neutral.

1. The Zamindar of Seithur. 2. Mr. K. R. Venkatarama Ayyar.
 Ayes 25. Noes 54. Neutral 2.

The amendment was lost.

Clause 6 was then put, passed and added to the Bill.

Clause 7.

8-16
p.m.

Mr. S. SATYAMURTI :—“ Sir, I move—
 ‘that clause 7 be omitted.’

“I have been considerably encouraged in moving this amendment after the speech of my hon. Friend on behalf of the European group. I know they are a small number but their influence is so much that if they support a motion from this side the Government would be unable to have a strong case against the acceptance of this amendment. Sir, apart from the arguments that I have already advanced, I have no desire to speak. But may I point out, Mr. President, one practical difficulty? Clause 7 of this Bill says:

‘It shall be lawful for the Commission and it is hereby empowered to employ such persons as it may deem necessary and incur expenditure for such employment as well as for contingencies, supplies and services and for other expenses connected with its work, up to an aggregate sum of Rs. 1,000 per mensem.’

“I should like to know, Sir, on what basis this figure was arrived at. I do not know whether this is a mere arbitrary figure because it is a round sum just Rs. 500 less than the Rs. 1,500 provided for in the previous clause. Supposing the Commission finds that they have to spend Rs. 1,001 they will have to come to this House to amend this statute; is it seriously suggested as a business proposition that with regard to the expenses of a Commission whose activities we have no clear conception of, we should ask this House to provide that they shall not spend more than Rs. 1,000 unless they get this House to amend this statute by means of an amending Bill? It seems to me that so far as this clause is concerned, it must be obvious to every hon. Member of this House that they may not treat this clause as affecting the independence of the Commission. One of my hon. Friends suggested that the omission of this clause may affect the independence of the Commission. Without agreeing with him on that matter, I would suggest that an amendment of this character would not affect its independence in any matter. The powers of this Council extend to the establishments of the High Court and even His Excellency's establishment. I would say one word, Sir, to the hon. the Floor Leader of the Justice Party to consider this point. They have

12th August 1929]

[Mr. S. Satyamurti]

been fighting for communal justice. Now, Sir, this Commission once it is appointed, should administer communal justice according as they please, and whether they are administering it well will depend upon the popularity of the Commission, not on its personnel. Supposing it is the Malayali that is at the head, there will be a cry for Malayalization; if it is an Andhra, for Andhraization; if it is a Tamilian, for Tamilization, if it is a Muslim, for Muslimization, and so on. In such a case, do you or do you not think it necessary that at least once a year this Commission and its work should come before this House at the time of the Budget, so that this House may generally express its views on this question of communal justice, so that this administration should not depend on the individual whims and caprices of the Members of the Commission or on the Members of the Treasury Bench for the time being in office. So, Sir, I submit that this particular amendment is very necessary. I would not have pressed it if the Commission were wholly independent of the Local Government. My hon. Friend knows that this Commission's life is at the mercy of the Local Government. This Commission is appointed by the Local Government. Much as the Commissioners may feel or the Government may think that the work is well managed, human nature being what it is, they are likely to have their own whims or are likely to be influenced by the possible views of the temporary occupants of the Treasury Benches. Is it not therefore open to this House to have some check over the activities of this Commission by means of this annual review at Budget time? I venture to add, Mr. President, no other means of controlling the activities of the Commission will be effective. Merely placing the administration report on the table of the House or a similar provision will not be of any use. It is only at Budget time that it can be effectively controlled. It is only then that the Treasury Benches would be anxious to see that they do not go to the Governor for certification, and would therefore try to accept our suggestions. I speak from experience in this matter. I therefore move this amendment for the acceptance of the House.”

* Mr. G. HARISARVOTTAMA RAO :—“ Mr. President, Sir, in seconding this amendment I desire to draw the attention of hon. Members of this House through you to the fact that it is after all with reference to the establishment and the contingencies, supplies and services. We have a precedent in this House in regard to establishments where absolute impartiality is expected. I am referring to the provision for the Judicial services that is a part of the votable budget. In like manner, there will be nothing particularly wrong in keeping some amount of control for this House over the least important part of this Commission's expenditure. To that extent, Sir, there should be no objection from any bureaucrat whatever. We have had the establishments of the Secretariats on the Budget. The Judicial services, and the establishments of the Judicial services are on the Budget. They are all votable by this House and on that analogy there can be no objection to this item being made votable by us. Therefore the deletion of this clause does no harm to this Bill whatsoever. Now, Sir, to speak of the absolute separation of this Public Services Commission from the purview of this Council does not stand well with the advocates of the Government. The Government has not been able to place before us such a Bill as would absolutely rid the Executive Government of responsibility for the conduct of the Commission. It is not even the Local Government that appoints this body. It is the Governor in Council who is a part of the Local Government that appoints this Commission. Therefore the Transferred part of the Government is excluded even from the

[Mr. G. Harisarvottama Rao] [12th August 1929]

appointment of this Commission. So that, under this Act, it cannot be contended that the Executive Government has absolutely nothing to do with this Commission. Therefore it is necessary that this House should have some control, some voice in the management of affairs by this particular body. Moreover, with regard to the contingencies, the supplies and services and such small items like these, such miscellaneous items like these, which cannot be worked out in any accurate measure, it is not right that any expense be allowed to be incurred without the sanction of this House. I feel therefore, Sir, that this amendment should be supported without any dissentient voice."

* Sriman BISWANATH DAS Mahasaya:—"Mr. President, Sir, clause 7 proposes to keep the legislature from any interference on its part in the appointment of the staff, that is, the clerical staff. Sir, it is unfair on the part of the Executive Government and also of the hon. Members who sat on the Select Committee to have excluded by means of this clause even the appointment of the officers and the provision of money for contingencies. His Excellency the Governor is above all parties and yet this hon. House year after year discusses all questions and grants relating to the household of the Governor, so far as his servants and contingencies are concerned. What then is the reason why this most fortunate Commission should have a statutory provision excluding all interference on the part of the legislature even to vote the grants necessary for its contingencies and office establishment? Again, Sir, the High Court is above all party politics, but still this hon. House discusses all the pay of the officers as also the contingencies necessary for it. Is it seriously contended on the part of the Government or any other party in the House that we have ever abused the powers that have been conferred on us by the Government of India Act on such questions? Sir, this House, after all, forms governments and drives out governments from office. That being so, is there any reality in the name of autonomy or self-control or self-government, if we exclude by means of the Statute these small matters because you have a got-up majority in the House or because the Government could hope to have a majority in this House. Sir, if such things are persisted in, it is practically a denial of any Government, not to say self-government, on the part of the Government to the hon. Members of this House and to the electorate."

"Then, Sir, even from the point of view of economy, could any hon. Member on the floor of this House say that the Public Services Commission wants Rs. 1,000 only, but not a pie more or a pie less? Suppose it wants a pie more; has it not to come to the legislature for it? Why then, this limitation? Soon after the constitution of the Commission, it may not at once require Rs. 1,000. Why then should they have Rs. 1,000? It is very unfortunate that the Executive should try to exclude the legislature in all its activities and take statutory powers. Sir, I deplore the mentality both of the Executive and of those who support the Executive in this matter. My hon. Friend, Mr. Muniswami Nayudu, in whom I have full confidence, nods assent. I would ask him to give his vote, not only his but that of the other members of his party for the amendment."

1-30 P.M. * The hon. Mr. A. Y. G. CAMPBELL:—"Mr. President, Sir, I am afraid I must oppose this motion, as it cuts at the root of the principle which the Government have embodied in this Bill. The object is to create a Commission which shall be independent of the Government of the day, and with that object we have created this independent body, and it is proposed that they

12th August 1929] [Mr. A. Y. G. CAMPBELL]

should have certain grants to provide for their own pay, the pay of the Secretary, for the pay of their establishment, for their office and other expenses. If this clause is deleted, it will mean that they would be dependent on the Government of the day for their office staff and for other expenses, and that would not make this body as independent of the Ministry as it is proposed to make it by this provision. Some hon. Members appear to think that the Legislative Council ought to have opportunities of discussing the doings of this commission in the course of the budget debate. But, my experience is that during the budget debate the discussion of any particular item has to be very much curtailed. If it is desired to have a discussion of the functions of the commission, it could be done by a resolution or by a motion for the adjournment of the House. It is always possible at any time for this House to express the general feeling in the country, when the commission is not doing its duty properly, and it is open to the members of this House to move a resolution recommending that the Chairman or a particular member of the commission should be removed from it. (Mr. C. S. Govindaraja Mudaliyar: 'A doubtful remedy'.) It will be on rare occasions that action would have to be taken against the commission, and it should be regarded as a very serious matter. For this reason, Sir, it is very essential that the commission should be made as independent as possible of the Ministry for the time being."

Mr. K. R. VENKATARAMA AYYAR:—"Mr. President, Sir, I have listened to the justification for the retention of this clause on behalf of the Government from the speech of the hon. the Revenue Member. The only point he seems to make is that in order to leave this commission really independent, which everybody desires it to be, it is necessary not only to keep the salaries of the members of the commission and the salary of the Secretary non-votable but also to keep the salary of the establishment under the commission non-votable. I think that is really a plea for leaving this commission entirely outside the range of reasonable criticism. It is one thing to say that this commission has really to be independent, independent of the executive government of the day; it is quite another thing to claim for this commission entire immunity from the responsibility it has to the people of the province as represented by the electorate and the elected representatives sent to this Council by such an electorate. That is asking for autoocracy on the part of a commission, and on what ground do you claim such autoocracy? It is a commission which is entirely the creature of the executive government of the day. In ultimate analysis, what does it come to? It comes to this; though the executive government of the day, which will consist of Ministers from the elected representatives of this House, must be subject to the criticism of this House in respect of its other doings, so far as the Public Service Commission is concerned, the commission must be an uncontrolled creature subordinate entirely to the whim of the executive Government of the day. I think it is much too large a proposition, that it has only to be stated to be refuted. I do not think the plea made by the hon. Revenue Member is really a good one. On the other hand, it is encouraging the opposite principle. When we were discussing clause 6, even the European group represented by Mr. Hearson, took sides and was really in favour of a more reasonable section of this House in respect of this point. Now, after the European group has thrown the weight of their votes in our favour, to see the Government Member still sticking to his own view,

[Mr. K. R. Venkatarama Ayyar] [12th August 1929]

is, I think, really to challenge this House into a fight as between the bureaucracy, pure and simple, on one side and everybody interested on the popular side on the other. Now the challenge is there, and I leave it to the House to solve it."

* Mr. H. F. P. HEARSON :—" Mr. President, Sir, I regret to say that my Colleagues and I are not convinced by the arguments of the hon. the Revenue Member that the retention of this clause is of fundamental importance to the Bill. We are still of opinion that it is highly desirable that this Council should have an annual automatic opportunity of discussion and criticism of the working of this Commission, in the same way as the Council has of discussion and criticism of the working of the High Court, and we are therefore of opinion that this clause should be omitted in order that the salaries of staff, other than the Secretary, should be votable, and should therefore automatically come up for the consideration of this Council.

"I therefore have pleasure to support the amendment."

* Rao Bahadur B. MUNISWAMI NAYUDU :—" Sir, I am really surprised at the solicitude shown by my hon. Friend Mr. Satyamurti with regard to the claims of communal justice. He thinks, that when the vote for this establishment comes year after year before this Council, such claims can be considered. The fact that that argument is put forward by my hon. Friend makes me suspect that there is something more behind the amendment than what it is said to be. Sir, in section 12 of the Bill, it is stated that the Public Services Commission should pay regard to the rules made by the Government from time to time in regard to the classification, recruitment and other matters. That is a provision to which my hon. Friend took strong objection in his opening remarks when he moved the adjournment of the consideration of the Bill itself. Now, if it is to continue there and if the policy of the Government is to make proper rules from time to time, that is a sufficient safeguard, and that will be a provision which will satisfy all claims. But, as my hon. Friend wants that this provision should be repealed and should not form part of the statute, then the only way that provision becomes open to a debate in this House is when the provision for establishment is brought to the vote of the House from time to time. Does he really and sincerely think that it will conduce to the efficiency of the services if the question on what principles the services should be recruited should be discussed on the floor of this House and should be left to be changed according to the vote of the majority party at the time? The effect will be that the discussion every year would rather go against real justice being secured for various communities. On the other hand, it will tend to these principles being varied from year to year and being dependent on the wish of the particular Council, probably, my hon. Friend is counting upon a possibility of the Swarajists or his party coming out in a majority in the next elections. I submit, Sir, that a provision of this sort is necessary. Again, when the maximum of a thousand rupees, which is now provided under this clause is found insufficient in future, it will be time then for this Council to take a review of the working of the commission.

"Again, Sir, I understood the hon. the Revenue Member intends to move an amendment that a report of the work of this commission should be submitted once a year. At any rate, that is what I thought to be his intention when I talked to him. If an amendment of that sort is introduced, it

12th August 1929] [Mr. B. Muniswami Nayudu]

will give ample opportunity for this Council to discuss the work of the Commission from time to time. With regard to the present Staff Selection Board there is no such provision, and yet this Council is able to discuss questions connected with the Staff Selection Board. So, that kind of debate can always be raised in this Council with regard to the Public Services Commission. I think, in these circumstances, this provision is necessary."

* Mr. P. ANJANEYULU :—" Mr. President, Sir, I am surprised at the way in which my hon. Friend, Mr. Muniswami Nayudu, has argued his point. The astute lawyer that he is, he wants to give a plausible colouring to his arguments to reach the wrong conclusions he draws. He says it is the Government that should have the upper hand in framing rules and not the Council. That seems to be the gist of his argument, and he supports his statement by saying that if it is the Council that controls these things, it may be the Swarajists that will be in greater numbers, and therefore its persuasion will colour the proceedings and rules. Sometimes if the 'Justice' men are in the majority, it will be the same, and therefore there will not be fixity of rules. But what about the Government? The Government, according to him, and we also hope, will be a more democratic Government. If the Government is by party system, when the Swarajists are in a majority, it will be a Swarajist Government; when the 'Justice' party are in larger numbers, the Government will be a 'Justice' Government. Does not his argument apply to the Government also? Then, why should there be any difference, why should there be any wrangle over this question? The difference is this. If according to him it is the Government that is making the rules, the publicity of the rules which is available when they are submitted to the scrutiny and decision of this House, will not be available. Whether the Government consists of Swarajists or any other party, if they should be left a free hand in framing the rules, I think those sanctions, that fear of public opinion, that freedom of discussion which will be available and which the traditions of this House, and which the House as it may be composed hereafter, will keep on the same high level, will not be available, if this power is left only to the Government to make these rules. That is the difference which I want to point out to my hon. Friend from Chittoor and to other hon. Members of the House. Having this difference in view and seeing that the Government in future will be also a party Government, I fail to understand what we lose by getting the sanction of this House and having the opinion of the public behind it in framing the rules if we are honest in our purposes and if the Public Service Commission is really to be public, serviceable and a Commission."

* Mr. A. KALESWARA RAO :—" Mr. President, Sir, I am surprised to hear the argument of my hon. and learned Friend, Mr. Muniswami Nayudu, who is an advocate of communal justice, saying that the power in the hands of the Government would be better used for communal claims than in the hands of the Legislative Council itself. He says that the day might come when the Swarajists would be in power. (Mr. P. Anjaneyulu: May it be.) May it be so (Laughter). Let us assume that the Swarajists are against communal justice. Then, would it not be better for him that the question should be considered in this House which will consist of all parties, though the Swarajists may be the dominant party and may be occupying the Treasury Benches, would it not be better that questions like these should come before the Council, which will necessarily consist of Swarajist and non-Swarajist groups, and be

[Mr. A. Kaleswara Rao]

[12th August 1929]

settled and decided by the Council than by the Government itself which will consist of only one party, namely, the majority party? Therefore, his argument is flimsy on its face.

"This Bill provides for a double autocracy, the autocracy of the Government over the Commissioners and the autocracy of the Commissioners in having their own secretariat establishment and spending money in their own way. I do not know why the Government is indulging in this kind of machinery of double autocracy? This Bill has no parallel, because the Public Service Commission in England does not enjoy immunity from the vote of the Parliament, nor is money provided for it to be spent as it pleased, nor has the Public Service Commission appointed by the Government of India similar powers. Therefore, this Bill has no parallel, and it is only the unique intelligence of this Government that provides for such double autocracy. So, I consider that this amendment is quite necessary."

3-45
p.m.

* Mr. S. N. DORAI BAJA :—" Mr. President, Sir, the object with which the Government is instituting this Commission is to make it independent, as my hon. Friend the Revenue Member stated, of influences of politicians. If its establishment are to be subject to the vote of this House, it would be defeating the very object, and would place its activities under the influence of this Council. The analogy drawn by my hon. Friend Mr. Hearson between the High Court and the Public Service Commission is fallacious. In the first place the High Court is not a Public Service Commission dispensing communal justice. By the very nature and constitution of the High Court no criticism by the Council has any the slightest influence on the dispensation of justice; it is there to dispense unadulterated justice to all classes. Therefore to say, because the doings of the High Court are subject to the criticism of this House, so the Public Services Commission should be under the influence of this Council, is fallacious. Therefore this clause should be retained."

* Mr. D. NARAYANA RAJU :—" Mr. President, there are certain very good reasons why the Council should have a voice over the establishment of this Commission. There are certain sections in this House that can never be represented in the Ministry of the day. For instance, there are the depressed classes, the Muslims and others, and these communities can never be in a majority nor can they expect to form their own Ministry or Executive Council. The Government of the day would represent the view of the majority party. Therefore, all those groups can be represented only in this House and not in the Government of the day. And if their views are to be reflected with regard to the doings of the Commission that can only be done by a discussion on the floor of this House."

"The Services Commission is not entirely independent as pointed out by the Mover and several other speakers; it is entirely dependent on the Government of the day; it can be removed by them at any time; it has to go according to the rules framed by the Government of the day. It will be entirely in the hands of the Government. When that is the case, there ought not to be any objection to giving this House an opportunity of discussing the conduct of the Commission once a year. If that right is taken away there will be no other regular opportunity. Therefore, it is highly necessary to afford to all those groups who cannot be represented in the Government of the

[12th August 1929] [Mr. D. Narayana Raju]

day an opportunity of expressing their views with regard to the conduct of this Commission by making its establishment votable, and so this clause should be deleted."

* Mr. C. S. GOVINDARAJA MUDALIYAR :—" Sir, it is difficult to understand the tenacity with which Government wants to cling to this clause. It is a well established maxim that the actions of bodies should be tested year after year by discussions in this House. The hon. the Revenue Member has put forth two pleas; one is that the conduct of the Commissioners should be reviewed on a resolution moved and adopted by this House. He conveniently forgets the fact that a resolution has first to be tabled and it has to run the chance of a ballot. And we know how many resolutions that are tabled each session are reached. In some cases, only four or five are reached and the rest never see the light of day for all time. Then with regard to adjournment motions, we have had experience which I need not in any way describe. Adjournment motions depend on so many circumstances, there must be urgency, it must be a matter of importance and so many other factors; lastly, there is every chance of its being vetoed by His Excellency the Governor. Therefore it is a fallacious argument on the part of the hon. the Revenue Member to say, 'your power of dealing with or discussing things done by the Services Commission is there which can be exercised through resolutions and adjournment motions'. We must be thankful to the hon. Member Mr. Hearson for pointing out a direct and immediate example in the case of the High Court. The personnel of the High Court is undoubtedly beyond the criticism of this Council, because they hold their positions under letters patent from His Majesty. Yet their doings are subject to criticism only when their establishment is being voted by this Council. It has been our experience in this Council that a number of our motions have been tabled on various occasions in regard to the High Court, and while that august body is subjected to the criticism of this House, which is after all the holder of the purse of this province, I wonder why the Services Commission which is going to be instituted should be made sacrosanct, and there is no reason why their doings should not be subjected to criticism in this House by making their establishment votable."

"My hon. Friend Mr. Muniswami Nayudu wanted to side track the issue by bringing in the communal question. I am afraid it is like drawing a red herring across the issue before the House. That has nothing to do with this question. Whichever community may be in power, the doings of the Commission are entirely independent, which can bear examination irrespective of the communal aspect. Therefore there is not much force in the long drawn out arguments of my Friend from Chittoor."

"In these circumstances, the Government have not made out a case for exempting the doings of this Commission from annual inspection by this House. It is up to this Council to adopt the amendment and reject this clause 7."

* Mr. K. V. R. SWAMI :—" Mr. President, I cannot understand the objection raised by my hon. Friend Mr. Muniswami Nayudu. Does he mean to say that this Commission should not know how its actions are being viewed by a responsible body like this Council? Should they go on without any assistance from this Council whatsoever? Supposing in making the selection they go against the interest of the people or act in a way which is not commendable to this House, would it be too much for this House to make a

[Mr. K. V. R. Swami]

[12th August 1929]

statement to that effect? My Friend thinks that at every budget a motion would be brought against the expenditure that may be required for the Commission and under that head we may be discussing the whole thing. We may discuss but we cannot change the rules in a budget motion. We can only express our views regarding their action. For instance, if the High Court has not been disposing of suits or appeals speedily, we are from time to time permitted to say that the work must be more speedily done and all that. We cannot go and say that the High Court should change certain rules, and the change must be in this or that way. It is a very useful thing that this House should have the right of expressing its opinion with regard to the actions of the Commission. As stated by my hon. Friend Mr. Narayana Raju it is not possible for every party in this House to be in the Ministry. More parties likely to be outside the Ministry or outside any influence whatsoever.

"We have been saying from time to time whenever an occasion comes, that there is no Muslim representation in the High Court, that the depressed class people are not given a chance, and so on and so forth. Even so, with reference to this Commission, the authorities must take note of our criticism if it is proper and regulate their action according to the general wishes of the people. In this there are certain rules laid down. Suppose those rules are not observed; for instance, one of the rules says that we should have five Hindus, two Brahmans and so on; suppose that members of a particular community are always selected by the Commission and others are neglected. They may be satisfying the rule, but it may not be liked by the people. This House has a right at that time to say that the Commission should look to the interests of other people. For instance, the depressed people would include converts to Christianity and they may not get proper representation. There is then chance of pointing out the defect which can be rectified by the Commission. The hon. the Revenue Member should not try to deprive the House of all its powers and say, 'I have pointed out other methods by which you can attack the Commission'. It is not the case of the hon. the Revenue Member that this House cannot attack the Commission at all. But he points out two ways of attacking the Commission, one by a resolution and another by amendment or something like that, and says that we can always question the conduct of the Commission. That will be taking a step which will not be useful. Budget time is the time when you look into things and if you have got any grievance under any head you can only table a motion and express your views. My hon. Friend Mr. Muniswami Nayudu thinks that Mr. Satyamurti is against clause 10, and so he must support this motion. I am not quite satisfied with his argument; there is no motion at all to omit clause 10. Clause 10 is a necessary thing; nobody objects to it. No amendment is given to omit clause 10. It is there, so he need not be frightened.

4 p.m. "We are losing a very vital weapon which is always available to this House. This concerns all parties and not this party or that party only. Further our criticisms would be of good use to the Commission itself. From the criticisms of this House concerning the actions of the Commission they can see whether their actions are appreciated or not appreciated and whether they are doing their work properly or not. They are a responsible body and as such ought to tolerate criticism which is intended to call attention to any irregularities there may be."

Mr. A. RANGANATHA MUDALIYAR :—"Mr. President, Sir, I would with your permission appeal to the hon. the Revenue Member to take a detached view of the whole matter. The House will remember, Sir, that I was anxious

[12th August 1929] [Mr. A. Ranganatha Mudaliyar]

that this question of the appointment of and the administration by the Public Services Commission must be above the influence of the Ministry. To me, Sir, it is not so much as to what the Ministers may or may not be able to do and how far they would be able to influence the Public Service Commission in the matter of appointments, but as to how far it would help the helpless minorities in this House. Sir, if the Ministry is worth anything at all, it would surely find ways and means of influencing the Commission and get its purpose achieved. It is not with reference to that that I want the hon. the Revenue Member to consider this. I have in view the minorities whose interest might not be adequately represented or protected by this Commission. For example, one rule says: If there is no competent member of the depressed class community to take up an appointment, they could pass over to the next community in order, and give the appointment. The depressed class men on the other hand may assert that among them there are competent men to hold the appointment and that their claims have been unjustly passed over. Where, I ask, is the opportunity for them to place their views? It is idle to say that the budget will always be taken advantage of for unnecessary discussion on these matters. How often, Sir, have we criticized the action of the High Court and threatened to cut down all their establishments? That threat was made only once and that was in the first year of the reformed Council. Therefore this fear is unfounded. Further, more often than not, we never reach such demands. That has been our experience. Therefore, I think in the interests of the minority communities who otherwise have no chance of protecting themselves, this clause must be deleted.

"In this connexion I would like just to say how some of us who wanted that this matter might be regulated by an executive measure instead of by a legislative enactment were subjected to cheap criticism. Our reason for making that proposal was that if our suggestion had been accepted and the Commission had been appointed by an executive order, the Council would have an opportunity of criticizing its actions and thus create in them a wholesome fear of not doing things very wrongly. In that view I think this amendment should be supported."

* The hon. Sir THOMAS MOIR :—"Mr. President, I think it is a pity that this question has centred round the trivial question of the appointment of the subordinate staff of this Commission. If it were a question of such vast importance to Members of the House to have control over the actions of the Commission, I should have expected them to claim control over the appointment of Secretary. But the House has already accepted the position that the Secretary should be appointed by the Commission and that his salary should be non-voted. Such being the case, it ought to be a matter of indifference to the House whether the Commission has or has not power to appoint a few clerks and servants and pay them without further sanction of any other authority. But we are of course not discussing the question as to whether the Commission should have the power to appoint its servants or buy their own stamps or stationery.

"The question really is whether this House should have an opportunity annually to discuss the operations and doings of the Commission. I feel sure that such a question cannot appropriately be raised and made to centre round the salary of a few low-paid clerks. If the House feels that such an opportunity ought to be given to it or if a section of the House feels at any time that

[Sir Thomas Moir]

[12th August 1929]

it has a grievance as regards the actions of the Commission and should have an opportunity to consider the operations of the Commission during the past year, I think it would be much better that, as we do in the case of the Report of the Public Accounts Committee, we provide that the Commission should make a report annually and that that report shall be placed on the table of the House for the consideration of which, irrespective of any resolution on the subject being successful in the ballot or not, a day shall be set apart. I think that that would be a much more reasonable and suitable means of attaining the object which the House has really in mind."

Mr. S. SATYAMURTI:—"Where is that provision?"

* Mr. P. C. VENKATAPATI RAJU:—"Mr. President, I am surprised to hear the hon. the Finance Member saying that the object of this motion is to have control over some clerks of the office of the Commission at the time of the discussion of the budget. He is quite aware of the fact that by a token out even with regard to any establishment of any department, it has been the practice, year after year, to review the administrative and other acts of the department concerned. It is for the purpose of reviewing the action and conduct of the Commissioners who are proposed to be appointed under this Bill that this provision is proposed to be deleted. As was pointed out by Mr. Ranganatha Mudaliyar this motion is intended to get a hearing for the minority party. Of course we all know that a majority party can have its way without deleting this provision as it is well known that the majority party are ruling even the reserved and other departments of Government, but it is entirely outside the scope of this Council. Therefore, Sir, the object of tabling this motion is to enable the House to have an opportunity to draw attention to the conduct and work of a body created by it. Sir, even though according to the Delegation Rules passed by the Secretary of State the Legislative Councils may be allowed to have some control over this Commission, this Government have thought it best to make it a pseudo-independent body while certainly in effect and in fact, it will be a department of the Government."

Mr. F. E. JAMES:—"Mr. President, Sir, we have listened to the hon. the Finance Member who has made a valuable suggestion for a compromise on this particular point. But before dealing with that suggestion, I should like to say that I entirely sympathise with the attempt to make the Commission a non-political body. With that object we cannot but sympathise. On the other hand there are two points emerging from the discussion. In the first place I do not entirely share the apprehension that political influences will be brought to bear on this statutory body if a certain amount of money has to be voted for its expenses. Sir, we are legislating for the future and not for the next few years only."

* The hon. the PRESIDENT:—"Order, order. I did not want to intervene at this stage of the discussion; but a careful examination of the Bill shows that there is no provision in the Bill stating that all this expenditure shall be met from the provincial revenues. Therefore this debate seems to be irrelevant. The debate would be relevant only if there was a provision in the Bill that the expenditure shall be met from the provincial revenues. Of course it may be a drafting oversight, but all the same, any discussion as to whether the expenditure will be included in the budget or not will be irrelevant in the absence of that provision."

[12th August 1929]

Mr. O. V. VENKATARAMANA AYYANGAR:—"For all the appointments made by the Provincial Government, the expenditure is met from the provincial revenues."

* The hon. the PRESIDENT:—"But they have not made any provision to that effect."

* Mr. F. E. JAMES:—"If there is no statutory provision for this expenditure to be met from provincial funds, this particular clause is useless. (Mr. S. Satyamurti: 'Hear, hear.') In any case, whether from provincial or central finances provision will have to be made, and we think that, on the whole, the budget time is the best opportunity for reviewing the action of the Commission."

"Coming to the suggestion of the hon. the Finance Member which I understand to be that there should be an annual report of the Commission and that there should be a statutory obligation on Government's part to place that report before the legislature for criticism, we think, that it would be better for this House to have an opportunity for discussing and reviewing the actions of the Commission during budget debate."

Mr. ALLADI KRISHNASWAMI AYYAR:—"Mr. President . . ."

* The hon. the PRESIDENT:—"Is it a point of order?"

Mr. ALLADI KRISHNASWAMI AYYAR:—"No."

* The hon. the PRESIDENT:—"Mr. James will continue his speech."

* Mr. F. E. JAMES:—"I was saying that it would be advantageous to the House if there could be given an opportunity by means of a token out to criticise the work of the Commission in detail. This could not be done on a general discussion on the annual report of that body. In budget discussions, by means of a token out, criticism can be directed to specific matters."

"Therefore on the whole, while considering what the hon. the Finance Member is prepared to concede, namely, that the Legislature should have power to criticise—and it is a great concession—we would ask him to explain as to why he opposes the amendment to omit clause 7? So far we have not heard anything on this point and though we are still open to conviction, we have heard nothing so far which would induce us to change our minds."

Mr. ALLADI KRISHNASWAMI AYYAR:—"With regard to the point raised by the hon. the President that the terms of the Bill do not provide for salaries and expenditure of this Commission being paid from provincial revenues, no doubt a permanent section might be introduced but there can be no doubt . . ."

The hon. the PRESIDENT:—"The hon. the Advocate-General has not understood me properly. As far as I know, I do not see the relevancy of this debate and unless there is provision in the Bill that this expenditure will be met from provincial revenues all references whether it is votable or non-votable and so on appear to me to be irrelevant at this stage."

Mr. ALLADI KRISHNASWAMI AYYAR:—"Sir, I am pointing out that Members of the Government are entitled to proceed on the footing that it is

[Mr. Alladi Krishnaswami Ayyar] [12th August 1929]

payable out of the provincial revenues. The way in which I put it to the hon. the President is this: Clause 5 reads 'There shall be paid to the Chairman a salary of three thousand rupees per mensem and to each of the other members a salary of two thousand rupees'. The clause is framed in the passive voice, viz., 'There shall be paid, etc. etc.' I ask who shall pay it? If for example the Local Government is the appointing authority and they are the removing authority and if there is a provision that 'there shall be paid, etc. etc.', I ask who else can it be except the Local Government?"

* The hon. the PRESIDENT:—"Under clauses 6 and 7 the Secretary and his staff are to be appointed by the Commission and therefore the liability to pay them is on the Commissioners who appoint them. In clause 5 I see there is an obligation on the part of the Government to pay them. But I am unable to see wherefrom these salaries will be met, either from provincial revenues or from where."

Mr. ALLADI KRISHNASWAMI AYYAR:—"The only reason that I put forward is that, because it is stated in the Bill that 'there shall be paid to the chairman a salary of etc. etc.', the Local Government has got power to meet it from provincial revenues. But I certainly think that it would be much more advisable if the Government were to bring forward a formal amendment."

* The hon. the PRESIDENT:—"If Government think that such a provision is necessary they may come forward with such an amendment. My only fear is that the whole of this argument will be repeated once again at that time. Therefore I suggest that, if the Government make up their minds to come forward with an amendment, we may stop the discussion on this point at this stage and when the amendment is introduced it will be the appropriate time for the House to debate on it. My province is to see whether the debate is relevant. As the provisions of clauses 6 and 7 stand, it appears to me that the whole of this debate is irrelevant. If the Advocate-General takes the responsibility of advising the Government that such an amendment is not necessary and such a provision will not be introduced, the House may proceed with the discussion."

The hon. Mr. A. Y. G. CAMPBELL:—"I propose to move an amendment later."

* The hon. the PRESIDENT:—"What does the Government propose to do? Do they want to proceed with the discussion of clause 7 and dispose it of as it is?"

The hon. Mr. A. Y. G. CAMPBELL:—"Yes, Sir."

Mr. S. SATYAMURTI:—"It is doubtful as to whether the Government itself is prepared to bring forward such an amendment or not. If they bring forward such an amendment, we do not know in what form they are going to bring it forward and whether you are going to waive notice. Therefore I suggest it would be unfair to this House if the Government want to discuss this matter at this stage especially when they have not made up their minds. So in view of these things and also in view of the statements that have fallen from your lips it is better that this business is postponed."

12th August 1929]

* The hon. the PRESIDENT:—"On account of the difficulties of the Opposition if they and the Government agree for the postponement of this item I have no objection. But if the Government insist upon continuing the discussion, I will have to exclude all references to budget provisions. There ends my province."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I beg to move that the consideration of clause 7 be taken up at the end of this Bill."

Mr. SAMI. VENKATACHALAM CHETTI:—"Having regard to the fact that any reference to budget provision whether it is votable or non-votable becomes irrelevant from your point of view, as the wording now stands, does it or does it not fetter discussion and thereby place the House in a false position in deciding the merits of this clause? Therefore I support the motion for postponement."

* The hon. the PRESIDENT:—"At this stage my only remark is that all references to the budget are irrelevant."

Mr. S. SATYAMURTI:—"May I ask for some light on that matter? Does this clause mean that the Commission would pay out of its own pocket? I humbly want to know what is the scope of your ruling. I think I am fortified by the opinion of the hon. the Advocate-General who is one of the foremost lawyers in Madras."

Mr. ALLADI KRISHNASWAMI AYYAR:—"With great respect, I submit, Sir, that when a doubt arises in a particular matter it is one thing to argue it in a court of law. But even according to the Bill as it stands, the necessary expenses must come from out of the provincial revenues. That is the intention of the Government but at the same time when a difficulty is pointed out it would be the duty of the Government to fill up the deficiency. I do not subscribe to the proposition that under the Bill as it stands the expenses cannot be paid out of provincial revenues. As regards the question whether this Commission is a statutory body and whether its salary should be paid from out of the provincial revenues, if I were arguing for the first time or if my opinion had been asked for in the first instance, I would certainly have come to the conclusion that it can be paid from out of the provincial revenues. But when a right point is put from the Chair and when it necessarily suggests to the Government to make up their mind as to whether they are going to bring forward an amendment or not, I would unhesitatingly advise the Government to put in some amendment to the effect that it shall be paid from out of the provincial revenues."

* The hon. the PRESIDENT:—"Before I proceed, I wish to have a statement from the hon. Member in charge of the Bill whether he wishes to propose an amendment."

The hon. Mr. A. Y. G. CAMPBELL:—"I propose to move an amendment that this expenditure will be met from provincial revenues."

* The hon. the PRESIDENT:—"On account of the statement made by the hon. Member in charge of the Bill any further references to the possible inclusion in the budget of items regarding expenditure under sections 6 and 7 are irrelevant."

[12th August 1929]

Mr. ALLADI KRISHNASWAMI AYYAR :—" On a point of order, Mr. President . . . "

Mr. ABDUL HAMEED KHAN :—" Sir, you have already ruled that you would not allow discussion on that point. May I ask how the hon. the Advocate-General can make a submission on that ? "

Mr. ALLADI KRISHNASWAMI AYYAR :—" With regard to the point raised by the hon. the President, I wanted to say that by necessary implication the expenditure might be paid from out of the provincial revenues. "

* The hon. the PRESIDENT :—" It is unnecessary. "

Mr. S. SATYAMURTI :—" I beg to move—

' that the consideration of this Bill be adjourned. '

" Do this Government seriously say that when they brought forward this Bill they did not know their own mind ? Did the Advocate-General who is one of the best lawyers in Madras advise them to bring forward the Bill in this form or did he give the same reasons which he has just now given this afternoon ? If the hon. the Advocate-General had given advice, why did they not accept that advice and act up to it ? What guarantee is there that in tomorrow's Cabinet meeting in which the hon. Member for Revenue is one out of seven they would accept his advice and would allow him to bring forward an amendment of this sort ? I put it to the House very seriously, in legislating measures of an important character like this, whether we are not entitled to have their considered views which are not liable to be changed from time to time, either in view of the President's ruling or the chances of voting in this House. After all, any Government must know in regard to a Bill of this kind what its position is and it must stick to its position. Instead of that, the Government's position is this :—here is a Bill ; a Select Committee sat over it and the hon. the Advocate-General was also a Member in that Committee ; they deliberated and they sent a pompous report. You will see that they have taken a view quite different from the views we have put forward or the ruling which you have given, viz., the expenditure incurred under clauses 6 or 7 would be an expenditure which would be non-votable under section 72-D of the Government of India Act. Therefore the Select Committee has proceeded on the assumption that this is a non-votable item, so far as this Government is concerned. I am not quarrelling with the hon. the Advocate-General. Let him not imagine that we are holding him responsible. We are trying to find out who is responsible and who is not. Is it not the Government that is responsible for this ? He is after all an expert adviser of this Government. Did they force a Bill of this kind on the Legislative Council without knowing the ordinary implications of the two clauses 6 and 7 ? Moreover, Sir, hon. Members would have seen on the order paper the several amendments given notice of by the hon. the Revenue Member.

4-30 P.M. " Sir, what does it mean ? It means that at the stage when the Government published this Bill, at the stage they introduced the Bill, at the stage when it was considered by the Select Committee they did not make up their minds ; their minds are not steady up to the last moment. They want to go on tinkering with the Bill. We must teach a lesson to the Government. In a matter of legislation they must take this House seriously. We have long ceased to control them by questions or resolutions or motions of any

[12th August 1929]

[Mr. S. Satyamurti]

kind. But when the Council is considering legislation of this kind, I think the time is come when we should tell this Government that we are business people, we are spending our time here and that they should take us seriously. The hon. Mover of the Bill said that he would move amendments, that it will take time is abundantly clear. It is the duty of the other side to have consulted their advisers on these points. The Government have brought forward this Bill before settling these points. They have got the most expert advice ; why should they not take their advice ? I think, Sir, that this House is not prepared to tolerate this laxity on their part."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" Sir, I second the motion. I want to adduce one or two reasons. You have ruled, Sir, that until the amendment is brought forward. . . "

The hon. the PRESIDENT :—" The hon. Member in charge of the Bill has said that it is necessary to move some amendments to the Bill. I have already said that it would be irrelevant to refer to the point, at this stage, that the amount of money proposed to be spent on this Commission is not included among the votable items in the budget."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" That is all the more powerful reason why we should stop further discussion on the Bill at this stage. We are precluded by your ruling from dealing with a very important point. We do not know whether the expenditure in connexion with the appointment of the Commission will be votable or not. Since we are precluded from speaking on that point, the result will be that the clause will be passed as it is. Supposing the Government bring forward an amendment to-morrow, we may have to further amend the amendment and if that amendment is carried what is the use of passing this clause now ? Further consideration of this clause and some other clauses may be postponed and the hon. the Advocate-General may bring forward necessary amendments. The most important point I wish to urge is that, if this clause is passed, we will have to move amendments that either the Commissioners, or the Legislative Council Members will have to pay out of their pockets the money required for the appointment of this Commission. Certainly we would not like that amendments should be brought forward at the last moment and that we should be precluded from speaking on them. It will be necessary for us to move amendments to those amendments. This is an important point which will have to go to the Cabinet. We do not know when the Cabinet will deal with this matter in these days of dinners and lunches, and when and whether the amendments will be moved. The majority should not terrorise the minority. We are in your hands in this matter. We have to consider the amendments that will be given notice of by the Government. It is in your power to say that necessary notice should be given to the Council of the amendments that are proposed to be brought forward by the Government. We request you to insist upon the prescribed notice being given, because we cannot go on without the usual notice. . . "

* The hon. the PRESIDENT :—" The hon. Member need not anticipate what I may do and go on arguing on that. We shall confine ourselves to the adjournment motion."

[12th August 1929]

Mr. C. V. VENKATARAMANA AYYANGAR:—"These are the reasons why we should adjourn the consideration of the Bill."

The hon. the PRESIDENT:—"The question is that the consideration of the Bill be adjourned till the next meeting."

* Mr. C. E. WOOD:—"Sir, the hon. Member in charge of the Bill has notified that he will bring forward an amendment. I ask the hon. Member for the University whether he has ever known a Bill introduced into this House which did not undergo amendment in some form or another. We have been given to understand that all sections of the House require this Bill to be passed. I would point out that, though the hon. Members in the Opposition criticise everything that is brought forward by Government and take every opportunity of pointing out to the House that Government Members are of poorer mental capacity than themselves, it was not they who ascertained that the Bill was not in order; but they are now very strong in pointing out the omission. This Bill has been before the House for a considerable time and all Sections of the House have admitted that the country requires it. We feel that there should be no further delay."

Mr. ALLADI KRISHNASWAMI AYYAR:—"Sir, I did not propose to take part in this debate but for the fact that the hon. Member for the University has chosen to drag my name into it. I take the full responsibility of going through this Bill and suggesting such points as occurred to me. I do not profess to that wisdom of which he is a past-master. But at the same time, when a point is raised by the hon. the President, whatever my views may be in regard to the question of drafting, I think any responsible Member of this House would accept the suggestion from the President. Probably if my hon. Friend were in my position, he would not advise the Government as I have done but would stick to his opinion. That is my attitude in a matter like this. If it is a question of drafting and if I were asked about this particular point, there is a good deal to be said in favour of the view that even in the Bill as it stands, the necessary intention is there that the salary is payable out of the provincial revenue . . ."

* The hon. the PRESIDENT:—"The motion before the House is whether the consideration of the Bill be adjourned or not. I suggest to the hon. the Advocate-General not to refer to the provisions of the Bill at this stage. Since the hon. Member in charge of the Bill has already stated that he would bring forward the necessary amendments, any discussion on the point that the Bill already provides for this purpose would be irrelevant."

Mr. ALLADI KRISHNASWAMI AYYAR:—"I bow to your ruling, Sir. It was said that the Government have been lax, that they did not take expert advice and that, on that ground, adjournment is asked for. I am therefore entitled to place before the House the fact that the Government consulted me and if there is any fault, it lies entirely with the adviser who was not able to grasp the particular point raised by the hon. President. I take full responsibility for that and I do not think it is right to fix that responsibility on the Government which is on my shoulders. This particular point did not occur to me. The Government consulted such advisers as they had. Since the Government have referred this point to their advisers, they have done all that can be done. If the adviser goes wrong, the Government cannot be blamed."

[12th August 1929] [Mr. Alladi Krishnaswami Ayyar]

for that. The only ground which is put forward for the adjournment is that the Government have not taken the necessary expert advice. Such expert advice as is available to them has been availed of by them and rightly or wrongly this point did not occur to their expert adviser. Therefore it is not right that this dilatory motion should be put forward on the ground of want of diligence on the part of the Government."

* The hon. Mr. A. Y. G. CAMPBELL:—"I do not think, Sir, it is necessary to adjourn the discussion of this Bill on account of the question which has now arisen. The intention of the Government is clear from the wording of sections 6 and 7. All that is proposed to be done is to bring forward a subsequent amendment to the Bill with your permission to bring out clearly in the Bill the actual intention of the Government which is perfectly understood by the whole House."

* Mr. SAMI VENKATACHALAM CHETTI:—"Mr. President, Sir, I do not propose to reply to the most irrelevant speech, that was ever made on the floor of the House, of the hon. the Advocate-General in spite of repeated warnings from you. (Cries of 'order, order'.) I am perfectly in order in making these remarks. You were good enough to suggest that any reference to the votable or non-votable nature of the expenditure provided for in this Bill becomes irrelevant in view of the fact that the hon. the Revenue Member has promised to bring in an amendment to make this provision more secure. We are therefore proceeding on the promise made by the hon. the Revenue Member. It is just possible that the points which struck the hon. the Advocate-General now may not strike him over-night when he may be in a position to advise the Government that no further amendment is necessary; in which case the hon. the Revenue Member will be justified in not keeping up his promise made on the floor of the House. In that case we will be debarred from offering any criticism on this provision if it is passed now. If the motion of my hon. Friend, Mr. Satyamurti, that the consideration of the Bill be postponed till the next meeting would be found inconvenient, I think it will be a reasonable request for any hon. Member to make that the discussion of this particular clause be suspended till the anticipated amendment is on the floor of the House so that we may not be deprived of the possibility of criticising this provision. I request you to consider the possibility of relying upon the promise of the Government, in respect of this matter. The view of the Government may undergo a change if the expert adviser, the hon. the Advocate-General, says that no amendment is necessary, in which case the whole House will be deprived of the opportunity of discussing the question whether it is votable or non-votable expenditure. . . ."

* The hon. the PRESIDENT:—"This is a question of procedure to be followed. The hon. Member in charge of the Bill has already stated that he would bring forward the necessary amendment. He may bring forward a new clause to be added at the end of the Bill. He cannot bring any amendment to clauses 6 and 7 at this stage because this is the stage of second reading but he may do so at the third stage. We are proceeding on the undertaking given by the hon. Mover of the Bill and there is no reason for supposing that he will not do so. The Government have given an undertaking."

"The question is that the consideration of the Bill be adjourned."

[12th August 1929]

The motion was put to the House declared lost. A poll was demanded and the House divided thus :

Ayes.

- | | |
|------------------------------------|--|
| 1. Mr. P. C. Venkatapathi Raju. | 18. Mr. C. Ramasomaya Julu. |
| 2. " K. Koti Reddi. | 17. " T. Adinarayana Chettiar. |
| 3. " Sami Venkatachalam Chetti. | 18. Briman Biswanath Das Mahasayo. |
| 4. " S. Satyamurti. | 19. Mr. A. Kaleswara Rao. |
| 5. " C. V. Venkataramana Ayyangar. | 20. " M. Narayana Rao. |
| 6. " J. A. Saldanha. | 21. " C. N. Muthuranga Mudaliyar. |
| 7. " G. Harisarvottama Rao. | 22. " K. Krishnaswami Nayakar. |
| 8. " C. S. Govindaraja Mudaliyar. | 23. " C. Venkatarangam Nayudu. |
| 9. " Abdul Hameed Khan. | 24. " K. S. Sivasubrahmanya Ayyar. |
| 10. " L. K. Talasiram. | 25. " A. Ranganatha Mudaliyar. |
| 11. " K. V. R. Swami. | 26. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 12. " D. Narayana Raja. | 27. Mr. R. Nagan Gowda. |
| 13. " K. R. Karant. | 28. " C. R. Parthasarathi Ayyangar. |
| 14. " P. Anjaneyulu. | 29. " K. R. Venkatarama Ayyar. |
| 15. " C. Obi Reddi. | |

Noes.

- | | |
|--|---|
| 1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 31. Mr. S. Subrahmanya Mooppanar. |
| 2. " Sir Thomas Moir. | 32. " S. Venkiah. |
| 3. " Diwan Bahadur M. Krishnan Nayar. | 33. Rao Sahib R. Srinivasan. |
| 4. " Mr. A. Y. G. Campbell. | 34. Mr. Hilton Brown. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 35. " V. Ramees Rao. |
| 6. " Mr. S. Muthiah Mudaliyar. | 36. " G. R. Premayya. |
| 7. " Dr. P. Subbarayan. | 37. " H. F. P. Hearson. |
| 8. Mr. Alladi Krishnaswami Ayyar. | 38. " S. N. Dorai Raja. |
| 9. " H. A. Watson. | 39. " S. Arpudaswami Udayar. |
| 10. " A. G. Leach. | 40. The Raja of Kallikota. |
| 11. " J. Gray. | 41. Mr. C. B. Wood. |
| 12. " S. V. Ramamurti. | 42. " A. J. Leech. |
| 13. " C. B. Colterell. | 43. " F. E. James. |
| 14. " V. Ch. John. | 44. " R. J. C. Robertson. |
| 15. " M. A. Manikkavelu Nayakar. | 45. Rao Bahadur C. S. Ratnasabhapati Mudaliyar. |
| 16. Syed Tajudin Sahib Bahadur. | 46. Mr. B. Ramachandra Reddi. |
| 17. Mr. Abdul Wahab Sahib. | 47. Rao Bahadur Sir A. P. Patro. |
| 18. " H. B. Ari Gowder. | 48. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 19. " A. B. Shetty. | 49. Mr. P. T. Rajan. |
| 20. " J. Bheemayya. | 50. " T. K. Chidambaranatha Mudaliyar. |
| 21. " R. Foulkes. | 51. Rao Bahadur S. Ellappa Chettiar. |
| 22. " P. J. Gnanavaram Pillai. | 52. Khan Bahadur Syed Abdul Razaek Sahib Bahadur. |
| 23. " Mahmud Sahamnad Sahib. | 53. Mr. Khadir Muhi-ud-din Sahib. |
| 24. " J. Kuppuswami. | 54. " T. M. Moidoo Sahib. |
| 25. Subadar-Major S. A. Nanjappa Bahadur. | 55. Rao Bahadur B. Muniswami Nayudu. |
| 26. Mr. T. M. Narayanaswami Pillai. | 56. Diwan Bahadur A. M. M. Murugappa Chettiar. |
| 27. " N. Siva Raj. | 57. Mr. K. Sarabha Reddi. |
| 28. " M. V. Gangadhara Siva. | 58. " A. V. Bhanoji Rao. |
| 29. " V. I. Muniswami Pillai. | |
| 30. " W. P. A. Soundarapandian. | |

Ayes 29. Noes 58.

The motion was lost.

* The hon. the PRESIDENT :—"I now put clause 7 to the vote of the House."

Mr. C. V. VENKATARAMANA AYYANGAR :—"I thought, Sir, I said that I wanted to speak on the amendment . . ."

Mr. G. HARISARVOTTAMA RAO :—"M. President, I have sent a motion."

* The hon. the PRESIDENT :—"There should not be another dilatory motion immediately after one."

* Mr. C. V. VENKATARAMANA AYYANGAR :—"I want to speak on this motion, Sir, irrespective of the funds being votable or non-votable. I am

12th August 1929] [Mr. C. V. Venkataramana Ayyangar]

one of those who have given notice of the amendment to omit clause 7. There is some consideration which I want to place before the House, and I request you will kindly permit me to do so.

"Now, Sir, we have been told that we should not discuss whether this is votable or non-votable on the assumption that there is no provision that they should be paid out of the Local Government funds. Sir, as the clause stands now, it means that the Commissioners will have to pay the money out of their pockets, and so I say this clause should be omitted. It is a very sad thing, Sir, and I do not think such a contingency was contemplated by anybody. Therefore, the best course is now to omit the clause as it is. If later on, at the third reading stage the Government brings any other amendment and if the hon. the President gives permission for any amendment to be made, and if the House carries that amendment, then it will be time enough for the Government to bring this clause again. Sir, there is also another aspect which I want to refer to, irrespective of whether the money is paid by the Commissioners or by this Council or anybody else. We have been always charging the Government that they are always very very favourable to higher officers and that they are very stingy in the case of the officers of the lower grades. In this case, Sir, they want one Secretary to be paid Rs. 1,500 a month and every attempt on our part even to suggest that there should be less pay for him or that the matter should be considered by the Council once a year or so has been totally opposed successfully. Now, what is the meaning of this clause 7? The establishment charges, i.e., salaries of clerks, peons, etc., will all come out of Rs. 1,000 a month. The travelling allowance and other things including contingencies, etc., will have to be included in this Rs. 1,000. I suppose the travelling allowance itself in the case of officers drawing Rs. 2,000 and Rs. 3,000 will come to nearly Rs. 1,000 a month, and I do not know what the poor clerks and peons will have to do for their salary. I am sure the Secretary will be asked to employ clerks for Rs. 1-8-0 and peons of three pises a month, as there will be no money for expenditure on contingencies. Now, neither the Government nor the Council will have any power to increase this amount of Rs. 1,000. Even the Commissioners will not have the power to pay any higher amount, nor could they even pay large amounts from their pockets. Then again, Sir, if at any time the clerks of the other departments are able to get the sympathy of this House and we are prepared to be more sympathetic and liberal towards their demands and if we want to do something and increase the clerks' salary by revising the present rate of Rs. 35-1½-50-1-60, even then these clerks of the Commission's office will not be able to get any advantage therefrom, because if any amount is given to the Commission in a lump, the Commissioners will be only too glad to utilize it for their travelling allowances and contingencies, etc. This seems to be most absurd, Sir, and any reasonable House, if we still maintain that we have got some reason, should on the basis of this fact alone, vote against this clause. In spite of what all our friends on the other side may say that we are trying to introduce communalism into the question and all that, let this House show to the world that we are not consistently foolish, that we are not persisting in committing wrong things always and that from our point of view—and I think the other Members will also agree with me—we must come to the conclusion that this clause is meaningless. If the clause is really taken away, there can be no injury to anybody, and everything will be quite alright. Therefore, Sir, I strongly support the removal of this clause from the Bill."

[12th August 1929]

Mr. W. P. A. SOUNDARAPANDIYAN:—"Sir, I move that the question be now put."

The hon. the PRESIDENT:—"The question is that the question be put."

The motion was put to the House and declared lost. A poll was demanded and it was taken with the following result:—

Ayes.

- | | |
|--|---|
| 1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 28. Mr. V. I. Muniswami Pillai. |
| 2. " Sir Thomas Moir. | 29. " W. P. A. Soundarapandian. |
| 3. " Diwan Bahadur M. Krishnan Nayar. | 30. " S. Subrahmanya Moopanar. |
| 4. " Mr. A. Y. G. Campbell. | 31. " S. Venkiah. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 32. Rao Sahib R. Srinivasan. |
| 6. " Mr. S. Muthiah Mudaliyar. | 33. Mr. G. R. Premayya. |
| 7. " Dr. P. Subbarayan. | 34. " H. F. P. Hearson. |
| 8. Mr. Alladi Krishnaswami Ayyar. | 35. " S. N. Dorai Raja. |
| 9. " Hilton Brown. | 36. " S. Arpudasmami Udayar. |
| 10. " H. A. Watson. | 37. The Raja of Kallikota. |
| 11. " A. G. Leach. | 38. Mr. C. E. Wood. |
| 12. " J. Gray. | 39. " A. J. Leach. |
| 13. " S. V. Ramamurti. | 40. " F. E. James. |
| 14. " C. B. Cotterell. | 41. " R. J. C. Robertson. |
| 15. " V. Ch. John. | 42. Rao Bahadur Sir A. P. Patro. |
| 16. " M. A. Manickavelu Nayakar. | 43. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 17. " Syed Tajuddin Sahib. | 44. Mr. P. T. Rajan. |
| 18. " H. B. Ari Gowder. | 45. " T. K. Chidambaramatha Mudaliyar. |
| 19. " A. B. Shetty. | 46. Rao Bahadur S. Ellappa Chettiyar. |
| 20. " J. Bheemayya. | 47. Khan Bahadur Abdul Razaak Sahib Bahadur. |
| 21. " R. Foulkes. | 48. Mr. Khadir Muhi-nd-din Sahib. |
| 22. " P. J. Gnanavaram Pillai. | 49. Khan Sahib T. M. Moidoo Sahib Bahadur. |
| 23. " Mahmud Sohamnad Sahib. | 50. Rao Bahadur B. Muniswami Nayudu. |
| 24. " J. Kuppuswami. | 51. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 25. Subadar-Major S. A. Nanjappah Bahadur. | 52. Mr. K. Sarabha Reddi. |
| 26. Mr. T. M. Narayanaswami Pillai. | 53. " A. V. Bhanoji Rao. |
| 27. " N. Siva Raj. | |

Noes.

- | | |
|------------------------------------|-------------------------------------|
| 1. Mr. M. V. Gangadhara Siva. | 15. Mr. P. Anjaneyulu. |
| 2. " P. C. Venkatapathi Raju. | 16. " C. Obi Reddi. |
| 3. " K. Koti Reddi. | 17. " C. Ramasomayajulu. |
| 4. " Sami Venkatachalam Chetti. | 18. " T. Adinarayana Chetti. |
| 5. " S. Satyamurti. | 19. Sriman Biswanath Das Mahasayo. |
| 6. " C. V. Venkataramana Ayyangar. | 20. Mr. A. Kaleswara Rao. |
| 7. " J. A. Saldanha. | 21. " M. Narayana Rao. |
| 8. " G. Harisarvottama Rao. | 22. " C. N. Muthuranga Mudaliyar. |
| 9. " C. S. Govindaraja Mudaliyar. | 23. " K. Krishnaswami Nayakar. |
| 10. " Abdul Hameed Khan. | 24. " K. S. Sivasubrahmanya Ayyar. |
| 11. " L. K. Tulasiram. | 25. " C. R. Parthasarathi Ayyangar. |
| 12. " K. V. R. Swami. | 26. " K. R. Venkatarama Ayyar. |
| 13. " K. B. Karant. | 27. " C. Venkatarangam Nayudu. |
| 14. " D. Narayana Raju. | |

Ayes 53. Noes 27.

The motion was carried.

*The hon. the PRESIDENT:—"I now put clause 7 to the vote of the House."

Mr. J. A. SALDANHA:—"I have got an amendment, Sir."

*The hon. the PRESIDENT:—"The closure has been carried. The motion that is under consideration now is that clause 7 shall form part of the Bill. When a closure motion is carried, I will have to put the clause to the House. Any motion on the clause after the closure motion is carried is out of order."

Mr. P. C. VENKATAPATHI RAJU:—"But the amendment is there, Sir,"

[12th August 1929]

*The hon. the PRESIDENT:—"The amendment was already disposed of and I was about to put clause 7. Then Mr. C. V. Venkataramana Ayyangar wanted to speak on the merits of clause 7."

Mr. C. V. VENKATARAMANA AYYANGAR:—"No, on the merits of the amendment to clause 7, subject to your ruling."

*The hon. the PRESIDENT:—"I am sorry. Yes, I shall now put the amendment to the vote of the House."

*The hon. the PRESIDENT:—"The question is that clause 7 be omitted." 51

The motion was put to the House and declared lost. A poll was demanded and the House divided thus:

Ayes.

- | | |
|-------------------------------------|--|
| 1. Mr. C. E. Wood. | 18. Mr. D. Narayana Raju. |
| 2. " A. J. Deoch. | 19. " K. R. Karant. |
| 3. " F. E. James. | 20. " P. Anjaneyulu. |
| 4. " R. J. C. Robertson. | 21. " C. Obi Reddi. |
| 5. " H. F. P. Hearson. | 22. " C. Ramasomayajulu. |
| 6. " G. R. Premayya. | 23. " T. Adinarayana Chettiyar. |
| 7. " P. C. Venkatapathi Raju. | 24. Sriman Biswanath Das Mahasayo. |
| 8. " K. Koti Reddi. | 25. Mr. A. Kaleswara Rao. |
| 9. " Sami Venkatachalam Chetti. | 26. " M. Narayana Rao. |
| 10. " S. Satyamurti. | 27. " C. N. Muthuranga Mudaliyar. |
| 11. " C. V. Venkataramana Ayyangar. | 28. " K. V. Krishnaswami Nayakar. |
| 12. " J. A. Saldanha. | 29. " C. Venkatarangam Nayudu. |
| 13. " G. Harisarvottama Rao. | 30. " K. S. Sivasubrahmanya Ayyar. |
| 14. " C. S. Govindaraja Mudaliyar. | 31. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 15. " Abdul Hameed Khan. | 32. Mr. C. R. Parthasarathi Ayyangar. |
| 16. " L. K. Tulasiram. | 33. " K. R. Venkatarama Ayyar. |
| 17. " K. V. R. Swami. | |

Noes.

- | | |
|--|--|
| 1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 26. Mr. T. M. Narayanaswami Pillai. |
| 2. " Sir Thomas Moir. | 27. " N. Siva Raj. |
| 3. " Diwan Bahadur M. Krishnan Nayar. | 28. " V. I. Muniswami Pillai. |
| 4. " Mr. A. Y. G. Campbell. | 29. " W. P. A. Soundarapandian Nadar. |
| 5. " " Mr. R. Seturatnam Ayyar. | 30. " S. Subrahmanya Moopanar. |
| 6. " " S. Muthiah Mudaliyar. | 31. " S. Venkiah. |
| 7. " " Dr. P. Subbarayan. | 32. Rao Sahib R. Srinivasan. |
| 8. Mr. Alladi Krishnaswami Ayyar. | 33. Mr. S. N. Dorai Raja. |
| 9. " Hilton Brown. | 34. " S. Arpudasmami Udayar. |
| 10. " H. A. Watson. | 35. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. |
| 11. " A. G. Leach. | 36. Rao Bahadur Sir A. P. Patro. |
| 12. " J. Gray. | 37. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 13. " S. V. Ramamurti. | 38. Mr. P. T. Rajan. |
| 14. " C. B. Cotterell. | 39. " T. K. Chidambaramatha Mudaliyar. |
| 15. " V. Ch. John. | 40. Rao Sahib S. Ellappa Chettiyar. |
| 16. " M. A. Manickavelu Nayakar. | 41. Khan Bahadur S. K. Abdul Razaak Sahib Bahadur. |
| 17. " Syed Tajuddin Sahib. | 42. Khader Mohideen Sahib Bahadur. |
| 18. " H. B. Ari Gowder. | 43. Khan Sahib T. M. Moidoo Sahib Bahadur. |
| 19. " A. B. Shetty. | 44. Rao Bahadur B. Muniswami Nayudu. |
| 20. " J. Bheemayya. | 45. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 21. " R. Foulkes. | 46. Mr. K. Sarabha Reddi. |
| 22. " P. J. Gnanavaram Pillai. | 47. " A. V. Bhanoji Rao. |
| 23. " Mahmud Sohamnad Sahib. | |
| 24. " J. Kuppuswami. | |
| 25. Subadar Major S. A. Nanjappah Bahadur. | |

Ayes 33. Noes 47.

The motion was lost.

The House then adjourned to meet again at 11 a.m. on Tuesday the 13th August 1929.

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

APPENDIX I.

[Vide answer to question No. 353 asked by Sriman Biswanath Das Mahasaya at the meeting of the Legislative Council held on the 12th August 1929, page 606 supra.]

Statement showing the Cadres of Service in which improvement in pay or prospects has been effected since 1st April 1929.

Serial number.	Department.	Cadre of Service.	Nature of improvement.		Ultimate financial effect per annum.
			Pay before revision.	Pay after revision.	
(1)	(2)	(3)	(4)	(5)	(6)
1	Agricultural Department.	Plant collectors ..	18 Plant collectors on Rs. 30-1-40; 40 on Rs. 25-1-30.	49 Fieldmen on Rs. 35-1½-50 and 9 Laboratory attendants on Rs. 25-1-35.	Rs. 7,675
2	Education Department.	College Assistants ..	<i>Revision of pay as under.</i>		Rs. 67,892
		School Assistants ..	Rs. 125-5-175-7½-250 ..	Rs. 125-5-175-7½-250 with a selection grade on Rs. 250-10-300 for 5 per cent of the cadre.	
		Deputy Inspectors of Schools (senior grade) and Sub-Assistant Inspectresses of Schools.	Rs. 75-5-100 (48 per cent of the cadre), Rs. 100-10-160 (40 per cent of the cadre), Rs. 150-10-250 (12 per cent of the cadre) with special pay of Rs. 10 for women. Rs. 75-5-100-10-150 (75 per cent of the cadre), Rs. 150-10-250 (25 per cent of the cadre) with special pay of Rs. 35 for Sub-Assistant Inspectresses of Schools.	A combined cadre on Rs. 75-5-100-10-160 for 75 per cent of the cadre and Rs. 150-10-250 for 25 per cent of the cadre. The special pay for School Assistants, Women's Branch, and Sub-Assistant Inspectresses was abolished.	

[12th August 1929]

12th August 1929]

Statement showing the Cadres of Service in which improvement in pay or prospects has been effected since 1st April 1929—cont.

Serial number.	Department.	Cadre of Service.	Nature of improvement.		Ultimate financial effect per annum.
			Pay before revision.	Pay after revision.	
(1)	(2)	(3)	(4)	(5)	(6)
3	Medical Department.	Totis employed in Mental Hospitals.	Increase of maximum pay as shown below :—		Rs. 1,344
			Male totis ..	Madras .. Mufassal ..	Rs. 15 17 12 14
			Female totis ..	Madras .. Mufassal ..	Rs. 12 14 10 12
		Staff in the School of Indian Medicine and the Hospital attached to it.	Permanent retention of the existing temporary staff, addition of 2 Midwifery Nurses on Rs. 35 per mensem each and 2 women ward attendants on Rs. 15 per mensem each and the revision of pay of certain of the existing staff as shown below :—		Rs. 8,535
			5 Lecturers on Rs. 120-10-140. 7 Assistant Lecturers on Rs. 65-7½-80	5 Lecturers on Rs. 120-10-250. 7 Assistant Lecturers on Rs. 65-5-150.	
			2 Resident Medical Officers on Rs. 150-25-200. 1 Assistant Resident Medical Officer on Rs. 65-7½-80.	2 Resident Medical Officers on Rs. 120-10-250. 1 Assistant Resident Medical Officer on Rs. 55-5-150.	
		Clerical staff of offices of the District Medical Officers and Headquarters Hospitals.	Amalgamation of the clerical staff employed in the Headquarters Hospitals in all districts except Vizagapatam and Ramanad and the post of clerk attached to the Coimbatore Medical School with the clerical staff of the District Medical Officers' offices in the respective districts and the revision of pay of 16 clerks. 1 on Rs. 50-3-80 and 15 on Rs. 35-35-14-50-1-80		Rs. 5,010

[12th August 1929]

Statement showing the Cadres of Service in which improvement in pay or prospects has been effected since 1st April 1929—cont.

Serial number (1)	Department (2)	Cadre of Service (3)	Nature of improvement.		Ultimate financial effect per annum. (6)
			Pay before revision. (4)	Pay after revision. (5)	
4	Police Department	Sergeants	Madras City— 1 Sergeant-Major, Rs. 145 .. 9 Sergeants, 1st grade, Rs. 135 .. 17 do. 2nd grade, Rs. 123½ .. 22 do. 3rd grade, Rs. 110 .. Ex-military duty pay at Rs. 25 each for 49 Sergeants. Special pay for 2 Crown Sergeants at Rs. 15 each. Special pay for 10 Traffic Sergeants at Rs. 10 each. Special pay for Sergeant in charge of a motor lorry at Rs. 10. Special pay of officer in charge of Mounted branch, Rs. 10. Mufassal— 20 Sergeants, 1st grade, Rs. 125 .. 36 do. 2nd grade, Rs. 113½ .. 48 do. 3rd grade, Rs. 100 ..	Madras City— 3 Sergeant-Majors, Rs. 220 .. 9 Sergeants, 1st class, Rs. 200 .. 20 do. 2nd class, Rs. 175 .. 19 do. 3rd class, Rs. 150 .. Special pay for 10 Traffic Sergeants at Rs. 10 each. Special pay for 1 Sergeant of the Armed Reserve, Rs. 10. Noriz.—3 Sergeant-Majors were sanctioned in place of one Sergeant-Major on Rs. 145 and 2 Crown Sergeants with allowance of Rs. 15 each. Mufassal— 24 Sergeants, 1st grade, Rs. 200 .. 40 do. 2nd grade, Rs. 175 .. 89 do. 3rd grade, Rs. 150 .. Total ..	Rs. 21,710 48,810 1,60,976

12th August 1929]

APPENDIX II.

[Vide answer to question No. 354 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 12th August 1929, page 607 supra.]

KERALA SOAP INSTITUTE, CALICUT.

Training of apprentices.

Full or main course—Qualifications for admission.—Candidates should be holders of completed Secondary School-Leaving Certificates, but in special cases applications from persons with lower educational qualifications will be considered. Candidates who have already worked in a soap factory, or have some existing connexion with the manufacture of soap will be given preference.

Fees.—The fees will be Rs. 100 per annum for students coming from the Madras Presidency; in the case of others Rs. 150 will be charged. (No student who after remaining for more than a fortnight in the Institute leave it of his own accord or is expelled from it on disciplinary grounds will be entitled to refund of any portion of the fees paid by him.)

Course.—The course, which will ordinarily extend over a period of one year, will be divided into two terms, the first of which will commence about the middle of June or as soon as possible thereafter and the second on the 2nd of January ending at the end of March.

Short course—Qualifications.—Owners of soap factories and others possessing some practical knowledge of soap making.

Duration.—Three months.

Fees.—The fees will be Rs. 75 for those coming from the Madras Presidency; in the case of others, Rs. 125 will be charged.

General—Discipline and conduct.—The Superintendent and Principal of the Institute will maintain a conduct register in which will be recorded the conduct of the apprentices and in which will be noted offences such as disobedience of orders, absence without leave, bad time keeping, etc., and the apprentices will be liable to summary dismissal for habitual or gross misconduct or continued neglect of work.

Holidays.—The usual holidays enjoyed by the Institute will be given.

GOVERNMENT INDUSTRIAL INSTITUTE (INK FACTORY)—MADRAS.

Training of apprentices.

Qualifications.—Holders of a completed Secondary School-Leaving Certificate with Chemistry as optional.

Duration of course.—Eighteen months.

Fees.—Rs. 35 for the entire course.

Employment.—Not guaranteed.

Age.—Between 18 to 21.

Serial number and name. (1)	Caste. (2)	Religion. (3)	Qualification. (4)	Place. (5)	How employed. (6)
Full course.					
1. S. M. Anseri ..	Muhammadan	Islam ..	V. Form passed ..	Hyderabad	In Hyderabad soap factory.
2. H. Basavanna Goud ..	Goud ..	Hinduism ..	S.S.L.C. passed ..	Bellary ..	His own soap factory in Bellary.
3. P. Venkataratham ..	Nayudu-Non-Brahman	Do.	Do.	Chingleput	His own soap factory in Mam-balam near Madras.
4. P. B. Krishna Ayyar ..	Brahman ..	Do.	S.S.L.C. failed ..	Malabar	Undergone advanced course in 1928-29.
5. E. N. Mahadevan ..	Do.	Do.	IV Form ..	Do.	Going as an apprentice in Godraj's factory, Bombay.
6. P. Sankunni Menon ..	Nayar-Non-Brahman.	Do.	S.S.L.C. passed ..	Do.	In Alleppy soap factory.
Short course.					
1. D. Kesava Ayyar ..	Brahman ..	Hinduism ..	B.A. (Chemistry)	Malabar ..	In Meera. Deen & Co., soap makers, Bangalore.
2. Iahar Singh Grover ..	Christian ..	Christianity ..	B.Sc. ..	Lahore ..	Lecturer in soap technology, Foreman, Christian College, Lahore.

1928-29—Twelve students for full year's or main course and one student for advanced course.

Full course.					
1. K. Karunakaran ..	Goldsmith-Non-Brahman.	Hinduism ..	S.S.L.C. failed ..	Malabar ..	Not known.
2. K. M. Mathuvenkiaman.	Chetti-Non-Brahman	Do.	Read up to V Form ..	Do. ..	Has joined his father's soap factory.
3. P. Kunhikoya ..	Muhammadan ..	Islam ..	Do.	Do. ..	Owing to ill-health left in the middle of the course.
4. V. Karunakara Menon ..	Nayar-Non-Brahman	Hinduism ..	S.S.L.C. failed ..	Do. ..	Undergoing advanced course here in 1929-30.
5. P. S. Ramaswami ..	Brahman ..	Do.	Do.	Do. ..	Do.
6. M. Gopalan Nayar ..	Nayar-Non-Brahman	Do.	S.S.L.C. passed ..	Do. ..	Not known.

[12th August 1929]

7. P. Sankara Menon ..	Do.	Do.	Do. failed	Do. ..	Do.
8. C. Gopala Rao ..	Brahman-Madwa ..	Do.	Do. passed	Chittoor district.	Advanced course in 1929-30.
9. S. G. Pant ..	Mahratti-Brahman.	Do.	L.T.C. (V.J.T.I.)	Satara (Aundh State).	Starting a soap factory in his place.
10. K. Bagothaman ..	Brahman-Madwa ..	Do.	S.S.L.C. failed ..	Tanjore district.	Undergoing advanced course in 1929-30.
11. Edwin Victor Anil Shaw.	Christian ..	Christianity ..	Matriculate failed (Calcutta).	Bihar and Orissa.	Do.
12. D. Sambasiva Rao ..	Brahman ..	Hinduism ..	Intermediate failed ..	Rajahmundry ..	Advanced course in 1929-30.
Advanced course.					
13. P. R. Krishna Ayyar ..	Brahman ..	Hinduism ..	S.S.L.C. failed ..	Malabar ..	Intends starting a soap factory.

12th August 1929]

1929-30—Seven students for the full year's or Main course and six students for Advanced course.

Full course.					
1. M. Narayanan ..	Non-Brahman, Thiyya.	Hinduism ..	S.S.L.C. failed	Malabar	Undergoing course at the Institute.
2. George Kurian ..	Christian ..	Christianity ..	Do.	Cochin ..	Do.
3. P. V. Jacob ..	Do.	Do.	Intermediate failed	Travancore ..	Do.
4. B. S. D. Pani ..	Brahman ..	Hinduism ..	S.S.L.C. (Mysore)	Coimbatore ..	Do.
5. P. S. Anjaneyulu ..	Do.	Do.	S.S.L.C. failed ..	Nelore ..	Do.
6. D. K. Somayazulu ..	Do.	Do.	Do. passed	Godavari ..	Do.
7. P. Dharma Rao ..	Do.	Do.	Matriculate failed (Calcutta).	Ganjam ..	Do.
Advanced course.					
8. V. Karunakara Menon ..	Nayar, Non-Brahman.	Hinduism ..	S.S.L.C. failed	Malabar	Undergoing course at the Institute.
9. P. S. Ramaswami ..	Brahman ..	Do.	Do.	Do.	Do.
10. C. Gopal Rao ..	Do. Madwa ..	Do.	S.S.L.C. passed	Chittoor ..	Will join shortly.
11. K. Babothaman ..	Do. do.	Do.	Do. failed	Bellary ..	Undergoing training at the Institute.
12. Edwin Victor Anil Shaw.	Christian ..	Christianity ..	Matriculate failed (Calcutta).	Bihar and Orissa.	Do.
13. D. Sambasiva Rao ..	Brahman ..	Hinduism ..	Intermediate failed ..	Rajahmundry ..	Will join shortly.
Government Industrial Institute (Ink Factory), Madras.					
1. Kittunni Menon ..	Non-Brahman ..	Hindu ..	S.S.L.C. ..	....	Not entered service owing to ill-health.

This apprentice was under training from September 1927 to February 1929.

[12th August 1929]

APPENDIX III.

[Vide answer to question No. 361 asked by Mr. C. Gopala Menon at the meeting of the Legislative Council held on the 12th August 1929, page 612 supra.]

Copy of the letter from the Honorary Joint Secretary, the Prohibition League, Malabar (Servants of India Society's Home, Calicut), dated 28th April 1929.

It has come to the notice of the League that most of the toddy and arrack shops are kept in a dirty condition and that ordinary rules of cleanliness and sanitation are not observed. Of course, the shop-keepers violate rules governing the hours of sale, etc. The League would suggest that the Members of the Excise Licensing Boards and the Advisory Committee should be permitted to inspect the shops and note down their remarks. Copies of the same remarks should be submitted by the licensee to the Collector of the district and the Assistant Commissioner of Excise with his explanation. These officers may be empowered if they are not already authorized, to award punishment or prosecute the licensee for violating the conditions of licence. I have no doubt the Government will be pleased to accept this suggestion. If the suggestion is accepted the Government will also be enlisting the sympathy of the public in observing that the rules framed by them are properly and systematically complied with.

Memorandum No. 1124-D/29-2, Revenue, dated the 14th June 1929.

Excise—Shops—Sanitation—Inspection by Members of Excise Licensing Boards and Advisory Committees.

Under condition 3 of the general conditions applicable to all abkari and opium licences, the licensees are required to keep their shop premises in a sanitary condition to the satisfaction of the Inspecting Officers. Shops are regularly inspected by Sub-Inspectors, Assistant Inspectors and Inspectors and occasionally by the Assistant Commissioners and Revenue Officers, who take this opportunity to enforce the condition regarding cleanliness. Further, under the Local Boards and District Municipalities Acts, the Chairman and his subordinate officers are empowered to inspect any premises including liquor shops, with a view to enforcing proper sanitation. The Government do not think that it is necessary to provide for any further inspection such as is suggested by the Malabar Prohibition League. It will be an advantage however if any member of the Licensing Board or Advisory Committee will bring to the notice of the Revenue or Excise officers instances in which the sanitation of a shop is found to be defective or the prescribed hours of sale are disregarded. The Government have no doubt that suitable action will be taken on any such representations.

H. R. PATE,
Secretary to Government.

To M.R. Ry. R. Suryanarayana Rao Avargal, B. A., Honorary Joint Secretary, Prohibition League, Malabar, Calicut.

Copy to the Commissioner of Excise.

[12th August 1929]

APPENDIX IV.

[Vide answer to question No. 366 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 12th August 1929, page 616 supra.]

Contract supplier.	Distillery.	Area supplied.	Kind of liquor.	Prices charged by distillers.		
				35° under proof.	38° under proof.	60° under proof.
1. Aska Sugar Works and Distillery.	Aska ..	Ganjam district including 122 Agency villages.	Molasses arrack.	Rs. A. P. 1 5 0	Rs. A. P. ..	Rs. A. P. 0 12 1
2. Vizagapatam—Commercial Corporation.	Vizagapatam.	Vizagapatam district, Palakonda Agency and 137 Agency villages.	Jaggery arrack.	1 10 6	..	1 0 4
3. Bellary Distillery.	Bellary ..	Bellary district and Sandur State.	Do.	1 10 6	..	1 0 4
4. M. Rangamma.	Tadpatri ..	Anantapur district (excluding Kadiri taluk), Kurnool district and Banaganapalle State.	Do.	1 9 0	..	0 15 0
5. Messrs. Fraser & Ross.	Renigunta Distillery at Madras Warehouse and Tachanallur (Nadar's).	Madras town, Saidapet taluk and Tinnevely district.	Do.	..	[1 9 3 1 2 10]	1 0 4 0 12 2
6. Messrs. A. T. Tiruvengadamudaliyar & Sons.	Coimbatore.	Coimbatore district, the Nilgiris district and the Attapadi valley and a part of Mettur division.	Do.	1 4 6	..	0 12 7
7. Mr. Veerappa Chetti- yar.	Tachanallur (New).	Madura and Ramnad districts.	Molasses or jaggery arrack.	..	1 2 2	0 11 9
8. Messrs. Parry & Co.	Samalkot.	East Godavari, West Godavari, Kistna, Guntur, Nellore, Cuddapah, Kadiri taluk of Anantapur district and Chittoor (Madanapalle and Vayalpad).	Molasses arrack.	1 1 6	..	0 10 0

[12th August 1929]

Contract supplier.	Distillery.	Area supplied.	Kind of liquor.	Prices charged by distillers.		
				35° under proof.	38° under proof.	60° under proof.
9. Messrs. Parry & Co.	Nellikuppam.	Chittoor (portion), Chingleput (excluding Saidapet taluk) North Arcot, South Arcot, Tanjore, Trinopoly, Salem (excluding part of Mettur division), South Kanara and Malabar.	Molasses arrack.	Rs. A. P. 1 0 6	Rs. A. P. 0 15 9	Rs. A. P. 0 10 2
10. Do.	Chowghat.	Throughout the Presidency.	Cocconut toddy arrack.		Not known.	

APPENDIX V.

[Vide answer to question No. 367 asked by Mr. S. Satyamurti at the meeting of the Legislative Council held on the 12th August 1929, page 618 supra.]

Contribution to the Government of India towards the expenditure connected with the appointment of a Commissioner of medical qualifications and standards for India.

Grant.	Head of account.	Item of expenditure.	Amount of supplementary grant required in 1928-29.
XX. Medical—Transferred.	32-C. Medical—Medical Colleges and Schools—i. Medical Colleges—Charges payable to Government Departments and others.	...	Rupees 700 (for five months from October 1928).

Explanatory note.

A large number of Indian Medical graduates proceed every year to England for purposes of higher medical study; and it is essential to possess a qualification recognized by the General Medical Council of Great Britain. The recognition of Indian Medical degrees by the General Medical Council depends upon the maintenance of a sufficiently high standard of education in the several medical colleges in India. To ensure that this standard is maintained, the General Medical Council since 1922 has been deputing a representative to inspect these colleges. On the basis of reports submitted by this Inspector, the Council has been continuing or withdrawing its

12th August 1929]

recognition of the Medical degrees conferred by the Indian Universities. The recognition of the M.B.B.S. Degree of the Madras University has been continued only up to June 1928 while the corresponding degree of the Andhra University has not yet been recognized by the Council.

2. The General Medical Council has recently decided that the periodic visitation and inspection of medical colleges through its direct agency is no longer practicable and that other steps should be contrived to maintain in India the standards of education and examination that are necessary to guarantee their sufficiency for registration and practice in the United Kingdom. Sir Norman Walker who recently visited India in this connexion at the invitation of the Secretary of State 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. He believes that the General Medical Council will adopt such an official as their Inspector. The Government of India have agreed in principle with this suggestion and they consider that an officer could be found who would be willing to act in the capacity suggested by Sir Norman Walker in addition to his official duties in return for an honorarium of, say, Rs. 400 per mensem. The officer appointed will be one who possesses wide experience of teaching in one of the Medical Colleges in India and also of the conduct of examinations for medical degrees and who is likely to command the respect both of the General Medical Council and of the authorities of Indian Medical Colleges and Universities.

	Rs.	
1. Honorarium to the Commissioner at Rs. 400 per mensem ..	4,800	
2. Pay of one stenographer at Rs. 250 per mensem ..	3,000	
3. Pay of two peons at Rs. 25 each per mensem ..	600	
4. Contingencies at Rs. 50 per mensem ..	600	
5. Travelling allowance ..	3,000	
	12,000	
	(per annum)	

3. The cost of an arrangement on the above lines is estimated at Rs. 12,000 per annum as detailed in the margin. As the proposed arrangement is in the interests of the Provincial Transferred subject of Medical Education, the Government of India consider that the cost should be borne in equal proportions by the seven Local Governments concerned as was done in the case of expenditure incurred in connexion with the visit of Sir Norman Walker in 1926. The Madras Government's share of the expenditure will be about Rs. 1,700 a year and Rs. 700 in 1928-29.

4. In view of the fact that great hardship will be caused to Indian students if their degrees are not recognized by the General Medical Council it is considered that the arrangement proposed by the Government of India should be agreed to. As, however, the expenditure is on a new service for which provision has not been made in this year's budget, it is proposed to move a demand for a supplementary grant. The expenditure will be met from the savings anticipated in the sanctioned appropriation under the grant.

Recommendation of the Finance Committee.—The Committee recommended the moving of a demand for a supplementary grant.

[12th August 1929]

APPENDIX VI.

[Vide item III at page 62, supra.]

REPORT OF THE COMMITTEE APPOINTED BY THE MADRAS LEGISLATIVE COUNCIL TO CO-OPERATE WITH THE INDIAN STATUTORY COMMISSION.

1. INTRODUCTION.

This Committee has been elected by the Madras Legislative Council in accordance with the following resolution passed by the Council on the 4th September 1928:—

"That for the purpose of jointly conferring with the Indian Statutory Commission on the terms stated in the letters of the Chairman of the Commission to His Excellency the Viceroy, dated the 6th February 1928 and the 28th March 1928, and in the further announcement published by the Government of India on the 23rd June 1928, this Council do proceed to elect seven representatives in accordance with the regulations made by the hon. the President under Standing Order No. 77 for the holding of elections by means of the single transferable vote ;

"Provided (a) that the representatives so selected should be allowed absolutely the same status and powers as regards the examination of witnesses and access to confidential papers and documents, and (b) that they should submit their report to the Legislative Council for an expression of its opinion before the same is submitted to the Commission with a copy of the proceedings of the Council in connexion therewith."

The members of the Committee are—

Rao Bahadur Sir A. P. Patro, *Kt.*

Diwan Bahadur S. Kumaraswami Reddiyar.

The Kumararaja of Venkatagiri.

Khan Bahadur P. Khalif-ul-lah Sahib Bahadur.

Mr. Daniel Thomas.

Mr. P. Siva Rao.

Mr. N. Siva Raj.

The Committee elected Sir A. P. Patro as Chairman. The Committee has held 25 meetings to discuss procedure and to study and form conclusions from 195 memoranda sent from this Presidency as well as 24 memoranda received from the Government of India, 4 from the India Office, 10 of All-India interest from associations and individuals and 4 from Provincial Governments in the rest of India. It has also studied the evidence recorded before the Commission and its Committees in the other provinces. It sat with the Statutory Commission and the Indian Central Committee in February 1929 at Madras when twelve associations and fourteen individuals from this Presidency were examined as witnesses. At the end of March, it had the benefit of meeting the other Provincial Committees at Delhi and having an informal discussion with them on matters of common interest. There was also a final conference with the Indian Statutory Commission and the Indian Central Committee from the 2nd to the 4th of April.

It is a matter of regret that certain sections of political opinion in the country have not seen their way to give evidence before the Commission. Their evidence also would have been helpful. The Committee, however, trusts that these sections will avail themselves of further opportunities of placing their views before the Joint Parliamentary Committee which will consider the proposals for Indian constitutional reforms.

[12th August 1929]

The Committee came to its final conclusions by the 1st of June and submits the following report to the Indian Statutory Commission through the Madras Legislative Council.

GENERAL SURVEY.

2. NEED FOR POLITICAL CHANGE.

It appears to the Committee that there has been a fundamental defect in the manner in which the question of future constitutional reforms has been generally approached during the enquiry before the Indian Statutory Commission. The memoranda that have been furnished, whether by Governments or by non-officials, have mainly dealt with the working of dyarchy during the last nine years and based proposals thereon. Dyarchy itself was introduced as the result of conditions found and described in 1918 by Mr. Montagu and Lord Chelmsford in their report on Indian Constitutional Reforms. The motive force for political progress now is derived not primarily from the manner in which dyarchy has worked, but from the conditions which compelled the introduction of dyarchy itself. Dyarchy was a method of advance introduced in 1920 by the decision of the Parliament of Great Britain. In spite of its obvious defects, some political parties in India have accepted it as workable and have worked it. Others have been of opinion that it cannot satisfy the political aspirations of India and have declined to work it. But whatever be the attitude towards dyarchy, what is now needed for the purpose of determining future political advance is a re-investigation of the forces which demanded political progress in 1918. If these forces are to-day as insistent for political progress as they were in 1918, it is a matter of little importance whether dyarchy has been successful or not.

The main issues in the political field to-day are whether there is a need for political advance and, if so, what is the extent to which it is desirable to go. When these issues are answered, the methods for carrying out changes have to be considered. We ignore here the possibility of political retrogression as it is not practical politics.

First let us summarize the reasons for which Montagu and Chelmsford considered political advance on a large scale necessary in 1918 :

(1) *Political dissatisfaction.*

People objected to executive measures of Government as repressive ; they demanded liberal institutions of Government ; they demanded an improved status in the Empire. (Montford Report, pages 7 to 10.)

(2) *Social stagnation.*

The people's zeal for social reform was not satisfied by the Government (Montford Report, page 9). England through excess of caution proper to its régime may be actually perpetuating and stereotyping customs which the better mind of India may deem necessary to modify. A Government in which Indians themselves participate, invigorated by a closer touch with a more enlightened popular opinion, may be able to effect what under the present system has to be rigorously eschewed. (Montford Report, pages 97-98.)

[12th August 1929]

(8) *Administrative weakness.*

The Parliament, though competent to do so, does not make a custom of interfering with the administration of India (Montford Report, page 20). The official system in India, while it has its strength, has also its weakness. Montagu and Chelmsford speak of it thus: "Its weaknesses are, we conceive, equally apparent. It is humanly impossible for the district officer to control the whole business of Government and to look after his army of subordinates as closely as is required. His utmost vigilance and energy do not suffice to prevent petty corruption and oppression from disfiguring official business. The people are slow to complain and prefer to suffer rather than to have the trouble of resisting. The mischief is being slowly remedied with the improvement of the subordinate services. It could be remedied further at great expense by decreasing district areas and increasing the supervising staff. But there can be no general improvement except through the awakening of public opinion which we believe that our reforms will stimulate. Strong as it is, the official system is too weak to perfect the enormous task before it without the co-operation of the people." (Montford Report, page 81.)

(4) *Lack of moral and material progress.*

Efficiency of administration may be too dearly bought at the price of moral inanition (Montford Report, page 100). Education is backward and to a large degree lifeless, but popular government in India as elsewhere is sure to promote the progressive spread of effective education and so a widening circle of improvement will be set up (Montford Report, pages 98 and 119).

(5) *Moral forces.*

The Great War has given India a new self-esteem. India has taken up the demand for self-determination emphasized during the war (Montford Report, pages 13-14). British policy in India has been steadily directed to a point at which the question of a self-governing India was bound to arise. The sheltered existence which England has given India cannot be prolonged without damage to her national life. There is a spirit of liberty that is stirring in Asia and India cannot be left behind (Montford Report, page 93).

This is a fair analysis. The Committee would, however, like to present the picture as regards the lack of moral and material progress a little more fully.

Montagu and Chelmsford have summed up the achievement of district administration as that of giving the country people "peace and justice and making their life easier." The Committee gratefully recognize the magnificent work done by England in establishing peace and order in a country torn by internecine strife. We recognize the high standards of character and justice which Englishmen have so well maintained in India. All this is to the lasting credit of England. But where England has failed is in providing for the growth of India. The activities of a few Englishmen are not adequate to permeate the large area and the large population of this country. Their administration is necessarily very centralized. We are quite aware that they have sought to "promote the material prosperity of the country by the construction of great works of irrigation, by the improvement of the means of communication and transport, by the opening up of the markets of

[12th August 1929]

the world to the produce of India and by the extension of facilities for trade and commerce." But 90 per cent of the people of India live in villages and the villager is very poor. He is ignorant. He lives in insanitary surroundings. The benefits of European knowledge have hardly reached him. A day's work can alone give him his food for the next day. Famine finds him with no resisting power. It is true to say that after the British Empire has lasted in India for 170 years—a period as long as that of the Moghal Empire from Babar to Aurangzeb—British administration has not yet vivified the village. Peace is good, but when for the large mass of the people it is not coupled with economic progress, it is but barren.

We are grateful again to England for the political unity which she has created in India. India has long sought and fairly established a cultural unity. But it is to the credit of England that for the first time in the history of India, India has become a political unit. This has, however, enhanced the international status of Britain, but hardly that of India. In spite of India being a member of the League of Nations, her representatives in the Councils of the League voice the opinions not of the people of India, but of the people of Britain. The status of Indians abroad is hardly as good as that of the nationals of less important Asiatic countries. Again, England has introduced Indians to the glorious ideals of liberty and self-government that are enshrined in English history, but she has not yet fully succeeded in enabling Indians to realize them; and, in the absence of such a realization, the selfless patriotism of villagers and of educated townsmen without which, in the opinion of the Royal Commission on Agriculture, "hope of radically improving the amenities of the village must be abandoned" will not be available.

England has kept an impartial field for all religions and castes and communities in India. But the world is rapidly developing in ideals and ways of life. India's social system developed in a unique manner when she was more or less isolated from the rest of the world. But with the development of communications by sea, her geographical isolation is rapidly ceasing to be. It will no longer do for India to hug her own social system and not bring it into harmony with that of other nations. It is Indians that can have the vision, the courage and the sureness of grip necessary to reshape Indian society.

These causes, which in 1918 necessitated a large political change, have now become intensified in strength. Moreover, the progress made in the last ten years under Indian direction in education, local self-government and in general enterprise amply justifies further political advance. It is unnecessary to refer in detail to new national forces which have arisen in these ten years. If large political progress was necessary in 1918, it is even more so in 1929.

In order that there may be national progress, the people of India must be entrusted with the power to govern themselves. It may be asked who are the people of India referred to. They are the conscious part of India—a part that is steadily growing. It is not in accordance with the teaching of history that England should wait to transfer political power till the whole body of the Indian people is conscious. The same force by which the conscious part of India seeks and hopes to gain political power will also spread that power to the rest of India.

[12th August 1929]

The claim for Dominion status for India is based on justice as well as on the national demand. The strength of England's rule in India has been based not so much on her physical power as on her moral qualities. We believe that in the long run moral strength is more powerful than physical strength and that it is in the interests of England herself to satisfy the just aspirations of India.

The claim of the people of India to self-government has indeed been conceded by His Majesty's Government in the announcement made in the House of Commons by the Secretary of State for India on the 20th August 1917.

3. WORKING OF DIARCHY IN MADRAS.

Diarchy was proposed by Montagu and Chelmsford partly as a training ground for political responsibility and partly as a test of political fitness. That the system was a hybrid and therefore clumsy and illogical was admitted. But such defects were considered not to be insuperable obstacles to trying a transitional system. The difficulties of the system were held to be compensated for by the minimizing of risks in the new experiment.

There are certain conditions necessary if diarchy is to work successfully. The Ministry has to be supported by a majority in the Council. There should be unity among the Ministers. There should be co-operation between the Ministry and the Executive Council. The powers of the Governor have to be exercised with tact and foresight. There should be a constitutional opposition ready to take up office if the Ministry fails.

In Madras, these conditions have been fairly satisfied. There has been considerable co-operation of the Reserved and Transferred halves of the Government and the inherent difficulties of diarchy were minimized by the tact and good sense of the Executive Councillors and Ministers under the guidance of the Governor. But the strain on co-operation under such difficult conditions and depending unduly on the personnel of the Government has been such that nobody from either half of the Government is in favour of continuing the system any longer. Diarchy intended to be transitional and experimental has served its purpose in the Provincial Government and should now be replaced by a unitary form of Government.

It is impossible to revert to the pre-Reforms type of Government. As already pointed out, it was the need for changing such a form of Government that led to the introduction of diarchy. If diarchy is to go, the only alternative is full responsible government in the province. There is a strong volume of opinion in this Presidency, supported, we are glad to note, by the Madras Government, that all provincial subjects now reserved should be transferred. The only subject about the transfer of which there has been any appreciable difference of opinion in the country is that of Law and Order. In this Presidency there has never been an occasion when the Legislative Council did not give adequate support to the Executive Councillor in charge of Law and Order. The subject has been in charge of an Indian Councillor all through the period of the Reforms and it has nowhere been asserted that it has suffered from being so. In regard to the passing of Bills, in regard to the resolutions moved in the Council, in regard to adjournment motions, in regard to cut motions and in regard also to occasions when Law and Order were seriously threatened—e.g., the Mappilla rebellion and the Guntur civil disobedience campaign—the Council has not on a single occasion given room

[12th August 1929]

for the Government complaining as to lack of full support. The Madras Government have stated in their memorandum to the Commission that the Legislative Council "has rendered full assistance to the Executive in all measures intended to preserve the peace and order of the country." There can be no ground whatever for the apprehension that the Council will be any the less vigilant for the maintenance of law and order when the subject is in charge of a responsible Minister.

In regard to the work done by the Ministers in charge of transferred subjects, Madras has a good record if allowance is made for the short time they have been in charge and the financial difficulties they had to face soon after the war. There has been considerable progress in the working of Local Self-Government. District and taluk board and municipal councils have been almost completely democratized and deofficialized. There has been a considerable growth of village panchayats elected under adult franchise. All these bodies have been given increased powers of taxation and expenditure. Local bodies have not been slow in tapping new sources of revenue and their revenues have generally kept pace with growing expenditure. The percentage of voters who have participated in elections has steadily risen. There has been steady progress in the domains of education, public health, sanitation and medical relief. Communications—particularly rural communications—have been extended. Fresh schemes of water-supply have been introduced. Free and compulsory education has been introduced in several areas. Adult schools and circulating libraries have largely increased. Special encouragement has been given to the depressed classes in regard to education, housing schemes and water-supply. As has been stated by an experienced Indian official, Diwan Bahadur P. Raghaviah, c.s.i., "If occasionally there is some inefficiency or financial dislocation, it is due to want of executive experience on the part of non-official presidents not armed with prestige and backed by a hierarchy of official subordinates and to the incomplete adjustment of the proper relationship that ought to exist between the executive staff of these local bodies and their non-official presidents. Inefficiency and slackness are also partly due to want of sufficient governmental supervision, scrutiny and advice. These defects are, however, non-essential and temporary and do not affect the soundness of the main structure. They are sure to be cured by time."

A survey of elementary education was undertaken. The areas which had no school were marked, efforts were directed to opening schools in them and with the means available, satisfactory progress was made. Secondary schools have been encouraged to introduce manual training. University education has been reorganized. It may be claimed on the whole that there has been steady advance in education in this Presidency.

Speaking in the House of Lords in July 1925, Lord Birkenhead as Secretary of State for India said thus: "In Madras the transitional constitution has worked with a great measure of success. Ministers have used their influence to steady public opinion and feeling and have displayed a general moderation and no small measure of statesmanship." We therefore feel justified in stating that this Province has worked diarchy as successfully as a transitional system of the kind can be worked and that satisfactory political capacity and organizing ability have been shown by the Ministers in charge of transferred subjects. Progress in the interest taken by voters

[12th August 1929]

in elections, in the political education of voters by their representatives and in the development of the party system in the Council and in the country has been encouragingly steady.

4. WORKING OF THE CENTRAL GOVERNMENT.

In the Central Government, there is at present a total absence of responsibility of the Executive to the Legislature. The Legislature has power to criticize the Government, but without real responsibility to get things done. The powers of certification of Bills possessed by the Governor-General are real and have been exercised on important occasions of a difference of opinion between himself and the Legislative Assembly. The distinction between votable and non-votable items of expenditure introduces a kind of diarchy, apart from the powers of certification in regard to votable demands. Fortified, as it is, by its real irresponsibility in regard to voted expenditure, the Assembly in discussing the budget and voting on demands is swayed by a feeling of irritation at being unable to control such large items of expenditure as that on defence. The relations of the Executive and the Legislature in the Central Government are such that none who desires constitutional progress can desire for their continuance.

The Government of India have large powers of superintendence, direction and control over the reserved subjects in provinces. When these subjects are transferred, such powers of control will partly be abolished, but will partly be converted into the emergency powers of the Provincial Governor which will naturally be subject to the control of the Government of India. The question whether the Central Government should continue irresponsible as now or should become responsible to the Legislature is relevant in regard to the extent to which responsible Ministers in the provinces would be willing to accept direction from the Central Government. To develop diarchy into provincial autonomy to be placed under the control of an irresponsible Central Government is to rear a child into a man but without a man's freedom.

If the Central Government be responsible to the Legislature, the orientation of administration in India is likely to be different from what it is. Decentralization—the transference of authority from the Central Government to other parts of the Government—is mainly demanded because it means the transfer of power from a part of Government which is responsible only to the Secretary of State to parts that are responsible to the people. The undue postponement of the introduction of responsibility in the Central Government may thus give an unhealthy permanent twist to the administrative organism. India would be willing to have a Central Government strong enough to maintain her as a nation, but this willingness is diminished if the Central Government is irresponsible. It is undesirable, therefore, to consider only the reform of Provincial Governments and leave alone that of the Central Government.

Again, responsible Government in the Province, i.e., in provincial subjects and irresponsible Government at the centre, i.e., in central subjects, together constitute a bigger form of diarchy than the provincial diarchy which is so universally condemned. Progress can be only towards an increase of responsibility in the governmental scheme of the country and not a decrease thereof. Measures that tend to increase responsibility, whether in the province or at the centre, tend to decrease the operation of diarchy on the whole and are therefore desirable.

[12th August 1929]

It has to be noted that the division of provincial and central subjects does not depend on a central subject being any the less vital for the well-being of the people of the province than a provincial subject. It depends purely on administrative convenience, i.e., on whether a subject can best be administered by the Government of a province or by the Central Government on a uniform plan for the whole country. If the principle of a democratic government is to be introduced, it is as necessary to introduce it in regard to central subjects as in regard to provincial subjects.

5. WORKING OF DIARCHY IN OTHER PROVINCES.

We have generally followed the political progress of other provinces. It is generally admitted that diarchy has been worked successfully in a majority of the provinces. The particular success of Madras and the Punjab is mainly due to the fact that the Non-Brahman Party in Madras and the Moslems in the Punjab were willing to work diarchy. The difference between these two provinces and the rest of India is based not on a difference in political ability, but on a difference in the willingness to work the particular method of diarchy. These two provinces show that the existence of communal differences are not a bar to political progress in a province. We assert that Madras is to be taken not as an exception, but as a specimen of what any province in India can do if it had an agreed constitution to work. The success of diarchy in Madras and elsewhere is evidence of the general fitness of the country to work a political constitution which receives the general acceptance of the people.

6. PLACE OF INDIA IN THE EMPIRE.

The Secretary of State, whether by himself or in Council, has control of the expenditure of the revenues of British India and has general powers of superintendence, direction and control. He controls the services in India. The budget proposals of the Government of India and particularly those affecting taxation must receive his previous approval before introduction in the Legislature. He controls the policy in regard to exchange and currency, the Gold Standard and Paper Currency reserves and all borrowing operations in London. All questions of general Railway policy are under his superintendence. His control over foreign and military affairs is supreme.

India, though an original member of the League of Nations, is still a dependency under the full control of the Secretary of State for India who is the spokesman of the British Parliament. Doubts have been raised in certain quarters whether the policy of His Majesty's Government announced in August 1917 amounts to a declaration that the status of a dominion in the British Commonwealth is to be India's accepted goal. There is no justification for such doubts because the introduction of democracy necessarily involves the lessening of other than popular control. If India is to have full responsible government, control by the Secretary of State should be minimized in the same manner as in the case of the Dominions.

7. POLITICAL CHANGES NEEDED.

After a careful consideration of all the facts before us, we recommend the following steps to be taken immediately:—

- (1) The grant of provincial autonomy or full responsible government,

[12th August 1929]

(2) The establishment of responsible government in all the civil departments of the Government of India, that is, in all departments except those dealing with Defence, Foreign relations and relations with Indian States.

(3) A declaration by the British Government that full Dominion status in the British Commonwealth of Nations is accepted as the goal of India to be achieved in a reasonably definite period and that the automatic achievement of such status in such time will be brought about by the provision of adequate means for the Indianization of the army and other forces of defence.

There has been a certain amount of doubt expressed as to what "provincial autonomy" means. As has been pointed out by Sir P. S. Sivaswami Ayyar in his "Indian Constitutional Problems," it means the self-government of the people in the province and therefore implies responsible government. It also means freedom from external control, but this within defined limits, for a Provincial Government is necessarily correlated with a Central Government and the relation between the two should imply a measure of authority on the part of the latter over the former. What is now demanded is that responsibility should not be limited to a part of the provincial sphere of government, but should be extended to that sphere in full and that the limits within which the Provincial Government is independent of the Central Government should be definitely laid down. The present division of provincial and central subjects is reasonable and should continue.

In regard to the Central Government we believe that the control of the civil departments by a popularly elected legislature to whom the executive should be responsible is essential if India is to make economic progress. Control over Customs, Railways, Shipping, Banking and Currency and Exchange, if it continues in the hands of an irresponsible Central Government, however justly they may act, will breed irritation and suspicion on the part of the people. These economic departments of the Central Government are of vital importance to the people of India in all the provinces. The appalling poverty of the people, the large amount of unemployment among the educated classes and the comparatively small return India gets from her enormous natural resources, all demand that control over the economic life of India should be transferred to the people of India. In these departments no religious or caste differences can have any effect. Whatever may be the form of administrative or constitutional changes in the country, there can be no substantial progress unless the changes tend to advance the economic welfare of the people which is the primary concern of government. Indeed, if self-government in India is to be real, it should begin with the work of economic reconstruction. Autonomy only in the subjects that are now classed as provincial will be like the husk without the grain which control over economic life can alone provide. Even if it happens that in some of the provinces the subject of Law and Order continues to be reserved, all other subjects being transferred, this will not interfere with our proposal for the immediate transfer of the "civil" departments of the Government of India as the central subject of Defence which is connected with the provincial subject of Law and Order will, under our proposals, be administered for a time under the present arrangements.

It is alleged that India cannot defend herself and therefore cannot be entitled to Dominion Status. The fact is that India is defended largely by

[12th August 1929]

Indian soldiers and entirely out of Indian money. It is in spite of the repeated demands of Indians and in order to meet the needs of British Imperial strategy that the army is officered mainly by Englishmen and a large British force is kept in India. As seen from the evidence placed before us and as observed in "The Indian Constitutional Problems" by Sir P. S. Sivaswami Ayyar, the military policy of India has never yet been considered from the view point of the legitimate needs of India. It is not fair that England should first omit to make India militarily self-sufficient and then use her own omission as an argument against giving her Dominion Status. The unanimous recommendations of the Skeen Committee have been turned down by the Government of India, presumably at the behest of the Secretary of State. The Skeen Committee have shown that it is not the lack of material, but wrong methods that have stood in the way of Indians coming forward in adequate numbers to serve as officers in the army. It is alleged that Indians lack the qualities necessary for leadership in the army. In the Great War, however, Indian non-commissioned officers readily took the place of fallen British officers and the available evidence shows that they acquitted themselves well. Leadership requires opportunities for development and Indians have been practically kept out from such opportunities. Leadership requires not only courage but also intelligence, but Indians with intelligence have hardly been given a place in the army through recruitment being limited to particular classes and to subordinate positions. Indians, whether as officers or as soldiers, have been excluded from the technical and scientific sections of the army. Recruitment to the volunteer corps has been practically restricted to Europeans and Anglo-Indians. It is not the lack of desire or ability on the part of India, but the policy of Britain that is responsible for the fact that India, though it supplies all the money and most of the soldiers, is yet not self-sufficient for purposes of defence.

It seems to us that the contention that Englishmen would not like to serve as officers in the army under Indian superiors is not tenable. We believe that the Englishmen who serve in the Indian Civil Service and other civil services generally are not less proud of their race than those who serve in the army. If the former can serve under Indian direction, there is no reason why the latter should not. It is certainly undesirable that the British officers now serving in India should suddenly depart, leaving her in the lurch. We do not, however, believe that they will leave the task which they have undertaken as it is against the traditions of the services in India to do so. Besides being recruited as officers, Indians should be admitted to the artillery and the other branches of the army from which they are now excluded. As regards the Navy, the self-governing Dominions of the British Commonwealth have not taken up in full the obligation of defending themselves by sea and India may, for the present, remain in the same position. To create a reserve of military strength as well as to give military training to a large number of people, the recommendations of the Auxiliary Forces Committee should be fully carried out. As these measures are put into force, it will be possible gradually to replace the British units of the army in India by Indian units.

If and when control over the army and other forces of defence is transferred to a responsible Government in India, the problem of the Indian States will, we believe, be solved without much difficulty. A powerful democracy in British India is sure to be respected by the Indian States which are cattered over India and suitable relations will automatically spring up.

[12th August 1929]

We have given shape to the national claim for democracy in India in the light of practical considerations. We believe that the recommendations which we have made as to the steps which may be immediately taken are such as will give satisfaction to the people of this province and of India generally.

We shall now proceed to make detailed proposals for carrying out our recommendations.

PROPOSALS.

(a) Provincial.

8. FRANCHISE.

At present the percentage of rural voters to rural population is 8.2 and that of urban voters to urban population is 6. It may be noted that the urban constituencies include only certain large towns and not all the areas which may be called urban. The average number of voters represented by each member of the Legislative Council is 20,000 in rural non-Muhammadan constituencies, 5,000 in rural Muhammadan constituencies, 5,000 in urban non-Muhammadan constituencies, 2,500 in urban Muhammadan constituencies and 4,500 in Indian Christian constituencies.

We are not in favour at present of an extension of the franchise to all adults which will raise the electorate from about $1\frac{1}{2}$ to 23 millions. An electorate based on adult franchise will, under the present economic and educational conditions, lead to the vote being exercised largely by persons lacking in political experience and ability. The administrative difficulties of dealing with such a large electorate are also great.

There are then two alternative methods of dealing with the franchise. The first is to leave the franchise as it is and give the Legislative Council power to alter it according to requirements. The percentage of the population that had votes in England was 3 in 1832, 9 in 1868 and 16 in 1884. Our present franchise need not therefore be unfit to be the basis of a democratic Government. Just as the Council had the power to give votes to women and did give them, the Council may well be given the power to extend the franchise as and when it thinks fit. The second alternative is to lower the franchise to half its present level. It has been calculated that such a lowering of the franchise will roughly double the electorate, i.e., raise it to about 6 per cent of the population. In this province, with the family continuing largely as the unit of society, we may consider that 42 million people are divided roughly into 8 million families at the rate of 5 people to a family. Eight million family groups wielding about $2\frac{1}{2}$ million votes will mean a large advance over the present position.

The Committee is in favour of the first alternative with the exception of Mr. Siva Rao who prefers the second. But if the Commission feels that an immediate broadening of the basis of franchise should accompany an increase in the powers of the Legislature, the Committee would recommend the second alternative.

[2th August 1929]

9. ELECTORATES AND CONSTITUENCIES; STRENGTH AND TERM OF COUNCIL.

There is a demand for less unwieldy constituencies than is the case at present. At the same time the strength of the Council cannot be unduly increased. We would therefore raise the strength of the Council to about 150 on the existing franchise and 200 if the franchise be lowered.

It is admitted generally that officials need not continue as members of the Council and that nomination of others as members should be reduced to a minimum. We propose therefore that the official *bloc* be abolished, the nomination of experts, whether official or non-official, being permitted for special purposes.

As regards the communal electorates for Muslims and Indian Christians, we are quite aware that such electorates are undesirable on principle. But as practical men we cannot fail to recognize that rightly or wrongly the feeling is practically unanimous among the Muhammadan population that their interests would be served only by the continuance for the present of their special electorates. The feeling among the Indian Christians, while not so unanimous as among the Muslims, is still strong in favour of a similar continuance. We feel that any change in this system of communal electorates can be made only with the consent of the communities concerned. We therefore recommend that the existing communal electorates for Muslims and Indian Christians as also for Europeans and Anglo-Indians be continued for a time on the basis of the proportions obtaining in the present Council. Mr. Khalif-ul-lah and Mr. Thomas hold that voters of their communities should also be included in the general electorate without the right to stand as candidates.

The depressed classes cannot be returned in sufficient numbers by the general non-Muhammadan electorate in which they are now included. We have considered whether special electorates can be formed for these classes. The number of electors belonging to them is only 4 per cent of the total number of electors on the existing franchise. It may be possible to form some urban constituencies—a possibility which requires investigation. But considering the seats that can be allotted to the depressed classes, their constituencies are generally bound to be unduly large. With the low level of education and wealth among them it will be very difficult for candidates to get into touch with their constituencies. Representatives of the depressed classes are in favour of an element of election at some stage. We therefore propose that panels of candidates to the extent of twice the number of members required may be elected by recognized associations of the depressed classes in the different districts and that the members to be returned to the Council should be selected by the Governor from the panels. Mr. Siva Rao is of opinion that the number of seats to be allotted to the depressed classes should be on the population basis and that their members should be eligible for places in the Ministry.

We also recommend the continuance of the special representation for commercial interests, the nagarathars and planters. As regards landholders, the Committee feels that the landholders have weighty interests in the Presidency and that their interests are likely to be in conflict with the interests of their tenants who find a large representation in the Council and therefore recommend that special representation for the landholders should be continued. Mr. Siva Rao is against such special representation.

[12th August 1929]

We are in favour of special representation for the Universities. The majority of us are for election being by the Senates of the three Universities, but Mr. Siva Rao and Mr. Siva Raj are in favour of the election being, as now, by registered graduates.

We feel that no separate representation of agricultural labour is necessary in this Province as a large proportion of such labourers are cultivators and are thereby included in the general electorates. Industrial labour is not at present sufficiently organized to be separately represented.

The reservation of seats for non-Brahmans in Madras has been found to be unnecessary. Their representatives are of opinion that it may be abolished. It may be so done.

As regards the formation of constituencies, we are in favour of single-member constituencies provided they are arranged so as to avoid preponderance of one community in any particular constituency. One non-Muhammadan rural constituency may be provided for about 12,000 to 15,000 voters. The number of voters for other constituencies may be correspondingly determined.

We recommend that the term of the Council may be fixed at five years at the present period of three years is felt to be unduly short.

10. TRANSFER OF RESERVED SUBJECTS.

The evidence before us conclusively proves that in this Province the immediate constitutional change to be made is the change to full responsible government. It has, however, been urged that, in order to meet the special conditions of a few provinces who would like to wait some time before transferring Law and Order, all subjects except Law and Order may be statutorily transferred and that Law and Order may be transferred in a province if the Legislative Council by a stated majority, votes in favour of it and the resolution is sanctioned by the Governor-General. Such a provision will mean that unless the large minorities in a province are satisfied as to the good faith of the majority, the transfer of Law and Order cannot take place. The difficulty as to the transfer of Law and Order, however, does not arise in the case of a majority of the provinces including Madras.

11. FORMATION OF THE EXECUTIVE.

We propose that the executive power in the province be vested in the Governor acting with a Cabinet of seven Ministers of whom one, the Chief Minister, may be selected by the Governor and the rest appointed by him on the recommendation of the Chief Minister. The Ministers will be jointly responsible to the Council and should resign if a no-confidence motion against them is carried by a majority of the total strength of the Council. The Chief Minister will be the President of the Cabinet and will have power to allot portfolios. The Finance Minister will have the present powers of the Finance Member of Government.

Powers of the Governor.

The existing powers of the Governor in regard to legislation may be continued with the exception of power under section 72-E of the Government of India Act which relates to reserved subjects and may be abolished with

[12th August 1929]

the abolition of reserved subjects. In regard to financial matters arising in the Legislative Council, the existing powers of the Governor may continue with the exception of power under section 72-D (2) (a) of the Act which relates to certification of demands relating to a reserved subject and may be abolished as a result of the abolition of reserved subjects. In regard to administration, we propose that the Governor should have, in relation to the Ministry, the powers which he now has in relation to the Executive Council under section 50 (2) of the Government of India Act. He will have power to make rules for the transaction of business, as now under section 49 (2) of the Act, after consultation with the Ministry. He will dissolve the Legislative Council when he deems reference to the electorate necessary. Where Ministers cannot be appointed or cannot continue, the Governor will have the power to take over administration temporarily pending a re-election of the Council and exercise the powers of the Ministry. He will be the interpreter of the constitution. He will be the agent of the Central Government. In virtue of his powers he will be in a position to safeguard the interests of minorities, services, etc., as he may be required to do in an Instrument of Instructions issued to him by the Sovereign. In emergencies he will have power to order administrative action to be taken which is necessary for the peace and tranquillity of the province.

It will thus be noted that the Governor will have emergency powers for the maintenance of peace and tranquillity in regard to legislation, finance and administration. The maintenance of peace and tranquillity may, in the last instance, involve the use of the army which is under the control of the Government of India. Under our recommendations, the Governor will have power to take such action as is possible which will obviate the necessity for the use of the army. The personal powers of the Governor as agent of the Central Government are subject to control by the Governor-General in Council and if, in the opinion of the Government of India, the use of the army can be avoided, they can order necessary action to be taken by the Governor. Thus there will be no question of the army being used in a province without the concurrence of the Government of India.

It may be said that these provisions place too heavy a responsibility on the Governor. We believe, however, that the good sense of the Legislative Council and the Ministry will rarely require the emergency powers of the Governor to be used and that the Governor will be wise enough to use them properly or that he will be directed by the Government of India to do so. We are supported in this belief by our experience of the past ten years.

12. SECOND CHAMBER.

It has been urged on the one hand that there should be a check provided in the form of a second chamber against hasty legislation by the Legislative Council and for the more effective representation of minorities and of men of ripe experience. As against this it has been said that the provision of a second chamber may lead to cumbrousness in the machinery of Government, that there are no interests in the province which will fail to be represented in the Legislative Council and that the powers of the Governor will provide adequate safeguards for all interests. In the opinion of the Committee, the balance of advantage, however, is in favour of a second chamber, the constitution and functions of the chamber being tentatively similar to those of the Council of State and the strength of the chamber not exceeding fifty. Mr. Siva Rao does not agree with the proposal.

[12th August 1929]

13. SERVICES.

Under the Lee Commission's recommendations, the services in transferred departments of a province should be provincialized. If all provincial subjects are transferred, the question arises whether the All-India services dealing with subjects now reserved should be provincialized. The Madras Government have recommended that they should be and have stated reasons for their position. The majority of the Committee agrees with this view. Sir A. P. Patro, while he is in accord with the general principle that the machinery with which the provincial administration is to be carried on should be under the control of the Provincial Government, agrees with the view expressed by Diwan Bahadur T. Raghaviah and the reasons given in his evidence and holds that the Indian Civil Service and the Indian Police Service should be treated as All-India Services because in regard to these key services there should be recruitment on an All-India basis. Though they should be under the control of the Provincial Governments, the Central Government should be the ultimate authority for appeal. Sir A. P. Patro feels that if India is to continue as a political unit, there should be a common administrative life flowing through the centre and the provinces. While he is for provincial autonomy in subjects of provincial concern, he does not envisage India as merely a cluster of political units.

For the Provincial services, we consider that there should be a strong and independent Provincial Public Service Commission. We had evidence before us that all communities are not adequately represented in the public services and that steps should be taken by the Government to remove inequalities. There is a Bill pending before the local Legislative Council which will deal with the matter so far as this Presidency is concerned.

14. LINGUISTIC DIVISION OF THE PROVINCE.

There has been agitation for several years for the formation of provinces on a linguistic basis from the Oriya, Andhra and Karnataka areas. We recognize that strong opinions are held on this question among the people concerned. We have heard a deputation from the Oriyas. A Sub-Committee was appointed by the Statutory Commission. We do not know how the matter has been dealt with by that Committee. The Government of India and the Provincial Governments concerned have pointed out difficulties in regard to the finances of the proposed provinces and these have not yet been solved. We are not able to make any recommendation at present as regards the formation of these provinces. The subject requires further investigation.

Agency tracts.

We consider that the present system may continue but with the administration in the hands of the new Provincial Government.

(b) Central.

15. ELECTORATES FOR THE ASSEMBLY AND THE COUNCIL OF STATE.

We recommend that the present franchise be retained. Separate electorates may continue for the present for Muslims. For Indian Christians, election through separate electorates should be substituted for nomination.

12th August 1929]

Nomination for the depressed classes should continue. Provincial Legislatures should elect a proportion of the elected members of the Legislative Assembly and the rest should be elected by the general and communal electorates.

The strength of the Assembly may be fixed at 200 to 250 and its term at five years.

The position as regards the Council of State may continue as at present.

16. RESPONSIBILITY IN THE CENTRAL GOVERNMENT.

We recommend that the Governor-General be in charge of the Foreign and Political Departments and that the Commander-in-Chief be in charge of Defence. All the other subjects should be in the charge of a Cabinet consisting of Ministers responsible to the Legislature.

The Ganjam District People's Association has made the proposal that the Central Cabinet may consist of officials or experts besides non-official members of the Legislature, but that they should all be responsible to the Legislature. When a Ministry falls, official members revert to their official positions and experts retire with the terms of their contracts duly fulfilled by the Government. The majority of the Committee does not agree with this proposal.

A reasonable amount may be fixed based on the average of the previous few years for the annual expenditure on defence and on the Foreign and Political Departments. For a given period, a sum not exceeding this amount may annually be expended for these purposes without the sanction of the Legislature. The Governor-General will have power to expend an excess amount when necessary by placing a demand before the Legislature and, if it is not passed, certifying it in the interests of peace and tranquillity or of good government.

The present powers of the Assembly to discuss the policy of the Government as regards defence should continue. In regard to normal expenditure, this system will not correspond to that of "Provincial Dyarchy" as the demand for expenditure on defence and on the Foreign and Political Departments is not to be voted on by the Legislature, whereas the expenditure on provincial reserved departments is so voted on. Even if it be considered that there will be dyarchy in virtue of the voting on the excess, if any, over the normal expenditure, we hold that there is no objection to the temporary introduction of dyarchy in the Central Government. Further we have already pointed out that the introduction of even partial responsibility in the Central Government amounts to a diminution of the area of dyarchy in the whole scheme of Government, Central and Provincial combined.

17. POWERS OF THE GOVERNOR-GENERAL.

The present powers of the Governor-General in regard to Provincial Legislative Councils in respect of legislation will continue. In regard to the Central Legislature, his powers of previous sanction and veto will continue. He will have power to certify Bills essential for the safety and tranquillity of British India. His powers under section 67 (2) (a) of the Government of India Act, whereby he may certify that a Bill or amendment affects the

[12th August 1929]

safety or tranquillity of British India and prohibit further steps being taken, will continue. He will have power to make ordinances for maintaining peace which will be in force for six months. In regard to Finance, no proposal for appropriation of revenue will be made except on his recommendation. The Governor-General may order in emergencies expenditure necessary for safety and tranquillity or good government. We make these proposals for the transitional stage before the attainment of Dominion Status.

18. DEFENCE OF INDIA.

We recommend that immediate action be taken on the lines of the Skeen Committee so as to have the Defence forces officered mainly by Indians in the period set for the attainment of Dominion Status for India. More than one Indian Sandhurst should be opened to train Indian officers.

We are strongly of opinion that the recruitment to the army should not be limited to a few provinces, but should be thrown open to all provinces with a quota for each province. The recruits from different provinces need not, however, be kept separate. Recruitment to officerships should be open to all classes.

19. INDIAN STATES; FOREIGN RELATIONS.

Till the control over defence is transferred to the Legislature, Foreign relations and relations with the Indian States will continue in the charge of the Governor-General. But when the Legislature is in control of Defence, we hold that the present status of the Government of India in regard to the Indian States should be vested in the responsible Government of India. Indian States lying scattered alongside the powerful democracy of British India will not find it in their interests to do otherwise than seek friendly adjustments with British India. We believe that India will in time form a federation in which the Indian States will find their due place though they can be brought in only with their consent.

(c) Relation of Central and Provincial Governments.

20. GENERAL.

We hold that residuary powers should vest in the Central Government on the model of the Canadian constitution. England has, for the first time in Indian History, built up a strong central government and this feature should be continued.

Legislative.

The present division of provincial and central subjects is satisfactory and should be retained.

In regard to previous sanction for legislation, the Madras Government have stated that "the Governor-General has laid it down as a rule of practice that his previous assent will not be withheld except in cases where the proposed Bill trenches on the central sphere or where its discussion would in all reasonable probability lead to a disturbance of the public peace" and proposed that "statutory expression should be given to these limitations." We support this proposal.

[12th August 1929]

Financial.

This question has been dealt with fully by the Madras Government in their memorandum and we are in agreement with their position. This province suffered unduly at the beginning of the operation of the Meston Settlement by the large contributions which had to be paid to the Central Government, but justice, though belated, has now been done with the abolition of provincial contributions. If the Meston Settlement is to be revised, there should be no loss to any province of the revenues which it now enjoys.

Administrative.

The Central Government's powers of superintendence, direction and control over Provincial Governments will be the same in regard to all provincial subjects as they are now in regard to transferred subjects. If the constitution breaks down in a province, the Governor-General in Council will have power to suspend the constitution and carry on the administration through the Governor. The position of the High Courts will continue as at present.

The majority of the Committee is of opinion that there should be separation of executive and judicial functions so as to secure an independent judiciary and improved administration of justice.

(d) Secretary of State for India and Parliament.

21. RELATIONS WITH INDIAN GOVERNMENTS.

In relation to Provincial Governments, the powers of the Secretary of State will be those he has at present in regard to transferred provincial subjects except that his powers of safeguarding the administration of central subjects will be limited to the administration of Defence and Foreign relations and relations with Indian States and that necessary modifications will be made in regard to his powers in dealing with the Civil Services in India.

In relation to the Central Government, the Secretary of State's powers of intervention in regard to transferred central subjects may be modelled on the lines of the Central Government's powers in relation to transferred provincial subjects.

The Secretary of State's Council may be immediately abolished. We look forward to the powers of the Secretary of State for India being reduced to those of the Secretary of State for Dominions.

22. PROVISION FOR FURTHER CHANGES IN CONSTITUTION.

Under the Government of India Act, the Parliament makes changes in the Indian constitution periodically. The Montagu-Chelmsford Report proposes the examination of the working of the Indian constitution once every twelve years. We propose that the constitution to be now framed should provide for automatic growth in the provinces and at the centre by the decisions of the Provincial and Central Legislatures with suitable checks such as a high majority vote in the Legislature and the power of veto vested in a superior authority. Periodical examination of the political condition of India is irritating and interferes with healthy growth. A constitution left to

[12th August 1929]

be worked and grown by India is likely to develop according to the genius and needs of India. Such an elasticity is also in keeping with the genius of British constitutions.

23. CONCLUSION.

We have sought to envisage the whole relation between England and India. We feel that Montagu and Chelmsford saw truly when they felt ten years ago that a crucial change in that relation was needed. The need has become even more pressing now. If after long years of tutelage under England, India is unable to be at least as self-reliant as other Asiatic States, that tutelage will have been in vain. Faith and courage are needed to let India stand on her own legs and learn, if need be, by mistakes. The longer India is prevented from doing so, the worse will be her condition. From the point of view of England, she has given to India the gifts that are in her power to give. If India is allowed to live her own life, she will feel not only gratitude to England for the past but also affection for her in the future.

To bring about this change of relationship, we have made detailed proposals of the changes immediately needed. We are confident that the British Parliament will appreciate the Indian national sentiment and respond wholeheartedly to the wishes of the people of India.

This Committee wishes to express its appreciation of the valuable services rendered to the Committee by Mr. S. V. Ramamurti, I.C.S., as Secretary of the Committee who has willingly placed at its disposal his knowledge and experience as district officer which have proved a source of great help to the Committee.

A. P. PATRO, <i>Chairman.</i>	} <i>Members.</i>
S. KUMARASWAMI	
S. KRISTNA YACHENDRA (Kumararaja of Venkatagiri)	
P. KHALIFULLAH	
DANIEL THOMAS	
P. SIVA RAO	
N. SIVA RAJ	

S. V. RAMAMURTY.

Secretary.

2nd June 1929.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF
MADRAS.

Tuesday, the 13th August 1929.

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

PRESENT:

Usman Sahib Bahadur, Kt., The hon. Khan Bahadur Sir Muhammad.	Leach, Mr. A. J.
Moir, M.C.I.E., C.S.I., I.C.S., The hon. Sir Thomas.	Mahmud Schamnad Sahib Bahadur.
Krishnan Nayar, The hon. Diwan Bahadur M. Campbell, C.S.I., C.I.E., C.B.E. V.D., I.C.S., The hon. Mr. A. Y. G.	Mallayya, Dr. B. S.
Subbarayan, The hon. Dr. P.	Manikkavelu Nayakar, Mr. M. A.
Muthiah Mudaliyar, The hon. Mr. S.	Moidoo Sahib Bahadur, Khan Sahib T. M.
Seturatnam Ayyar, The hon. Mr. M. R.	Muniswami Nayudu, Rao Bahadur B.
Abdul Hameed Khan Sahib Bahadur.	Muniswami Pillai, Mr. V. I.
Abdul Razaq Sahib Bahadur, Khan Bahadur S. K.	Murugappa Chettiyar, Diwan Bahadur A. M. M.
Abdul Wahab Sahib Bahadur, Munshi.	Muthulakshmi Reddi, Dr. (Mrs.) S.
Adinarayana Chettiyar, Mr. T.	Muthuranga Mudaliyar, Mr. C. N.
Ahmed Miran Sahib Bahadur, Moolvi Hafiz Anumethakudi Mustafa.	Nagan Gowda, Mr. R.
Anjaneyulu, Mr. P.	Nanjappa Bahadur, Sabadar-Major S. A.
Appavu Chettiyar, Mr. C. D.	Narayana Raju, Mr. D.
Ari Gowder, Mr. H. B.	Narayana Rao, Mr. Mothay.
Arogyaswami Mudaliyar, Diwan Bahadur R. N.	Narayanaswami Pillai, Mr. T. M.
Arpudaswami Udayar, Mr. S.	Obi Reddi, Mr. C.
Basheer Ahmad Sayeed Sahib Bahadur.	Parthasarathi Ayyangar, Mr. C. R.
Bhanoji Rao, Mr. A. V.	Patro, Kt., Rao Bahadur Sir A. P.
Bheemayya, Mr. J.	Premayya, Mr. G. R.
Biswanath Das Mahasayo, Sriman.	Raja of Kallikota.
Chidambaranatha Mudaliyar, Mr. T. K.	Rajan, Mr. P. T.
Cotterell, C.I.E., I.C.S., Mr. C. B.	Ramachandra Reddi, Mr. B.
Dorai Raja, Mr. S. N.	Ramamurti, I.C.S., Mr. S. V.
Ethirajulu Nayudu, Diwan Bahadur P. C.	Ramasomayajulu, Mr. C.
Foulkes, Mr. R.	Ramjee Rao, Mr. V.
Gangadhar Siva, Mr. M. V.	Ranganatha Mudaliyar, Mr. A.
Gnanavaram Pillai, Mr. P. J.	Ratnasabhapati Mudaliyar, Rao Bahadur C. S.
Gopala Menon, Mr. C.	Robertson, Mr. R. J. C.
Govindaraja Mudaliyar, Mr. C. S.	Saldanha, Mr. J. A.
Gray, C.B.E., I.C.S., Mr. J.	Sami Venkatachalam Chetti, Mr.
Harisavottama Rao, Mr. G.	Sarabha Reddi, Mr. K.
Hearson, Mr. H. F. P.	Satyamurti, Mr. S.
Hilton Brown, I.C.S., Mr.	Siva Raj, Mr. N.
James, Mr. F. E.	Sivasubrahmanya Ayyar, Mr. K. S.
John, Mr. V. Ch.	Soundarapandian, Mr. W. P. A.
Kaleswara Rao, Mr. A.	Srinivasa Ayyangar, Mr. T. C.
Karant, Mr. K. R.	Srinivasan, Rao Sahib B.
Kesava Pillai, C.I.E., Diwan Bahadur P.	Subrahmanya Moopanar, Mr. S.
Khadir Mohidin Sahib Bahadur, Muhammad.	Swami, Mr. K. V. R.
Koti Reddi, Mr. K.	Tajudin Sahib Bahadur, Syed.
Krishnaswami Ayyar, Mr. Alladi.	Tulasiram, Mr. L. K.
Krishnaswami Nayakar, Mr. K. V.	Uppi Sahib Bahadur, K.
Kuppuswami, Mr. J.	Venkatespati Raju, Mr. P. C.
Leach, I.C.S., Mr. A. G.	Venkataramana Ayyangar, Mr. C. V.
	Venkatarangam Nayudu, Mr. C.
	Venkiah, Mr. S.
	Watson, I.C.S., Mr. H. A.
	Wood, Mr. O. E.
	Zamindar of Singampatti.

[18th August 1929]

I
QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Agriculture

Issue of improved strains of cholam, etc., to ryots.

* 370 Q.—**MR. A. RANGANATHA MUDALIYAR**: Will the hon. the Minister for Development be pleased to state whether any improved strains of cholam, ragi and groundnuts have been issued to the ryots and if so where and in what quantities?

A.—Yes. The information is furnished below for the year 1928-29 :—
Cholam (Jonna)—

T-1. White variety—Strain evolved at Hagari—
1,107 lb. in Bellary district.
210 lb. in VIII circle and 80 lb. in VII circle.

T-C. Yellow variety—
9,804 lb. in Nandyal sub-circle.

Periamanjol cholam—
2,002 lb. in VIII circle.

Ragi—

T-8. Strain evolved at Hagari—
4,809 lb. in Ceded districts.

H-22. Strain evolved by the Mysore Agricultural Department—
1,487 lb. in Salem district and Kollegal taluk of Coimbatore district.

Groundnut—

661 lb. in the IV circle.

The Agricultural department will shortly be in a position to distribute larger quantities of improved seed of both cholam and ragi.

MR. A. RANGANATHA MUDALIYAR:—"May I know how long it is since this white variety was established?"

The hon. **MR. M. R. SETURATNAM AYYAR**:—"Notice, Sir."

MR. A. RANGANATHA MUDALIYAR:—"May I know from the hon. Minister the extent of the land that has given yield of thousand and odd pounds and the conditions of yield?"

The hon. **MR. M. R. SETURATNAM AYYAR**:—"Notice, Sir."

MR. A. RANGANATHA MUDALIYAR:—"In the answer it is stated that the department will shortly be in a position to distribute larger quantities of improved seed. May I know for how many acres?"

The hon. **MR. M. R. SETURATNAM AYYAR**:—"Notice."

MR. A. RANGANATHA MUDALIYAR:—"May I know from the hon. Minister whether he will make similar enquiries in regard to the other varieties contained in the answer?"

The hon. **MR. M. R. SETURATNAM AYYAR**:—"Yes, Sir."

18th August 1929]

Co-operative Societies

Opening of a land mortgage bank in Kurnool.

* 371 Q.—**MR. G. HARISARVOTTAMA RAO**: Will the hon. the Minister for Development be pleased to state, with reference to the report of the Registrar of Co-operative Societies placed on the table in reply to question No. 1412 answered on 25th February 1929, whether he will call for a copy of the telegram mentioned in reason (e) of the report and place it on the table?

A.—A copy of the telegram* referred to is appended.

MR. G. HARISARVOTTAMA RAO:—"May I know from the hon. the Development Minister whether in view of the copy of the telegram given in the Appendix, that there is enthusiasm on the part of the people for a land mortgage bank, he will reinvestigate the prospect of a land mortgage bank at Kurnool?"

The hon. **MR. M. R. SETURATNAM AYYAR**:—"There seems to be difference of opinion between the people of the locality and the Registrar of Co-operative Societies and the Registrar thinks that we cannot establish a land mortgage bank there."

MR. G. HARISARVOTTAMA RAO:—"May I ask the hon. Minister whether he will examine the second sentence of the telegram?"

The hon. **MR. M. R. SETURATNAM AYYAR**:—"Yes, Sir."

Fisheries

Working of fishermen Co-operative Societies in Malabar.

* 372 Q.—**MR. A. B. SHETTY**: Will the hon. the Minister for Development be pleased to call for a detailed report on the working of two fishermen co-operative societies in Malabar to which the Government have given loans for the purchase of boats and nets and place it on the table of the House?

A.—A short account of the working of the two societies in question is given in Part I, section 7 (B) of the Administration Report of the Fisheries Department for the year 1927-28. The Director has been asked to deal with the working of these two societies in detail in the annual report for 1928-29 which is due with Government in September 1929.

Public Works.

Alleged defects in the iron fencing on the side pathways over the Cauvery bridge.

* 373 Q.—**MR. U. RAMASWAMI AYYAR**: Will the hon. the Minister for Development be pleased to state—

(a) whether his attention was drawn to the fact that the iron fenceings for the side pathways over the newly constructed Cauvery bridge in Trichinopoly is too low and a child in the arms of a woman while passing over the footpath slipped in the river and died last month; and

[18th August 1929]

(b) what steps do the Government propose to take to remedy the defect?

A.—(a) & (b) The Government have no information but will enquire and will, if necessary, have the railings raised.

Purchase of steel windows and doors from the Crittal Manufacturing Company, Limited.

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

(a) the total value of steel windows and doors, etc., purchased from the Crittal Manufacturing Company, Limited;

(b) whether any Indian firm manufactures such things;

(c) whether any of them were purchased after March last; and

(d) if so, what the total value of such purchases is?

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

They await a report on the whole question from the Chief Engineer in January next, when the matter will be re-examined.

(b) No.

MR. K. V. R. SWAMI:—"May I know from the hon. the Minister for Development whether he did not promise during budget time that he would go into the question?"

The hon. MR. M. R. SETURATNAM AYYAR:—"Yes."

MR. K. V. R. SWAMI:—"May I know whether he has gone into the question?"

The hon. MR. M. R. SETURATNAM AYYAR:—"Yes, I have gone into the question and the Chief Engineer's report is awaited early in January or February."

MR. C. S. GOVINDARAJA MUDALIYAR:—"May I know why the answer to clause (c) has not been given in the answer?"

The hon. MR. M. R. SETURATNAM AYYAR:—"Because it was not considered necessary, in view of the fact that the report will be ready shortly."

MR. C. S. GOVINDARAJA MUDALIYAR:—"May I know, if the purchase is made in India, it will effect savings?"

The hon. MR. M. R. SETURATNAM AYYAR:—"It all depends upon the fact whether the steel is considered satisfactory or not. As we were expecting the report shortly from the Chief Engineer, we did not ask for an intermediate report."

MR. K. R. KARANT:—"Pending that report, may I ask the hon. Minister whether Government are going to make further purchases?"

The hon. MR. M. R. SETURATNAM AYYAR:—"As far as I am aware no purchases have been made."

MR. P. ANJANEYULU:—"May I know from the hon. Minister in regard to (b), whether he is going to wait for the report from the Chief Engineer or whether he would get information in regard to this beforehand?"

The hon. MR. M. R. SETURATNAM AYYAR:—"No."

[18th August 1929]

Use of steel windows and doors for the Police lines.

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

(a) what is the result of the experiments regarding the use of steel windows and doors, etc., for police lines; and

(b) whether this practice will be stopped in future?

A.—(a) The Chief Engineer has been asked to report on the results of the experiments early in January 1930.

(b) The question will be considered on receipt of the Chief Engineer's report.

MR. K. V. R. SWAMI:—"May I know whether it is a fact that no enquiry has been made up till now with regard to the durability of these things?"

The hon. MR. M. R. SETURATNAM AYYAR:—"No, Sir. We want time to see whether this experiment has been useful or not."

MR. K. V. R. SWAMI:—"When was this report called for?"

The hon. MR. M. R. SETURATNAM AYYAR:—"According to the original Government Order two years' time was given, but now I have asked the Chief Engineer to report early in January 1930."

Medical

Appointment of non-official medical men and women to the Advisory Committees.

* 376 Q.—MR. S. SATYAMURTI: Will the hon. the Minister for Public Health be pleased to state—

(a) whether non-official medical men or women have been, or are proposed to be appointed to the Advisory Committees of the State hospitals;

(b) if so, their names and the Committees on which they have been invited to serve; and

(c) if not, why not?

A.—The hon. Member is referred to G.O. No. 1598, P.H., dated 26th June 1929, laid on the table in answer to question No. 125 on 8th August 1929. Under this Government Order non-official medical men and women are clearly eligible for membership.

Land Revenue

Berm cutting in Cuddapah district.

* 377 Q.—MR. G. HARISAVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state with reference to the answers given to question No. 528 on 11th October 1928 regarding Berm cutting in the Cuddapah district—

(a) whether the report of the Board of Revenue has been considered;

(b) whether the Chief Engineer's report has been received and considered;

(c) what action the Government propose to take; and

(d) whether the reports will be placed on the table?

[13th August 1929]

A.—(a) Yes.

(b) The Chief Engineer's report has not yet been received.

(c) The attention of the hon. Member is invited to G.O. No. 2418, Revenue, dated the 15th October 1920, which has been placed at the disposal of the press, and to the answer to question No. 666 given on 26th November 1928.

(d) The Government consider that it is unnecessary to place the Board's report on the table as the Government Order contains the substance of the Board's recommendations. The question whether the Chief Engineer's report should be placed on the table will be considered after it is received.

Assessment on the nanja lands in Madurantakam taluk for raising panipayar.

* 378 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 Subdivisional Officer of Chingleput taxed the nanja lands in the Madurantakam taluk for raising panipayar about twenty days before the harvest of samba paddy in the months of February and March and if so, why it was collected contrary to the usual practice in the Chingleput district;

(b) whether the Government is aware that the panipayar crop does not require water;

(c) whether the Government is aware that the panipayar crop is generally raised for manure;

(d) whether the Government is aware that the panipayar crop has not been taxed by the Government previously, particularly in the Chingleput district;

(e) whether the Government consider the taxation unjust; and

(f) if answer to (e) be in the affirmative, whether the Government will order the refund of taxes collected in the Madurantakam taluk?

A.—(a) to (f) The Government have not the information. A report has been called for.

Forests*Removal of the bar to promotion in the Ranger's cadre.*

* 379 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Law Member be pleased to state the proposals before them for alleviating the bar to promotion in the Ranger's cadre and the order, if any, passed by the Government thereon?

A.—The Rangers have submitted memorials setting forth their grievances and they are under the consideration of Government.

Mr. A. RANGANATHA MUDALIYAR:—“May I know from the hon. the Law Member for how long this memorial has been under the consideration of Government?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“It will be disposed of as early as possible. How long it has been under consideration I am not able to say.”

18th August 1929]

Installation of a paper and pulp plant at Papanasam.

* 380 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Law Member be pleased to state whether any and if so, what decision has been arrived at about the installation of a paper and pulp plant to utilize the reed in Papanasam?

A.—The matter is still under consideration.

Mr. A. RANGANATHA MUDALIYAR:—“Instead of saying as usual that the matter is under the consideration of Government, at least with regard to this matter, I hope the hon. Member may be a little . . .”

The hon. the PRESIDENT:—“I do not think I shall be justified in permitting the hon. Member to make a speech. This occasion is intended only for putting supplementary questions.”

Mr. A. RANGANATHA MUDALIYAR:—“May I ask the hon. the Law Member when this is likely to be disposed of?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—“As I said before, as early as possible; I am not in a position to state more definitely than that.”

Grievances of Forest Rangers in the Presidency.

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

(a) whether forest rangers in the Presidency submitted to Government in 1927 and in 1929 and foresters in April 1929 memorials setting forth their grievances, especially on the score of the stagnation in their services and requesting early redress of their grievances;

(b) why the subordinate forest service is not given time-scale of pay;

(c) whether foresters in the Logging Engineering Division are subjected to special hardships; and, if so, what allowance is granted to them;

(d) what other grievances in the subordinate forest services have come to the notice of Government; and

(e) what action Government have taken to redress them?

A.—(a) Yes.

(b) Please see answer to clauses (c) and (d). The question is under consideration.

(c) In view of the fact that the work of these foresters is responsible and entails additional expense, a class I allowance of Rs. 6 per mensem is sanctioned to them. The foresters are also eligible for a class IV allowance of Rs. 10 per mensem when their work lies in unhealthy localities.

(d) & (e) The officers in the subordinate forest services, rangers, foresters and forest guards have recently memorialized Government that a time-scale of pay should be sanctioned to them instead of the present graded pay. The rangers ask also for an increase in the leave reserve to 25 per cent. The foresters also request that 75 per cent of the selection of candidates for deputation to the Forest College should be reserved for them. These questions are now under consideration.

[18th August 1929]

Mr. J. A. SALDANHA :—“ With reference to the answer to clause (e), it is stated that the matter is under consideration. I want to know whether it is under the sympathetic or unsympathetic consideration ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ It is too early to say. ”

Hydro-Electric Schemes

Grant of licence to Messrs. Crompton Parkinson, Limited.

* 382 Q.—Mr. G. HARISARVOTTAMA RAO : Will the hon. the Law Member be pleased to state in reference to the reproduction of notifications regarding grant of licence to Messrs. Crompton Parkinson, Limited, at page 1334, Part I, *Fort St. George Gazette* of July 9, 1929—

(a) the circumstances under which an advertisement was published in the *Madras Mail*, dated 18th June 1929;

(b) whether the advertisement was published in any Indian-owned paper and if not, why it was not so published;

(c) whether the municipalities of Ellore and Guntur were consulted before the advertisement was issued regarding the licence; and what opinions they expressed thereon; and

(d) whether any other individual or company applied for licence in regard to these towns and why they were not chosen?

A.—(a) Under rule 13 of the rules under the Indian Electricity Act, an applicant for a licence has to publish notice of his application by public advertisement in a newspaper published or circulated in the proposed area of supply.

(b) The applicant is not required to publish such advertisement in more than one newspaper.

(c) The rules do not require an applicant to consult municipal councils before advertising his application.

(d) Messrs. Chari and Chari, Limited, have applied for a licence for the supply of electrical energy to Guntur. No licence has yet been granted to anybody.

Mr. G. HARISARVOTTAMA RAO :—“ May I know from the hon. the Law Member whether Government consulted the municipalities before publishing the advertisements in the *Fort St. George Gazette* ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ The Government are not bound to consult them. There is no provision in law to consult them. When it is published in the Gazette or in the newspapers, it is for the bodies or individuals concerned to come up to Government with their objections, if any. ”

Mr. G. HARISARVOTTAMA RAO :—“ May I know if the Government did not consider it desirable in cases like this to give municipalities the first chance and take their opinion ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ They are expected to read the Gazette and newspapers and, if they find objection, they will certainly bring it to the notice of Government. ”

Mr. P. C. VENKATAPATI RAJU :—“ May I know whether there is any provision in law to prevent them from consulting the municipalities ? ”

The hon. the PRESIDENT :—“ That is asking for an opinion. ”

[18th August 1929]

Mr. G. HARISARVOTTAMA RAO :—“ May I know from the hon. the Law Member whether Government propose to formulate any precedence of order of tenders in regard to municipalities ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ No. ”

Mr. G. HARISARVOTTAMA RAO :—“ May I know whether the hon. the Law Member will consider the desirability of establishing such precedence in the matter of giving licences for electrical works ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ I am afraid it is not possible. It all depends upon the capacity of the tenderers to do what is stated in their tenders. ”

Mr. G. HARISARVOTTAMA RAO :—“ I really want to know from the hon. the Law Member whether he will consider the desirability of establishing such an order, provided all things are equal ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ That is exactly what I said. I am not in a position to say more. ”

Mr. P. ANJANEYULU :—“ May I know from the hon. the Law Member whether in this particular case the Guntur municipality has not come forward with suggestions supporting the claim of Messrs. Chari & Chari ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ Not as far as I am aware. ”

Mr. P. ANJANEYULU :—“ Supposing what I say is correct, will the Government be pleased to take the suggestion of the Guntur municipality into consideration and accord sanction to their wishes ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ The suggestion will certainly be considered. ”

Mr. G. HARISARVOTTAMA RAO :—“ May I know if the hon. the Law Member is aware that Government has been following in other matters the policy of Swadeshi, that is, giving preference to local talent ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ As far as possible. ”

Mr. A. KALESWARA RAO :—“ May I know whether the applicant has obtained the permission of Government before publishing his licence in the *Madras Mail* ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ No. He is not bound to do so. ”

Mr. G. HARISARVOTTAMA RAO :—“ May I know if the hon. the Law Member is prepared to exercise that amount of patronage for Indian things as obtains in other departments in this case also ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ Oh, yes. I shall certainly sympathetically consider applications from Indian firms or bodies. ”

Mr. P. ANJANEYULU :—“ In this particular case of the Guntur municipality, may I know whether the hon. the Law Member addressed himself to the conditions of Chari & Chari and compared them with the conditions of other firms to find out which are preferable ? ”

[18th August 1929]

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"No, that stage has not been reached."

Mr. A. KALESWARA RAO:—"May I know whether these applications have been sent for the opinion of the Electrical Inspector to Government?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Notice, Sir."

Jails

Prisoners admitted in the special division.

* 383 Q.—Mr. K. V. R. SWAMI: Will the hon. the Law Member be pleased to state—

(a) when the special division of prisoners was formed; and

(b) the number of convicted persons that were placed in the special division in each of the years since the same was formed?

A.—(a) The special division for prisoners was formed in 1922.

(b) In 1923, seven prisoners were placed in the special division and none in the previous or subsequent years.

Mr. K. V. R. SWAMI:—"May I know whether any persons answering the descriptions and qualifications required to be placed in the special division have been convicted since 1923?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I cannot say now, but I want notice."

Mr. C. RAMASOMAYAJULU:—"May I know from the hon. the Law Member, what are the conditions which would enable a man to be placed in the special division?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"His status in life, his education, the conditions under which he was brought up and his request for special convenience."

Mr. C. RAMASOMAYAJULU:—"May I know from the hon. the Law Member that, if a request is made by a person to a magistrate and if the magistrate refuses, whether the Government will be in a position to reconsider the case?"

The hon. the PRESIDENT:—"That is a hypothetical question."

Mr. A. KALESWARA RAO:—"May I know what offences were committed by these seven prisoners who are placed in the special division?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Notice, Sir."

Mr. K. V. R. SWAMI:—"May I know whether any persons convicted were recommended by the courts to be placed in the special division after 1923?"

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

Mr. G. HARISARVOTTAMA RAO:—"May I know whether the hon. the Law Member has enquired why the conditions of the 'special class' have not been liberally used, because I see from 1923 onwards there was no special prisoner at all?"

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

[13th August 1929]

Mr. G. HARISARVOTTAMA RAO:—"May I know from the hon. the Law Member whether, out of the seven persons mentioned in answer (b), there are any people convicted for sedition under section 124-A?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Notice, Sir."

Mr. G. HARISARVOTTAMA RAO:—"May I know whether the hon. the Law Member will not consider the desirability of placing under this special division men who have committed offences against the State provided violence is not involved?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"When such cases come up for consideration, I shall consider the suggestion."

Mr. C. RAMASOMAYAJULU:—"May I know if the hon. the Law Member is aware that Mr. Annapurnayya requested to be placed in the special division and that the Magistrate refused it?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I am not aware, Sir."

Mr. K. R. KARANT:—"May I know, if since 1923 this provision has not been availed of, whether the Government made any enquiry as to the reasons for it?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Not, so far as I am aware."

Mr. C. V. VENKATARAMANA AYYANGAR:—"May I know whether Government have issued orders directing the Magistrate to act in any particular way about this matter?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Notice."

Mr. C. V. VENKATARAMANA AYYANGAR:—"May I know if the Government received any communication very recently from the Government of India on this matter, as we read in the newspapers?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Does my hon. Friend mean the communiqué published in yesterday's papers? If so, I may state that we have received a telegram about it and that we have not received a copy of the communiqué yet."

Mr. A. RANGANATHA MUDALIYAR:—"May I ask whether the hon. the Law Member will be pleased to call for information whether Mr. Annapurnayya asked to be placed in the special division?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Yes, Sir."

Mr. T. ADINARAYANA CHETTIYAR:—"Now that the Magistrate has refused to place Mr. Annapurnayya in a special division, will the Government be pleased to interfere *suo motu* and place him in a special division?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I have given my answer in reply to the question put by Mr. Ranganatha Mudaliyar."

Mr. A. KALESWARA RAO:—"May I know by whom were the seven prisoners placed in the special division?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Notice."

Mr. K. UPPI SAHIB:—"May I know whether Mr. M. P. Narayana Menon is placed in the special division?"

[18th August 1929]

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"He is not in the special division."

Mr. K. UPPI SAHIB:—"May I know whether he was convicted under section 124-A of the Penal Code?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Yes, Sir."

Mr. A. KALESWARA RAO:—"May I know whether, when a magistrate refuses to place a man of position, status and education in a special division, the Government proposes to take action or leave the matter entirely to the mercy and sweet will and pleasure of the magistrate?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Notice."

Mr. G. HARISARVOTTAMA RAO:—"May I know if the hon. the Law Member remembers that, in the case of Mr. Narayana Menon, the hon. Mr. Krishnan Nayar, when he was in the Opposition, held the view that he should be properly treated?"

The hon. the PRESIDENT:—"That is a matter not within the special cognizance of the hon. Member."

Mr. K. V. R. SWAMI:—"May I know whether Mr. Bulusu Sambamurti is placed in the special ward?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Notice."

Mr. A. RANGANATHA MUDALIYAR:—"I have been watching the hon. the Law Member answering our questions without getting up from his seat."

The hon. the PRESIDENT:—"The hon. Member will have to get up and answer."

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"That is what I have been doing all this while, Sir."

Legislative Council

Elections to the next Legislative Council.

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

(a) when the next general elections to the Council will be held; and

(b) whether the Government are contemplating a dissolution of the Council immediately after the Budget Session?

A.—(a) & (b) The attention of the hon. Member is invited to the notification (Public Department) No. 209, dated 20th May 1929 published on page 1098 of the *Fort St. George Gazette*, dated 4th June 1929. The position is still as there stated.

Mr. S. SATYAMURTI:—"May I, with your permission, put my questions sitting, as I do not feel well?"

The hon. the PRESIDENT:—"The hon. Member is permitted to sit and put his questions because of his illness. Such a practice is allowable."

Mr. S. SATYAMURTI:—"May I know, apart from the intentions of the Government of India and the Secretary of State, if this Government has any intention to dissolve this Council or recommend its dissolution immediately after the budget session next year?"

[18th August 1929]

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"That is a matter for His Excellency the Governor to decide."

Mr. A. RANGANATHA MUDALIYAR:—"Will the Government at least say that this Council is not likely to be dissolved within a certain period and be pleased to specify that period?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"It is not for the Government to say anything of that kind."

Mr. K. KOTI REDDI:—"May I know whether this Government does not advise His Excellency in regard to the next elections?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"It will be considered when the occasion arises."

Mr. G. HARISARVOTTAMA RAO:—"May I know whether the Government has already given any such advice to His Excellency?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"No, Sir; it is a matter entirely left to His Excellency."

Mr. K. KOTI REDDI:—"May I know when the Government proposes to give its advice to His Excellency?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"When His Excellency asks for it."

UNSTARRED QUESTIONS

Public Health

Alleged suicide by a patient in Nellore hospital.

385 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that during the latter part of 1928, a patient in the Headquarter Hospital, Nellore, committed suicide;

(b) if so, under what circumstances the suicide was committed, and who is responsible for allowing him to do so; and

(c) what action was taken by the District Medical Officer in the matter?

A.—(a), (b) & (c) A report* on the subject received from the Surgeon-General is laid on the table.

Jails

Allowances to sub-assistant surgeons on jail duty.

386 Q.—Mr. K. V. R. SWAMI: Will the hon. the Law Member be pleased to state—

(a) whether the Government granted any allowances to sub-assistant surgeons on jail duty as recommended by the Indian Jails Committee (1919-20);

(b) if so, for what period;

(c) whether the sub-assistant surgeons were given rent-free quarters to facilitate their attendance to their duties in jails and for what period;

[13th August 1929]

(d) whether the duty allowance and rent-free quarters were abolished in 1923; and

(e) for what reasons?

A.—(a) & (b) The Government did not grant to the sub-assistant surgeons employed on jail duty the allowances recommended by the Indian Jails Committee as the pay and allowances of sub-assistant surgeons were raised in 1921 itself prior to the receipt of the Committee's report.

(c) to (e) Till September 1923, the sub-assistant surgeons in Jail department were allowed the concession of rent-free quarters. They were also in receipt of a duty allowance of Rs. 30 a month. In view of the improvement effected in the pay of sub-assistant surgeons and as service in a jail was made an ordinary incident in a sub-assistant surgeon's career the Government directed the abolition with effect from September 1923 of the duty allowance and the concession of rent-free quarters allowed to them.

Reward allowances to sub-assistant surgeons.

387 Q.—Mr. K. V. R. SWAMI: Will the hon. the Law Member be pleased to state—

(a) whether the Jail Committee (of 1919-20) recommended that Rs. 6,000 or more be distributed by the Inspector-General of Prisons as reward allowance among sub-assistant surgeons who have shown special diligence or done exceptionally good work;

(b) what reasons the committee had given for the above proposal;

(c) whether the above recommendation was given effect to by the Government; and

(d) if so, for what period?

A.—(a) Yes.

(b) The Committee considered that the reward allowance proposed by it would prove an incentive to good work on the part of sub-assistant surgeons employed on jail duty.

(c) & (d) No.

Action taken on the recommendations of the Jail Committee regarding sub-assistant surgeons in jails.

388 Q.—Mr. K. V. R. SWAMI: Will the hon. the Law Member be pleased to state—

(a) the approximate average annual cost of carrying out the recommendations made by the Jail Committee (of 1919-20) regarding sub-assistant surgeons in jails in respect of their allowance, etc., and

(b) what the actual cost was during the period it was paid including the house-rents?

A.—(a) The approximate average annual cost of carrying out the recommendations of the Indian Jails Committee regarding sub-assistant surgeons on jail duty was not worked out.

(b) The Government did not accept the recommendations of the Jail Committee and so no expenditure was incurred.

13th August 1929]

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

II

ADJOURNMENT MOTION.

Mr. T. ADINARAYANA CHETTIYAR:—"Sir, under Standing Order No. 20 I beg to move for an adjournment of the business of the House."

* The hon. the PRESIDENT:—"Order, order. The hon. Member has not obtained my consent. I have been frequently stating that to move an adjournment motion, obtaining the consent of the President is a condition precedent. No member will be allowed to make the motion in the House without previously obtaining the consent of the President."

Mr. T. ADINARAYANA CHETTIYAR:—"I only want to submit, Sir, that in this particular case I did not want to act upon the private information of the hon. the President given in his chamber refusing his permission. I have not got any communication to that effect. Moreover, Sir. . . ."

* The hon. the PRESIDENT:—"The hon. Member has applied for my consent and it has been refused. No member is justified in rising to address the Chair without the previous consent being obtained on a motion for adjournment."

III

THE MADRAS SERVICES COMMISSION BILL.

Clause 7—cont.

* The hon. the PRESIDENT:—"I should inform the House that yesterday when the House adjourned, Mr. Satyamurti's amendment to omit clause 7 was voted upon by the House. Now there are no other amendments to the clause. The effect of the vote of the House given yesterday was practically to retain clause 7. According to the usual practice there should be a question from the Chair that the clause shall be added to the Bill. Such a procedure will give room for the same question being repeated to the House. I have therefore come to the tentative conclusion that it is a mistake to allow an amendment to omit a particular clause as such an amendment would have the effect of a negative vote within the language of Standing Order No. 32 (2). Mr. Satyamurti's amendment was of that kind and comes within the purview of that Standing Order. Therefore, hereafter I propose not to allow such amendments. I am of course prepared to hear any hon. Member who desires to offer his remarks on the matter. In this case, however, instead of again proposing that clause 7 be added to the Bill, I take it that the effect of the negative vote that the clause should not be omitted, which the House gave yesterday is to affirm that clause 7 be added to the Bill. I do not propose therefore to put a separate question to the House."

* Mr. S. SATYAMURTI:—"Sir, this is a motion that the Bill be taken into consideration. Under the Standing Orders, the President is empowered to put the Bill clause by clause to the House. Therefore, it should be clear that the motion that a particular clause be passed by the House has not come before it. The hon. the Revenue Member's motion is that the Bill be taken into consideration. Once that motion is made, the whole Bill is before the House. For the sake of concentrating discussion in the House, you are to put clause by clause of the Bill to the House. My submission is that an amendment to omit a clause is not negative in form but is a positive amendment to this extent, namely, that the Bill be taken into consideration except

[Mr. S. Satyamurti]

[13th August 1929]

this clause. It is not as if we are opposing the motion that the Bill be taken into consideration. We are in favour of it, and the question is being put by the Chair in order to enable the House to deal with the subjects point by point, so that there may be no confusion."

* The hon. the PRESIDENT :—"The real difficulty is when in accordance with the procedure laid down in Standing Order No. 48, the question that this clause, or as the case may be that the clause as amended, shall stand part of the Bill is again put to the House, after the amendment to omit it which the House considered and voted upon yesterday has been decided, it will come within the purview of Standing Order No. 32 (2)."

* Mr. S. SATYAMURTI :—"I should like to submit, Sir, that the words 'shall call each clause separately' in Standing Order No. 48 do not imply as if there is a motion before the House."

* The hon. the PRESIDENT :—"Under that Standing Order the question in the present case which I have to put to the House is that this clause shall form part of the Bill. And I hold that it offends the rule against repetition."

* Mr. S. SATYAMURTI :—"That may be, Sir. But I may be permitted to submit that I am tempted to agree with you, if I may say so, with regard to the question of repetition. But on the question whether you should put the question that this clause shall stand part of the Bill to the House, I submit that the negative vote of the House in rejecting the amendment for the deletion of the clause may not amount, according to the Standing Order, to a positive motion on which the House should be called upon to vote, that this clause do stand part of the Bill. That has again to be put to the House, and the House has got to vote upon it. While it may be open to question whether amendmen's for deletion of a clause offend the rule against an amendment being accepted so as to mean the negative of a proposition, I submit that so far as the positive motion required by the Standing Order that this clause shall stand part of the Bill is concerned, it has to be put to the House for its affirmative vote."

* The hon. the PRESIDENT :—"After careful consideration, I have come to this conclusion that if an amendment to omit a clause is allowed it may give room to a possibility of the same question being put twice, once in a negative form and again in a positive way. To avoid that contingency, hereafter I shall follow the principle that no amendment to omit a clause shall be allowed to be moved."

* Mr. S. SATYAMURTI :—"Instead, you will permit such members as would move an amendment for the deletion of a clause to oppose the clause."

* The hon. the PRESIDENT :—"Yes. On the substantial question that the clause shall stand part of the Bill, hon. Members will be allowed to oppose the motion."

* Mr. SAMI VENKATACHALAM CHETTI :—"Since that amendment has rightly or wrongly been allowed, may I know whether you are now putting the clause for a positive vote to the House again?"

* The hon. the PRESIDENT :—"That amendment has really come by mistake and it is I daresay the concern of hon. Members as well as of the Chair that the same question is not put twice to the House. If I put the question now, it will offend the rule against repetition. Even practically speaking, there is no chance of the House deciding differently and as it is a mere question of technicality, I think it will be more graceful not to press

[13th August 1929]

[The President]

that it shall be put to vote. If any hon. Member of the Opposition wishes that it shall be put to vote, I have not got any objection to put it in this particular case for the present."

Mr. SAMI VENKATACHALAM CHETTI :—"It is not in the hope that we may be able to snatch a victory over what was done last evening that I press this matter. But so long as one mistake has been allowed, it seems to me, till we put an end to that mistake, that it is better to continue the old system. It is in that view that I submit that this may be put to vote."

* The hon. the PRESIDENT :—"The question is

'That clause 7 shall stand part of the Bill'."

The motion was carried and the clause was added to the Bill.

Clause 8.

* The hon. the PRESIDENT :—"Amendment No. 25 in the list reads as follows :—

'For the existing clause substitute the following :

"The Local Government shall take the advice of the Commission on every question connected with recruitment to any Provincial or Subordinate service or special post and shall act in accordance with such advice."

"There is the next amendment standing in the name of Mr. Ramasomayajulu which is more comprehensive. And under the power of selection vested in me by Standing Order No. 32 (6), I allow Mr. Ramasomayajulu to move his amendment first."

* The hon. Mr. A. Y. G. CAMPBELL :—"On a point of order, Sir. I do not know whether this is the time to ascertain whether the amendment will be in order. If this is the right time, may I be permitted to state that the amendment suggests that the Local Government shall consult the Commission and shall act in accordance with the advice given by the Commission. I wish to ask for your ruling, Sir, as to whether that part of the amendment which says that the Local Government shall act in accordance with the advice given by the Commission is in order with reference to the Delegation Rule No. 5, issued by the Secretary of State." 11-2

* The hon. the PRESIDENT :—"In order to shorten the disposal of the question, I may say that the amendment as it stands does not impose it as an obligation on the Government, but the effect of it will be that the Government will ordinarily have to accept the recommendations of the Commission, and that in any case where they do not they will have to record their reasons in writing. The liberty of the Government to act as they like is reserved by the amendment as it stands. It is not an absolute direction to the Government to do a particular thing. Even supposing there was not this Bill, under the statutory provision which enables the legislature to make laws for the good government of the province the legislature may say that in all cases where the Government make appointments they should assign reasons for making such appointments. That comes under the general legislative power vested in the Council regarding good governance. If the hon. the Revenue Member wants to say anything on that I shall be very glad to hear."

The hon. Mr. A. Y. G. Campbell did not press his point of order.

[18th August 1929]

Mr. C. RAMASOMAYAJULU :—" I move, Sir, for the deletion of the existing clause 8 and the substitution in its place of the following clause :

' The Local Government shall consult the Commission on every question in connexion with the recruitment to any provincial or subordinate service or special post and shall act in accordance with the advice given by the Commission, provided that Local Government may, for reasons to be recorded in writing, act in variance with such advice.'

" The existing clause, Sir, merely says that the Commission shall advise the Local Government on any question which the Local Government may refer to it in connexion with the recruitment to any provincial or subordinate service or special post. But the object of the present clause is to give a mandate to the Commission that they shall advise the Local Government under particular circumstances, that is to say, if the Local Government happens to refer to it any question connected with the recruitment to any provincial or subordinate service or special post; that is, in case the Local Government chooses to ask for the advice of the Commission, the Commission shall advise. My point is this. The existing clause is defective in many ways. It is not self-contained; it lays down no obligation; it does not contain what is generally called the sanction behind it. That is to say, there is no security that the Government would call upon the Commission to give its advice in any such matter. And there is no security that the Local Government would act in accordance with such advice. And for the matter of that, even the amendment which I propose is a matter of compromise. As a matter of absolute propriety I would not have been justified in proposing the amendment to the effect that the Local Government shall consult the Commission on every question in this connexion and shall act in accordance with the advice given by the Commission. But, Sir, in view of the fact that the Local Government have got certain powers and in view of the statutory limitations an instance of which has just now been witnessed here in the shape of the objection raised by the hon. the Revenue Member on the ultra vires character of this amendment, I was led to take this salutary attitude of adding the last clause 'provided that the Local Government may, for reasons to be recorded in writing, act in variance with such advice'. Thereby I thought that I would not be offending the constitution and I would be granting to the Government that margin which is absolutely necessary as we stand at present under the present constitution. The clause which I want to put in place of the existing clause contains three important divisions. " The first portion deals with the obligation on the part of the Government to consult the Commission on every matter that may be referred to it. Without such an obligation, this Commission, if appointed, may be rendered an effete body which may not be called upon to function at all, because if it is left to the absolute discretion of the Government to call for or consult the Commission or not, to ask for its advice or not, it may be rendered absolutely effete. And after all, this Commission consisting of persons drawing high salaries would go on without functioning, for they cannot function without the order of the Local Government. We do not propose to leave the matter in such a hopeless situation. I may refer, Sir, to the sentiments expressed by the hon. the then Revenue Member in his speech introducing this Bill. In that speech it was claimed for this Commission that it would be an absolutely independent body independent of the Government and also independent of the political parties in the country and it was with

[18th August 1929] [Mr. C. Ramasomayajulu]

that view that the Bill was being introduced. This, we were given to understand by Sir Norman Marjoribanks, was the object of the Bill, and if that idea is to be perpetuated and enforced to its logical extent, it is absolutely necessary that the Act must make it obligatory for the Local Government to consult the Commission.

" Then, Sir, the second clause in my amendment says that the Government 'shall act in accordance with the advice given by the Commission'. What this clause says is that it shall ordinarily be the rule that Government should act in accordance with the advice given by the Commission. Now, with reference to this also may I take the House back to what the hon. Sir Norman Marjoribanks stated in that speech of his referred to by me. He stated that according to the strength of public opinion and the strength of conventions the Government would act on the recommendations of the Commission. I may point out, Sir, this strength of public opinion and this strength of conventions are the only sanctions mentioned in his speech that would bring about the enforcement of this provision that the Government should act in accordance with the advice given by the Public Services Commission; and these securities or sanctions mentioned in his speech must find a place in the statute. Situated as we are to-day, seeing in what way the Government has been functioning for the last so many years and considering the credentials of the present Executive Government we are warranted in demanding that such a sanction ought to be embodied in the statute itself and ought not to be left to the Government or to the strength of what is called public opinion or convention. I do not know whether after all this Government has got any such convention. It may be that such convention is there, but the Government is at liberty to speak or act against it. Therefore it is absolutely necessary that the second clause ought to be there.

" Then, Sir, the third clause in my amendment is this: 'provided that the Local Government may, for reasons to be recorded in writing, act in variance with such advice.' I was prompted to add this last clause, as I already mentioned to the house, from two considerations. One is this. It may be that in spite of whatever we may say, situated as the present Government is under the present constitution, the Government has to act in contravention of such advice. I hope that such instances may be very rare and will seldom happen, where the Government would have to act in contravention of the advice given by the Commission. To provide for such extreme cases which I hope would not occur at all in practical working, and with a view to make provision for such extreme instances, I added this clause. There is, further, the constitutional difficulty also as you put it just now. It is not intended by this clause to take away the powers of the Government to make appointments ultimately. Therefore, Sir, as the hon. the Revenue Member wanted to make out, it is not within the powers of this House to take away the power of appointment altogether according to the present constitution. The ultimate effect of my clause is this. We retain the ultimate power of appointment in the hands of the Government itself. But we only say that, as there are resolutions tabled before this house by means of which this House would be justified in calling upon the Government to state why such and such a course of action was taken by them, so also, this particular clause simply lays down the procedure to be observed in the matter of making these appointments. The power of making these appointments is, even under this clause, vested in the Government. This clause, I submit, Sir, is a very salutary provision.

[Mr. C. Ramasomayajulu] [18th August 1929]

It is just possible that the Commission may be rendered an absolutely non-functioning body, and therefore it is absolutely necessary that this amendment should be carried."

* Mr. K. V. R. SWAMI :—" Sir, I second this motion. There is nothing in common between the original clause and the proposed alteration. The original clause says, 'The Commission shall advise the Local Government on any question which the Local Government may refer to it in connexion with the recruitment to any provincial or subordinate service or special post'. It is left to the sweet will of the Government under this clause to refer matters to the Commission or not, whereas the amendment makes it obligatory on the part of the Government to refer to this Commission every case where an appointment is sought to be made. The amendment says 'The Local Government shall consult the Commission on every question in connexion with the recruitment to any provincial or subordinate service or special post.' That is, it makes it obligatory on the Government in every case to consult the Public Services Commission. If it is not made obligatory, the Government may think it not necessary at all to consult this body, and go on making their appointments just as they like. It is conceded that the Government have got the absolute right to make appointments. Now what is sought in this Bill is to give the Government an advisory body which cannot go into questions of these appointments minutely and advise the Government with regard to these appointments. It is left to the Government to act in accordance with the advice given by the Commission or not. But this amendment makes it obligatory on the Government to consult the Commission. They say that there is no necessity in every case to refer to this Commission. The Government is clever enough, expert enough, and has got the wisdom to oppose this motion. But we say, why do you want this costly Commission at all if you do not want to consult them, and take the advice of the Commission? So it should be made obligatory on the part of the Government to refer every matter to the Commission. The second clause says that the Government should accept the advice given by the Commission. You remember, Sir, that the Government have got the right to frame rules. They can frame general rules and make it obligatory on the Commission to make their suggestions or give advice in accordance with those rules. For instance, there is the Government Order which lays down in what proportion and in what order each community is to be given appointments and so on. The Commission should observe these rules in giving advice, but when that advice is given it is in the power of the Government not to listen to those views at all. So this amendment says that the Government shall appoint the persons nominated or recommended by the Commission. Suppose the Government does not; what the clause seeks is to make it obligatory on the Government to give reasons why the appointment is not made in accordance with the Commission's advice. This provision is very good for the Government and also for us, because in some cases the Government may have very cogent reasons for not accepting the advice given by the Commission. In such a case they will have to state what their objections are, and choose their own men as they like. To put it shortly, it gives the Government an opportunity to explain their conduct in refusing to act on the advice of the Commission, and so this clause is very useful, and I hope the hon. the Revenue Member will accept it because it does not in any way come in the way of the Government at all. They can go on as merrily as before, but only they have to explain their conduct in cases where they differ from the Commission. For these reasons I second this motion."

13th August 1929]

* Mr. H. F. P. HEARSON :—" Mr. President, Sir, I beg to move the amendment standing in my name in respect of the amendment which was just now moved, and that is—

11-45
a.m.

'In line 3, to omit all the words beginning from "and shall".'

"Mr. President, there seems to be three possible kinds of pressure that might be put on the Government. The original Bill says, 'the Government may consult'; my amendment is that 'the Government shall consult'; and the amendment moved already is 'the Government shall consult and act on such advice.' The first object of this Bill is to set up an expert body who will manage the recruitment of services. The second point is that it should free the Government from the embarrassment of making appointments. I also think that it is very necessary that the Government should not be open to the odium which they always incur in the matter of appointments and the suspicion that they are creating jobs for persons. I therefore think it desirable that there should be an automatic procedure whereby the Commission is consulted. If the advice which the Government receive in any case is not practical, it should be open to the Government to act in variance. In any case, it is necessary to provide that the Government should consult the Commission, and then the Government can say, 'we have consulted the Commission and we have followed its advice or not.'

"The second point is whether the Government should take the advice given. I think that it is not necessary. The Government have a right to make appointments, and the Commission is only an advisory body. It will not be correct if the Government should be compelled to take such advice. I think my amendment makes the clause much better."

Mr. R. J. C. ROBERTSON :—" I second it."

* The hon. the PRESIDENT :—" Only the amendment of Mr. Hearson is now for the discussion of the House."

Mr. K. R. KARANT :—" Sir, I beg to oppose this amendment. Because really by supporting the worthless half of this amendment, my hon. Friend is going to suggest the deletion of the more important latter half of this clause. Sir, for all these two or three days, we have been told by the hon. Mover of this Bill in season and out of season that the intentions of Government are to be freed from the bother of nominating persons for posts and that they should have an independent body for making recruitment. We have heard that statement more than once, and when we see the functions assigned to that body by the provisions of this Bill, we have to say that the intentions of the Government are not honest. Because, if that is so, there is no use of having an independent body which is going to be simply consulted according to the amendment of my hon. Friend and whose decisions are not going to be adhered to by the Government. I think it is very important that a body like this should be able to make its own selection in almost all cases. Any Government which does not want to interfere with the jobs must be in a position to accept its advice. Where they cannot do so, it must be for cogent reasons which they should not be ashamed or afraid of putting in writing. The very fact that the Government want to oppose the original amendment—I do not know what their attitude is towards this amendment—shows that they want a Commission to be set up merely in name. Again, under clause 7 of this Bill, which has formed part of the Bill, they also do not want that the action of this body should come before this House. That is their second intention. Thirdly, they want to make the

[Mr. K. R. Karant]

[13th August 1929]

appointments as freely as they like without being in any way tied down by the decision of the Commission. I do not think that this clause in the Bill bears out the profession of the Government that they want to have an independent body and that they do not want to interfere in the matter of jobs every now and then. I think any government which really wants to face the public and this House should not be ashamed to record in writing where they feel it their duty to act in variance with this body. I therefore think that this amendment should be opposed and that the original amendment should stand."

* Mr. A. RANGANATHA MUDALIYAR:—"Sir, either the Commission is supposed to be useful, or is not. If it is a useful body, I think it is the bounden duty of Government to avail itself of such help as the Commission can render to it. As has been rightly remarked by the hon. Member representing the European constituency, it is no good to constitute a Commission if you are not going to consult it on matters pertaining to its jurisdiction. I go further, Sir, and ask, if you consult it, is it not also your duty to give due consideration to its recommendation? After all, the amendment proposed by Mr. Ramasomayajulu does not bind the Government to accept every recommendation made by the Commission. I do not see why the European Member should apprehend that Government will find themselves in difficulties by accepting the amendment. May I, Sir, for his benefit and for the benefit of the House, remind the council of a similar resolution in regard to the throwing open for election the office of the district board president? The rule is that every board shall be given the opportunity to elect its own president, unless for reasons to be recorded in writing, the Government think otherwise. Surely, Sir, it cannot be contended in this House that that rule has worked a catastrophe in Government circles. We know very well that, in spite of the rule, things are going on in very much the same way. So I want to tell the hon. Member representing the European constituency that he need not be under a misapprehension that the amendment, if accepted, is going to place the Government under any serious handicaps. I therefore think that Mr. Ramasomayajulu's amendment is very reasonable. It does not fetter the Government in any way. On the other hand, it gives sufficient latitude for the Government to pursue, if they feel like that, a course different from that recommended by the Commission."

* Rao Bahadur Sir A. P. PATRO:—"Sir, the clause in the Bill is based on the rules framed by the Secretary of State under section 96-C of the Government of India Act, called the Public Services Commission (Functions) Rules, of which Rule 3 is, 'The Commission shall advise the Governor-General in Council on any question connected with recruitment to an All-India Service or a Central Service, Class I, which the Governor-General in Council may refer to it.' The clause in the Bill, as it stands is, 'The Commission shall advise the Local Government on any question which the Local Government may refer to it in connexion with the recruitment to any provincial or subordinate service or special post.' The amendment that is proposed by Mr. Hearson is, 'The Local Government shall consult the Commission on every question in connexion with the recruitment to any Provincial or Subordinate service or special post.' This amendment therefore provides that on every question the Commissions should be consulted, which means that the bona fides of the Government should be proved and that the work of the Commission is considered to be really effective in the matter of recruitment. It seems necessary that there should

18th August 1929]

[Sir A. P. Patro]

be such a clause as this. It will practically mean that the Commission has a real voice in the matter, and at the same time it safeguards the interests of the public by making it incumbent on the Government to consult the Commission on matters connected with recruitment of services, and it will remove all grounds for suspicion that the Government are not acting bona fide in the matter of recruitment. We are not making rules or regulations for to-day or to-morrow. We must look to the future. Therefore, whatever may be the form of Government, whatever may be the constitution of the Government that we may have in the future, a safeguard like this would be necessary, in order to avoid any friction between the Legislature and the Executive Government. And in the interest of the smooth working of the Commission the amendment is necessary. But I have a doubt as to whether the amendment as now raised would be admitted without amending the Delegation rules."

* The hon. the PRESIDENT:—"Does the hon. Member propose to raise any point of order?"

Rao Bahadur Sir A. P. PATRO:—"I am only referring to it, whether it should be allowed consistently with the Delegation rules."

Mr. C. V. VENKATARAMANA AYYANGAR:—"On a point of order, Sir. You have admitted it as quite consistent. I do not know if the hon. Member is in order in referring to its admissibility."

* The hon. the PRESIDENT:—"The hon. Member is developing the grounds of possible invalidity for the purpose of opposing the amendment."

Mr. C. V. VENKATARAMANA AYYANGAR:—"When the Chair has said that it is in order, can he appeal to the House?"

* The hon. the PRESIDENT:—"He is not making a point of order to the House."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Is he commenting on the ruling of the Chair?"

* The hon. the PRESIDENT:—"I do not think so. He only says that the rules have to be amended."

* Mr. G. HARISARVOITAMA RAO:—"As a matter of fact, he asks whether it can be allowed."

Rao Bahadur Sir A. P. PATRO:—"My hon. Friends overshoot the mark in their points of order. I want them to understand the position first before criticizing it. It seemed to me somewhat doubtful whether we could propose such a change consistent with the Delegation rules. But for the reasons given there is no doubt that an amendment of the kind is very desirable, because it will not only avoid any friction between the legislature and the executive but it will be a safeguard for all persons concerned in the matter."

* Mr. G. HARISARVOITAMA RAO:—"Mr. President, Sir, I am really astonished, that the hon. the Floor Leader of the 'Justice' Party should attempt to rely upon the clause that makes this body purely advisory. It is really a distinction that is drawn by him in defiance of all the statements made on the floor of this House by the hon. Member in charge. We have been told that this Public Services Commission is intended to be an independent body, dealing with appointments, recruitment, classification, discipline and all that appertains to the services."

[Mr. G. Harisarvottama Rao] [18th August 1929]

12
noon.

"It is intended to be an adviser to the Government in the sense in which this Government is advisory to the Governor. This Government acts and acts very powerfully and is supposed to be advising the Governor on all matters of public interest. The Government to establish its reputation for proper administration is bringing in this Bill so that they might appoint proper advisers and act up to their advice until they feel that such advice is not given in public interests or in a very correct manner. I do not feel that because there is a clause which says that this Commission shall advise, etc., it should be treated like an advisory body set up to advise either the Excise Commissioner or the Collector in matters of excise or other persons who are entitled to act in their executive capacity in matters administrative and who are entitled to take advice of bodies so set up. Therefore I am astonished that a responsible person, who is in addition the Chairman of the Simon Committee, should have felt it necessary at this stage to come forward and tell us that this is a mere toy with which we shall not play. I think it is a more serious business.

"I have always thought that, under the present conditions of the constitution, the Government were not able to give us more radical clauses. It is quite possible that the Government felt that at this stage the rules that were made by the Secretary of State and the rules that were made by the Government under delegation could not be given up and a new law could not be radically introduced without an interim arrangement for the making of appointments and things of that type. Therefore they could not include under this provision stringent clauses which would make it incumbent on the Public Services Commission to give advice compulsorily and make it incumbent upon the Government to take that advice compulsorily. But the Government are as much anxious as we in the opposition, that the good name of the Government should be preserved and the administration purified and to that end the Public Services Commission should be so constituted as to have real value and real reputation. In that case, there is nothing particularly violent in the amendments that have been moved. I shall address myself to the amendment of the hon. Member for the European Constituency. I appeal to him to examine very carefully whether there is such a great difference between his amendment and the amendment moved from these benches. Our amendment makes his amendment more clear. He says that the Government *shall* consult the Public Services Commission. Now, Sir, I do not mean to say that he has not given thought to it, but I would suggest to him whether he has considered this aspect of it. What does he intend that the Government should do after consultation? Does he intend that ordinarily the Government should override the advice given by the Commission? I am sure that in his mind he does not feel that the Government should override the advice given by the Commission. Our amendment makes that clearer and nothing else. There is nothing more in our amendment than this, that the Government shall not ordinarily override the recommendations made by the Public Services Commission. I am sure that when he said the Government shall consult, he equally meant and held that the advice of the Commission shall ordinarily be taken. Our amendment is very clear on the point. It says that the advice shall be taken by the Government, and if the Government has to differ, they have the right to differ. We make it perfectly clear that the Government may give up the advice given by the Commission and act in their own manner, but when they depart from such advice it must

[18th August 1929] [Mr. G. Harisarvottama Rao]

be for some grave reasons which they must record in writing. After having set up an important body like the Commission under an independent statute, is it open to the Government to act in variance with its advice without grave reasons, those reasons being recorded in writing? So I beg of the hon. Member for the European Constituency to consider our amendment. He should not look at it with prejudice because it had come from the Opposition. We are doing all we can to make this Commission really efficient within the bounds laid down by the rules, statutes and the existing conditions. I therefore feel that the hon. Member for the European Constituency will do well to accept our amendment and to withdraw his own so that we may have the fullest benefit of our amendments, and we can have the Government coming straight and telling us that they will take the advice of the statutory body they have set up except under very exceptional circumstances. I have no doubt in my mind that this is the proper and correct attitude to take in the matter. I appeal to the hon. Members of this House to support our amendment, and to the hon. Member for the European Constituency to withdraw his."

* Mr. S. SATYAMURTI:—"Mr. President, Sir, I should like with your permission to refer to the amendment No. 25 on the order paper when speaking on this amendment. It seems to me that if this Commission is to function at all with that usefulness with which hon. Members belonging to every section of the House have expressed themselves anxious that it should serve, the wording of amendment No. 25 will make that purpose easily achievable. But as regards amendment No. 26, may I say respectfully that the speeches of my hon. Friend the Member for the European group and the Member representing Ganjam really support amendment No. 26 as it stands on the order paper and does not support the amendment of my friend representing the European group? I think I have heard him carefully and have understood him correctly. He said that he expected that this Government should consult this Commission and therefore it is provided that the Government shall consult the Commission. And he added that if the Government did not take the advice of the Commission they would state the reasons why they did not do so. Now, Sir, amendment No. 26 on the order paper merely provides that where Government do not feel that it is right to follow the advice of the Commission they will be good enough to state their reasons in writing, so that this Council and the party may have an opportunity of judging between the Commission and the Government. May I point out to my hon. Friend, according to his amendment, which makes it obligatory on the Government to consult the Commission and the Commission to give its advice, if the advice is not taken by the Government there will be wild comments? I do not know how it is in other countries. I believe even in our country there is an Act called the Official Secrets Act. In spite of it, there is a tendency in this country for even the most secret things to come out, and I think it will be widely known that the Commission recommended in such a manner and that the Government did not take up that advice. I put it to my hon. Friend whether in case this House is going to accept the first part of the amendment making it statutorily obligatory on the Government to take the advice of the Commission it is not in the interests of the Government itself that it should have an opportunity, statutory opportunity, of stating its reasons in writing. My hon. Friend representing the European group said in a jocular manner that when we put questions to Government, unless his amendment was accepted, the Government may say: 'We did not consult

[Mr. S. Satyamurti]

[13th August 1929]

the Commission because we did not think it necessary to do so'. But supposing the second part of the amendment were deleted, the Government may say 'Yes, we consulted the Commission'. Q. 'What is the advice the Commission gave you?' A. 'We don't feel called upon to give out the advice.' Q. 'Why?' A. 'Because it is not in the public interests of the country'. And the result will be that Government will not be in a position to explain to the House whether the Commission's advice was taken or not. The unfortunate Commissioners—they are invested with high judicial powers intended to advise Government on these large intricate questions—have to give advice but their advice is ignored, and yet their responsibility remains. The Government do not even take the House into confidence and say what the advice of the Commission was and why they ignored it. That is, the Commissioners will bear the responsibility for all the mistakes of the Government if they commit mistakes and the Government will be able to say 'We cannot say what advice the Commission gave'. I put it to the European group 'What are the practical difficulties in the way of the House accepting amendment No. 26 as it stands?' I appeal to the hon. Members to look at the clause as it stands and the amendment as it stands. Consultation is with regard to any question in connexion with the recruitment to any provincial or subordinate service or special post. I can understand if it is a case of A or B being appointed, the Government naturally feeling delicate that it ought not to be compelled to come to this House and say why they accepted the recommendation in the case of A and why they did not in the case of B. I fully concede that no Government ought to be expected to do it. But in this clause, as it stands, no such question will arise at all. The only question will be large questions of principle governing recruitment and such other allied matters. But with regard to these large matters, the advice of the Commission should not be so lightly ignored, without a statement of the reasons being recorded in writing as to why they differed from the Commission's recommendations.

"My hon. Friend representing Ganjam referred to the rules governing the All-India Public Services Commission. May I say one word with regard to it? That Commission is appointed under section 96 (c) of the Government of India Act, and section 96 (c) (2) says: 'The Public Service Commission shall discharge, in regard to recruitment and control of the public services in India, such functions as may be assigned thereto by rules made by the Secretary of State in Council'. It is perfectly possible for the Secretary of State to say that they ought not to make it obligatory on the Government of India to consult the All-India Public Service Commission. But here, in this case the House would be within its rights to legislate on matters of this kind and to legislate for a commission to regulate the public services. I would like to remind my hon. Friend that when I moved for an adjournment of the consideration of this Bill for a year, I stressed the point that the Commission as set out in the Bill was a truncated body and would not be able to regulate the public services in the sense the Delegation Rules contemplated. I was told by more than one hon. Member, including the Government Member, that after all, these are matters which can be secured by amending the individual clauses of the Bill, and we can give the Commission strong powers to regulate the services. I put it as a matter of English and as a matter of law to the House, that having authorized them to give advice to the Government on every question connected with recruitment

[13th August 1929]

[Mr. S. Satyamurti]

the Government should have the courtesy of stating their reasons in writing as to why the Commission's advice was rejected, and that is the least that we can do to make the Commission anything like a regulating body. One word more, Sir, and I have done. I take it, Sir, that the Government are going to appoint respectable men as Commissioners, gentlemen who have views of their own, who believe in the soundness of their views and who are going to stand by them. If that is so and if the Government are going to reject their proposals, there would surely be difficulties. But the answer will probably be that the Government will so conduct themselves as not to drive the Commission to extremes. But may we not provide, knowing human nature, against any possibility of friction by saying that it shall be consulted on every question connected with recruitment and the Local Government shall at least state its reasons before it differs from the Commission's findings? Sir, even in regard to recruitment the advice of the Commission is bound to be much sounder and much more in the interests of the province than the opinion of the local Government for the time being which must depend on the votes of this House. I appeal to the House and particularly to the European group to consider the reasonableness of the amendment of the hon. Member for Cocanada to secure for the Commission that position of independence and status which will alone attract men of ability."

* Mr. F. E. JAMES :—"Sir, the hon. Member for the University, who I am sorry to see is ill this morning, has asked us what are our practical difficulties in the way of our accepting the second part of the amendment now before the House. Our practical difficulties are these: In the first place the amendment says: 'The local Government shall consult the Commission on every question in connexion with the recruitment to any provincial or subordinate service or special post and shall act in accordance with the advice given . . .'. It will be seen that it lays stress on the words 'every question'. It is not simply a broad matter of principle that is involved. 'Every question' includes every appointment. We think that this would throw on the Commission an unnecessary burden. In the second place, we feel that, as a matter of fact, it is wholly likely that if the first part of the amendment is accepted, there will be cases in which the Government may have to differ from the Commission. Why should it be made a statutory obligation on the part of the Government to set forth in writing their reasons for differing from the Commission? We are entirely opposed to that idea, because it will mean that in every case where the local Government differs from the Commission there will be an opportunity of sowing seeds of antagonism as between the local Government and the Commission. We have stated in a previous debate that we definitely wish to have opportunities for this House to review the work of the Commission. I presume that in the ordinary course of events the Commission will publish its administration report and if there had been any very serious or grave disagreement as between that body and the Government, it would be found mentioned in the report. Even if a statutory opportunity is not given to this House to discuss that report,—and I hope it will not be—surely this House can, if the matter is sufficiently grave, raise the question either by a motion for adjournment or a resolution. Therefore, we consider that it is unnecessary to have this burden thrown on the Government in this regard. We also feel that it would be very unwise to allow this House and the public at large more opportunities for sowing the seeds of antagonism than are necessary."

[13th August 1929]

* The hon. Mr. A. Y. G. CAMPBELL :—“Mr. President, Sir, I propose now to speak only with reference to Mr. Hearson's amendment and I presume that I shall have another opportunity to speak with reference to the first part of the original amendment after Mr. Hearson's amendment has been disposed of.

“I would say, Sir, that we are prepared to accept, for reasons already explained by the supporters of Mr. Hearson's amendment, the amendment of Mr. Hearson. I do not think I need labour the points already discussed.”

* The hon. the PRESIDENT :—“I will now put to vote the amendment of Mr. Hearson. The question is: In the amendment of Mr. Ramasomayajulu, *omit* the words ‘and shall act in accordance with the advice given by the Commission, provided that the Local Government may, for reasons to be recorded in writing, act in variance with such advice.’”

The amendment was put and carried.

* The hon. the PRESIDENT :—“Now the amendment of Mr. Ramasomayajulu as amended is for the consideration of the House. It reads thus: For the existing clause, *substitute* the following :—

‘The Local Government shall consult the Commission on every question in connection with the recruitment to any Provincial or Subordinate service or special post.’”

* The hon. Mr. A. Y. G. CAMPBELL :—“Mr. President, Sir, I am going to speak on this motion from two points of view. In the first place, I feel that we must oppose it on the ground already referred to by Mr. James that it gives power to the Commission to be consulted in connexion with every question of recruitment to any Provincial or Subordinate service or special post. It might be argued, and indeed it is true, that all questions of pay, conditions of service, pension, leave rules and so on affect recruitment, and if this amendment is carried, all such questions would have to be referred to this Commission. That seems to me to be going too far, and it is not done in any other country so far as I am aware. It seems to me therefore that we need not go as far as that. At the same time, it is the intention of the Government that this Commission should be consulted in all matters of importance to which the hon. the Member for the University referred. May I say that he has my sympathy in his indisposition and also that I appreciate his coming here in spite of illness to assist us in the consideration of this Bill?

“I would suggest in this connexion that the appropriate place for making any provision laying on the Local Government a statutory obligation to consult the Commission is the Statutory Rules framed by the Secretary of State. In Delegation Rule 3 the Secretary of State has delegated to the Local Government the power to make rules regulating the method of recruitment.”

Mr. S. SATYAMURTI :—“On a point of order, Sir. May I know what my hon. Friend is reading from?”

The hon. Mr. A. Y. G. CAMPBELL :—“I am reading from the Delegation Rules which have been published.”

[13th August 1929]

Mr. S. SATYAMURTI :—“Sir, he is reading from a book which is not available to non-official Members.”

* The hon. the PRESIDENT :—“He is quoting what was published in the Gazette.”

Mr. S. SATYAMURTI :—“He is reading from a book.”

* The hon. the PRESIDENT :—“He has got it in book form. However, he is only quoting from a published passage.”

Mr. S. SATYAMURTI :—“May I know why in that book form it was not made available to the Members?”

* The hon. the PRESIDENT :—“That is a different question.”

The hon. Mr. A. Y. G. CAMPBELL :—“I was saying that the Local Government have been authorized to make rules regulating the method of recruitment to Provincial services, Subordinate services and special posts. Now, Sir, if this Bill is passed, even without this amendment, the Government are prepared to suggest to the Secretary of State in Council that he should amend the Delegation Rule 3 by making it obligatory on the Local Government to consult the Commission created under this Act before making or amending any of the rules which it makes under Delegation Rule 3. We also consider that there will be other cases in which it might be properly laid down by the Secretary of State that the Commission ought to be consulted. I trust, Sir, that this will meet the object which hon. Members have in view and with which I have considerable sympathy.”

* Mr. C. V. VENKATARAMANA AYYANGAR :—“I am surprised Sir, that the hon. the Revenue Member who, even when he agrees with us and expresses sympathy, should suggest that we should abdicate our right and opportunity and wait for this Government applying to the Secretary of State to change the rules after consulting his Council whose members we know very well. I would submit, Sir, that both this House and the Government should certainly prefer to have this power in their own hands. We should here and now make this a statutory rule and then, if difficulties arise, the Government may come to this House with the necessary amendments. Let us suppose for argument's sake that the Secretary of State is going to agree with this Government. What happens? He can change the rule whenever he wants. On the other hand, if this Government or the Council want to change the rule, they cannot. That being so, I do not understand why the Government should care much more for the rules framed by the Secretary of State than to our own enactment. If the Government are really in favour of the spirit of this amendment as they profess to be, what is their difficulty in accepting it? Why do they want to wait for a long time which must elapse before the Secretary of State moves in the matter?

“Sir, we are glad that the hon. the Revenue Member agrees with us in saying that the rules framed by the Secretary of State are defective and require change. When in the Select Committee I moved the adjournment of the Bill for three months for getting the Secretary of State to make certain rules and when in this House we wanted the adjournment of the matter for one year chiefly with that object, the Government stoutly refused as if these rules were the last word in the matter. But apart from

[Mr. C. V. Venkataramana Ayyangar] [13th August 1929]

that, we are now glad that the Government consider that a change is necessary. When we ourselves have got the power of changing it there is little or no reason why we should not exercise that power and change it. I request the Government to give up their position and accept the amendment."

The amendment was put and declared lost.

A poll was demanded and the House divided thus:—

12-30
p.m.

Ayes.

- | | |
|-------------------------------------|---|
| 1. Mr. C. E. Wood. | 21. Mr. C. Ohi Reddi. |
| 2. " A. J. Leach. | 22. " C. Ramasomayajulu. |
| 3. " F. E. James. | 23. " T. Adinarayana Chettiyar. |
| 4. " R. J. C. Robertson. | 24. Ahmed Miran Sahib Bahadur. |
| 5. " H. F. P. Hearson. | 25. Mr. K. Uppi Sahib. |
| 6. " S. Arpudaswami Udayar. | 26. " M. Narayana Rao. |
| 7. " V. Ramjee Rao. | 27. " C. N. Muthuranga Mudaliyar. |
| 8. " P. C. Venkatapathi Raju. | 28. " K. V. Krishnaswami Nayakar. |
| 9. " K. Koti Reddi. | 29. " C. Venkatrangam Nayudu. |
| 10. " S. Satyamurti. | 30. " A. Ranganatha Mudaliyar. |
| 11. " C. V. Venkataramana Ayyangar. | 31. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 12. " J. A. Saldanha. | 32. Mr. R. Nagan Gowda. |
| 13. " G. Harisarvottama Rao. | 33. " C. R. Parthasarathi Ayyangar. |
| 14. " C. S. Govindaraja Mudaliyar. | 34. " T. O. Srinivasa Ayyangar. |
| 15. " Abdul Hameed Khan. | 35. " C. Gopala Menon. |
| 16. " L. K. Tulasiram. | 36. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. |
| 17. " K. V. R. Swami. | 37. " Sir A. P. Patro. |
| 18. " D. Narayana Raju. | |
| 19. " K. B. Karant. | |
| 20. " P. Anjaneyulu. | |

Noes.

- | | |
|--|--|
| 1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 21. Mr. R. Foulkes. |
| 2. " Sir Thomas Moir. | 22. " P. J. Gnanavaram Pillai. |
| 3. " Diwan Bahadur M. Krishnan Nayar. | 23. Mahamud Sohamnad Sahib Bahadur. |
| 4. " Mr. A. Y. G. Campbell. | 24. The Zamindar of Singampatti. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 25. Mr. J. Kuppuswami. |
| 6. " Mr. S. Muthiah Mudaliyar. | 26. Subadar-Major S. A. Nanjappah Bahadur. |
| 7. " Dr. P. Subbarayan. | 27. Mr. N. Siva Raj. |
| 8. Mr. Alladi Krishnaswami Ayyar. | 28. " M. V. Gangadhara Siva. |
| 9. " Hilton Brown. | 29. " V. I. Muniswami Pillai. |
| 10. " H. A. Watson. | 30. " W. P. A. Soundarapandiyan. |
| 11. " A. G. Leach. | 31. " S. Subrahmanya Mooppanar. |
| 12. " J. Gray. | 32. " S. Venkiah. |
| 13. " S. V. Ramamurti. | 33. Rao Sahib R. Srinivasan. |
| 14. " C. B. Cotterell. | 34. Mr. S. N. Dorai Raja. |
| 15. " V. Ch. John. | 35. " G. R. Premayya. |
| 16. " M. A. Manikkavelu Nayakar. | 36. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 17. Syed Tajuddin Sahib Bahadur. | 37. Mr. P. T. Rajan. |
| 18. Abdul Wahab Sahib Bahadur. | 38. Abdul Kazaak Sahib Bahadur. |
| 19. Mr. C. D. Appavu Chettiyar. | 39. Khadir Mohidin Sahib Bahadur. |
| 20. " H. B. Ari Gowder. | 40. Rao Bahadur B. Muniswami Nayudu. |

Ayes 37. Noes 40.

The amendment was lost.

Clause 8 was put, passed and added to the Bill.

18th August 1929]

Clause 9.

* Mr. S. SATYAMURTI:—"I move that—

'In lines 3 to 6, for the words "the Commission shall . . . prescribing", the following words be substituted "the Local Government shall consult the Commission in regard to the regulations prescribing".'

'After (c), the following words be added: "and thereupon the Commission shall advise on such matters and"'. "

* The hon. the PRESIDENT:—"Amendments Nos. 27, 28 and 29 are almost identical and I select No. 27."

* Mr. S. SATYAMURTI:—"Sir, it is not very encouraging to move amendments to this Bill and see the hon. the Member for Revenue getting up in his place and saying that he cannot accept those amendments. On the last amendment, I understood him as an ordinary man of common sense that he would accept the amendment. But the Government gathered all the forces at their command to vote against that amendment. That makes one feel sad. I think there is another fact that makes one feel sad and that is that my hon. Friend from Ganjam, the leader of the Justice Party, has supported the amendment but his party as a whole have voted against it. Sir, after all, the Council is not functioning on proper and sound party lines but the Government and the Government alone are functioning. They are able to carry out their own policy. The hon. the Revenue Member will pardon me if I have misunderstood him. My understanding was that he accepted the amendment. If what he said meant anything at all, it meant that he accepted the amendment."

The hon. Mr. A. Y. G. CAMPBELL:—"I merely said that the amendment had my sympathy and I never said that I would accept it."

* Mr. S. SATYAMURTI:—"I never said that he accepted the amendment. I merely said that I inferred from his speech that he would accept the amendment."

* The hon. the PRESIDENT:—"I do not think that such a lengthy speech by way of introduction is necessary."

* Mr. S. SATYAMURTI:—"You will sympathize with me after the result of the last voting."

"Now, Sir, taking clause 9 of the Bill as it stands it reads thus:—

"Where any competitive examination is to be held in India for the purpose of recruitment to any Provincial or Subordinate service or special post the Commission shall advise the Local Government in regard to the regulations prescribed. If my amendment is accepted it will read thus: 'The Local Government shall consult the Commission in regard to the regulations, etc., etc.' It is merely a change of words. The Government ought to have no difficulty in accepting this amendment. If I have followed the hon. the Revenue Member's speech and understood him correctly he said that the acceptance of this amendment might mean that even in such small things as the appointment of particular persons to particular jobs they would have to consult the Commission, and that the Government ought not to be compelled to consult that body in such trivial matters. So far as this clause is concerned, there are specific items referred to therein, viz., the Local Government shall consult the Commission with regard to qualifications of candidates, conditions of admission to examination, and syllabus of the examination.

[Mr. S. Satyamurti]

[13th August 1929]

There is no question of communalism or anything in these matters, and therefore there is no question of the Government holding different views. It is experts and experts alone that can usefully advise with regard to qualifications of candidates, conditions of admission to examination and syllabus of examination.

"Sir, my second amendment is this: After '(C)' add the following words:—'and thereupon the Commission shall (1) advise on such matters' and omit the word 'and' at the end of my amendment."

"The second part of the amendment is a drafting amendment. Even according to the clause as it stands, the Commission does all this. Since I want to make it obligatory on the part of the Government to consult the Commission in all these matters, I move this amendment. I hope the hon. the Revenue Member will see the extreme reasonableness of this amendment and accept it. There is no question of requiring the Government to state reasons if they do not take advice of the Commission. It is good for the Government, and it is good for the public service of the province, that it should take advice from the Commission in regard to these expert matters. I have great pleasure in moving the amendment."

Mr. G. HARISARVOTTAMA RAO :—"I second it."

The hon. Mr. A. Y. G. CAMPBELL :—"Mr. President, we have no objection in accepting the principle underlying this amendment. But, as I have already explained, it seems to me that any rules made by the Secretary of State should be amended only by the Secretary of State in Council when occasion arises. I have already undertaken that Government would request the Secretary of State in Council to amend the Delegation Rules. These rules would include such matters as are referred to in this section. This Bill is brought forward under Delegation Rule 5 which refers to the establishment of a Commission, and the functions to be exercised by that Commission. Therefore it would be more appropriate that in a legislative enactment or statutory provision the laying of an obligation on the Local Government is not included in the Bill but it is included in the rules framed by the Secretary of State under section 96-B-2 of the Government of India Act."

"As I said already I have undertaken to address the Secretary of State in this matter."

Mr. J. A. SALDANHA :—"As to the objection raised by the hon. the Revenue Member that we are precluded from considering this amendment on the ground that it is beyond the scope of the Delegation Rule, I may point out . . ."

* The hon. the PRESIDENT :—"I do not think the hon. the Revenue Member said that this Council was precluded from considering any amendment. He said that in order to bring it in a line with the rules made by the Secretary of State an amendment of the Delegation Rules was necessary."

Mr. J. A. SALDANHA :—"I do not think the hon. the Revenue Member is quite correct even there. This is what the Delegation Rules say :

' 3 (1). Subject to the provisions of the Civil Services (Governors' Provinces) Classification Rules, and to the provisions hereinafter contained, the power to make rules regulating the method of recruitment to provincial services, subordinate services and special posts is hereby delegated to the Local Governments of Governors' Provinces.'

' 5 (1). The local legislature of any Governor's Province is hereby authorized to make laws for the establishment, and for determining the functions, of a Commission to regulate the public services of the province.'

13th August 1929]

[Mr. J. A. SALDANHA]

"This rule speaks of the power of the legislature to establish and determine the functions of the Commission. Is there anything to prevent this Council from making the Government consult the Commission? There is nothing. It simply defines the functions. It does not say that it cannot compel the Government to legislate. So far as the powers of this legislature are concerned, I think it has got powers to make it obligatory on the Government to consult the Commission, because the money that is to be spent on salaries, etc., is to be sanctioned by the local legislature. We have to spend money from the finances of this province. I think that the Government can surely be called upon by this Council by the inherent powers which it has got under the Government of India Act to make it obligatory on the part of the Government to consult the Commission in these matters. . . ."

* The hon. the PRESIDENT :—"My view is that we have got the power to legislate. That is clear from the fact that the hon. Member has been allowed to move the amendment. There is no necessity to comment upon that point. We are proceeding on that basis." 12-45 P.M.

Mr. J. A. SALDANHA :—"I cannot understand the difficulty of the hon. the Revenue Member. If we are going to take money out of our treasury under the authority of this Bill, surely we can call upon the Government to do certain things before they spend the money of the country. This Bill is brought forward to spend large sums of money. The hon. the Revenue Member accepts the principle of this provision; I do not see any reason why we should not pass this amendment. The hon. the Revenue Member now states that he would correspond with the Secretary of State and move for a change of the rule. I do not think that is very gracious. When the Bill was first introduced six months ago, attention was called to the defect of the rule. Surely if the Government were really actuated by good faith and some respect for this Council, they should have taken action when it was pointed out that the rule was defective. Even at the time of the Select Committee at Ootacamund, attention was drawn to this point. Even then they did not move the Secretary of State to change the rule. They say that so many dilatory motions have been moved; even then the Government do not care for them. . . ."

* The hon. the PRESIDENT :—"May I request the hon. Member to come to the merits of the amendment?"

Mr. J. A. SALDANHA :—"Now I came to the merits. (Laughter.) In humble opinion, the scruples of the hon. the Revenue Member are not justified. . . ."

* The hon. the PRESIDENT :—"As promised by the hon. Member, he has not come to the merits of the amendment."

Mr. J. A. SALDANHA :—"The hon. the Revenue Member can very well tell the Secretary of State that the former is not spending the latter's money. 'We spend money from the treasury belonging to the people and that we have been authorized by the people's representatives in the legislature to spend the money and that we should consult the Commission in these matters. . . .'"

* The hon. the PRESIDENT :—"I am not able to see how these remarks are relevant to the amendment under discussion."

[13th August 1929]

Mr. J. A. SALDANHA:—"My submission is relevant in this way. What are the scruples of the hon. the Revenue Member?"

* The hon. the PRESIDENT:—"I requested the hon. Member to come to the merits of the amendment."

Mr. J. A. SALDANHA:—"This provision is a very innocent and modest one. What we ask is that in the matter of rules regarding examinations, etc., the Government should consult the Commission."

* The hon. the PRESIDENT:—"I am afraid that the hon. Member is not really in possession of the amendment that is under consideration. May I know the number of the amendment on which the hon. Member is speaking?" (Laughter.)

Mr. J. A. SALDANHA:—"There are so many pages of amendments. (Laughter.) The amendment that we are now considering is 'the Local Government shall consult the Commission in regard to the regulations prescribing . . . ' etc. On the merits of the question I ask whether it is derogatory to the dignity of the Government to consult the Commission. They say 'no' to this amendment; but they accept the principle. I said that the scruples of the Government are quite unjustifiable. I appeal to the House that as a matter of consistency, the dignity and prestige of this House we should pass this amendment. Otherwise we should throw away this Bill. What is the meaning of the Government coming to us and insulting us with this Bill?"

* Mr. C. E. WOOD:—"Sir, I support the amendment. We must be consistent. This question hangs entirely upon the delegation powers given under Delegation Rule 3. The hon. the Revenue Member has not definitely assured us that this House has not sufficient powers under the rules to make this provision. We therefore feel that this opportunity should be taken to see that the Bill is shaped as we wish it to be. There is nothing to prevent us from doing so. If the Bill with this clause goes up to the Governor-General in Council and is sent back to us for this reason, it will then be up to the Government to delete the superfluous matter. I take it that there is no objection to the Government addressing the Secretary of State to have the provision in the Delegation Rules and make the position quite clear."

* Mr. K. KOTI REDDI:—"Mr. President, Sir, I am not able to understand the attitude of the Government in this matter. From what the Government Member said, it seems to me that the Government are quite willing that it is made obligatory on the part of the Government to consult the Commission with regard to various matters referred to in the clause. But still they seem to maintain that it would be much better if these rules are incorporated under the Delegation Rules and they say that they would address the Secretary of State for this purpose. At the same time they are not in a position to say that we have no power to legislate on this matter."

* The hon. the PRESIDENT:—"It is not stated on behalf of the Government that this Council has no power to make such a provision. They simply stated that they would take the permission of the Secretary of State to make such rules under the Delegation Rules."

Mr. K. KOTI REDDI:—"Admittedly we can legislate on this matter and admittedly the Government are not opposed to such a provision. As such, I fail to understand why the Government should take up this attitude unless their intentions are not very serious. I believe it is better that it is

[13th August 1929]

[Mr. K. Koti Reddi]

made obligatory on the part of the Government to consult the Public Services Commission on these matters. Otherwise the legislation that is going to be passed is a mere farce. If it is the desire of the Government to do serious business, I do not see why the Government should hesitate to accept this amendment. I hope the hon. the Revenue Member will consider the amendment twice before he rejects it."

* The hon. the PRESIDENT:—"The question is:

"In lines 3 to 6, for the words 'The Commission shall . . . prescribing' substitute the following words:—
'the Local Government shall consult the Commission in regard to the regulation prescribing.'"

"After (c) add the following words:—

'and thereupon the Commission shall (i) advise on such matter'."

The amendment was put and declared lost.

A poll was demanded and the House divided thus:—

Ayes.

- | | |
|-------------------------------------|--|
| 1. Mr. C. E. Wood. | 19. Mr. P. Anjaneyulu. |
| 2. " A. J. Leach. | 20. " C. Obi Reddi. |
| 3. " F. E. James. | 21. " C. Ramasomayajulu. |
| 4. " R. J. C. Robertson. | 22. " T. Adinarayana Chettiyar. |
| 5. " V. Ramjee Rao. | 23. Ahmed Miran Sahib Bahadur. |
| 6. " P. C. Venkatapathi Raju. | 24. Mr. A. Kaleswara Rao. |
| 7. " K. Koti Reddi. | 25. " K. Uppi Sahib. |
| 8. " Sami Venkatachalam Chetti. | 26. " M. Narayana Rao. |
| 9. " S. Satyamurti. | 27. " C. N. Muthuranga Mudaliyar. |
| 10. " C. V. Venkataramana Ayyangar. | 28. " K. Krishnaswami Nayakar. |
| 11. " J. A. Saldanha. | 29. " C. Venkatarangam Nayudu. |
| 12. " G. Harisarvottama Rao. | 30. " A. Ranganatha Mudaliyar. |
| 13. " C. S. Govindaraja Mudaliyar. | 31. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 14. " Abdul Hameed Khan Sahib. | 32. Mr. R. Nagan Gowda. |
| 15. " L. K. Tulasiram. | 33. " C. R. Parthasarathi Ayyangar. |
| 16. " K. V. R. Swami. | 34. " T. C. Srinivasa Ayyangar. |
| 17. " D. Narayana Raju. | 35. " C. Gopala Menon. |
| 18. " K. B. Karant. | |

Noes.

- | | |
|--|--|
| 1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 21. Mr. P. J. Gnanavaram Pillai. |
| 2. " Sir Thomas Moir. | 22. " Mahmud Schanzad Sahib |
| 3. " Diwan Bahadur M. Krishnan Nayar. | 23. The Zamindar of Singampatti. |
| 4. " Mr. A. Y. G. Campbell. | 24. Mr. J. Kuppuswami. |
| 5. " Mr. M. R. Seturathnam Ayyar. | 25. Subadar Major S. A. Nanjappa Bahadur. |
| 6. " Mr. S. Muthiah Mudaliyar. | 26. Mr. N. Eiva Raj. |
| 7. " Dr. P. Subbarayan. | 27. " M. V. Gangadhar Siva. |
| 8. Mr. Alladi Krishnaswami Ayyar. | 28. " V. I. Muniswami Pillai. |
| 9. " Hilton Brown. | 29. " W. P. A. Soundarapandian. |
| 10. " H. A. Watson. | 30. " S. Subrahmanya Mooppanar. |
| 11. " A. G. Leach. | 31. " S. Venkiah. |
| 12. " J. Gray. | 32. Rao Sahib R. Srinivasan. |
| 13. " S. V. Ramamurti. | 33. Mr. S. N. Dorai Raja. |
| 14. " C. B. Cotterell. | 34. " S. Arpudadaswami Udayar. |
| 15. " V. Ch. John. | 35. " G. Premayya. |
| 16. " M. A. Mannikkavelu Nayakar. | 36. " B. Ramachandra Reddi. |
| 17. " Syed Tajudin Sahib. | 37. " P. T. Rajan. |
| 18. " Abdul Wahab Sahib. | 38. Khan Bahadur S. K. Abdul Razack Sahib Bahadur. |
| 19. " H. B. Ari Cowder. | 39. Mr. T. M. Moidoo Sahib. |
| 20. " R. Foulkes. | 40. " Khadir Mohideen Sahib. |
| | 1. Rao Bahadur B. Muniswami Nayudu. |

[13th August 1929]

Neutral.

- | | |
|--------------------------------------|-------------------------------------|
| 1. Dr. (Mrs.) S. Muthulakshmi Reddi. | 3. Rao Bahadur C. S. Ratnasabapathi |
| 2. Diwan Bahadur P. Kesava Pillai. | Mudaliyar. |
| | 4. Rao Bahadur Sir A. P. Patro. |

Ayes 35. Noes 41. Neutral 4.

The amendment was negatived.

1 p.m. * The hon. the PRESIDENT :—" Amendments Nos. 28 and 29 are substantially the same as those already moved, and therefore cannot be moved."

* The hon. Mr. A. Y. G. CAMPBELL :—" Sir, I beg to move the amendment which stands in my name, viz.,

'that in line 4, after the words "the Commission shall," the words "if so required by the Local Government" be inserted.'

"Sir, this is merely a drafting amendment."

Mr. K. R. KARANT :—" On a point of order, Sir. It is the hon. the Revenue Member himself who first moved that the Bill be taken into consideration. At any stage of the Bill, can the Mover himself put in amendments ? "

* The hon. the PRESIDENT :—" It has been the practice."

Mr. K. R. KARANT :—" I thought he would put in his amendments at the third reading stage, Sir."

* The hon. the PRESIDENT :—" The Bill as amended by the Select Committee is before the House and every Member of the House including the hon. Mover of the Bill is entitled to move amendments thereto. That is the reason why the Bill as prepared by the Select Committee is put by the Chair, in order to give facilities to the Mover of the Bill to move his amendments. That has been the practice. I am not able to find any standing order which prevents such a practice."

The hon. Mr. A. Y. G. CAMPBELL :—" I was saying, Sir, that the object of this amendment is to make it quite clear that if the Local Government wish, they can call upon the Commission to exercise its functions."

The hon. Sir THOMAS MOIR :—" I second it."

* Mr. S. SATYAMURTI :—" Sir, I am somewhat surprised at the hon. the Revenue Member's statement that this is a mere drafting amendment. At any rate, he did not really mean it. If he did, I respectfully differ from him. In my opinion, a drafting amendment is one which may make clear what is not already clear or which improves the English of the clause, in order to make the language more elegant or the meaning more clear. But here to say that the addition of the words 'if so required by the Local Governments' is merely a drafting amendment is too much of a draft on the credulity of this House.

"Sir, the clause as it stands says: 'The Commission shall advise the Local Government in regard to the regulations prescribing.' I take it, Sir, that it will then be construed that it is as much the right of the Commission to advise as it is the duty of the Government to consult the Commission. I cannot, however, give it as my final opinion, but it seems to me that it will be perfectly open to any one who has got to interpret this statute

[13th August 1929]

[Mr. S. Satyamurti]

thus: that when the word 'shall' occurs, it is as much the duty of the Local Government to consult the Commission as it is the right of the Commission to advise.

"Then, Sir, you were pleased to rule that movers of Bills can move amendments at this stage. I bow to that ruling, but, Sir, I think this House has got a right to expect from the Government a more definite attitude with regard to such matters of legislation. This Bill was introduced months ago; it was referred to a Select Committee. The hon. the Revenue Member was then in charge of the Bill and other Members also were Members of the Select Committee. They went into the Bill carefully and nothing has been said in the report of the Select Committee or in the amendments recommended by the Select Committee in the direction in which the hon. the Revenue Member now seeks to amend the Bill. May I ask him what has happened since the publication of the report of the Select Committee to make the Government change their mind in the matter and ask the House to amend this clause? Is it because the Government feel that they have defeated us on amendments on which practically all non-official opinion in this House was unanimous by its voting strength, excepting the opinion of those who are not responsible to anybody else except themselves and because they have since been advised by lawyers that unless this phrase is put in there will be difficulty in the working of this clause? I put it to the hon. the Revenue Member to tell us if this can really deal with all the difficulties, if that is the object of putting in this amendment. Is it seriously contended, Mr. President, that with regard to these more or less academic matters like qualifications of candidates, syllabuses of the examination, etc., the Government are in any case not to consult the Commission? No doubt, my hon. Friend has already taken the position that he is going to address the Secretary of State to make the necessary changes in the Delegation Rules. If that is so, Sir, I shall merely ask the House to make the changes themselves when they have got the power to do so, by amending this clause as it stands. I wish to appeal to my friends of other parties in this House that this is an attempt to take away even the small powers of the Commission as they stand in the present Bill as it emerged from the Select Committee. I hope every section of the House will resist this attempt.

"Apart from this, Sir, even assuming that the word 'shall' there may not make it obligatory on the Local Government to consult the Commission, why should not the House at least have the benefit of this doubt, so that it may be argued and argued successfully that it is a statutory duty of the Local Government to consult the Commission. If this amendment is accepted by this House, Mr. President, it will come to this: that this Commission is not to be taken into the confidence of the Government and its advice is not to be sought even on small matters. In that case, may I ask this? What is this Commission for? Are we to have a Commission without even the power to give advice? If so, why not enact a simple Bill with one clause establishing the Public Services Commission and leaving it to convention to develop the whole procedure? This argument of 'convention' is conveniently used by the Government for all sorts of purposes. If it is a question of extending the powers of this Council or the powers of the Commission, we are asked to wait and see the effects of the blessed word 'convention'. But if it is a question of our asking that the Government's powers ought to be restricted in any manner or to any extent, then we are told: 'We do not want to provide

[Mr. S. Satyamurti]

[13th August 1929]

anything to override us or to restrict our powers; we shall continue to wield the powers that we have, you must not do so in this Bill but you must rely on "convention". It seems to me, therefore, that the House will be well advised in at least being consistent with itself in seeing that the Government do not make farther inroads into the already restricted powers of the Commission."

* Rao Bahadur B. MUNISWAMI NAYUDU:—"Sir, I am inclined to think that these words are unnecessary unless the legal adviser to the Government, the hon. the Advocate-General, will say that unless these words are there, it will be open to anybody else to consult the Commission. The Commission is established for a certain purpose. The Local Government appoint the men, and if there are any regulations necessary for appointing these men, it should be at the instance of the Government and not at the instance of anybody else. I do not think any other body is going to consult the Commission. Under these circumstances, it seems unnecessary to have these words introduced, and unless something more is going to be said in support of the amendment, we shall vote against this amendment."

Mr. P. ANJANEYULU:—"Mr. President, Sir, the legal adviser to the Government, the hon. the Advocate-General, seems to advise in a more bureaucratic manner than the Government itself."

* The hon. the PRESIDENT:—"I do not think the hon. Member will be justified in presuming that the hon. the Advocate-General has advised, unless the Government stated it or the Advocate-General himself accepted it. Why should the hon. Member advance arguments on presumptions?"

Mr. P. ANJANEYULU:—"With due respect, I submit my presumption is correct for this reason, that the hon. the Advocate-General was assuring this House, that, to-day, amendments for getting over the difficulties that arose with regard to clauses 6 and 7 and other amendments also would be brought forward."

* The hon. the PRESIDENT:—"No, no. These are amendments that were given notice of four or five days ago. These are amendments given notice of after the statement of the hon. the Advocate-General."

Mr. ALLADI KRISHNASAMI AYYAR:—"On a point of personal explanation, Sir, these amendments have nothing to do with my advice."

* The hon. the PRESIDENT:—"Mr. P. Anjaneyulu."

Mr. P. ANJANEYULU:—"There is enough authority for me to presume, Sir, because when the discussion was going on on this subject, the hon. the Advocate-General was constantly consulted and whispered with by the hon. the Revenue Member and by the hon. the Finance Member. Whatever that be, from whatever part the inspiration came for this amendment, I take it that the amendment simply means that they want to make this Commission a toy for themselves. If they are pleased to consult the Commission, they will do so; if they do not want to do that, they will lay it aside in safe custody for such pleasure as they can derive when they can play with it. No man with any self-respect will consent to serve on the Commission if indeed it should be a merely advisory body at the beck and call of the Government, to be consulted not even in academic matters on which the Government cannot presume to have expert knowledge themselves. Therefore, Sir, I stoutly oppose the amendment. I can very well understand why

13th August 1929]

[Mr. P. Anjaneyulu]

the hon. the Revenue Member wants to make the clause more explicit by passing this amendment. The section, as it is, reads:

'Where any competitive examination is to be held in India for the purpose of recruitment to any provincial or subordinate service or special post, the Commission shall advise the Local Government.'

"Possibly, the fear is that the word 'shall' may imply that there is an obligation, as my hon. Friend Mr. Satyamurti was saying, upon the Government that they should take the advice of the Commission. The Government now want it to be more explicit by the insertion after the word 'shall' the words 'if so required by the Local Government'. Is it right, I ask, that they should arrogate to themselves all the powers even of advice on such matters as the qualification of candidates, conditions of examinations, syllabuses of the examinations, etc.? If, as the hon. the Revenue Member says, this is only a matter of phraseology, and the intention is already there, then I will advise him to drop this amendment. At least in matters like this, let him not make the discussions and deliberations of this House appear merely unreal. When the first motion was lost, even when the European group supported it, when the crux of the Bill as it was, the kernel of the Bill was lost, I thought there was nothing more in this Bill to be seriously discussed. Let not the Government make it appear that discussions in this House are becoming more and more unreal. In fact, that is the situation we are coming to, and I hope and trust the hon. the Revenue Member will be better advised, from whatever quarter it may be, to withdraw this amendment."

* Mr. G. HARISARVOTTAMA RAO:—"Mr. President, Sir, the hon. the Revenue Member has stated that this amendment is only a drafting amendment. We have heard from our friends how it is not a drafting amendment. The question at issue is this: The section says:

'Where any competitive examination is to be held in India for the purpose of recruitment to any provincial or subordinate service or special post, the Commission shall advise. . . .'

"Here, Sir, it is a very limited question. It is a question of competitive examinations, and it is a question as to whose right it shall be to advise in this matter. It is a question whether Government are not bound to take the advice of this Commission on this simple question of competitive examinations."

"If after so much of trouble spent upon this Bill, after so much of the advocacy made by the Treasury Bench that we shall have a Public Services Commission to regulate the services, after a great deal has been said about the independent nature of the Commission, is it open to the Government to come and say that they shall have reserve powers in the matter of competitive examinations? If they cannot hand over the full power of advice—it is not even full power of complete action, but full power of advice in this particular matter—I wonder what the Government intends to do with this Public Services Commission at all. It is a matter for regret that the hon. the Revenue Member is looking at this question entirely from the point of view of the bureaucrat that has reigned supreme in this land. He looks at it entirely from the bureaucratic standpoint and he has plainly said so in so many words that no obligatory provisions should be made in this Bill with regard to Government. He feels that the Government should be sacrosanct and that this Council should not attempt to do anything in the form of

[Mr. G. Harisarvottama Rao] [13th August 1929]

legislation, prescribing for the Government a particular course of action. Here is a very simple matter and the simplest that can be thought of, namely, examinations and the advice that should be rendered with regard to examinations. Does the hon. Member contemplate any situation in which they propose to hold an examination for public services and yet withhold consulting the Public Services Commission? It is really a very strange position so far as this matter is concerned. I am really surprised that any plea should have been put in it all for reservation of power in the matter of referring for advice to the Commission. It is so patently the bureaucratic power that the Government desire to keep in this matter. It is so patently the desire of the hon. the Revenue Member to cut short the power of this House by the strength of the vote that he possesses in the House. It is really a very deplorable state of affairs and no man with any sanity and with any common-sense can support a motion like this. Where competitive examinations are going to be held, which must be within the province of the Public Services Commission, they must advise the Government and it must be obligatory on the part of the Government to accept such advice. Here even that obligation is not imposed and the Government comes forward to tell us that we shall not have this clause with the word 'shall' but shall have some more amendments to give them power to control the Public Services Commission. I regret, Sir, that Government instead of going about this business by keeping merely the residuary powers in their hands have gone about the business keeping all the powers to themselves and making this Commission a mere toy in their hands. It is a mere farce. This Public Services Commission is bound to be a mere farce if this amendment of the hon. Revenue Member is carried. The Government is looking at it as if the whole regulation of the public services is their private property and they are looking at it as if the bureaucrat must have the last word to say upon the recruitment to the public services. They do not want to give free power to the Public Services Commission. They have no intention of keeping the residuary powers under the present constitution in their own hands and going forward a step further and giving the Public Services Commission complete autonomy. There is not the slightest indication in the speeches delivered by the Members on the Treasury Benches to the effect. . ."

* The hon. the PRESIDENT :—" I understand that the hon. the Revenue Member proposes to withdraw the amendment."

Mr. G. HARISARVOTIAMA RAO :—" Then, I have no objection."

The hon. Mr. A. Y. G. CAMPBELL :—" Mr. President, Sir, in the very few brief words in introducing this amendment I wanted to make clear that if the Local Government wish they can call upon the Commission to exercise its functions. Not only they can advise the Commission, but also announce the number of vacancies and to make other arrangements. I wanted to make clear that only the Local Government, and not heads of departments, have the power to advise the Commission to exercise its duties. But, I find that this amendment has raised certain apprehensions in the minds of various Members of this House that we intend to limit the functions of the Commission. I may say that was not our intention and so I withdraw the amendment."

* The hon. the PRESIDENT :—" Has the hon. Member the leave of the House to withdraw the amendment?"

"(After a pause) The amendment is by leave of the House withdrawn."

18th August 1929]

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

'In sub-clause (ii) of clause 9, for the words "announce the number of vacancies" substitute the words "announce in accordance with such directions as may be issued to it by the Local Government, the probable number of vacancies".'

"Sir, this is another amendment to make matters more clear."

The hon. Dr. P. SUBBARAYAN :—" I second the amendment, Sir."

* Mr. S. SATYAMURTI :—" Mr. President, Sir, I do not agree with my hon. Friend the Revenue Member that the number of vacancies cannot be left to any Commission to decide. What is the number of vacancies for which they want to conduct an examination? What does this phrase 'announce in accordance with such directions as may be issued to it by the Local Government, the probable number of vacancies' mean? This morning at question time we have seen the sense of publicity of this Government exposed in respect of advertisements in the *Madras Mail*. Does it mean that the number of vacancies which the Government may issue shall have to be announced only in one paper, namely, the *Madras Mail* and shall not be announced in any other paper? I should like to know why these words are inserted. I think the phrase 'the probable number of vacancies' should quite meet the apprehensions of my hon. Friend the Revenue Member. Moreover, I think, speaking subject to correction, with regard to the rules made by the Secretary of State, governing the all-India Public Services Commission, the Commission announces the vacancies. At any rate, I see in the newspapers from time to time that the Commission announces the number of vacancies. The Commission says, there are so many vacancies in the Electrical department or in the Mining department and applications are invited. I would like to be corrected, if I am wrong, but I believe, I am right in both the points, that the rules themselves provide that the Commission shall announce the number of vacancies and secondly that the number of vacancies are now announced by the Public Services Commission itself. Sir, it seems to me that even in regard to a small matter of this kind, namely, with regard to the announcement of the number of vacancies, Government ought not to seek to fetter the discretion of the Commission in the manner of announcement with regard to newspapers, with regard to the time, with regard to the country and with regard to the languages and various other things. I do not think that the Commission's discretion ought to be fettered as far as the number of vacancies are concerned. It will of course be decided by the Government. The Commission has no vacancies to offer, it is only an advisory body and the vacancies are sought to be announced for the purpose of enabling candidates for the examination to make up their minds. May I explain that point? If there are 50 vacancies, there is likely to be a large number of candidates applying for the examination by paying fees and making preparation for the examination. Whereas, if there are only four or five vacancies, many people will not come forward knowing that their chances of success will be only one-tenth. In these circumstances, Mr. President, I want to put it to my hon. Friend the Revenue Member—I know I lack the persuasive eloquence of my hon. Friend from Chittoor, but still sometimes sense can come from this side of the House also—whether he considers that this

[Mr. S. Satyamurti]

[18th August 1929]

amendment is necessary, whether it is consistent with the dignity and self-respect of the Commission, and whether it is not best to leave the Bill as it emerged from the Select Committee."

* Mr. C. V. VENKATARAMANA AYYANGAR:—"Mr. President, I want to oppose this amendment: Sir, if we take this chapter, section 8 clearly lays down that 'the Commission shall advise the Local Government on any question which the Local Government may refer to it in connexion with the recruitment to any provincial or subordinate service or special post'. Therefore if the Commission has to function at all, it is the Local Government that has to give them some idea of the number of appointments to be filled by competitive examination the number to be filled by selection and the number by promotion. It is only after the Local Government gives that idea that the Commission begins to function. Clause 9 says: 'Where any competitive examination is to be held in India for the purpose of recruitment to any provincial or subordinate service or special post, the competitive examination has to be held as per orders of the Government. Therefore it is quite unnecessary to say that this Commission will do nothing unless it is called upon by the Local Government. It is the Local Government that should decide first of all the number of appointments to be filled by competitive examination or by selection or promotion. As regards the appointments which the Government want to fill by competitive examination, clause 9 says as to what the Commission shall do. Therefore, it is very clear that the Commission has no functions to perform unless the Government first of all decides about the number of vacancies and so on, and then leave it to the Commission as to how the announcement should be made and the qualifications, etc., subject, of course, to the rules to be made under section 12. We were told only a few minutes ago that the Government agreed with the views of the opposition so far as the functions of the Commission are concerned. And, if the Government should decide on the necessity of asking the Secretary of State to widen the scope and powers of the Commission and of the Government under the Delegation Rules, where then is the necessity to restrict the powers with any further amendment? Certainly we are going too far in the way of restricting the powers of the Commission and the Government ought not to go forward relying on the strength of their majority vote."

The Council then adjourned for lunch.

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

The hon. Mr. A. Y. G. CAMPBELL:—"Sir, I beg leave to withdraw my amendment."

The amendment was, by leave, withdrawn.

* The hon. the PRESIDENT:—"I find there are two amendments proposing a new sub-clause to clause 9. Mr. Satyamurti proposes to add the following new sub-clause:—

"The Local Government shall not recruit to any provincial or subordinate service or special post any person who is not in the list so forwarded by the Commission."

"The other amendment of Mr. Harisarvottama Rao is more comprehensive and I allow it to be moved."

[13th August 1929]

* Mr. G. HARISARVOTTAMA RAO:—"Mr. President, Sir, I beg to move—

'That the following be added as a new sub-clause at the end of clause 9:

"The Local Government shall not recruit to any provincial or subordinate service or special post any person who is not in the list so forwarded by the Commission, provided that the Local Government may, for reasons to be recorded in writing, act in variance with such advice."

"I am sure, Sir, that this amendment is nothing violent in its nature. It does not in any manner invade against the vested interests of the Government. The Government is called upon by this amendment to stick to their original intention that they will respect the Public Services Commission. The Commission according to the sub-sections of the clause will be called upon to make lists of persons qualified for the several appointments and the addition of this sub-clause makes it the duty of the Government to pay due regard to such lists. I have made sufficient provision, Sir, in the amendment, for the Government to act on its own initiative in case it considers that by the circumstances it is compelled to so act, but in ordinary circumstances it must be the rule for the Government to accept the lists prepared by the Commission. This is a small grace that I am asking, Sir. I have not expanded the powers of the Public Services Commission beyond what they can legitimately claim. They are entitled to hold examinations for the Government, to regulate the services in other matters, and to prepare a list of qualified persons and when they have so prepared it, I do feel, Sir, that the Government must have very special reasons if they want to set aside any decision of the Commission. It is quite possible, I can conceive of a situation, Sir, where the Government may be compelled to appoint persons who are not on the list, but how often do such necessities arise? They can arise only once in a time and they can arise only under exceptional circumstances. If they did not arise once in a time, if they did not arise under exceptional circumstances, the provision of a Public Service Commission, the provision of competitive examinations and the provision for lists being made would all be a mere farce. It would have absolutely no meaning or weight. Therefore, the question raised by the amendment is a very much smaller question; it is not a question of appointments, not even a question of recruitment. It is only a question of choice from a list which has been prepared in accordance with the rules prescribed, in strict accordance with the instructions of Government, whatever they may be. Having obeyed all the instructions of the Government having paid due regard to the rules that are made by the Government in this behalf, this list is prepared and when the list is so prepared, we are asking the Government not to deviate from it generally and ordinarily. They are given special powers to deviate in special circumstances, but have in such cases only to record their reasons in writing. Is it not fair to the services that such a deviation should be for very special reasons and that the Government should record those special reasons? Will it not be ensuring justice for those employed under the Government if we make a provision like that? Is it not right that the men who are in service now and who will enter it later must have an assurance that after all the trouble that they took to enter into the lists of the Commission the lists shall not be overridden by the Government choosing whomsoever they liked? Is that too much to ask on behalf of the services and on behalf of the purity of administration, that the Government should concede this point to the Public Services Commission which is

[Mr. G. Harisarvottama Rao] [13th August 1929]

admittedly the most independent body for the purpose of regulating the services. I hope, Sir, that the hon. the Revenue Member will not look at it from the angle of vision which has become customary with him. I want him, Sir, to give careful attention to the fact that I am not asking for any sweeping change to be effected, I am not asking for any extra powers to be given to the Commission, nor am I asking the Government to depart from its usual routine. It does not affect the powers of the Government, and it is not an invasion against the spirit of the provisions of this Act which the hon. the Revenue Member enunciated though I will not concede that that is the proper spirit. Even according to him, Sir, there should be no objection to this amendment, and I hope the hon. the Revenue Member will be generous enough to accept this amendment and obviate unnecessary discussion on the floor of this House."

Mr. J. A. SALDANHA :—"Sir, I beg to second this amendment. It is intended to provide a safeguard against the Government acting in utter disregard of the recommendations of this Commission or even without consulting it. It is intended to meet only such a contingency. We shall take a concrete case. Suppose the Swarajist party comes into power as it is likely one day and a Swarajist Cabinet of seven Ministers propose to refrain from consulting the Commission or to make up their mind to bring in their own men to the services setting aside the Commission's recommendations. In order to save such a contingency this sub-clause is provided and I think it stands to reason that in the interests of the independence of the services that this amendment should be made and that the Public Services Commission may be an independent body, and not a wing of the Secretariat acting according to the whims of the departmental Secretary or of the Governor in Council acting with his Ministers. I hope, Sir, that the House will accept the amendment."

2-45 p.m. * Mr. A. KALESWARA RAO :—"I rise to support the amendment. The Public Service Commission receives instructions from the Government as to the number of vacancies and it calls for applications, examines the applications and prepares a list of candidates who are most suitable in their opinion according to their order of preference. The question is what should become of the list. Is it to be thrown into the waste paper basket by the Government or should the Government usually, ordinarily and automatically follow the list and accept the list and make appointments only from that list. That is the question before the House and before the Government. Of course, in extraordinary circumstances where they feel that some outsider is to be appointed, then they may set out their reasons in writing."

* Mr. ALLADI KRISHNASWAMI AYYAR :—"On a point of order, Sir. I feel some doubt about it, and I would rather leave it to the Chair than."

* The hon. the PRESIDENT :—"Unless the hon. Member raises it as a point of order, I am not here to solve doubts. I have to give my rulings on any points of order that are raised."

* Mr. ALLADI KRISHNASWAMI AYYAR :—"I would raise the point of order, Sir, but I won't argue that point."

* The hon. the PRESIDENT :—"Then I do not propose to hear him."

13th August 1929]

* Mr. ALLADI KRISHNASWAMI AYYAR :—"Very well, Sir, I raise this point of order. Rule 12-A of the Classification Rules provides that all appointments to provincial or subordinate services and all appointments to special posts shall be made by the Local Government or any local authority empowered by the Local Government in that behalf. If a power of appointment is vested under a particular rule by the Secretary of State, if you merely lay down a procedure in making that appointment, that may not cut at the power; but on the other hand if you compel the appointing authority to accept the advice of another body and that otherwise it must record its reasons in writing, I feel that it abridges the power or takes away the power vested under rule 12-A of the Classification Rules. And having regard to rule 5 of the Delegation Rules, it says that any local legislation must be subject to the rules passed under section 96-B. I feel, Sir, that to that extent it abridges or takes away the power under rule 12-A and to that extent only I am referring to it. I am not referring to the other part of it. Anything that lays down the procedure in exercising that power I should not think directly violates that provision; if it merely says 'you take its advice' or something like that, it will not abridge or take away that power. But, on the other hand, the power of appointment is vested in the Local Government under rule 12-A of the Classification Rules, and under rule 5 of the Delegation Rules it is stated that the rules shall be subject to other rules passed under section 96-B of the Government of India Act. I am afraid that in so far as you compel the authority to accept another power, you practically cut at the power of appointment vested in the Local Government. And if you say that the Government should not deviate from the advice of the Commission as suggested in the amendment, then it will be repugnant to the rule 12-A I already referred to. It is only in regard to the reasons to be recorded that I raise the point of order."

* The hon. the PRESIDENT :—"I understand from what the hon. the Advocate-General has stated, that he wants to assert it as a fact that this amendment contemplates that the Government shall appoint according to the advice given by the Commission. If I agreed with him, I would feel no difficulty in holding that the amendment is ultra vires. But my construction is that the amendment as it stands does not take away from the Government their right to use their discretion. It only says, 'you must ordinarily accept the recommendations of the Commission, but where you differ from those recommendations, then, you must record your reasons for differing from them.' That means your power is intact as contemplated by the Classification Rules. We do not want to take away the power of appointment from the Government but this legislature wants that the Government should not be autocratic in regard to this matter. And it must explain the reasons why it selected the candidates in a particular manner. That is the only restriction which the legislature fixes; and to give such a direction to the Government is within the powers vested in the legislature under section 80-A of the Government of India Act."

* Mr. ALLADI KRISHNASWAMI AYYAR :—"Now that a reference has been made to section 80-A, I want to say this. On more than one occasion in the course of the debate reference was made to it, and I should like to mention it, Sir, in order to clear up one point."

Dr. B. S. MALLAYYA :—"On a point of order, Sir. Is a debate allowed on a point of order?"

[13th August 1929]

* The hon. the PRESIDENT:—"Not at all. In order to enable the President to give the right ruling the hon. the Advocate-General is advising him."

Mr. G. HARISARVOTTAMA RAO:—"I hope it is not like the advice given to the Government."

* The hon. the PRESIDENT:—"The advice of the hon. the Advocate-General is available not only to the Government but also to the President."

* Mr. ALLALI KRISHNASWAMI AYYAR:—"With regard to the services, the power of legislation by the local legislature does not rest under section 80-A of the Government of India Act, but under section 96-B thereof, as the delegated authority of the Secretary of State for India in Council. The fountain of authority, with regard to the services, is the Secretary of State. That power may be delegated either to the Local Government or to the local legislature, or other local authority. The power of the local legislature in regard to legislation is circumscribed by the ambit of the delegation from the Secretary of State for India in Council. If, for example that rule has the validity of an Act of Parliament, because that is the effect of section 96-B, then a local legislature cannot pass any measure for the peace and good government of the province so as to affect any Act of Parliament; and the expression 'Act of Parliament' would include not merely particular sections of the Government of India Act but also the rules passed in pursuance of particular sections of the Government of India Act. Therefore if, on a proper construction of the rules, the power of the legislature is circumscribed by rule 5 of the Delegation Rules, it cannot be enlarged by referring to section 80-A which, no doubt, on its terms would confer plenary powers on the local legislature in regard to peace and good government of the province, because this is a special jurisdiction that is conferred upon the local legislature by reason of section 96-B and it derives its authority from that delegation. That is the only point I want to submit, Sir, because in dealing with section 80-A that aspect should be considered."

* The hon. the PRESIDENT:—"I have to thank the hon. the Advocate-General for the light he has thrown on this matter, but at the same time I am not able to say I am convinced by the arguments advanced by him. My construction of sections 80-A and 96-B is this. If any legislation proposes to vest powers to control the method of recruitment, then it is subject to the provisions of section 96-B of the Government of India Act. This provision, according to my construction, does not in any way control or circumscribe or take away the powers that are vested in the Government by the Delegation Rules. My construction of this amendment in effect is that it only says the Government shall not be arbitrary in making the appointments, and that direction or legislative provision is within the purview of the good government of the province and does not amount to regulation of the services. Therefore I think the amendment is in order."

* Mr. A. KALESWARA RAO:—"Now, Sir, the Government instead of making appointments as it pleases, should make appointments only from the list submitted to it by the Commission. If it likes, it may ask the Commissioners to give them a larger panel out of which they may make appointments as they please. Even apart from that, if they want to appoint

[18th August 1929] [Mr. A. Kaleswara Rao]

strangers altogether, they can do so, but it must be on special and extraordinary occasions; and in each such case the reasons must be put down in writing. That is what this amendment says. Therefore it proposes to make the advice of the Commission respected by Government. Otherwise the Commission would only be a nominal or a useless one. The object, as admitted by the Government itself, of appointing a Commission like this and of proceeding with an Act like this in such a hurried way is that an independent Commission should come into existence and the burden of the Government.

* The hon. the PRESIDENT:—"I do not think the hon. Member is justified in referring to the hurried legislation on this amendment. He will have ample opportunities on another occasion to refer to hurried legislation."

* Mr. A. KALESWARA RAO:—"The Government at any rate wants to divest itself of its burden in this matter, this complicated matter in which the claims of the several communities also have to be carefully considered particularly at this time when communalism is very vocal and appointments have to be made for the various posts, both competitive posts as well as posts to be filled by nomination. Therefore it is but right that the House should expect that the Commission's views should be respected and appointments be only made from the list before the Government, ordinarily; and in extraordinary circumstances also it may do as it pleases, but the reasons must be given. One thing might be said, Sir. It may be asked why should the reasons be set down then and there? Of course when the appointments are made, naturally this House will put questions whether a list was given to the Government and whether the Government followed that list and so on. If the Government has not followed the list, then the Government for the purpose of supporting itself in the debate may invent some reason and say something which will naturally be unsatisfactory. But on the other hand, if the reasons that come to the mind of the Government just at the time of making the appointments are put down in writing once for all, then the whole procedure will be proper and there will be a safeguard that the Government does not do anything as it pleases and will not try to invent some reason or other when questions are put on the floor of this House. For these reasons, I support the motion."

* The hon. Mr. A. Y. G. CAMPBELL:—"Mr. President, Sir, even at the risk of disappointing my hon. Friend, Mr. Harisarvottama Rao, I am afraid I must adopt the same attitude towards this motion as I have done in the case of several similar motions. As I have pointed out before, this Bill is intended for the establishment of a Services Commission and for determining the functions of that Commission. And in my view this is not the right place for such provisions as that which it is now proposed to embody in the Bill. The correct place for them in my view is the Classification Rules issued by the Secretary of State for India in Council. Rule XII-A of those Rules provides already that all first appointments to the provincial or subordinate services or to special posts shall be made by the Local Government or by any authority empowered by the Local Government in this behalf, provided that the previous sanction of the Governor-General in Council shall be obtained in certain cases. And those cases include the making of first appointments to provincial services otherwise than (1) by promotion from a subordinate service, or (2) as a result of a

[Mr. A. Y. G. Campbell]

[18th August 1929]

competitive examination, or (3) after consulting a permanent board of selection, etc. So, when a competitive examination is held for appointment to a provincial service there is already a provision that if the Government does not make appointments according to the result of competitive examination, a report should go to the Governor-General in Council."

P.M. * Mr. S. SATYAMURTI:—"Sir, I feel I am unconvinced by the arguments of the hon. the Revenue Member. The amendment, Sir, is a reasonable and modest one. It simply seeks to fetter the discretion of the Government to this very small extent that when the Government takes the trouble of consulting the Commission and when the Commission takes the trouble of conducting an examination and arranging the candidates in the order of merit on the result of the examination and forwards this list to the Government, the Government ought to have at least the courtesy of not appointing anybody outside this list to posts which are filled up by competitive examination. It seems to me that the soundness of the proposition is obvious. I can understand the Local Government saying that certain appointments ought not to be filled up by competitive examination. There, I think that the Government should have unfettered discretion unless they agree to fetter that discretion by any well-known or well-understood tests. But, Sir, when the Government deliberately chooses to set apart a class of appointments that they should be filled up by competitive examination, to say that the Government will not accept the results of that competitive examination, but may appoint some people who have not come out according to the Commission in the order of merit as being fit for appointment seems to me a position which this House cannot really accept. What is this Commission for? What is this consultation with the Commission for? What are the examinations by the Commission for? And my hon. Friend the Revenue Member said that in his view the correct place for making these changes is the India Office at Whitehall, and now, it seems to me, Mr. President, that that may suit the Executive Government's convenience, for they will desire to dictate the form that the rules should take and get them done at the Whitehall. I think, therefore, that this House should insist upon this House itself putting down amendments which will carry out the object which we have in view.

"Mr. President, I listened to the speech of the hon. the Revenue Member carefully, and he did not say one word, by which he opposed the amendment on the merits. I put it to him—I think he has got a second chance to speak, or else he will ask somebody else to reply—whether the Government have any objection to accept the results of the competitive examination as binding upon them in respect to appointments which they themselves set apart as liable to be filled up on the results of a competitive examination. It seems, to me, Sir, that unless the Government want to have absolute patronage in their hands in regard to all classes of appointment, the Government ought to accept a modest recommendation like this. We say, 'you set apart certain appointments to be filled up by competitive examination, conduct the examination by the Commission, accept the results and appoint anybody you like from that list. You need not appoint the first man first, the second man second. Appoint any one of them, but do not appoint some one outside the list.' It seems to me that for the hon. the Revenue Member to get up and say, 'this can be done elsewhere', and for the House to accept that position is inconsistent with our duties and privileges.

[18th August 1929]

[Mr. S. Satyamurti]

"My hon. Friend, the Revenue Member, also referred, Sir, to Rule 12-A of the Delegation Rules. I do not know if these rules have been supplied to us by Government. But by the courtesy of your office I was able to get a copy."

* The hon. the PRESIDENT:—"They were published in the Gazette, and the Gazette is supplied to all the Members of the Council, I believe."

* Mr. S. SATYAMURTI:—"I stand corrected, Sir. There, it says that the permission of the Government of India should be obtained for first appointments except those on the result of a competitive examination or those on the recommendation of a permanent board of selection appointed by the Local Government. 'The results of competitive examination,' that phrase is in the context of the rule. Is it suggested by the hon. the Revenue Member or by his expert advisers that in the context it means that they can only get the results of a competitive examination and that they can appoint any one who is not in the list, and then say 'we have examined some other people, A, B and C. We can appoint X, Y and Z who are not in the list'. Such a proposition has only to be stated to be refuted. Therefore, Rule 12-A of the Delegation Rules has no relevancy to this amendment. I think this is the least which the House is bound to do, if, I repeat, Commission is to discharge its function as self-respecting Commissioners would like to discharge them. I commend this amendment to the acceptance of the House."

* Mr. C. V. VENKATARAMANA AYYANGAR:—"I also want to say one or two words on the position taken up by the hon. the Revenue Member. This is the third time that reference has been made by him that if any amendment is to be moved it should be done in the Secretary of State's office. He forgets, Sir, that after all these rules are not made necessarily for one province. The rules are intended evidently for all provinces. Even supposing that if all Governments are unanimous in the matter it will convince the Secretary of State to make that rule, we say that the other provinces in this country have not thought about it and they do not find it necessary to have an Act like this, and therefore those Governments may not at all care to ask for or to agree to any change in the Delegation Rules. The chances are so very few, if at all there is any chance of the Secretary of State amending his rules. Therefore, we need not press that point here.

"The other point is this. The hon. the Revenue Member himself admitted that so far as first appointments are concerned they have not got the final word. Either the appointment should be on the results of a competitive examination, as we want here; if not on the result of a competitive examination, it must be on the recommendation of a permanent selection board. Though we differ from the point of view of the Government, the Government seem to be saying that this commission will be one coming under that category. If, therefore, the Government do not make appointments on the results of a competitive examination, or if the Government do not make appointments on the recommendation of a permanent board of selection, then the Government are bound to apply to the Government of India for the appointment. In that case, are they going to apply to the Government of India without giving them any reasons? They must give some reason. We only want that that reason should be made public. If anybody wants that information, the Government may publish that information. There is no new duty cast upon them by this amendment, so that

[Mr. C. V. Venkataramana Ayyangar] [13th August 1929]

their time will be wasted by giving out the reasons. They are bound to give the reasons according to the rule, and when the reasons are such as to satisfy the Government of India, certainly the public can also be satisfied. Therefore to say 'that we will give the reasons only to the Government of India for first appointments but we will not at any time make those reasons public' seems to be that the Government do not want to take either the Council or the country into your confidence. I think, in the interests of the Government also it is desirable that this amendment should be passed."

MR. ABDUL HAMEED KHAN:—"Sir, with regard to this amendment, I wish to say one thing. If the implication of this amendment is to disable members of particular communities who may not be able to occupy a proper place in a competitive examination, if the implication of the amendment is to deprive communities other than those who will come out in any competitive examination occupying the first few places, if that is the implication of the amendment, Sir, I do not think that it is advisable to pass this amendment. I realize that every one here in the Council seeks to make the Commission as independent as possible of the Government. But, if the Government is going to retain in its hands the power to give opportunities, even after a competitive examination, to members of other communities in the matter of recruitment, I dare say it will be advisable to leave that power in the hands of the Government. So far as I understand this amendment, if it is carried through, it will fetter the hands of the Government in doing justice to communities other than those coming out of a competitive examination."

* The hon. the PRESIDENT:—"I take it the House is ready for vote. The question is,

'To add the following as a new sub-clause to clause 9:—

"The Local Government shall not recruit to any provincial or subordinate service or special post any person who is not in the list so forwarded by the commission,

Provided that the Local Government may, for reasons to be recorded in writing, act in variance with such advice."

The amendment was put and declared lost.

Mr. G. Harisarvottama Rao demanded a poll, which was taken with the following result:—

Ayes.

- | | |
|------------------------------------|-------------------------------------|
| 1. Mr. P. C. Venkatapathi Raju. | 14. Mr. P. Anjaneyulu. |
| 2. " K. Koti Reddi. | 15. " C. Obi Reddi. |
| 3. " Sami Venkatachalam Chetti. | 16. " C. Ramasomayajulu. |
| 4. " S. Satyamurti. | 17. " A. Kaleswara Rao. |
| 5. " C. V. Venkataramana Ayyangar. | 18. " K. V. Krishnaswami Nayskar. |
| 6. " J. A. Saldanha. | 19. " K. S. Sivasubrahmanya Ayyar. |
| 7. " G. Harisarvottama Rao. | 20. " A. Ranganatha Mudaliyar. |
| 8. " C. S. Govindaraja Mudaliyar. | 21. Diwan Bahadur R. N. Arogyaswami |
| 9. " Abdul Ham-ed Khan. | Mudaliyar. |
| 10. " L. K. Tulasiram. | 22. Mr. R. Nagan Gowda. |
| 11. " K. V. B. Swami. | 23. " C. B. Parthasarathi Ayyangar. |
| 12. " D. Narayana Raju. | 24. " I. C. Srinivasa Ayyangar. |
| 13. " K. R. Karant. | |

3th August 1929]

Noes.

- | | |
|---|---|
| 1. The hon. Khan Bahadur Sir Muhammad Uman Sahib Bahadur. | 25. Subadar-Major S. A. Nanjappa Bahadur. |
| 2. " Sir Thomas Moir. | 26. Mr. N. Siva Raj. |
| 3. " Diwan Bahadur M. Krishnan Nayar. | 27. " M. V. Gangadara Siva. |
| 4. " Mr. A. Y. G. Campbell. | 28. " V. I. Muniswami Pillai. |
| 5. " Mr. M. R. Seturatnam Ayyar. | 29. " W. P. A. Soundarapandian. |
| 6. " Mr. S. Muthiah Mudaliyar. | 30. " S. Subrahmanya Mooppanar. |
| 7. " Dr. P. Subbarayan. | 31. " S. Venkiah. |
| 8. Mr. Alladi Krishnaswami Ayyar. | 32. Rao Sahib R. Srinivasan. |
| 9. " Hilton Brown. | 33. Mr. S. N. Dorai Raja. |
| 10. " H. A. Watson. | 34. " S. Arpudawami Udayar. |
| 1. " A. G. Leach. | 35. " G. R. Premayya. |
| 2. " J. Gray. | 36. " C. Gopala Menon. |
| 3. " S. V. Ramamurti. | 37. " B. Ramachandra Reddi. |
| 4. " C. B. Cotterell. | 38. Rao Bahadur C. S. Ratnasabapathi. |
| 5. " V. Ch. John. | Mudaliyar. |
| 6. " M. A. Manikkavelu Nayakar. | 39. Rao Bahadur Sir A. P. Patro. |
| 7. Syed Tajudin Sahib Bahadur. | 40. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 8. Abdul Wahab Sahib Bahadur. | 41. Mr. P. T. Rajan. |
| 9. Mr. C. D. Appavu Chettiar. | 42. " T. K. Chidambaramatha Mudaliyar. |
| 10. " J. Bheemayya. | 43. Khan Bahadur Abdul Razaq Sahib Bahadur. |
| 1. " R. Foulkes. | 44. Khadir Mohidin Sahib Bahadur. |
| 2. " P. J. Gnanaavaram Pillai. | 45. Khan Sahib T. M. Moidoo Sahib Bahadur. |
| 3. Mahmud Schamnad Sahib Bahadur. | 46. Rao Bahadur B. Muniswami Nayudu. |
| 4. Mr. J. Kuppuswami. | 47. Mr. K. Sarabha Reddi. |
| | 48. Mr. A. V. Bhanoji Rao. |

Neutral.

- Mr. C. E. Wood.
" A. J. Leech.

3. Mr. F. F. James.
4. " H. F. P. Hearson.

Ayes 24. Noes. 48. Neutral 4.

The amendment was lost.

• Clause 9 was put, passed and added to the Bill.

Clause 10.

* MR. S. SATYAMURTI:—"I move—

'that in lines 3 to 6, for the words "the Commission shall . . . applications", the following be substituted:—

"the local Government shall consult the Commission in regard to the qualifications of candidates and the submission of applications and thereupon the Commission shall advise on such matter, and"

"Sir, a similar amendment has been discussed on the floor of this House. The point of this amendment is that it should be made obligatory upon the local Government to consult this Commission with regard to the regulations prescribing the qualifications of candidates and the submission of applications. It is obviously a matter on which any Government ought to be thankful for expert advice. After all, there are special posts, subordinate services and provincial services for recruitment to which you may have to get expert advice as to the qualifications needed for particular place or places. I do not know if the hon. the Revenue Member has given notice of or is going to move an amendment, as he did under an earlier clause, namely, 'to add the words "if required to do so."'"

* The hon. the PRESIDENT:—"The hon. the Revenue Member is not going to move any of his amendments, excepting the last one."

[13th August 1929]

* Mr. S. SATYAMURTI:—"We have to be thankful for small mercies, and I congratulate the Government for having given up that position. I am not going to repeat myself and say whether the word 'shall' means or does not mean that it is obligatory on the part of the Government to consult this Commission in all these matters. No doubt, I may say, speaking for myself, if it is conceded by the expert adviser to the local Government that the word 'shall' necessarily means that it is obligatory on the part of the local Government to consult the Commission, the object of my amendment is achieved. I do not think he can very well contend otherwise. If really he accepts that suggestion I will ask him to consider whether my amendment may not be accepted in order to make the meaning of the clause clearer. It would then simply mean that the local Government shall consult the Commission with regard to the qualifications. That is not an amendment which seeks to make anything binding on the Government. We only want that before Government makes up its mind on a matter it shall have the benefit of the advice of the expert body. I move the amendment."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I second it, and in doing so I wish to say that it is much more necessary in the case of nominations than in other cases that Government should consult this Commission before they come to any decision. Therefore, whatever might be the result of the vote on the last amendment, I think this amendment would be accepted."

* The hon. Mr. A. Y. G. CAMPBELL:—"Mr. President, Sir, for reasons which I have already explained, and in consonance with the view I have expressed on a previous occasion, I must oppose this motion as it is not correct to put in this provision in the law."

The amendment was put and negatived.

Mr. G. Harisarvottama Rao demanded a poll.

When the President rose to put the question, after the division bell was rung, Mr. Sahamnad Sahib entered the Chamber from outside. At this there were cries of order, order.

* The hon. the PRESIDENT:—"I request the hon. Member (Mr. Sahamnad Sahib) to leave the House. The convention we have established is that the moment the President rises to put the question, no Member will thereafter be allowed to get into the Council."

The House then divided thus:

Ayes.

- | | |
|--------------------------------------|--|
| 1. Mr. C. E. Wood. | 16. Mr. K. V. R. Swami. |
| 2. " A. J. Leech. | 17. " D. Narayana Raju. |
| 3. " F. E. James. | 18. " K. R. Karant. |
| 4. " H. E. F. Hearson. | 19. " P. Anjaneyulu. |
| 5. " V. Ramjee Rao. | 20. " C. Obi Reddi. |
| 6. " P. C. Venkatapathi Raju. | 21. " C. Ramasomayajulu. |
| 7. " K. Koti Reddi. | 22. " A. Kaleswara Rao. |
| 8. " Sami Venkatachalam Chetti. | 23. " K. V. Krishnaaswami Nayakar. |
| 9. " S. Satyamurti. | 24. " K. S. Sivasubrahmanya Ayyar. |
| 10. " C. V. Venkataramana Ayyangar. | 25. " A. Ranganatha Mudaliyar. |
| 11. " J. A. Saldanha. | 26. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 12. " G. Harisarvottama Rao. | 27. Mr. R. Nagan Gowda. |
| 13. " C. S. Govindaraja Mudaliyar. | 28. " C. R. Purthasaratthi Ayyangar. |
| 14. Abdul Hameed Khan Sahib Bahadur. | 29. " T. C. Srinivasa Ayyangar. |
| 15. Mr. L. K. Tulasiaram. | |

[13th August 1929]

Noes.

- | | |
|--|--|
| 1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 23. Mr. J. Kuppuswami. |
| 2. " Sir Thomas Moir. | 24. Subadar-Major S. A. Nanjappah Bahadur. |
| 3. " Diwan Bahadur M. Krishnan Nayar. | 25. Mr. N. Siva Raj. |
| 4. " Mr. A. Y. G. Campbell. | 26. " W. P. A. Soundarapandian. |
| 5. " " M. R. Seturathnam Ayyar. | 27. " S. Subrahmanya Moopanar. |
| 6. " " S. Muthiah Mudaliyar. | 28. " S. Venkiah. |
| 7. " Dr P. Subbarayan. | 29. Rao Sahib R. Srinivasan. |
| 8. Mr. Alladi Krishnaswami Ayyar. | 30. Mr. S. N. Dorai Raja. |
| 9. " Hilton Brown. | 31. " S. Arpudaswami Udayar. |
| 10. " H. A. Watson. | 32. " G. R. Premayya. |
| 11. " A. G. Leach. | 33. " B. Ramachandra Reddi. |
| 12. " J. Gray. | 34. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. |
| 13. " S. V. Ramamurti. | 35. Rao Bahadur Sir A. P. Patro. |
| 14. " C. B. Cotterell. | 36. Diwan Bahadur P. C. Ehirajulu Nayudu. |
| 15. " V. Ch. John. | 37. Mr. P. T. Rajan. |
| 16. " M. A. Manikkavelu Nayakar. | 38. " T. K. Chidambaranatha Mudaliyar. |
| 17. Syed Tajudin Sahib Bahadur. | 39. Khan Bahadur S. K. Abdul Razaak Sahib Bahadur. |
| 18. Abdul Wahab Sahib Bahadur. | 40. Muhammad Kadir Mohideen Sahib Bahadur. |
| 19. Mr. O. D. Appavu Chettiyar. | 41. Khan Sahib T. M. Moidoo Sahib Bahadur. |
| 20. " J. Sheemasayya. | 42. Rao Bahadur B. Maniswami Nayadu. |
| 21. " R. Foulkes. | 43. Mr. K. Sarabha Reddi. |
| 22. " P. J. Gnanavaram Pillai. | |

Ayes 29. Noes 43.

The amendment was lost.

Mr. S. SATYAMURTI:—"I beg to move--

'that the proviso at the end of the sub-clauses be omitted'.

"In spite of my past experience and my experience to-day, I am still hoping that this amendment is so reasonable that I think, in spite of the usual opposition of my hon. Friend the Revenue Member, although it is somewhat urbane, the House would not be averse to accepting this amendment. We see the limit of absurdity here; you appoint a Commission and ask them to interview the candidates for appointment, and then you provide that a representative of the local Government should be there to poke his nose into the affairs of the Commission. I think it is an intolerable state of affairs, intolerable alike to the officer and to the Commission. Is the representative of the local Government there to speak on its behalf and try to influence the deliberations of the Commission, or is he merely to exercise an independent judgment and advise the Commission as to what it should do? Now, Sir, I do not know for what special reasons the hon. the Revenue Member wants this proviso. It is hardly going to get expert advice from this officer. After all, the local Government is the ultimate authority for making the appointments and the House by its vote has already decided that the entire power to make appointments should be in the hands of the Government. I can understand, that if the Commission's powers had been expanded and the Commission's decisions had been made binding upon the Local Government; it might be conceivably necessary for the representative of the Local Government to be present at the Commission to represent the Government point of view. As the House has left the discretion of the Government wholly intact, I submit that this clause is inconsistent with the dignity and the smooth working of this Commission and it will put in an embarrassing position both the Government and the Commission.

[Mr. S. Satyamurti]

[13th August 1929]

"Moreover, if a Member of the Government wants to know from the officer present at the interview what the result of the interview was, is the unfortunate officer going to divulge it? If he divulges it he will be placing the Commission in a delicate situation, and if he does not divulge it, he will be placing himself in a very delicate situation. I think in fairness to the unfortunate officer, in fairness to the Government, in fairness to the Commission and in fairness to the candidate alike, this proviso should be deleted. With these few words, I move my amendment."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I second it."

* The hon. Mr. A. Y. G. CAMPBELL :—" Mr. President, the object of this proviso is to enable the Commission to have the advantage of expert advice in selecting persons for particular services. For instance, for the selection to medical services the Surgeon-General or some medical officer could be deputed to assist the Commission. In the same way with regard to other appointments also which require fairly expert qualifications. That is the object of this proviso and for that reason, I do not think I can accept the amendment."

Mr. SAMI VENKATACHALAM CHETTI :—" Sir, before the hon. the Revenue Member explained the object of this proviso, I thought that the local Government wanted to depute its officer to enable him to know the merits of the candidates who were appearing before the Commission in order that his personal knowledge might help him in making the selection out of the list that would be submitted by the Commission. Now that the hon. the Revenue Member has explained that the object was to assist the members of the Commission in making the choice, it seems to me that it is utterly objectionable as it is an influence from which it was the desire and the anxiety of this Council and the Government to free the Commission from. I also suspect that this is a very dangerous proviso in that it is intended to enable the local Government to depute one of its officers to be present at the interview and under the guise of advising the Commission, influence the Commission to make a particular choice. I think the seriousness of the position must be realized by the House and support accorded to the motion before the House."

Mr. K. V. R. SWAMI :—" Mr. President, I was thinking that this special officer is intended to be there to avoid calling these candidates again in order to ascertain whether they are smart fellows or dull fellows or something like that. I never thought that this officer would go there in the capacity of a judge and advise the Commission who are simply to be there like assessors in a sessions court to make decisions according to the wishes of this officer. Anyhow, fortunately for the House the hon. the Revenue Member made no secret of the fact that this officer is sent there to advise the Commissioners to make the best selection according to his bidding. This surely is a very humiliating position for the Commission. We have been told all this time that the Commission would be entirely an independent body and that it would not be influenced by any consideration whatsoever. But now we are told that the functions of this Commission are only advisory. The Commission knows very well that it is an advisory body because, after all, it is the officer specially deputed to be present at the interview that is to make the final selection whatever advice the Commission might have

18th August 1929]

[Mr. K.V.R. Swami]

given. Under these circumstances, would they still persist in having their own way and select candidates against the wishes or advice of the officer present? They must be fools to do so. They are not ignorant of the officer's wishes like the assessors who would be asked to give their opinion in a case before the judge gives his. The reverse is the case here. The Commissioners know beforehand what the view of the officer is and like ordinary mortals they would adjust their view to that of the officer. Sir, as I said, I was under the impression that the officer would be there as a silent spectator to ascertain the previous history of the family of the candidate in order to make up his mind for the final selection. But the hon. the Revenue Member says: No, no. He is not a mere figure head. He is there to advise the Commission to make the best choice. That means he is superior to the Commission which we are going to set up at a heavy cost. If a costly Commission of this kind is to carry out the behests of the Government merely, where is the necessity for this body at all? Having a Commission of this kind, to depute an officer to advise it in selecting candidates would be illogical. If they want to look at the faces of the candidates for appointment, they can summon them for the purpose as in fact that is what they have been doing. I have no faith in these interviews. When the University has once examined the candidates and when they are selected after a competitive examination, where is the necessity for an interview at all involving the candidates numbering hundreds at a time in large expenditure. Last of all, I repeat there is no necessity for the presence of this dictator in the person of an officer at the interviews to tell the Commission: You, fools, you must select this man or that man, otherwise your advice will not be accepted. That is very humiliating and I think the Government should save the Commissioners from such humiliation."

* Rao Bahadur Sir A. P. PATRO :—" The hon. Member from East Godavari thinks that it is very humiliating that an expert should be present at the time when the selection is made. I am surprised to hear that it is humiliating to have the assistance and advice of persons qualified to help the Commission in the matter of selection of candidates. This is not a new proviso. A similar proviso is to be found in the rules framed by the Secretary of State for the guidance and working of the All-India Services Commission. The All-India Services Commission does not consider it derogatory to have the assistance of an officer of the Government of India to advise it in the matter of selection and we find that encomiums are bestowed on the efficient working of that body. Therefore there is absolutely no reason whatever to think that it is humiliating to the Commission to have expert assistance in the discharge of their duties properly and efficiently. I submit that the proviso is very necessary and salutary for another reason that the members of the Commission are not equipped with the technical qualifications that are required for examining the candidates possessing technical skill and qualifications. And, after all, the making up of the list rests with the Commission and not with the officer."

* Mr. P. C. VENKATAPATHI RAJU :—" Mr. President, Sir, we had been all along saying, during the consideration of the previous clauses, that this Commission would be a creature of the Government. Not satisfied with that, the Government, by this proviso, want to make it a creature of the departmental heads. They want the presence of a departmental head at the time of the interview of these candidates. Sir, I should like to know from the

[Mr. P. C. Venkatapathi Raju] [18th August 1929]

hon. the Revenue Member what would happen if the officer present differed from the selection made by the Commission? Perhaps he will be instructed to send up a confidential report to the Government giving out his views. This sort of thing would make the Commission not merely a creature of the Government as we have been complaining, but a creature of the departmental heads also.

"Apart from that, I was surprised to find my hon. Friend Sir Patro saying that these departmental heads are experts. We know as a matter of fact that the Ministers who are said to be managing the departments are entirely in the hands of the so-called experts. It is the experts that are ruling the departments in spite of the fact that responsibility has been placed for their administration on the Ministers. If the Government felt that the advice of these experts was necessary and essential, why should they create a body—the Public Service Commission—and saddle on to the finances of the province the expenses connected therewith. If that be their view, this work can as well be left in the hands of the experts as is the case now, and so much money will be saved thereby."

3-45 p.m. * Mr. F. E. JAMES:—"Mr. President, Sir, I fail to see how the presence of an expert at the interview of candidates would be humiliating to the Commissioners. We are going to have on the Commission three men with a good deal of general experience. How can they be expected to know the difference between a biological and an inorganic chemist? The position of these members is going to be as dignified and secure as those of the High Court Judges. Why should they feel it derogatory to have the assistance of experts in making their selections? Because an expert officer may be present at the interview, to suggest that he may write confidential notes to the Government and that the Government may act upon them has no foundation whatever. Have you no confidence in your own people? If you have, there is no room whatever to fear that they will bring undue pressure to bear upon the Commissioners to act in accordance with the wishes of the Government in the selection of candidates."

Mr. K. KOTI REDDI:—"In all the amendments that we have been trying to introduce to this Bill in order to see that this Commission is made as far as possible an independent body not ordinarily influenced by the Government in the exercise of their patronage, we have been failing miserably. But the amendments that we have been trying to introduce so far are nothing when compared with the present amendment. If the proviso to clause 10 is not omitted in accordance with this amendment, I have no hesitation in saying that this Commission is a mere farce. My hon. Friend, the Member for the European Planters, said how the presence of an expert could be considered as humiliating to the Commission. I request him to note that it is not the mere expert that will be present. He will be an official who will be deputed by the Government. If, as Mr. James said, these members of the Public Service Commission had been experienced men, men who have knowledge of the world, I fail to see the necessity for the presence of an official expert. If the Public Service Commission think that expert advice is necessary, it is up to them to appoint such men whom they wish to appoint. If the section says that the Commission can ask an expert adviser, including a Government official, to be present, that would have been different. But

18th August 1929] [Mr. K. KOTI REDDI]

what the section says is that the Government have a right to thrust their own man. Sir, it is the official who decides the number of people who are to be selected. Government will ordinarily consult such officials as would support their point of view. These officials if they are present on the commission will say 'I want this man; I do not want that man'. The result will be when the list prepared by the Commission comes to the Government they will naturally act according to the advice given by the official who was present in the Commission. If, as my Friend feels, there is a necessity for the Commission to take up expert advice it is for them to take such advice from such official as they deem fit to take from. It is not for the Government to thrust their own man on the Commission. In the case cited by the hon. the Revenue Member he said that the Surgeon-General would be the right man in giving expert advice in the selection of candidates for the Medical Department. As a matter of fact, the list of candidates selected by the Commission used to be sent to the Medical Board and only after they have been certified to be eligible for service medically that their names will be entered in the list. In cases where the Commission think that expert advice is necessary it is open to them to appoint such men as they think fit. The Public Service Commission will be a mere farce if the Government thrust their own official to influence the decision of the Commissioners in the selection of candidates. In that case, instead of appointing a Public Services Commission the Government can do all the work themselves. The real fact seems to me to be that the Government is not interested in seeing that the Public Services Commission is kept free from all political influences and is an independent body. In clause 12 of the Bill they have fixed the number of candidates with regard to various communities in which my hon. Friend Mr. Hameed Khan and the Justice Party and some of us are also interested. So far as that aspect is concerned Government have been given the power to fix the number with regard to each community. Therefore I ask why the Commission cannot be trusted in the matter of selection of candidates without Government's interference. I fail to see the justice of their cause. I appeal to the hon. the Revenue Member that he would be kind enough to see that at least this proviso is not thrust into the Bill."

Mr. ABDUL HAMEED KHAN:—"This is a very important motion and I fail to understand the arguments put forward by my hon. Friend, Mr. James, the member for the European Planters. Sir, let us examine what is the purpose that has to be served by the presence of that officer. The hon. the Revenue Member gave the illustration of the Surgeon-General as an expert officer with regard to the Medical Department. He said that if the Commission called for applications with regard to appointments in the medical service then the presence of the Surgeon-General would be necessary. I wish to know whether there are any rules made with regard to the qualifications of candidates who have to be selected for each of these appointments. I do not know what the Surgeon-General can do in the matter. Is he going to examine the candidates medically, is he going to examine them with regard to their qualifications? The qualifications of these applicants will be before the Commission, their degrees will be before them. All the things about these candidates will be placed before the Commission in writing. What is it that the Surgeon-General can do in the matter? As has been pointed out by previous speakers the Commissioners will be men of sufficient experience and intelligence and they will be able to differentiate between

[Mr. Abdul Hameed Khan] [13th August 1929]

candidates and candidates. What the Surgeon-General is going to do I do not know. Is he going to find out whether a student is taller than another or one student is stouter than another? If the Government wish to get report with regard to each candidate selected by the Commission they can do so. The Secretary is there and he can prepare a resume of the whole interview and forward it to the Government. If the Government think that these Commissioners are honourable men they must trust them. If we examine the position coolly and carefully we will have to come to the conclusion that the presence of an official on the Commission will be of no purpose. He must be there either to sit quietly or to influence the decision of the Commissioners in which case the Commissioners will certainly be reduced to non-entities. Therefore I appeal to the Members of this House, especially to my Friend Mr. James and other European members—I do not know what the attitude of the Justice Party will be towards this motion but from the voting that has taken place we feel we were not able to influence the members of the Justice Party—to vote with us because we feel we will be able to influence them rather than the members of the Justice Party. I hope that this amendment will be carried.”

* Mr. G. HARISARVOTTAMA RAO :—“ I am surprised at the way in which this language is interpreted. The proviso says ‘ Provided that in case the appointment is to be made by the Local Government, the local Government may, if they think fit, appoint an officer to be present at the interview referred to in clause (iii). ’

“ If the Government intended to convey the impression to this House that they had in mind that the presence of an expert official was necessary at the interview, I should have expected the provision to have been drafted in quite another form. This language lends itself to no other interpretation except this: that wherever the Government may think fit and for whatever reason it may be they can appoint an officer to be present at the interview. Sir, if we really know the English language to any advantage this must be the meaning. I am afraid the hon. Member representing the Planting constituency was misled by his enthusiastic confidence in certain people. I want, Sir, that he should have real confidence in the Public Services Commission. If we should show our confidence in the Public Services Commission we might do so in this way, viz., by introducing a provision that the Government may appoint expert advisers to the Public Services Commission on a requisition from the Commission or whenever the Government deems that such advice is necessary. Nothing of the kind has been done in this particular proviso. This proviso appears to me to be one of two things: it is an attempt on the side of the Government to add one of their number to influence the decision of the Commissioners, or to put it mildly, to serve as a police man’s baton. There is absolutely no doubt that the Government is looking at these things from a very conservative point of view and at the last moment they thought of putting some interpretation upon the words here. Their original intention was not what has now been expressed on the floor of this House. If their original intention was not what I have expressed now, viz., that this officer is intended to be a C.I.D. then what is the meaning of introducing a clause like this that this officer shall be appointed by the Government to be present? Why is a man present on behalf of another? Is it not to watch how things go on and to find out how the selfish interests of these whom he represents are affected?

[13th August 1929] [Mr. G. Harisarvottama Rao]

“ In this case the mighty Government may appoint an officer of its own, 4 p.m. a highly placed man, for instance, the Surgeon-General for the Medical Department, to watch the proceedings of the Public Services Commission. I do not know what further steps will be taken by the Government; they may empower the officer to interfere in the work of the Public Services Commission by way of offering advice. Then what will happen to the Commission? What is the meaning of an officer being present at a particular place by appointment? It means this: he is the custodian of the interests of the person or body by whom he is sent. Here it means he is the custodian of the interests of the Government which appoints him and sends him to the Public Services Commission. If he is the custodian, it means that the Government distrusts the Commission itself. The Government consider that the Members of the Commission are not their custodians; they have faith in the person they appoint. If they feel that the Commission they are appointing is to the best benefit of all persons, there is no need for sending a man who is to act on their behalf and who will hold the policeman’s baton, as it were, upon the head of these Commissioners. I therefore feel that one of two things is or true. Either the original intention of the Government is what we suspect or that the legislation which they have brought forward is faulty, halting and incorrect. This proviso does not reflect the meaning of the Government. It is open to the Opposition to challenge the hon. the Revenue Member to tell us if he is convinced, the purpose for which the officer is to be sent, whether this is good legislation, whether this is a provision made in the best interests of all concerned, and whether this is the kind of legislation that should be passed on the floor of this House. If he wanted his interpretation to be put upon the clause, I should have expected the hon. the Revenue Member to make a motion on the floor of this House to defer the consideration of this proviso and to come before us with a better worded proviso, so that it may be clear to us that what he means is that expert advisers should be sent to the Commission to assist the Commissioners when such expert advice is necessary. I do not see any point in the pleading of the hon. Revenue Member that it is intended to give the Commission expert advice. The Government can afford to be more specific; the Government can afford to be more definite; the Government can afford to take us more into confidence. The Government should have more confidence in its own Public Services Commission. I therefore feel that apart from all considerations of merit, apart from considerations of clear drafting, apart from considerations of the necessity of the case, the Government should take time to make clear their exact meaning. Hon. Members from all parts of the House should uphold our motion and have this proviso deleted. I say that it is the duty of this house to see that legislation is definite, that legislation reflects the exact meaning of the legislators, that legislation is not undertaken which imports into the clauses put in there, the possibility of a chaos of interpretation. I therefore feel that the amendment should be passed.”

* Mr. S. ARPUDASWAMI UDAYAR :—“ Sir, I fear my hon. Friends in Opposition are straining this provision of the Bill. Giving expert advice does not mean, and cannot, by any stretch of imagination, be made to mean the exertion of undue influence on the Members of the Commission, nor that it would reduce the Members to the position of nonentities, or that it is like brandishing the policeman’s baton as a threat that they must select this one or that

[Mr. S. Arpudaswami Udayar] [13th August 1929]

one recommended by the expert officer. We have so many subjects and so many different kinds of qualifications. I take Engineering; there is Civil Engineering, Mechanical Engineering, Electrical Engineering, and so many branches of Engineering and the Commissioners who are really experienced men cannot be expected to know every thing of all things. The presence of a man who is to give advice can never mean that the judgment of the Members of the Commission will be unduly influenced. It will have the effect of enabling the Commissioners, to judge better and decide the question of proper qualification. Take Medicine; there are so many subjects. Take one subject, Medical Jurisprudence. It is very easy to assert that certain persons possess the requisite qualifications. Some men may have gone to foreign countries, may have had many years of training, may have had the benefit of lectures of eminent physicians with regard to that subject. The expert officer can distinguish between university and university and between degree and degree and point out who possesses very high qualifications. Likewise also in other subjects. The mere presence of an expert officer can never be made to mean the exercise of undue influence. My hon. Friends, I fear, are carrying their pessimism too far."

Mr. L. K. TULASIRAM:—"Thank you, Sir; after all I caught your eye."

* The hon. the PRESIDENT:—"When leaders of parties have spoken on a matter, I generally hesitate to call upon the members of parties."

* Mr. L. K. TULASIRAM:—"I do not want to take much of the time of the Council. I intervene in the debate only when I feel that some words are necessary on my part. Hon. Members may take that assurance which I give."

"It was stated by my hon. Friend representing the Indian Christian community from Trichinopoly, that all are not experts in all the subjects. I welcome his suggestion. Instead of the words 'the Local Government may, if they think fit', the words 'if the Members of the Commission think it necessary' may be substituted. This proviso shows that the Government have no trust in the Members of the Public Services Commission and they want to add an ornamental appendage to go and be present there. I have great respect for the Law Officer who drafted the Bill."

Mr. ALLADI KRISHNASWAMI AYYAR:—"I had nothing to do with the drafting of it."

Mr. L. K. TULASIRAM:—"What I say is, it is the duty of that officer to be present. The hon. the Revenue Member was presuming the existence of a lot of words which do not exist in the proviso. He said that the officer should be present there and advise the Commission. That is the interpretation which the hon. the Revenue Member was putting on the phrase. Really no such interpretation can be put on the proviso. The officer has got a statutory right to be present at the interview, as the proviso stands as it is. Sir, what is the purpose? He may be there to take confidential notes about the candidates, about their appearances, about their stature, etc. The words that are used, are 'to be present'. This is the drafting of a statute which is to adorn the libraries of the Madras Government. Simply to say that the officer should be present does not serve the purpose of the Government. Any person may point out that the officer can only be present there; if he does anything more, it will not be recognized as an act that has been sanctioned by the statute. The hon. the Revenue Member then said

13th August 1929]

[Mr. L. K. Tulasiram]

that this officer would be another expert of Government to help the experts who are the members of the Public Services Commission. This is nothing more than a clog on the freedom of action of the members of the Public Services Commission. You are adding a gentleman who will act like a spy and who will report to you about the candidates who are the best favourites of the Government. The words that have been used in the proviso are 'an officer to be present' whereas in all the arguments of the hon. the Revenue Member he was using the word 'expert'. If you want really to appoint an expert officer, nobody would object to it; but the request for the assistance of an expert should come from the members of the Commission themselves. He should not be sent at a time when the Government think that he ought to be there. It will only mean that you want to prejudice the Commission to put up the name of the candidate who is in your good graces and that you want to spoil the work of this Commission which is a costly white elephant. I wish that this unhappy proviso should be deleted, the proviso which is not definite, which is very vague and which shows in all its nakedness that the Government have no trust in the members of the Public Services Commission."

* The hon. the PRESIDENT:—"The question is—

"To omit the proviso'."

The amendment was put and declared lost. A poll was demanded and the House divided thus:—

Ayes.

- | | |
|--|--|
| 1. Mr. P. C. Venkatapathi Raju. | 15. Mr. P. Anjaneyulu. |
| 2. " K. Koti Reddi. | 16. " C. Obi Reddi. |
| 3. " Sami Venkatachalam Chetti. | 17. " C. Ramasomayajulu. |
| 4. " S. Satyamurti. | 18. Sriman Biewanath Das Mahasayo. |
| 5. " C. V. Venkataramana Ayyangar. | 19. Mr. A. Kaleswara Rao. |
| 6. " J. A. Saldanha. | 20. " K. V. Krishnaswami Nayakar. |
| 7. " G. Harisaravottama Rao. | 21. " C. Venkatarangam Nayudu. |
| 8. Basheer Ahmed Sayeed Sahib Bahadur. | 22. " K. S. Sivasubrahmanya Ayyar. |
| 9. Mr. C. S. Govindaraja Mudaliyar. | 23. " A. Ranganatha Mudaliyar. |
| 10. Abdul Hameed Khan Sahib Bahadur. | 24. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 11. Mr. L. K. Tulasiram. | 25. Mr. R. Nagan Gowda. |
| 12. " K. V. R. Swami. | 26. " C. R. Parthasarathi Ayyangar. |
| 13. " D. Narayana Raju. | 27. " T. C. Srinivasa Ayyangar. |
| 14. " K. R. Karant. | |

Noes.

- | | |
|--|---|
| 1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 15. Mr. V. Ch. Jehn. |
| 2. " Sir Thomas Moir. | 16. " M. A. Manikkavelu Nayakar. |
| 3. " Diwan Bahadur M. Krishnan Nayar. | 17. Syed Tajudin Sahib Bahadur. |
| 4. " Mr. A. Y. G. Campbell. | 18. Mr. C. D. Appavu Chettiyar. |
| 5. " Mr. M. B. Seturatnam Ayyar. | 19. " J. Bheemayya. |
| 6. " Mr. S. Muthiah Mudaliyar. | 20. " R. Foulkes. |
| 7. " Dr. P. Subbarayan. | 21. " P. J. Gnanavaram Pillai. |
| 8. Mr. Alladi Krishnaswami Ayyar. | 22. Mahmud Schammad Sahib Bahadur. |
| 9. " Hilton Brown. | 23. Mr. J. Kuppuswami. |
| 10. " H. A. Watson. | 24. Subadar-Major S. A. Nanjappa Bahadur. |
| 11. " A. G. Leach. | 25. Mr. N. Siva Raj. |
| 12. " J. Gray. | 26. " M. V. Gangadhara Siva. |
| 13. " S. V. Ramamurti. | 27. " V. I. Muniswami Pillai. |
| 14. " C. B. Cotterell. | 28. " W. P. A. Soundarapandian. |
| | 29. " S. Subrahmanya Mooppanar. |
| | 30. " S. Venkiah. |

[13th August 1929]

Nees—cont.

- | | |
|------------------------------------|--|
| 31. Rao Sahib R. Srinivasan. | 43. Mr. P. T. Rajan. |
| 32. Mr. C. E. Wood. | 44. " T. K. Chidambaramatha Mudaliyar. |
| 33. " A. J. Leach. | 45. Khan Bahadur S. K. Abdul Kazaak |
| 34. " F. E. James. | Sahib Bahadur. |
| 35. The Raja of Kallikota. | 46. Mohammad Khadir Mohidin Sahib Baha- |
| 36. Mr. S. Arpudawani Udayar. | dur. |
| 37. " S. N. Dorai Raja. | 47. Khan Sahib T. M. Moidoo Sahib Bahadur. |
| 38. " G. R. Premayya. | 48. Rao Bahadur B. Muniswami Nayudu. |
| 39. " V. Ramjee Rao. | 49. Diwan Bahadur A. M. M. Murogappa |
| 40. " B. Ramachandra Reddi. | Chettiyar. |
| 41. Rao Bahadur Sir A. P. Patro. | 50. Mr. K. Sarabha Reddi. |
| 42. Diwan Bahadur P. C. Ethirajulu | |
| Nayudu. | |

Ayes 27. Nees 50.

4-15 P.m. The amendment was lost.

* Mr. G. HARISARVOTTAMA RAO :—" Mr. President, Sir, I move that at the end of sub-clause (iv), a new sub-clause be added :

' The Local Government shall not recruit to any provincial or subordinate service or special post any person who is not in the list so submitted by the Commission, provided that the Local Government may, for reasons to be recorded in writing, act in variance with such advice.'

" Sir, we have had very wonderful expositions of the principles upon which we are proceeding. I know, Sir, that the hon. the Revenue Member is to-day in the happy position of having the irresponsibility of a bureaucrat combined with the advantage of, the responsibility of a Minister with supporters on all sides except in the Opposition benches here. He has proved to the hilt that he will not accept even very reasonable amendments; and yet I wish to make attempt after attempt and try to influence the vote of this House for something which the hon. the Revenue Member may after all consider reasonable. In this particular amendment, Sir, I want to draw the special attention of the hon. the Revenue Member to the fact that this is a matter which concerns the subject of selection by the Public Services Commission. Selection is a process which is very difficult for the candidates appearing before the selecting body. The candidates have to come all the way to the selecting board, they have to appear before it probably after spending a good deal of money and making their own arrangements to be present at the proper time. The hon. the Revenue Member has, with the support that he could command, got the provision by which he could appoint an officer to be present at the interview when these candidates are being examined by the Public Service Commission. It is therefore a complete provision, so far as the selection goes. There is the selecting body of Commissioners and along with them the Government have got their own officer. Under those circumstances, it should naturally be expected that the Government would keep to the list prepared as a result of such selection. I want the hon. the Revenue Member to forget for a while the other clauses and the amendments. I want him to remember the difficulties of candidates who have to get selected and who have to stand the test of personal interview. I want also the hon. the Revenue Member to remember that the Government owe a duty to those whom they call upon to appear before the Commission. It becomes incumbent on them to put as little of

13th August 1929] [Mr. G. Harisarvottama Rao]

restriction on the free employment of men who appear before them after they are once selected, as possible. If the Government are given the power under ordinary circumstances to depart from the recommendations of the Commission, what happens really is that the candidates will have to undergo very great difficulties and the selection would be absolutely of a very unjustifiable nature, all things taken together. Therefore, it is up to the hon. the Revenue Member to consider this amendment on its own merits. I want him to remember that when once the House has conceded that he could send a man or a special officer to the interview and to have all the other advantages of the Bill as it is going—the advantages of practically controlling the Public Service Commission—he could very well, in all fairness to the candidates that have to stand the selection test, accept my amendment which merely seeks to restrict the arbitrary power of the Government and induce them to recruit only such persons as are on the list duly prepared by the Commission after the process of selection. Even in the amendment, Sir, there is a power left to the Government that they are at liberty to act in variance with such advice of the Commission in exceptional cases. When the Government have in this way got all possible provisions for the control of the Commission, may it not be right for them to accept this humble amendment and thus shorten the discussion, so that we may go in a some what brisker manner ?

* Mr. A. KALISWARA RAO :—" Sir, I rise to second the amendment moved by my hon. Friend Mr. Harisarvottama Rao, and in doing so, I want to submit that the ways of the Government are as inscrutable as the ways of Providence. The Government say that they want to create an independent machinery, but they have everywhere put in provisions to curtail the independence, the prestige and the dignity of the Commission. They have chosen to put in a clause to the effect that an officer of the Government should be present at interviews with the candidates. Of course much was said about that officer—I do not know what officer will be there, and nothing has been said specifically that he would be an expert. Whatever it is, there is the Government officer who would unduly influence the Commissioners. Even then the Government are not satisfied. They want to have the power to reject the advice given by the Commission without assigning any reasons therefor. If the Commissioners are able to compose and adjust their differences with the officer who is to be present, why should the Government have still the power to reject the advice? If, on the other hand a friction occurs between the officer and the Commissioners, it would really be unfair to the Commissioners if the Government should act on the report of their officer and select candidates from the list of those who have been rejected at the interview. In either case, there should be a finality for the Government to make the appointment. It is but fair that here at least the Government should say that they will not appoint anybody who is not in the list. The presence of the officer of the Government will itself make the Commissioners omit those who are in the bad books of the Government or to include the relatives of those who have supported the Government in times of political crises—all that of course will be done under the present constitution of the Government even in the process of the preparation of the list itself in consultation with the officer of the Government. Therefore, I say it is but right and proper that the Government should select its employees from the list of people recommended by the Commission. Provision has however been made

[Mr. A. Kaleswara Rao] [13th August 1929]

in this amendment for extraordinary cases where the Government will have the power to act in variance with the advice of the Commission. I hope the amendment will be carried by this House."

* The hon. Mr. A. Y. G. CAMPBELL:—"Mr. President, Sir, the arguments for and against this amendment are somewhat similar to those relating to a similar amendment which was proposed by my hon. Friend Mr. Harisarvottama Rao under clause 9. In this connexion, I may refer again to Classification Rule XII-A under which if an appointment is made to a provincial service by the Local Government by selection, it must be done after consulting a permanent board of selection or the Public Service Commission or in accordance with arrangements approved by the Governor-General and if the appointment is to be made otherwise, the previous sanction of the Government of India must be obtained. There is another point, Sir, which I may mention in this connexion. If an appointment is to be made by selection, it is conceivable that cases may arise in which the Government ought not to accept the advice of the Commission for reasons which have arisen after the Commission made its selection; such cases will be very exceptional when the Government may not be able to accept the recommendation of the Commission, but it might be undesirable to publish the reasons; the reason might relate to a comparison between the qualification and characters of various candidates and it may be very undesirable that those reasons should be placed at the disposal of the public. Therefore, I submit that safeguard provided already in rule XII-A is quite sufficient, and the Government will in almost all cases, be guided by the recommendation of the Commission."

Mr. O. RAMASOMAYAJULU:—"Sir, I rise not with the hope that on the strength of my speaking, this amendment has got a chance of being carried in this House so much as to have my last say on the attitude which the Government have adopted the whole of this day towards amendments proposed by the Opposition. I may assure the Government that any one who runs can read into the number of amendments given notice of by the Opposition, and be convinced that the Opposition has only one particular motive in moving these amendments and that is that we want to confer on the contemplated Commission that status, that independence and that disinterestedness which the Government themselves profess they want to have. It is in that view that we here are proposing amendment after amendment, and the Government come in the way, the very Government which professed at the time they brought in this Bill in the Council that they wanted to create an independent body, independent of the political influences in the country. In the light of that statement, Sir, we propose all these amendments with a view to maintain the integrity of the Commission, so that it might not get influenced either by the Government or by any political party. But unfortunately, the very Government who had that view are now rejecting all the amendments, and I fail to see why the Government have adopted this attitude. I may now give a warning to the Government, Sir, that even among those friends who are now opposing these amendments, I do not think they will be able to find one self-respecting person in view of this attitude which the Government have taken to-day who will be prepared to accept a position in this Commission under these humiliating conditions

[13th August 1929] [Mr. O. Ramasomayajulu]

All that is requested in this amendment is that the scope of the selection may be limited to the persons selected by the Commission. A similar amendment has been voted against by this Government and this amendment also will probably be voted down. But all the same, we wish to maintain the integrity of the Commission and in that view, we tabled this amendment and all the other amendments moved previously. I do not know what the Government mean by adopting this attitude. On the one hand they say that they wish to maintain the prestige, the independence and the integrity of the Commission; but at the same time, they want to send the head of the department to be present at the interview. For what purpose? Is it for the purpose of maintaining the integrity and independence? The head of the department is there and, read with the other provisions that the Commissioners are liable to be removed at the sweet will and pleasure of the Local Government and that they are to be appointed by the Local Government, all these provisions will only lead us to understand the Government only in one way, namely, that they want the Commission only with a view to support their actions and not with a view to get independent advice or allow the Commission independent discretion in the matter of the distribution of appointments to the various services. I therefore wish to support this amendment. I hope the House will at least accept this amendment, which is after all a modest one."

Mr. J. A. SALDANHA:—"Mr. President, Sir, the attitude of the Government only confirms our suspicion that they wish to make this Commission a sweet hand-maid of theirs. I hope at least in this respect, the Government will accept this amendment, as there is no semblance of respectability with all the restrictions and humiliations thrust upon it. Let us at least have something respectable and honourable to this House which has passed the Bill by making this Commission perform honourable functions. I hope therefore that the Government will yield to this amendment; if not now, I hope at the third reading stage they will bring certain amendments and make this Bill emerge as something dignified and worthy of this House as well as of the Government."

The amendment was put to the House and declared lost.

Mr. G. Harisarvottama Rao demanded a poll and the House divided thus:—

Ayes.

- | | |
|------------------------------------|--|
| 1. Mr. P. C. Venkatapathi Raju. | 15. Mr. C. Obi Reddi. |
| 2. " K. Koti Reddi. | 16. " C. Ramasomayajulu. |
| 3. " Sami Venkatachalam Chetti. | 17. Sriman Biswanath Das Mahasaya. |
| 4. " S. Satyamurti. | 18. Mr. A. Kaleswara Rao. |
| 5. " C. V. Venkataramana Ayyangar. | 19. " K. V. Krishnaswami Nayakar. |
| 6. " J. A. Saldanha. | 20. " C. Venkatarangam Nayudu. |
| 7. " G. Harisarvottama Rao. | 21. " K. S. Sivasubrahmanya Ayyar. |
| 8. " C. S. Govindaraja Mudaliyar. | 22. " A. Ranganatha Mudaliyar. |
| 9. " Abdul Hameed Khan. | 23. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 10. " L. K. Tulasiram. | 24. Mr. R. Nagan Gowda. |
| 11. " K. V. R. Swami. | 25. " C. R. Parthasarathi Ayyangar. |
| 12. " D. Narayana Raju. | 26. " T. C. Srinivasa Ayyangar. |
| 13. " K. R. Karant. | |
| 14. " P. Anjaneyulu. | |

[13th August 1929]

Noes.

- | | |
|--|---|
| 1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 24. Subadar-Major S. A. Nanjappa Bahadur. |
| 2. " Sir Thomas Moir. | 25. Mr. N. Siva Raj. |
| 3. " Diwan Bahadur M. Krishnan Nayar. | 26. " M. V. Gangadhara Siva. |
| 4. " Mr. A. Y. G. Campbell. | 27. " V. I. Muniswami Pillai. |
| 5. " Mr. M. B. Seturatnam Ayyar. | 28. " W. P. A. Soundarapandian. |
| 6. " Mr. S. Nuthiah Mudaliyar. | 29. " S. Subrahmanya Moopanar. |
| 7. " Dr. P. Subbarayan. | 30. " S. Venkiah. |
| 8. Mr. Alladi Krishnaswami Ayyar. | 31. Rao Sahib B. Srinivasan. |
| 9. " Hilton Brown. | 32. Mr. S. N. Dorai Raja. |
| 10. " H. A. Watson. | 33. " S. Arpudaswami Udayar. |
| 11. " A. G. Leach. | 34. Raja of Kallikota. |
| 12. " J. Gray. | 35. Mr. G. R. Premayya. |
| 13. " S. V. Ramamurti. | 36. " V. Ramjee Rao. |
| 14. " C. B. Cotterell. | 37. " B. Ramachandra Reddi. |
| 15. " V. Ch. John. | 38. Rao Bahadur Sir A. P. Patro. |
| 16. " M. A. Manikkavelu Nayakar. | 39. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 17. " Syed Tajudin Sahib. | 40. Mr. P. T. Rajan. |
| 18. " O. D. Appavu Chettiyar. | 41. " T. K. Chidambaramanatha Mudaliyar. |
| 19. " J. Bheemayya. | 42. Khan Bahadur S. K. Abdul Rasak Sahib Bahadur. |
| 20. " E. Foulkes. | 43. Khader Mohideen Sahib Bahadur. |
| 21. " P. J. Gnanavarum Pillai. | 44. Khan Sahib T. M. Moidee Sahib Bahadur. |
| 22. " Mahmud Sohammad Sahib. | 45. Rao Bahadur B. Muniswami Nayudu. |
| 23. " J. Kuppuswami. | 46. Mr. K. Sarabha Reddi. |

Neutral.

- | | |
|--------------------|-------------------------|
| 1. Mr. C. E. Wood. | 3. Zamindar of Seithur. |
| 2. " A. J. Leach. | |

Ayes 28. Noes 46. Neutral 3.

The amendment was lost.

* The hon. the PRESIDENT:—"I now put clause 10 to the vote of the House. The question is—

'That clause 10 shall stand part of the Bill.'"

Clause 10 was put, passed and added to the Bill.

Clause 11.

* Mr. G. HARISARVOTTAMA RAO:—"Mr. President, Sir, I am trying to make another attempt to appeal to the fair sense of the hon. the Revenue Member—may be in vain or may not be in vain. I hope, Sir, in this case, at any rate, he will accept the amendment and see that justice is granted. I move, Sir, that a new sub-clause be added to clause 11 in this manner—

'The Local Government shall not promote any such candidates except in the order of preference arranged by the Commission.'

Provided that the Local Government may, for reasons to be recorded in writing, act in variance with such advice.'

"Mr. President, Sir, you will see that in this case the Public Service Commission is called upon to consider the claims of candidates nominated by the heads of departments. In the first instance, there is the control kept in the hands of the Government. It is not as if the applicant appears before the Public Service Commission or as if the Commission is asked to decide *en masse*, but here there is a specific power left in the hands of the heads of

[13th August 1929] [Mr. G. Harisarvottama Rao]

departments to nominate men who have to be promoted and the Public Service Commission is expected to act only in reference to such men as are nominated by the heads of departments. Now, Sir, after that has happened, there is the advice in respect of which the candidate nominated possesses the requisite qualifications and a good record and character and ability for the service for which it is proposed to appoint him. Nothing is left out. This sub-clause makes it very clear that the Government have taken care to point out to the Public Service Commission on what matters they should give their opinion, that is, they should examine the candidate with reference to these nominated persons in regard to the qualifications, record, character and ability. Having examined all these things, they have to arrange the order. Now, Sir, so much precaution has been taken and when the Government has had a hand in the nomination of the men, when the heads of departments are given the complete choice to choose their men to go before the Public Service Commission, is it open to the Government now to come and tell us that they shall not accept my amendment? Is it open to the Government to say that it is such a case as to deserve a very wide power in their hands? Even here, I have not restricted the powers of the Government. It has the power of revision as a second chance. The first chance is there in the nomination, the second chance being in the matter of revision. What I propose is really this: that the Local Government may, for reasons, to be recorded in writing, act in variance with such advice given by the Public Service Commission.

"I do not know whether my appeal will have any value, but still I make the appeal. I make the appeal once more through you, to other members of other parties and especially to those friends of ours, the European Members who have attempted to be fair to up-to-day in one or two amendments. I appeal to them that when there are restrictions already in the choice of men, the heads of departments are already there to nominate men, whether it is essential to leave in the hands of the Government wider powers than my amendment gives them. I do not see that the Government can go before the country or any hon. Member of the House can go before the country and say with any justification that they have voted against this amendment. This amendment seeks the least that can be sought to check the arbitrary powers that the Government keeps in its hands with regard to appointments, recruitment, classification and promotions. It is for all these purposes that this Commission is being appointed and where so much power is already conceded to the Government by the clause, may I ask whether any more additional power is required, so that they may exercise a wider jurisdiction than what is intended to be allowed by my amendment. I feel, Sir, that I am making the last appeal and that I am making the most reasonable appeal . . ."

* The hon. the PRESIDENT:—"This is the last of the series of amendments."

Mr. G. HARISARVOTTAMA RAO:—"Yes, Sir, thank you for pointing that out to me. I hope that at least the last of the series will receive due consideration not only at the hands of the hon. the Revenue Member but also at the hands of other members, who are more responsible to the country than the hon. the Revenue Member, who is in a secure position, placed as he is."

[13th August 1929]

Mr. C. S. GOVINDARAJA MUDALIYAR :—"I second the amendment, Sir."

* The hon. Mr. A. Y. G. CAMPBELL :—"Mr. President, Sir, the arguments that I have advanced with reference to the earlier numbers in this series of amendments apply with equal force in this case also. As I have remarked with reference to the previous amendments, any such provision should be more properly included in the classification rules made by the Secretary of State."

The amendment was put to the House and lost.

Clause 11 was put, passed and added to the Bill.

Clause 12.

4-45 p.m. Mr. S. SATYAMURTI :—"I have come to the end of my tether to-day and this is the last attempt I wish to make to improve this Bill, if it is possible to do so. It has been claimed, Sir, on the part of Government that the Devolution Rules made by the Secretary of State under section 96-B (2) of the Government of India Act confer the power to regulate public services on the local Government. And our series of amendments has been opposed and opposed successfully on the plea that the Government cannot share that power to regulate the services with the Commission. Now, Sir, if that is the position of the Government I should like to know, Sir, why they want this clause which says that the Public Service Commissioners shall not discharge any of the functions under sections 9, 10 and 11 but shall observe the rules, if any, made by the local Government regarding the constitution of or recruitment to any provincial or subordinate service or special post under section 96-B (2) of the Government of India Act. And what are the functions laid down in sections 9, 10 and 11? In those sections, Sir, the local Government is to ask the advice of the Commission and they are to advise the Commission with regard to the classification of candidates, the conditions of admission and the syllabus of examination. Sir, is it suggested that with regard to the syllabus of examination, for example, the local Government is to make a rule that Greek shall be included and that Tamil shall not be included and the Commission is to carry out the orders of the local Government? Take again clause 10 as regards the qualifications of candidates, for selection to appointments, and again clause 11 which governs promotion. It seems to me that the position of the Government is sound, that they have got unrestricted power to regulate public services without binding themselves to accept the advice of the Commission or even going out of the list submitted by the Commission for appointment either by competition or by selection. Then it seems to me, Sir, that this clause is wholly unnecessary. My second argument for its deletion is that it is undignified. I don't think, Sir, that the Public Services Commission should be statutorily and publicly told that with regard to its purposes, namely, the admission or recruitment to any provincial or subordinate service or a special post it shall observe the rules made by the Government. Thus it seems to me that the Commission is reduced once more in categorical terms to a position of absolute want of influence. In those circumstances, Sir, I would beg the House to vote against the retention of this clause in the Bill."

Mr. J. A. SALDANHA :—"I rise to oppose this clause. It is in the first place superfluous, in the next it is inconsistent with the previous provisions of the Bill and in the third, as my hon. Friend, Mr. Satyamurti, observed, it

[13th August 1929]

[Mr. J. A. Saldanha]

reduces the Commission to a non-entity. As illustration of the first reason that I have advanced, let us take clause 9 and the subsequent clauses. They amply provide for the consultation between the local Government and the Commission and the latter giving its advice on all the matters comprised in the sections. Here once again in the Act, you proceed to lay down that the Commission shall obey the rules laid down by the local Government. I am at a loss to understand why at all such a section is necessary.

"Again, there is bound to be reduplication of work as a result of this clause. The Commission is asked to advise in the matter of syllabus and the Government, in pursuance of this section, will, I imagine, get hold of an expert to draft rules for the guidance of the Commission and the Commission is to submit itself to those rules. These draft rules, I have no doubt, will be framed by some over-worked official of the Secretariat and the Commission has to advise the Government in regard to the matters on which the Government had framed their rules. Not only will there be superfluity but there will also be much reduplication of work.

"Thirdly, Sir, I feel certain that the Advocate-General could not have drafted this clause for he should have noted the legal contradiction that it involved."

* Mr. ALLADI KRISHNASWAMI AYYAR :—"I am not the draftsman for Government. I have made that clear more than once in the House."

Mr. J. A. SALDANHA :—"It was however open to him, as a lawyer, to point out the contradiction that the clause implied."

"As for the dignity of this Commission, Sir, every section has added to the humiliation of its position and this has added the most. I hope this House will, without further consideration, throw out this clause as useless and wholly unnecessary."

* Mr. ALLADI KRISHNASWAMI AYYAR :—"Mr. President, there is some misimpression in regard to the scope of this clause. The object of this clause is not to clothe the local Government with any power under this enactment but merely to save its powers under section 96-B (2) of the Government of India Act. That is, if, for example, a rule is passed by the Secretary of State or by the local Government in pursuance of the power that is vested in the local Government under rule 3 of the Delegation Rules, the Public Services Commission is bound to respect those rules. That is a provision which is introduced by way of abundant caution, a feature of every legislation. If you find, for example, an enactment dealing with services and if you find another authority clothed with another power, it is much better that you introduce a provision to this effect that this shall not affect or that this shall be subject to the other powers which the local Government has under those rules. The object of clause 12, as I said, is not to clothe the local Government with any special powers by virtue of this legislation but merely to save the powers of the local Government under the section of the Government of India Act. This is without prejudice to the powers of the local Government and is subject to the powers of the local Government and the rules passed by the local Government under the Delegation Rules which rules are based under section 96-B (2) of the Government of India Act. That is quite elementary and that is the ordinary meaning of clause 12, and by no stretch of language can it be interpreted to mean that the local legislature is for the first time trying to clothe the local

[Mr. Alladi Krishnaswami Ayyar] [18th August 1929]

Government with any special power. It is merely a saving clause which is intended to make it quite clear that these rules are to be subject to the rules of the local Government."

* The hon. the PRESIDENT :—" For clearing my own difficulty, may I ask the hon. the Advocate-General why a similar clause is not put in in regard to the disciplinary powers of the Commission."

* Mr. ALLADI KRISHNASWAMI AYYAR :—" It might have been put in, Sir. For example a general clause might have been introduced to the effect that this is without prejudice to the other provisions of the Government of India Act, or in some such way. But as it is apprehended by hon. Friends on the other side that it is intended to give further power to the local Government, as I read the clause it is clear that that it is not its import, that is not its meaning and that is not its legal effect."

* The hon. the PRESIDENT :—" I find that no power to make rules is delegated to the local Government regarding the disciplinary portion of the regulation of services."

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

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

13th August 1929]

APPENDIX I.

[Vide answer to question No. 371 asked by Mr. G. Harisavottama Rao at the meeting of the Legislative Council held on the 13th August 1929, page 703 supra].

Copy of telegram from M.R.Ry. Ramakrishna Reddi Garu, Vakil, Kurnool, to the Registrar of Co-operative Societies, dated 29th January 1927.

"Enthusiasm cooling. Pray immediate starting Mortgage Bank, Kurnool."

APPENDIX II.

[Vide answer to question No. 385 asked by Mr. B. Ramachandra Reddi at the meeting of the Legislative Council held on the 13th August 1929, page 713 supra.]

Letter from the Surgeon-General, Madras, R. No. 1716, General, dated the 6th August 1929.

Reference :—Government Memorandum No. 27229/1-D-1, P.H., referring for remarks Legislative Council question regarding the suicide of a patient in the Headquarters Hospital, Nellore.

A reference was made to the Superintendent, Headquarters Hospital, Nellore, and as a result of the reply received from him, answers to the several clauses of the Legislative Council question are furnished below seriatim :—

(a) It is a fact as seen from the hospital records that a patient by name Chengal Reddi suffering from cancer penis with stricture of the Urethra committed suicide in the small hours of the morning on the 17th September 1928. He was found dead hanging at 5 a.m. on the date by the in-patient sub-assistant surgeon N. V. Subrahmanyam.

(b) The present Superintendent of the hospital has no personal knowledge of the incident as he was not in charge of the Headquarters Hospital, Nellore, then, nor is there any report on record in the hospital to indicate the circumstances under which the patient committed suicide. But on enquiry, the hospital servants state that after operation the man was dejected and did himself to death 10 days thereafter. Nobody allowed him to commit suicide nor could the responsibility be fixed on anybody.

(c) A report was made to the Police and a post-mortem examination was held, the cause of death being asphyxia from hanging.

No further action seems to have been taken by the Superintendent in the matter.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Wednesday, the 14th August 1929.

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

PRESENT:

Uman Sahib Bahadur, *Kt.*, The hon. Khan Bahadur Sir Muhammad.
Moir, C.I.E., C.S.I., I.C.S., The hon. Sir Thomas.
Krishnan Nayar, The hon. Diwan Bahadur M. Campbell, C.S.I., C.I.E., O.B.E., V.D., I.C.S., The hon. Mr. A. Y. G.
Subbarayan, The hon. Dr. P.
Muthiah Mudaliyar, The hon. Mr. S.
Seturatnam Ayyar, The hon. Mr. M. R.
Abdul Razaak Sahib Bahadur, Khan Bahadur S. K.
Abdul Wahab Sahib Bahadur, Munshi.
Adinarayana Chettiyar, Mr. T.
Anjaneyulu, Mr. P.
Appavu Chettiyar, Mr. C. D.
Arogyaswami Mudaliyar, Diwan Bahadur R. N.
Arpudaswami Udayar, Mr. S.
Basheer Ahmad Sayeed Sahib Bahadur.
Bhanoji Rao, Mr. A. V.
Bheemayya, Mr. J.
Chidambaranatha Mudaliyar, Mr. T. K.
Cotterell, C.I.E., I.C.S., Mr. C. B.
Dorai Raja, Mr. S. N.
Ethirajulu 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.
Gray, O.B.E., I.C.S., Mr. J.
Harisarvottama Rao, Mr. G.
Hearson, Mr. H. F. P.
Hilton Brown, I.C.S., Mr.
James, Mr. F. E.
John, Mr. V. Ch.
Kaleswara Rao, Mr. A.
Kbadir Muhidin Sahib Bahadur, Muhammad.
Krishnaswami Ayyar, Mr. Alladi.
Krishnaswami Nayakar, Mr. K. V.
Kuppuswami, Mr. J.

Leach, I.C.S., Mr. A. G.
Leech, Mr. A. J.
Mahmud Sohamnad Sahib Bahadur.
Mallayya, Dr. B. S.
Manikkavelu Nayakar, Mr. M. A.
Moidoo Sahib Bahadur, Khan Sahib T. M.
Muniswami Nayudu, Rao Bahadur B.
Muniswami Pillai, Mr. V. I.
Murugappa Chettiyar, Diwan Bahadur A. M. M.
Muthulakshmi Reddi, Dr. (Mrs.), S.
Muthuranga Mudaliyar, Mr. O. N.
Nagan Gowda, Mr. R.
Nanjappa Bahadur, Subadar-Major S. A.
Narayana Raju, Mr. D.
Obi Reddi, Mr. C.
Patro, *Kt.*, Rao Bahadur Sir A. P.
Premayya, Mr. G. B.
Rajan, Mr. P. T.
Ramachandra Reddi, Mr. B.
Ramamurti, I.C.S., Mr. S. V.
Ramjee Rao, Mr. V.
Ranganatha Mudaliyar, Mr. A.
Ratnasabapathi Mudaliyar, Rao Bahadur C. S.
Robertson, Mr. R. J. C.
Sahajanandam, Swami A. S.
Saldanha, Mr. J. A.
Sami Venkatachalam Chetti, Mr.
Sarabha Reddi, Mr. K.
Satyamurti, Mr. S.
Siva Raj, Mr. N.
Soundara Pandian, Mr. W. P. A.
Srinivasan, Rao Sahib R.
Subramanya Mooppanar, Mr. S.
Tajudin Sahib Bahadur, Syed.
Tulasiram, Mr. L. K.
Venkataspathi Raju, Mr. P. C.
Venkataramana Ayyangar, Mr. C. V.
Venkatasangam Nayudu, Mr. C.
Venkiah, Mr. S.
Watson, I.C.S., Mr. H. A.
Wood, Mr. C. E.

[14th August 1929]

I

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Police

Strength of Police Officers and constables in the province.

* 389 Q.—Mr. K. V. R. SWAMI: Will the hon. the Home Member be pleased to state—

- (a) the number of police officers and constables—the total police strength—in towns and cities in the Province;
- (b) the police strength in each city or town;
- (c) the total cost of police in cities and towns; and
- (d) the cost of police in each town or city?

A.—(a) to (d) Details of police strength in Madras City and in each district are given in statement D appended to the Police Administration Report to which the hon. Member is referred. The total cost of the police force throughout the Presidency for the year 1928–29 excluding the final accounts for March, 1929 was Rs. 1,58,19,404 and of the Madras City Police Rs. 13,34,323.

The Government have no information of the strength and cost in particular cities and towns.

Mr. D. NARAYANA RAJU:—“Out of the total cost of Rs. 13,34,323 of the Madras City Police, may I know whether any part is borne by the Corporation of Madras, and if so, how much?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“As far as I know, I do not think the Corporation of Madras bears any portion of this cost.”

Mr. SAMI VENKATACHALAM CHETTI:—“May I know if there is any reason why the Corporation of Madras should bear any part of the cost of the Madras City Police?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“I do not think there is any reason why the Madras Corporation should bear any portion of this cost.”

Mr. D. NARAYANA RAJU:—“May I know if there is any Corporation which bears a part of the cost of the City Police?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“I do not think Corporations bear any portion of the cost of police as far as I know.”

Mr. P. C. VENKATAPATHI RAJU:—“Does not the Police come under the head or description of ‘law and order’?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“Yes, Sir.”

Mr. P. C. VENKATAPATHI RAJU:—“Can you leave that function to the Corporation of Madras, as matters stand at present?”

14th August 1929]

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“No, we cannot.”

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR:—“In view of the heavy bus traffic which runs in important cities, may I know if the hon. Member will be pleased to set apart certain percentage of the police force to be exclusively in charge of traffic control?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“I should like to have notice of the question.”

Mr. SAMI VENKATACHALAM CHETTI:—“Is it not a fact that a Traffic department is constituted so far as the Madras City Police is concerned, and that they are in charge of buses and other traffic control?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“Yes, Sir.”

Mr. G. HARISAVOTTAMA RAO:—“May I know from the hon. the Home Member if it is not a fact that there is a section of the Police even in the mufassal who are deputed to this business?”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
“Notice.”

Electricity

Applications for grant of licences for electric supply to towns.

* 390 Q.—Dr. B. S. MALLAYYA: Will the hon. the Law Member be pleased to state—

(a) how many applications for the grant of licences for the supply of electrical energy to towns were received from private firms—

- (i) prior to 1st January 1929;
- (ii) between 1st January 1929 and 1st July 1929.

(b) what the names of the applicants are and the towns for which such applications were received;

(c) whether the Electrical Inspector to Government had any correspondence with any of these private firms and in particular with Messrs. Octavius Steel & Co. of Calcutta, inviting them to put in such applications;

(d) whether it is a fact that Messrs. Crompton Parkinson, Limited, went in for working out the Salem Scheme and were asked by the Electrical Inspector to refrain from doing so on the ground that he was in communication with Messrs. Octavius Steel & Co. of Calcutta for that town scheme and advised them to take up Vizagapatam with his promise of support;

(e) why, and since when have the Government deviated from their policy as laid down in G.O. Mis. No. 45, L. & M., dated 5th January 1926, G.O. Mis. No. 1342 W., dated 25th September 1926, G.O. No. 1619 W., dated 30th June 1928, and have of their own accord invited private firms to come forward; and

(f) whether it is a fact that the Electrical Inspector was not able to force his nominees as contractors on local bodies that took up electric schemes?

[14th August 1929]

4.—(a) & (b) Applications from the following private firms for electric licences have been received :—

(i) Received prior to 1st January 1929—

Name of the firm.	Area of supply.
(1) Messrs. The Tinnevely-Palamcottah Electric Supply Company, Limited, Trichinopoly.	Tinnevely, Palamcottah and Tuticorin.
(2) Messrs. Octavius Steel & Co., Ltd., Calcutta.	Do.
(3) Messrs. Killick Nixon & Co., Ltd., Bombay.	Do.

(ii) Received between 1st January 1929 and 1st July 1929—

(1) Messrs. Octavius Steel & Co., Ltd., Calcutta.	Mangalore and Salem.
(2) Messrs. Chari & Chari, Limited, Madras.	Guntur and Salem.
(3) Messrs. Croft Forbes & Chard, Limited, Madras.	Kumbakonam.
(4) Messrs. Crompton Parkinson, Limited, Calcutta.	Vizagapatam, Vizianagram and Bimlipatam taluks; Guntur, Tenali and Ellore taluks and a portion of Bapatla taluk.

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

(e) The Government have not invited any private firm to apply for licences.

(f) The procedure for the selection by local bodies of contractors for the execution of electrical schemes is laid down in paragraph 334-A of the Municipal Account Code. The Electrical Inspector has no power to force his nominees or contractors on local bodies.

Mr. A. KALESWARA RAO :—“ May I know, Sir, with reference to clause (f) whether the local bodies can get a loan from the Government unless they accept the tender suggested by the Electrical Inspector to Government under the latest Government Order ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ It is as suggested by the hon. Member, Sir.”

Mr. D. NARAYANA RAJU :—“ May I know if the Government will be pleased to call for the information asked for in clauses (c) and (d), and ascertain whether the allegations made in those clauses are true or not ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ I shall consider the suggestion, Sir.”

Mr. F. E. JAMES :—“ With regard to answer to paragraph (f), may I ask, Sir, whether the Electrical Inspector has at any time forced his nominees on any local body ? ”

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

[14th August 1929]

Mr. A. KALESWARA RAO :—“ May I know, Sir, whether in the case of Cocanada, the Electrical Inspector's advice to give the contract to an English firm was rejected by the Municipal Council, and whether they went in for a German firm on the ground that the latter's was the cheapest tender ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ Notice, Sir.”

Mr. SAMI VENKATACHALAM CHETTI :—“ May I know, Sir, having regard to answers to clauses (c) and (d), how the hon. the Law Member was justified in answering the supplementary question of Mr. James that the Electrical Inspector did not force his nominees or contractors upon any particular local body ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ The suggestions involved in clauses (c) and (d) are very different from those involved in clause (f). ”

Mr. SAMI VENKATACHALAM CHETTI :—“ May I request the hon. the Law Member to please peruse the questions and answers once more and say whether the information asked for in clauses (c) and (d) is not necessary in answering clause (f) of the question ? ”

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

Mr. D. NARAYANA RAJU :—“ With reference to the answer to clause (e), may I know if the Electrical Inspector is in the habit of inviting private firms to apply for licences ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ Notice, Sir.”

Mr. A. KALESWARA RAO :—“ May I know whether in the case of Kurnool also an Indian firm was selected by the municipality in spite of the Electrical Inspector's advice ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ I do not know, Sir. I want notice.”

Mr. A. KALESWARA RAO :—“ May I know whether owing to these things the recent Government Order has been issued to the effect that no loan will be given to the local bodies unless the local bodies accept the tender suggested by the Electrical Inspector ? ”

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

Rao Bahadur C. S. RATNASARATHI MUDALIYAR :—“ May I know, when the nominee of the Electrical Inspector is not accepted by any local body, whether there is no undue influence on the part of the Electrical Inspector ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ In fact the Electrical Inspector has no power to unduly influence or interfere under the rules.”

Mr. G. HARISARVOTTAMA RAO :—“ May I know whether the Electrical Inspector has not the power to reject the material that is supplied by the contractor ? ”

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

Mr. G. HARISARVOTTAMA RAO :—“ May I know, Sir, whether the Electrical Inspector is not advising the rejection of material ? ”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“ He is not. He has no power.”

[14th August 1929]

Mr. A. KALESWARA RAO:—"May I know whether according to the latest Government Order, every deviation from the original estimate is required to be sanctioned by the Electrical Inspector?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Not 'sanctioned'. It is to be approved by him. Sanction has to be accorded by the Government."

Mr. A. KALESWARA RAO:—"If work is proceeded with on such estimate without his approval, would not the cost be surcharged on the local bodies?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"No. The municipal council or the local body concerned has the power of making representations again to the Government."

Mr. G. HARISARVOTTAMA RAO:—"May I know whether the hon. the Law Member is prepared to examine the question as to whether the Electrical Inspector is not rejecting the electrical material supplied by the contractors on very flimsy grounds?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I shall make enquiries, Sir."

Qualifications and duties of the Junior Electrical Inspector.

* 391 Q.—Dr. B. S. MALLAYYA: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that a qualified Assistant Electrical Inspector has now been appointed by the Government; if so, what his duties are;

(b) if so, whether it is his intention to divide the districts between the Electrical Inspector and the Assistant Electrical Inspector and place both these people under the supervision of the Chief Engineer or the Hydro-Electric Expert?

A.—(a) A Junior Electrical Inspector has been appointed to assist the Electrical Inspector generally in inspection and office work.
(b) No.

Constitution of Districts and Divisions

Cancellation of the bifurcation of Kistna district.

* 392 Q.—Mr. A. KALESWARA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Collectors of Kistna and West Godavari have made any proposals to Government to cancel the bifurcation of Kistna district into Kistna and West Godavari districts;

(b) whether any correspondence is going on between the Government, the Revenue Board and the Collectors about the cancellation of the said bifurcation; and

(c) whether the construction of any of the buildings at Ellore has been ordered to be stopped pending the settlement of the question of the re-union of Kistna and West Godavari?

A.—(a) & (b) The hon. Member is referred to the answer given to question No. 212 at the meeting of the Legislative Council held on 10th August 1929.

(c) No.

[14th August 1929]

Mr. A. RANGANATHA MUDALIYAR:—"May I know, Sir, whether the buildings at Ellore are in course of construction, and what progress has been made?"

The hon. Mr. A. Y. G. CAMPBELL:—"I believe, Sir, that buildings are under construction, but I am afraid I am not able to inform the hon. Member exactly what progress has been made. I should like to have notice."

Mr. D. NARAYANA RAJU:—"May I know if, after the bifurcation of the Kistna district, any report was received regarding the satisfactory nature of the bifurcation from the point of view of administration?"

The hon. Mr. A. Y. G. CAMPBELL:—"I am not aware of it, Sir. I do not think the Government received any such report."

Proposed abolition of the Polavaram division, East Godavari.

* 393 Q.—Mr. K. V. R. SWAMI: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that certain proposals were made to abolish Polavaram division in East Godavari Agency and to include Yellavaram subdivision in Peddapur taluk, Chodavaram subdivision in Rajahmundry taluk, and Polavaram subdivision in Bhadrachalam division;

(b) what the reasons are;

(c) whether any opinions have been called for;

(d) from whom;

(e) whether any have been received; and

(f) if so, from whom?

A.—(a) Proposals have been received for the abolition of the Polavaram Agency division and for the inclusion of the three Deputy Tahsildars' divisions comprised in it, in three other revenue divisions, namely, Yellavaram Deputy Tahsildar's division in Peddapur revenue division, Chodavaram Deputy Tahsildar's division in Rajahmundry revenue division, and Polavaram Deputy Tahsildar's division in Bhadrachalam revenue division.

(b) The proposals are supported by the geographical and economic considerations and are in accordance with the natural lines of communications.

(c), (d), (e) & (f) The Board of Revenue has been asked to invite objections from the ryots, to call for the opinions of the local boards, and to submit detailed proposals. A petition on the subject received from the inhabitants of Polavaram has been forwarded to the Board of Revenue. The Board's report is awaited.

Mr. D. NARAYANA RAJU:—"May I know whether the Government will be pleased to lay on the table all the papers containing the proposals for the abolition of the Polavaram Agency division?"

The hon. Mr. A. Y. G. CAMPBELL:—"I will consider the suggestion, Sir. I take it that the hon. Member means the papers already received."

[14th August 1929]

Mr. D. NARAYANA RAJU :—" Yes. May I know further if there is any proposal before the Government that any portion of this Agency tract should be removed from the Agency division and tacked on to the plains ? "

The hon. Mr. A. Y. G. CAMPBELL :—" The proposals now under consideration are those set out in the answer to clause (a) of the question. No other proposal is under consideration now. "

Mr. D. NARAYANA RAJU :—" May I know whether the Government are aware that the Polavaram subdivision is in much easier and more convenient reach of either Kovvur or Rajahmundry rather than of Bhadrachalam ? "

The hon. Mr. A. Y. G. CAMPBELL :—" It is possible, Sir. "

Mr. D. NARAYANA RAJU :—" May I know if there is a strong protest raised by the people of this Polavaram subdivision against the contemplated proposal to add the Polavaram subdivision to the Bhadrachalam revenue division ? "

The hon. Mr. A. Y. G. CAMPBELL :—" It is possible there are such protests, Sir. I may invite attention to the answer to clauses (a) and (f). The report of the Board of Revenue after it is received will be duly considered by the Government. "

Mr. D. NARAYANA RAJU :—" With reference to the answer to clauses (c), (d), (e) and (f), may I know up to what time the public will be allowed to make their representations regarding these proposals ? "

The hon. Mr. A. Y. G. CAMPBELL :—" I am not aware that any particular date has been fixed. I will enquire into the matter, Sir. "

Mr. D. NARAYANA RAJU :—" Therefore, may I know whether the public are still allowed to make their representations regarding these proposals ? Will the Government be pleased to consider if the public can make any representations on the matter hereafter ? "

The hon. Mr. A. Y. G. CAMPBELL :—" Yes, Sir, if they are made within a reasonable time. "

Alleged protests against the inclusion of Polavaram in Bhadrachalam Division.

* 394 Q.—Mr. K. V. R. SWAMI : Will the hon. the Member for Revenue be pleased to state—

(a) whether any conferences were held in Polavaram subdivision, East Godavari Agency, objecting to its proposed inclusion in Bhadrachalam division ; and

(b) if so, when and at what places ?

A.—(a) & (b) The Government have not the information.

Mr. D. NARAYANA RAJU :—" May I know if the Government are aware of the fact that several reports of the conferences held in those parts have appeared in the Telugu press ? "

The hon. Mr. A. Y. G. CAMPBELL :—" No, Sir. "

14th August 1929]

Court of Wards and Zamindars

Collection of arrears of rent due to the Sivaganga Estate.

* 395 Q.—Mr. L. K. TULASIRAM :—" Will the hon. the Member for Revenue be pleased to state—

(a) whether the authorities of the Sivaganga Estate have converted the varam tenure (produce sharing system) into cash-rent system without reference to the provisions of the Madras Estates Land Act ;

(b) what were the arrears due to the said Sivaganga Estate at the beginning of each of the faslis 1336, 1337 and 1338 ;

(c) what is the actual number of distraints of movables effected by the Estate Collector in each of the last two faslis 1338 and 1339 up to the end of 30th June 1929 ;

(d) what is the number of distraints of crops effected by the Estate Collector in fasli 1339 ;

(e) what is the number of criminal prosecutions launched by the estate during fasli 1339 and how many of them were pending on 30th June 1929 ;

(f) what is the number of summary suits now pending before the Special Deputy Collector, Manamadura, in which the validity of commutation is directly in issue ;

(g) what is the number of village officers that have been suspended by the district authorities in the Ramnad district for the reason that the village officers themselves were in arrears to the estate and under what rule of law these village officers who are in arrears are being suspended ; and

(h) whether any representation has been made by the District Collector of Ramnad to the Court of Wards and the Government that a consideration of the question in dispute between the zamin ryots of the Sivaganga Estate and the Court of Wards is desirable and what action has been taken on the said representation ?

A.—(a) Commutation by mutual agreement of the parties has been going on since fasli 1331.

						RS.
(b)	Fasli 1336	...	...	...	...	7.72 lakhs.
	" 1337	...	...	...	...	8.96 "
	" 1338	...	...	...	...	13.46 "

(c) to (g) The Government have called for a report.

(h) Yes. The Government understand that the main points at issue are pending in the courts and the decisions of the courts are awaited.

Mr. A. RANGANATHA MUDALIYAR :—" With reference to the answer to clause (h), may I know when the representation was made by the District Collector ? Was it before the filing of these suits or after ? "

The hon. Mr. A. Y. G. CAMPBELL :—" I am afraid I must ask for notice of the question. "

[14th August 1929]

Estates Land Act*Consideration of reports regarding Estates Land Act (Amendment) Bill.*

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

(a) whether the reports made by the Board of Revenue and the Collectors in connexion with the Estates Land Act (Amendment) Bill have been considered by the Government; and

(b) whether the Bill will be introduced in the Council and, if so, when?

A.—(a) No reports were made by the Collectors to the Government. Certain matters relating to the Bill were referred to the Board of Revenue for remarks. The Board's report has been received and is under consideration.

(b) The attention of the hon. Member is invited to the latter part of the answer to question No. 174 asked at the meeting of the Legislative Council on 9th August 1929.

Land Revenue (Establishment)*Alleged supplies to the Tahsildar of Sriperumbudur.*

* 397 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 Tahsildar of Sriperumbudur in the Chingleput district gets, while on tour, supplies of not only necessities but also luxuries from his subordinate officials;

(b) whether it is a fact that the Tahsildar does not pay for the things supplied to him, while on tour;

(c) whether it is a fact that the Subdivisional Officer, Saidapet, takes with him while on tour, a large number of his relatives;

(d) whether it is a fact that the Subdivisional Officer does not pay for the things supplied to him;

(e) whether any representation has been made to the District Collector on the matter referred to in (c) and (d) or in (a) and (b); and

(f) what steps the Government propose to take to put an end to such a state of things?

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

(f) The hon. Member's attention is drawn to the rules laid down in Board's Standing Order No. 113, Volume I.

Mr. T. ADINARAYANA CHETTIYAR:—"Has the Government made any enquiries into the matter?"

The hon. Mr. A. Y. G. CAMPBELL:—"No, Sir. I understand from clause (e) of the question that representations have been made to the District Collector; it is implied in the question. If so, the District Collector will no doubt make all due enquiries."

Mr. T. ADINARAYANA CHETTIYAR:—"Will the Government be pleased to ask the Collector to enquire into the matter and inform him that the reputation of these officers of the Chingleput district is scandalously bad in regard to this matter?"

14th August 1929]

The hon. Mr. A. Y. G. CAMPBELL:—"No, Sir. I think the Collector will take action if he finds it necessary."

Khan Bahadur S. K. ABDUL RAZACK SAHIB Bahadur:—"Will the Government be pleased to ask the questioner to furnish information so that the Collector could proceed further in the matter?"

The hon. the PRESIDENT:—"I am not able to understand how the question is admissible."

Loans*Sale of land for arrears of loans at Molagavalli.*

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

(a) whether lands of a considerable number of Adi-Andhras of the Panchama colony at Molagavalli, Allur taluk, Bellary district, have been notified for sale for arrears of loans;

(b) if so, the number of loans in respect of which such notification has been issued and the number of borrowers involved in such loans;

(c) whether any of the borrowers had to pay and have paid the arrears due on other loans in the last or the current fasli and, if so, how many and what amount;

(d) whether the loans for the recovery of which lands have been notified for sale, all relate to the same fasli and to different individuals; and

(e) if not, the number of individuals whose arrears relate to loans of more than one fasli?

A.—(a) to (e) The Government have not the information but have called for a report.

Settlement*Wet and dry lands in Godavari and Kistna districts.*

* 399 Q.—Mr. K. V. R. SWAMI: Will the hon. the Member for Revenue be pleased to state with regard to East Godavari, West Godavari and Kistna districts—

(a) the extent of land under cultivation, both dry and wet, at the time of first settlement, second settlement and also for the present settlement; and

(b) the total assessment under each head after the first and second assessments?

A.—(a) Since 1904, the territorial limits of the districts of Kistna and Godavari have undergone considerable changes. The figures asked for are not therefore available for the same areas at the three periods of settlements. The area cultivated in the years 1891-92, 1900-1901 and 1927-28 is given below:—

Year.	Area.
	ACS.
The old districts of Godavari and Kistna less the taluks transferred to Guntur in 1904.	1891-92 14,03,691
East Godavari, West Godavari and Kistna	1900-1901 17,14,009
	1927-28 23,96,705

These figures do not include areas for which there were no returns of the area cultivated.

[14th August 1929]

- (b) The total assessment under 'wet' and 'dry' according to the original settlement and the first resettlement, in the district as they then stood is given below :—

	Original settlement.	First settlement.
	RS.	RS.
Wet	85,08,464	87,08,010
Dry	9,97,614	13,32,323
Total	45,01,078	50,40,403

Treasuries

Opening of a sub-treasury at Yemmiganur.

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

- (a) whether the arrangements for the opening of a sub-treasury in Yemmiganur, Adoni taluk, Bellary district, have been completed; and
(b) if not, when they would be completed and the sub-treasury opened?

A.—(a) & (b) The Government have called for a report.

Fisheries

Expenditure on repairs to the trawler 'Lady Goschen.'

* 401 Q.—Dr. B. S. MALLAYYA: Will the hon. the Minister for Development be pleased to state—

- (a) how old the trawler 'Lady Goschen' is;
(b) what amount was spent for repairing the boilers that burst;
(c) how many times the trawler had to be sent to Bombay or Karachi for repairs or for refitting; and
(d) what expenditure was incurred in that connexion—
(i) for travelling allowance to officers who went there to supervise the repairs; and
(ii) for repairing charges?

A.—(a) Twelve years.

(b) The boilers did not burst but some of the boiler tubes did. The expenditure incurred on repairing the boiler tubes was Rupees 7,719.

(c) The trawler was sent to Bombay during the last week of June 1928 for inspection by the Royal Indian Marine Authorities with a view to the preparation by them of estimates for alterations and additions to her. Advantage was taken of this opportunity to carry out certain repairs to the vessel. The vessel again proceeded to Bombay in June 1929 and the alterations and additions referred to above are now being carried out.

(d) The expenditure in 1928 was Rs. 132 on account of travelling allowance of Captain Cribb and Rs. 18,441-14-0 on account of repair charges. No officer has been sent to supervise the alterations and additions now being carried out to the vessel.

[14th August 1929]

Industries

Application for loan from Sri Lakshmi Mills under the State Aid to Industries Act.

* 402 Q.—Dr. B. S. MALLAYYA: Will the hon. the Minister for Development be pleased to state—

(a) whether it is a fact that Messrs. Ganapathi Nayak and Lakshmana Nayak of the Sri Lakshmi Mills, Kasaragod, have applied for a loan under the State Aid to Industries Act;

- (b) what the amount of the loan applied for is;
(c) when the application reached the Government;
(d) whether the loan was granted; and
(e) if so, when?

A.—(a) Yes.

(b) Rs. 40,000.

(c) On 10th August 1929.

(d) & (e) Not yet.

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

II

BUSINESS FOR THE NEXT MEETING OF THE COUNCIL.

* The hon. the PRESIDENT:—"I have to announce that, with regard to the question sent by Mr. Obi Reddi, the hon. the Leader of the House will make a statement after the lunch interval. Mr. Obi Reddi wants to know from the hon. the Leader of the House what business the Government wants to transact at the next meeting and what the probable period of the sitting will be."

III

THE MADRAS SERVICES COMMISSION BILL.

Clause 12—cont.

The hon. the PRESIDENT:—"The Council will now resume discussion on clause 12 of the Madras Services Commission Bill."

* Mr. C. V. VENKATARAMANA AYYANGAR:—"Mr. President, I shall be very short, Sir. I was just saying that the hon. the Advocate-General, according to me, appeared once in his life to be supporting the arguments that we were adducing though not the conclusions. Our suggestion is that this clause is absolutely unnecessary. He said that this Commission should function, according to the Delegation Rules, subject to instructions generally given by the local Government, and that is exactly what we find as the indication of all the clauses passed by this House so long. Not only the Government is not bound to refer any particular question to the Commission, but also when a matter is reported upon by them, the Government is not bound to follow the whole or any portion of the advice so given. And what is more, it is very clear that clauses 9, 10 and 11 referred to in this clause 12 deal with the powers of the Commission only in any matters after they have been decided upon by the Government. It is only after the Government decides as to what appointments should be filled up by competition that the Commission begins to function in that matter; again, only after the Government fixes the number to be filled by selection, the Commission begins to function as a selecting body. I do not know why the Government after restricting

[Mr. C. V. Venkataramana Ayyangar] [14th August 1929]

the powers of the Commission, after curtailing the independence of the Commissioners to the fullest extent, still want power to lay down rules. And what are the rules? There is absolutely nothing in this clause to show what the rules are for. The rule may be for laying down that such and such meetings should be held, that they should discuss in such and such manner and resolve upon such and such a matter; it may be that they will lay down that the Commission should meet at such and such time. Whatever that may be, the Commission shall have to follow the instructions given by the Secretariat as to the capacity and qualifications of the various candidates and so on. Having curbed the powers of the Commission so very much, the Government wants to reserve further power in an indefinite way to curb the activities of the Commission still further by this clause. If so, the Commission may as well disappear except of course as an ornamental body. We therefore object to the retention of this clause in the Bill. The Government, for instance, may make rules under clause 19, taking power to make rules after consulting the Council. If at least these rules are placed before the House before they are passed by the Government, that will be something. But to give blank powers to Government to make all and any rule they want and to make the Commission function subject to those rules seems to me to be rather unreasonable. I would therefore commend to the Government the deletion of this clause."

The hon. the PRESIDENT:—"The question is that clause 12 shall stand part of the Bill."

The motion was put and carried, and the clause was added to the Bill.

Clauses 13, 14 and 15 were then successively put, passed and added to the Bill.

Clause 16.

* Mr. J. A. SALDANHA:—"Mr. President, I move the following amendment:—

'In line 1, for the word "may" substitute the word "shall".'

"Clause 16 reads, 'The Local Government may consult the Commission as to the orders to be passed on any memorial submitted to them by any person to whom the provisions of this Chapter apply'. I only want to substitute the word 'shall' for the word 'may'. The word 'may' has sometimes the meaning of 'shall', but there is a good deal of ambiguity about that word. The Government evidently mean or ought to mean in any case to consult the Commission on memorials submitted to them. In view of the amendments that we brought previously on this Bill and in accordance with the principle for which we have been fighting in this House, this amendment also is sought to be made. I need not reiterate the arguments advanced again and again, on this occasion also. I hope the House will accept the amendment."

Mr. A. KALESWARA RAO:—"In seconding this amendment, I wish to say that the memorials submitted to the Government by Government servants now take the place of second appeals, which were in existence till recently. When the Government is bound to consider memorials as a matter of appeal, why should it not be obligatory on the part of the Government to consult the Commission when the subject-matter of the memorials is within the jurisdiction of the Commission? So, in the case of these memorials, it is but

14th August 1929]

[Mr. A. Kaleswara Rao]

right that the Government *shall* consult the Commission, and then the other procedure shall be followed. So, the amendment to substitute the word 'shall' for the word 'may' is necessary."

The hon. Mr. A. Y. G. CAMPBELL:—"Mr. President, Sir, the only difficulty in making the change suggested is that under the rules there are various classes of memorials, some of which perhaps might not be considered by the Government as fit to be referred to the Commission, and it might involve unnecessary reference to the Commission. Further more, memorials may be submitted by public servants on all sorts of subjects, and this word 'may' will enable Government to refer only such memorials as relate to matters for which the Commission is constituted. I submit, therefore, it is better to have that word and leave it to the Government in what cases memorials should be referred to the Commission."

The amendment was put and negatived.

Clause 16 was then put, passed and added to the Bill.

Clauses 17 and 18 were then successively put, passed and added to the Bill.

New Clause 18-A.

* Mr. J. A. SALDANHA:—"I beg to move that the following clause be added as clause 18-A:—

'18-A. If any candidate for a service or post, with the recruitment to which the Commission is concerned brings to bear or attempts to bring to bear directly or indirectly by himself or by any other person on his behalf any undue influence on the Commission or on the Chairman or other member thereof he shall be deemed to be disqualified for that service or post.'

Explanation.—Undue influence in this section includes—

- (i) *any attempt by a candidate to obtain an interview with the Chairman or other member except when summoned to appear before the Commission by the Secretary or an official of the Commission authorized in that behalf;*
- (ii) *any attempt by any person to obtain an interview with the Chairman or other member to support directly or indirectly the candidature of the candidate;*
- (iii) *any attempt to influence the Commission or the Chairman or other member thereof by means of any certificate, letters or other documents not called for in the published notice inviting applications; and*
- (iv) *in general, the infliction or threat of infliction of any temporal or spiritual injury, damage, harm or loss or the conferring or offering to confer any material or spiritual benefit or the employment of or the attempt to employ any other means for the purpose of inducing the Commission or the Chairman or other member thereof to exercise the functions vested in it or him under this Act otherwise than according to its or his own judgment of the merits of the case.'*

"Sir, this clause was in the original Bill. But in the Select Committee it was decided to delete it by a small majority. I would strongly urge that this

[Mr. J. A. Saldanha]

[14th August 1929]

clause in the original Bill should be retained. It is the fundamental basis on which the Public Services Commission has been constituted that it should be altogether outside party influence or any other kind of influence.

11-30 a.m. "Sir, I am afraid sometimes influences of gentlemen may be brought to bear on the members of the Commission in favour of particular candidates. So there should be such a restriction as is proposed by this amendment. The Public Services Commission in practice has such a rule, and I want to know why there should not be such a provision in this Bill, by way of a rule which will be binding on the public. I want to know whether the hon. the Revenue Member can put his finger on any clause in this Bill which empowers the Public Services Commission to make rules which will be binding on the public. I think it is quite reasonable that the legislature should make such rules. I therefore commend this amendment to the acceptance of the House."

Mr. G. HARISARVOTTAMA RAO:—"I second it."

* The hon. Mr. A. Y. G. CAMPBELL:—"Mr. President, Sir, as the mover has already pointed out, this clause was originally included in the Bill introduced by Government, but after careful consideration in the Select Committee, it was deleted. The reasons for the deletion are given in the report of the Select Committee. They believe that this provision of law might give rise to undesirable complications. Somebody might challenge an appointment on the ground that someone did something which may be in contravention of this particular provision. Therefore, it is better to leave this matter which relates to the procedure of the Commission to be regulated by rules and conventions. That is what is done now by the Public Services Commission working under the Government of India. They have included a suitable provision in their notifications inviting applications and that is what is being done by the Staff Selection Board also. If anybody brings undue influence to bear on the Commission or Staff Selection Board he is regarded as disqualified."

The amendment was put and negatived.

Clause 19.

* The hon. Mr. A. Y. G. CAMPBELL:—"I beg to move that after clause 18, a new clause be added as follows:—

'The salaries referred to in sections 5 and 6 and the expenditure incurred under section 7 shall be defrayed from the provincial revenues of the local Government.'

"I move the addition of this clause in accordance with the undertaking given by me with reference to your ruling in connexion with the discussion on clauses 6 and 7, in order to make it clear that the expenses mentioned are debitable to provincial revenues."

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I second it."

Mr. S. SATYAMURTI:—"Sir, I object to this under Standing Order 46 (1), on the ground that it has not been given notice of ten days before the sitting of the Council."

The hon. the PRESIDENT:—"I suspend the Standing Order."

[14th August 1929]

Mr. S. SATYAMURTI:—"I rise to a point of order. May I know if the sanction of the Governor has been received in your office for moving this amendment?"

The hon. the PRESIDENT:—"The Secretary says it has been received."

* Mr. S. SATYAMURTI:—"If you are satisfied, I am. Then, I rise to another point of order with regard to this amendment, and I take objection to it under the Devolution Rules 43 and 44. Rule 43 says:

'No proposal involving an abandonment of revenue for which credit has been taken in the budget, or involving expenditure for which no provision has been made in the budget, shall be submitted for the consideration of the local Government or the Legislative Council nor shall any orders giving effect to such proposals issue, without a previous reference to the Finance Department.'

"Then rule 44 says:—

'Every report made by the Finance Department on any matter on which it is required to advise or report under these rules shall be forwarded to the department concerned and shall, if the Finance Department so require, be submitted by the department concerned to the Governor for the orders of the local Government. The Governor may, if he thinks fit, direct that such report shall be laid before the committee on public accounts.'

"My submission is that this is a proposal involving expenditure for which no provision has been made in the budget; and a proposal of that sort cannot be submitted to the consideration of the Legislative Council without a previous reference to the Finance Department contemplated in Devolution Rule 43, and the resultant steps which the Finance Department may suggest, under Rule 44. You will notice, Sir, that this is a definite proposal, that the salaries shall be defrayed from the provincial revenues. Therefore it is intended to affect the budget of this province for this year by imposing a charge on its revenues, and thereby involving an expenditure for which no provision has been made in the budget."

* The hon. the PRESIDENT:—"I think the hon. Member will agree with me that the proposals that are to be submitted to the Legislative Council referred to in Devolution Rule 43 mean budget proposals, either the original budget proposals or supplementary demands, and they only refer to the voted portion of the expenditure."

* Mr. S. SATYAMURTI:—"Normally it would mean that. But this is the first time in my humble experience in this Council that the legislature is asked to vote by means of a clause in the Bill. Once the House agrees to this clause, it becomes non-voted, and I am being asked as a Member of this House to agree to a charge on the revenues of this province even for this year. With regard to the imposing of the charge I have a right to insist on the previous scrutiny of the Finance Department and the other steps provided for in order to secure the financial propriety of these proposals and the financial soundness thereof."

* The hon. the PRESIDENT:—"The Legislative Council is referred to with reference to its function for sanctioning grants, whereas section 80-C of the Government of India Act refers to legislation creating a charge on the public revenues."

* Mr. S. SATYAMURTI:—"I quite agree. My unfortunate difficulty is this. This is the first time I am asked to vote by means of a clause in the Bill—I am speaking subject to correction—for appropriation of revenues. This is the first time the House is asked to impose a charge on the provincial revenues by means of a clause in the Bill. That of course has been made necessary by your ruling, but that does not alter the position so far as these

[Mr. S. Satyamurti]

[14th August 1929]

orders require. In substance, Mr. President, assuming that these rules refer only to the Council functioning in respect of budget grants, now the House is really asked to vote on demands."

* The hon. the PRESIDENT:—"Yes, on account of its being included as a legislative measure."

11-45 a.m. Mr. S. SATYAMURTI:—"I therefore suggest that when the House is asked to commit itself to an expenditure for the rest of the year which is not involved or included in the budget, there should be previous sanction provided for it. At any rate, I should like to add that in these rules there is no question of their being confined to the House only when it is voting on budget demands. You will notice that these rules are made under section 45-A of the Government of India Act. That section provides for provision being made by the rules under the Act for various purposes, one of which is for constituting a Finance Department in the province and regulating the functions of that department. In regard to this particular financial proposal I think the House ought to have by right all the statutory advice and guidance. I therefore submit, Sir, that the motion is out of order."

The hon. Sir THOMAS MOIR:—"Mr. President, I should like to point out to the hon. Member for the University that he is mistaken when he states that this is the first occasion on which financial provision has been entered in a Bill. I can refer him to two Acts passed by this hon. House."

* The hon. the PRESIDENT:—"The Andhra University Act, the Annamalai University Act and the Madras University Act."

The hon. Sir THOMAS MOIR:—"And in addition, Sir, there was the decision on the Bill for providing for the salary of the President of this House. I submit that in connexion with these rules the Finance Department has no function to discharge. These are cases where the House deliberately decides that a certain expenditure should be non-voted. Further, the non-voted expenditure is not placed before this House for its approval. In my opinion there is nothing at all in the argument of the hon. Member for the University."

* Mr. S. SATYAMURTI:—"May I say, Sir, one word? Neither in the Andhra University Act, nor in the Annamalai University Act, is there any provision that this grant should be made from the provincial revenues."

"Sir, I stand unconvinced in spite of the utterance of the hon. the Finance Member. Sir, the peculiar feature of this Bill is that there is a provision which says that the expenditure of this Commission shall be met from provincial revenues. I may be wrong, but I think I am right in saying that in no other Act do we find a provision similar to the one sought to be made in this Bill."

* The hon. the PRESIDENT:—"Perhaps, it is stated in the other Acts that the expenditure shall be met by the Local Government."

* Mr. S. SATYAMURTI:—"The object may be the same. But in a statute we are not concerned so much with the objects as the actual wording. I am talking on a point of order that we are doing something which is not accurate."

* The hon. the PRESIDENT:—"I shall refer to those Acts."

[14th August 1929]

* Mr. S. SATYAMURTI:—"So far as I remember, the words used in those Acts are: 'the Local Government shall pay'. According to your ruling they may pay from their own pockets or from the Government of India. Sir, in an earlier clause of the Bill you will find a provision to the effect that it shall be lawful to the Commission to spend that. . . . On seeing this you said that unless there is a clause which says that the expenses of the Commission shall be met from the provincial revenues, we could not speak of provincial revenues."

* The hon. the PRESIDENT:—"What took place the other day was this: The Advocate-General said that in clause 4 there was provision to the effect that the Governor in Council shall appoint the Commissioners and that they shall be paid such salary, etc. Therefore, by implication the Local Government was bound to pay and demand payment from the provincial revenues. I then drew his attention to clauses 6 and 7 where it is stated that the Commission shall appoint the Secretary and that he shall be paid, etc. My interpretation was that it cannot be said the local Government is bound to pay the expenditure to be incurred in sections 6 and 7. The discussion ended there."

* Mr. S. SATYAMURTI:—"You will notice that this amendment includes clauses 5, 6 and 7. Section 5 does not say that the Governor in Council shall appoint. It simply says that there shall be paid to the Chairman a salary of Rs. 3,000 per mensem."

* The hon. the PRESIDENT:—"And the previous clause stated that the Commissioners shall be paid by the Governor in Council."

* Mr. S. SATYAMURTI:—"That is an earlier clause."

* The hon. the PRESIDENT:—"Both read together mean the same thing."

* Mr. S. SATYAMURTI:—"That is a contention which you did not accept."

* The hon. the PRESIDENT:—"I accepted that portion of the contention."

* Mr. S. SATYAMURTI:—"May I know, if so, why section 5 is added here in this amendment?"

* The hon. the PRESIDENT:—"That is going into the merits of the wording of the amendment."

* Mr. S. SATYAMURTI:—"No. Taking the clause as it stands, Mr. President, my point is that in the Madras University Act, the Annamalai University Act and the Andhra University Act, the words used are that the local Government shall pay. If that is so, the local Government may pay just as the Commission may have paid. There the idea was that the local Government shall pay a block grant and submit those proposals to the vote of the House year after year in the sense in which they will be entered in the budget differently as either non-voted or voted."

"Moreover, I want to bring to your notice one point. As regards these non-voted and voted items, there is a misapprehension on the other side. It is not as if the Government of India Act contemplated the impossibility of non-voted items being submitted to the vote of the House. It merely contemplates that it is not obligatory on the part of the Government to submit non-voted items of expenditure to the vote of the House. It is open to the

[14th August 1929]

[Mr. S. Satyamurti]

Government, out of a sense of responsibility to submit even those items to the vote of the House. Therefore there is no point in straining the language in regard to an item as being either voted or non-voted.

"Sir, the words used here are 'the local Government'. In none of these Bills has it ever been stated that it shall be defrayed from the provincial revenues of the local Government. This seems to impose in terms a charge on the revenues of the province which is not provided for in the budget and therefore it is a fresh expenditure. I submit that under Devolution Rules 43 and 44, in the absence of the sanction of the Finance Department, it is out of order."

Mr. ALLADI KRISHNASWAMI AYYAR :—"It is with some surprise that I heard the comment that there cannot be a legislative measure charging either the provincial revenues or prescribing amounts being expended out of provincial revenues."

"Now, the view I take—I do not mean to question the ruling of the Chair—is that even now with the clauses as they stand the expenses of the Commission are payable out of provincial revenues. But anyhow, in view of the ruling of the Chair and the direction that has been given to the House, the Government have brought forward this amendment. Section 72-D itself says that an amount may be prescribed the expenditure of which is not within the purview of the budget. So, there may be a legislative measure prescribing a particular amount of expenditure, and this is the very basis of section 72-D. Therefore, to say that outside the budget you cannot expend moneys except by bringing forward proposals before the House is one thing and to say that the legislature of the country cannot pass a measure saying that such and such an amount shall be expended by the local Government is another matter."

"Again, 82-C itself . . ."

* The hon. the PRESIDENT :—"I am not able to follow the argument of the hon. the Advocate-General. He says 'where the amount is fixed by the legislature.' It is only part of the section which says that the provincial revenues shall be paid and so on. This amount need not be voted. It only means that the expenditure is to be met from provincial revenues. Suppose an Act is passed saying that so much shall be paid, it means that it shall be paid from the revenues of the province."

* Mr. ALLADI KRISHNASWAMI AYYAR :—"In any way, you come to the conclusion that it is payable out of provincial revenues."

* The hon. the PRESIDENT :—"The Advocate-General prefaced his argument by saying that apart from the ruling given by the Chair he still held the view that the provision as it stands made the expenses a charge on the provincial revenues. I want to satisfy myself whether there is any provision in the Bill to that effect."

* Mr. ALLADI KRISHNASWAMI AYYAR :—"The provision need not in terms say that it shall be a charge on provincial revenues."

* The hon. the PRESIDENT :—"The hon. the Advocate-General was saying that though he respected my ruling he held the view that the Bill as it stands contained provisions whereby the expenditure under sections 6 and 7 could be made a charge on provincial revenues."

[14th August 1929]

* Mr. ALLADI KRISHNASWAMI AYYAR :—"Yes, that is so and I am willing to explain my position. The Secretary of State by rule authorizes the local legislature to establish a Public Services Commission. The incidents or the consequences flowing from the establishment of the Public Services Commission are detailed in that section. Delegation rule 5 says: I hereby authorize the local legislature to establish a Public Services Commission."

* The hon. the PRESIDENT :—"For that the legislature may say that every applicant for a post shall pay a fee of Rs. 5 and the money thus collected shall constitute a fund out of which the Commissioners shall meet its expenses."

* Mr. ALLADI KRISHNASWAMI AYYAR :—"I have not finished my argument. I am coming to that point. It is in the exercise of the power and duty cast upon the local legislature that the Public Services Commission is established. Therefore it is the Government that establishes the Public Services Commission."

* The hon. the PRESIDENT :—"No. It is the legislature."

* Mr. ALLADI KRISHNASWAMI AYYAR :—"The expression Government is a slip for the local legislature. Yes, but it does so only in the exercise of the power cast upon it. After appointing the Commission, it lays down several duties to be performed by the Commission and then it says that the Commission or the members of that body shall be appointed by the local Government. Then it goes on to provide that they shall be paid a certain salary. Under these circumstances, by necessary intentment, so far as the first portion is concerned, it necessarily means that the local Government undertakes to pay salary for these people. When the power of appointment is exercised by the local Government, it necessarily follows by implication that the local Government must pay to them out of the revenues at their disposal. That is the next step. Then it goes on to say that such and such an amount shall be their salary, that is to say, that they shall be given such and such amount for their services. Then a further duty is laid down by it. They must incur such and such expenditure in the exercise of their duties and it lays down the rule that a sum of about Rs. 1,000 or so shall be expended. In the context, I submit that if you find that a public body like that is created, their salary is provided for; it is also stated that the establishment shall be paid up to a maximum of Rs. 1,000. By necessary intentment it follows that this expenditure shall be incurred out of the revenues at the disposal of the local Government."

* The hon. the PRESIDENT :—"Is there any authority for that assertion?"

* Mr. ALLADI KRISHNASWAMI AYYAR :—"There is considerable authority for the proposition that if for example a power or duty is cast by statute upon anybody all incidents and consequential powers and duties necessarily flow from the power expressly mentioned by the legislature. But what exactly is the necessary intentment in a particular case is a question of construction in the particular Bill and in the particular context. I am taking the view that having regard to the context and the sequence of the clauses, it necessarily follows that the local Government shall pay out of the revenues at its disposal. It may be that another view is possible—the view which was put forward by the President to the effect that there is no express provision. Therefore there is difference between that point of view and the point of view which I am trying to present before the House, so far as that point is

[Mr. Alladi Krishnaswami Ayyar] [14th August 1929]

12 noon. concerned. Now, we are on the other point which was raised by the hon. Member for the University, viz., whether by law, (a) we can prescribe at all any particular expenditure; (b) if we can prescribe any particular expenditure to be incurred by the local Government, whether we can make it a charge on public revenues. These are the two points. On both the points the answer can only be that the Legislature has the power under the terms of section 80-A and 80-C. So far as the budget proposals are concerned, it expressly contemplates a legislation prescribing a particular expenditure outside the budget provision. If I may say so from the point of view put by the hon. the President and that put by myself there is no difference so far as budget proposals are concerned. In fact the budget section is framed on the footing that there might be a local enactment prescribing a particular course of expenditure. To say that by legislation you cannot prescribe a particular course of expenditure is a negation of the very section of the Act, section 72-D. It says that where the expenditure is prescribed by law it need not be voted upon by the House. Therefore there might be a legislative enactment prescribing a particular course of expenditure.

"Secondly the answer is furnished by section, 80-C. 80-C is the section which requires sanction in the case of measures affecting the public revenues of the province. There might be measures making a particular charge on the revenues of the province. The Devolution Rules do not form a rider or a proviso to the particular section. You cannot put a further restriction under section 80-C to the effect that no legislation shall be passed not merely without the sanction of the Governor but also without conforming to the financial rules, as was pointed out by the hon. the Finance Member in reference to the budget proposals, and the expenditure incurred or the estimate made outside the budget. That is my answer.

"So far as the point made by the hon. the Member for the University is concerned, there is nothing in section 80-C or in 72-D to detract from the plenary powers of the Legislature to pass any law affecting the peace and good Government of the province. It may affect the public revenues or it may not affect the public revenues. But if it affects the public revenues you must get the sanction of the Governor. That is the restriction and that is the only restriction. There is no further restriction on the powers of the Legislature. It is very strange that people who are fighting for plenary powers of the Legislature should say that the Legislature is hide-bound by financial rules and the various restrictions in regard to budget."

Mr. G. HARISARVOTTAMA RAO:—"The hon. the Advocate-General said that the expenditure from provincial revenues could be incurred and he relied upon clause 5."

The hon. the PRESIDENT:—"We may leave it. That was only intended for my satisfaction. I am not to give any ruling on that special question."

* Mr. J. A. SALDANHA:—"On the two points raised by the hon. the Advocate-General I may say that in effect the local legislature has power to make some appointment and empower the Government to make some appointments, but that does not necessarily involve that the expenditure in connexion with those appointments should be met by the local Government themselves. For instance there are appointments like that of the Vice-Chancellor of the University which is made by the local Government but the expenditure is incurred out of the University funds."

[14th August 1929]

* The hon. the PRESIDENT:—"We need not argue that point. The question is whether this amendment requires the sanction of the Finance Department."

* Mr. J. A. SALDANHA:—"I say, Sir, yes. We have been somehow or other seized of this proposal to incur for this Government some expenditure this year and Government want to enforce this Act at once. That means that Government will have to spend money which has not been budgeted for. As the amendment brought forward is an amendment which involves the violation of the express provision made for expenditure outside the budget, is it not necessary that Government should go through the ordinary procedure imposed by rule 43 of the rules made by the Government?"

* The hon. the PRESIDENT:—"The only question to be decided is this: whether this amendment requires the sanction of the Finance Department under Devolution Rule No. 43. According to my interpretation Devolution Rule No. 43 deals only with the functions of the Legislative Council in granting demands for grants, whether budget grants or supplementary grants. It is not at all intended to cover a proposal for legislation such as is contemplated in section 80-C. Section 80-C clearly lays down that no member of the Council can introduce, without the sanction of the Governor, any measure affecting the public revenues of a province. In this case such a sanction has been accorded and I therefore hold that the motion is in order.

"Mr. Govindaraja Mudaliyar has given notice of an amendment to this effect:—'Shall be votable by the Legislative Council'. The express purpose of the original motion is that the amount of expenditure shall not be votable and the amendment says that it shall be votable. The hon. Member may once for all oppose the motion."

Mr. S. SATYAMURTI:—"With regard to the question 'votable' or 'non-votable' the section of the Government of India Act which governs this matter is section 72-D (2) which reads thus:—'The estimated annual expenditure and revenue of the province shall be laid in the form of a statement before the Council in each year'. Sub-clause (3) of this section says:—'Nothing in the foregoing sub-section shall require proposals to be submitted to the Council relating to the following heads of expenditure.' It does not say there is any prohibition against any expenditure for which the amount has been prescribed being submitted to the vote of the House. It is not a prohibitory legislation. It is only an enabling legislation which enables the Government under certain circumstances to exempt from the operation of this House . . ."

* The hon. the PRESIDENT:—"I think the hon. Member will agree that the option is for the Government to bring it to the Council or not."

* Mr. S. SATYAMURTI:—"Exactly so. Therefore as it is open to the Government either to bring it or not to bring it, I think the House may presume in favour of the Government bringing it before the Council anticipating that the Council may agree to it. They should never try to exempt it from the vote of the House. It is not as if the Government is prevented from bringing it to a vote of this House. After all, Sir, you are interested in seeing whether a thing is in order or not. You are not interested in seeing whether it is reasonable or not. You are interested only in seeing that it is in order and whether it is consistent or inconsistent with the provisions of the Government of India Act. My submission is that it is wholly consistent with the Government of India Act. It simply says, 'nothing in the foregoing

[Mr. S. Satyamurti]

[14th August 1929]

sub-section shall require proposals to be submitted to the Council relating to the following heads'. But I submit there may be something else which may require a vote of the House. It is not as if we are fettering the discretion of the Government in this sense, namely, that we are appealing to them to do a duty which they are not permitted to do under the Government of India Act."

* The hon. the PRESIDENT :—"Supposing the Council passes a resolution that such and such items shall be brought before the Council . . ."

Mr. C. V. VENKATARAMANA AYYANGAR :—"That is a recommendation which the Government may or may not accept."

"There are several items which the section contemplates not to come before the House. But there are other items which the Act contemplates coming before the legislature."

* The hon. the PRESIDENT :—"Then it is better to discuss them."

* Mr. SAMI VENKATACHALAM CHETTI :—"May I request you to further elucidate your views? You seemed to have said that the scope of the amendment is to make the expenditure non-votable. I thought that you suggested that there was no provision for the payment to either the Commission or their staff in the Act itself. It was only to remove the possible doubt that the Commission need not be paid from the provincial revenues that this amendment was introduced to enable the Government to pay. That does not remove the further objection whether it is votable or non-votable. You will also remember that you quoted the analogy of the Town Planning Act and other Acts wherein it is provided that the expenditure should be met from provincial revenues. I take it that the expenditure incurred in connexion with the Town planning Officer and his establishment is votable."

The hon. the PRESIDENT :—"Regarding the Town Planning Director, it is provided that he shall be paid from the Provincial revenues. With regard to his staff there is no provision."

Mr. SAMI VENKATACHALAM CHETTI :—"This amendment refers both to the staff and the Commission."

* The hon. the PRESIDENT :—"If the clause is passed, the Local Government need not bring the expenditure to the vote of this House. That would be the effect of passing the clause. The amendment proposed by Mr. Govindaraja Mudaliyar in fact has the effect of a negative vote. The intention of new clause 19 is that the expenditure shall be non-votable. It is that which the amendment of Mr. Govindaraja Mudaliyar seeks to defeat. Therefore it is a negative amendment. Instead of recording the vote of the House twice the best thing for the House to do would be to throw off the motion of the hon. the Revenue Member, if the House agrees upon that course. I think the amendment of Mr. Govindaraja Mudaliyar need not be discussed separately."

Mr. SAMI VENKATACHALAM CHETTI :—"Supposing the amendment of the hon. the Revenue Member is not passed, then this amendment becomes superfluous."

* The hon. the PRESIDENT :—"That is the reason why I say that it is indeterminate."

[14th August 1929]

Mr. G. HARISARVOTTAMA RAO :—"If the clause stands by itself then the interpretation that the expenditure is non-votable would be correct. But if this House chooses to give a direction as to whether the expenditure should be votable or non-votable, this House has the right to do it."

* The hon. the PRESIDENT :—"I do not think there is anything contrary. I am not convinced that the amendment can be allowed. I disallow the amendment."

"There are the amendments of Messrs. C. V. Venkataramana Ayyangar and Harisarvottama Rao. The combined effect of the amendments of Messrs. Venkataramana Ayyangar and Ranganatha Mudaliyar is the same as that of Mr. Harisarvottama Rao; the amendment given notice of by Mr. Harisarvottama Rao is as follows:—'An annual report of the work of the Commission and expenditure incurred by it shall be brought by the Government to the Legislative Council for its consideration'."

Mr. C. V. VENKATARAMANA AYYANGAR :—"Mr. Harisarvottama Rao has given notice of a separate clause to be added. If the hon. the Revenue Member moves the amendment he has given notice of, we may not move our amendments."

* The hon. the PRESIDENT :—"If they are discussed separately, I have to propose the same question. If the amendment of Mr. Harisarvottama Rao is disposed of, I cannot give an opportunity to Mr. Venkataramana Ayyangar to move his new clause 20. The principle involved in both the amendments is the same."

Mr. P. C. VENKATAPATI RAJU :—"We have come to an agreement that, if the hon. the Revenue Member moves his amendment, we would not move our amendments."

* The hon. the PRESIDENT :—"I want to have a statement from the Members of the Opposition whether they want to move the amendments they have given notice of."

Mr. P. C. VENKATAPATI RAJU :—"Provided the hon. the Revenue Member moves his amendment. . ."

* The hon. the PRESIDENT :—"So far as I am concerned, there is no proviso or condition. We cannot anticipate what will happen later."

Mr. G. HARISARVOTTAMA RAO :—"I take it that the amendment of the hon. the Revenue Member is before the House. . ."

* The hon. the PRESIDENT :—"The hon. Member, I think, is not attentive. The question before the House is 'The salaries referred to in sections 5 and 6 and the expenditure incurred in section 7 shall be defrayed from the Provincial revenues of the Local Government.' Mr. Harisarvottama Rao has given notice of an amendment which I have referred to already. I wish to know at this stage whether he proposes to move it or not."

Mr. G. HARISARVOTTAMA RAO :—"I do not move my amendment, Sir."

* Mr. S. SATYAMURTI :—"Sir, I am not going to take advice from my hon. Friend, the Advocate-General, as to how to conduct the opposition and how to deal with this amendment. You were pleased, from your exalted place, to give a ruling which is binding on this House in all stages not only for the day but for the rest of the term unless you see it fit to change that ruling or unless we make a submission to you to change that ruling. He does

[Mr. S. Satyamurti]

[14th August 1929]

not accept that ruling; formally he says so and his opinion as a lawyer and legal adviser is that this amendment is unnecessary. I think the House has a right to know from the Government whether they accept. . . ."

* The hon. the PRESIDENT:—"I think there is another amendment given notice of by Mr. Saldhana, 'and such expenditure incurred in section 7 shall be votable.' I rule it out of order. I may advise the hon. Member to move for the omission of the words 'and the expenditure incurred in section 7' from the motion of the hon. the Revenue Member."

* Mr. S. SATYAMURTI:—"If I may go on, I should like to know what the position of the Government is. Do they accept your rulings in matters of legislation and do they bring forward motions to make those laws conform to your rulings which you are not bound to give unless a point of order is raised and unless it comes before you for decision? The Government ought to have some means of consulting expert legal advice; taking that advice they should act upon it. Instead of that, this Government comes to this House and their expert adviser says—I respect him for that independence of opinion—that this clause is unnecessary and yet the hon. the Revenue Member moves this clause as part of the Bill. I want to know whether it is a case of abundant caution; that is the usual lawyers' refuge when they think that any questions of doubt may arise. This is a case of achieving directly what you said was their object, viz., to make the expenditure non-votable. The desire to conform to your ruling is a matter about which they are not anxious. They want to catch that opportunity to make this expenditure non-votable, the whole expenditure including clause 7, under the provision of this clause. They want to see that the salary of the Commissioners, expenses under clause 6 with regard to the secretary, and under clause 7 as regards the staff and contingent expenditure are met from the Provincial revenues and should be non-votable."

"Now apart from the legal difficulty in which the House is placed—we do not know what the Government think on this matter—my other difficulty is this. No doubt in other countries where responsible Government prevails, the Chancellor of the Exchequer and the Public Audit and Accounts departments have got a conscience and they examine financial proposals very carefully; but in this country where the Finance department is a limb of the bureaucracy, its conscience is elastic enough when proposals come from the bureaucracy; when I raised a point which ought to appeal to any Finance Member, my hon. Friend tells me that similar provision exists in the Annamalai University and Andhra University Bills. Similar provisions do not exist there; the only provision they contain is 'the Local Government shall pay'. The provision here is 'shall be defrayed from the provincial revenues of the Local Government'. That seems to be undoubtedly a new proposal involving expenditure which the Finance Department should have scrutinized."

"My hon. Friend, the Advocate General, not content with giving us his disquisition of law, said he was surprised at a Member of the Opposition discussing the question before the House when we were fighting for powers. But we thought he had known under what difficulties we were labouring in this House. We have got to carry out our duties as much as we can and see that public business is conducted according to statute, according to law, according to canons of justice and fair play and to call to our aid all the rules and statutes which are in existence. If we ask that this provision should

14th August 1929]

[Mr. S. Satyamurti]

be deleted, it is because we do not want the legislature truncated from to-morrow once this clause is passed. That moment it enters a realm into which no public body is allowed to enter, Mr. President, not the High Court, not the Executive Government, and not the Hindu Religious Endowments Board. For the first time in the history of Madras, the Public Services Commissioners are having a new heaven where no earthly mortal will breath his contemptible criticisms on the doings of this august body. We can discuss about the hon. the Revenue Member's clerks; we can discuss about his stenographer; but we dare not discuss about these Commissioners and their staff or their defaults. What is the justification for this, Mr. President? When the Executive Council, when the High Court and when such august bodies and even His Excellency the Governor—as I was pointing out the other day—are willing to have the salaries of their servants, their travelling allowances, and their dietary charges to be discussed on the floor of the House, what is the reason why these Public Services Commissioners, who are after all, Mr. President, creatures of the Local Government in letter and in spirit should be sought to be kept in this political *nirvana*? It is incomprehensible to me."

"Then, Sir, what are the three kinds of charges which we are asked to vote for by this clause? The salaries of all the Members of the Commission, the salary of Rs. 1,500 for the Secretary and Rs. 1,000 for the Commission's establishment. The result will be that they will be outside the scope of the discussion of the House. I understand, Mr. President, that there is an amendment on the order paper standing in the name of the hon. the Revenue Member seeking to give an opportunity to this House to discuss the work of the Commission year after year. Therefore, the Government in principle concede that this House has got the right and must have suitable opportunities to discuss the work of this Commission. If therefore the Government concede that right to this House, I should like to know whether they should not concede the more authoritative and the automatic right of discussing it at budget time. The Government must have noted the sharp vote on the deletion of clause 7 of this Bill. I think it was 37 to 40. The Government managed to escape by the very skin of their teeth"

The hon. Sir THOMAS MOIR:—"Survival of the fittest."

Mr. S. SATYAMURTI:—"That law has long ceased to operate in Madras; the fittest do not survive; it is only the least fit that survives, and that is why this Government survive. My point was the Government ought to have respected the very sharp division in the House on that clause. The House including Members who do not belong to our party were anxious that there should be some control over this Commission, because they felt that there should be annual automatic review of the work of this Commission; and yet the Government's respect for the wishes of this House is so great that they come round and say that they would not accept even this modest demand that the provision for expenditure under clause 7 of the Bill should come under automatic review. In spite of the attempted castigation of my hon. Friend, the Finance Member, I still venture to say that this is the first time I hear of any legislative proposal which seeks to charge the provincial revenues in express terms. I think, Sir, that this House ought to keep these two functions separately, legislation and appropriation of revenues."

[Mr. S. Satyamurti]

[14th August 1929]

"One more word, and I have done. Speaking for myself I respectfully take the view of the hon. the Advocate-General, that this clause is wholly unnecessary. I think that the context makes it perfectly clear. Your ruling, of course, is binding; but your ruling simply was that, under clauses 6 and 7 as they stood, the scope of discussion ought not to extend beyond a certain limit, as to whether this House can discuss it or not, whether it was relevant or not. I say if the hon. the Advocate-General is of that opinion he ought to have stood up and said, 'I would either resign my job or the Government should accept my advice.' Let the Government have the courage to say, 'we stand by our legal adviser.' Then I can respect the Local Government and their legal adviser. The hon. the Advocate-General, trying to obey you, advised the Local Government to send an amendment. Where is the dignity or self-respect of the Government? If I were the Advocate-General, I would say 'I am right and the President is wrong; let him rule out the discussion; I take this view; let it go to a Court of Law; this is not the first time; we can fight it out.' The Government ought to stand by their view, and not to be swayed by presidential rulings in matters of legislation. Your ruling, Sir, governs only this Council and how to conduct ourselves in the discussion."

12-30
P.M.

"I can understand him (the Advocate-General) if he had not been converted by your ruling. Your ruling was that as clause 7 stood, the discussion on it could not go beyond a particular scope. Therefore, Sir, this is the time for the House to vote upon this question, namely, as to whether the House wants to completely abdicate all power of automatic review of the work of this Commission, or whether we shall continue to have such discussion as we have over the Public Accounts Committee's report repeated in this case also. I would therefore ask the Government, if they believe in their legal adviser, to withdraw this clause, and if they would not withdraw, I would ask the House to vote against this clause."

* Mr. J. A. SALDANHA :—"I have to oppose this clause, Sir, not only on the ground that it is redundant but also on the ground that it is derogatory to the dignity of this House in that expenditure running to several thousands and lakhs of rupees a year is to be shut out from any discussion in this Council. I do not want to repeat the arguments of my hon. Friend the Member for the University; at the same time I regret that he has had to put forward all his energies against this autocratic Bill at a time when he is indisposed. The fact that we are fighting against this Bill with such persistence must be a wonder both to the Members of this House and to outsiders, who have not entered into the merits of the Bill. But those of us who have gone deeply into the merits of the Bill know the inner meaning underlying it, and as Members of the Select Committee, several of my friends have raised a cry from the very beginning against this Bill. Our objections mainly centred round this last amendment which the Government have now brought forward. We therefore shall fight and fight to the finish, even if we have to sit beyond noon. We shall fight long and persistently, even if we have to sit till to-morrow. Our action will be justified because we do not want to place on the statute book an enactment which is a fraud on this House and which is nothing but a farce. There is a big motive behind this, Sir."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"Is it a parliamentary expression, Sir: 'fraud on this House'?"

14th August 1929]

Mr. J. A. SALDANHA :—"I persist in saying that it is a fraud."

* The hon. the PRESIDENT :—"The hon. Member does not accuse the House. He only accuses the Government which wants to commit a fraud on the House by this Bill."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"That is exactly what I object to. Is that parliamentary, Sir?"

* The hon. the PRESIDENT :—"I do not think it is objectionable. That only means that the Government are not putting the Bill openly and that by indirect methods they are achieving something."

* Mr. J. A. SALDANHA :—"I have been wondering why the Government is persisting so much in getting this Bill passed, though it is based on a very slender authority. Yesterday the hon. the Revenue Member said that this slender authority was defective and he gave us the assurance that the Government would approach the Secretary of State to amend the rules. If the rules are to be amended, I do not see why the Government should not stop the Bill at this stage, wait for a couple of weeks or so, get the necessary rules amended and then have the Bill passed with the full acquiescence of this House. As a matter of principle, we have no objection to the Bill, but I say as it is, it cannot appeal to the majority of the elected body of this House. The Commission is to be appointed by the Local Government and is removable also by the same Government. How can such a body be independent? It must be a body depending on the Government and the local Secretaries. I was surprised to hear the hon. the Revenue Member saying yesterday that he wanted to have an independent Commission. But what about its independence of the Government? I am sure, Sir, the Government will appoint only such men as are chosen by the supporters of this Government and of the present Ministry. It was not a very good and edifying spectacle to see the hon. the Revenue Member—however much he tried to make the Bill acceptable to all of us—going three or four times from this side to the other side and consulting the hon. the Leader of the Justice Party . . ."

Rao Bahadur B. MUNISWAMI NAYUDU :—"Sir, is it open to the hon. Member to state that only supporters of Government would be appointed and then to impute something to an hon. Member of the Government?"

* The hon. the PRESIDENT :—"Did the hon. Member impute anything to him?"

* Mr. J. A. SALDANHA :—"I said he has been going to the Leader of the Justice Party for consultation in secret—in whispers."

* The hon. the PRESIDENT :—"The request of Mr. Muniswami Nayudu is that you may express this idea in more dignified terms."

* Mr. J. A. SALDANHA :—"It was not an edifying spectacle. That is what struck me. From what I have seen, I find there is a conspiracy between the Government and the Justice Party, and we can very well guess for what purpose. This unholy alliance between a few members down there belonging to the Justice Party and the Government has been formed with a view to carry this Bill through in spite of the opposition of all the nationalist members and in spite of some important objections raised even by some European Members of the House in the face of the elected majority being

[Mr. J. A. Saldanha]

[14th August 1929]

against several of its provisions. They have now brought forward this clause with the object of making this Commission quite independent of this House and this unholy alliance has been formed just before the elections take place

* The hon. the PRESIDENT :—“ I am not able to follow the relevancy of the arguments advanced by the hon. Member to this motion. The only question that is implied in the motion is whether the expenditure shall be votable or non-votable. I request the hon. Member to confine his remarks to the provisions of this clause.”

* Mr. J. A. SALDANHA :—“ All I say, Sir, is that this clause is a great injustice to the House in that it does not make the expenditure votable.”

* The hon. the PRESIDENT :—“ Where is the question of elections, etc., there ? ”

Mr. J. A. SALDANHA :—“ I only want to show, Sir”

* The hon. the PRESIDENT :—“ I have tried my best to show to the hon. Member that his arguments are not relevant to the motion under discussion.”

* Mr. J. A. SALDANHA :—“ Then, I have done, Sir. I think this is a great injustice to the House. I only hope the hon. the Revenue Member will withdraw this clause, wait for some time, say for a fortnight or three weeks and then have the Bill passed in a form which will be acceptable to all sections of this House, and well worthy of the dignity of the House and worthy of this Government also, so that”

* The hon. the PRESIDENT :—“ I think the hon. Member is making the third reading stage speech.”

* Mr. ALLADI KRISHNASWAMI AYYAR :—“ Mr. President, Sir, my learned Friend the hon. Member for the University seems to revel in contradictions. In parts of the debate in the course of the discussion on this Bill, I have heard him making the statement at every stage that the Commission ought to be independent of the executive, that it is but right and proper that it should be clothed with full power, that it should not be in any way connected with party politics. Those were the arguments advanced by the Opposition. Possibly, I might sympathise with the Opposition in many of those points but for the restricted scope of the Delegation Rule. At the same time, when you want to put the Commission beyond party politics and to see that their salaries are rendered non-votable, my Friend the hon. Member for the University says that even for their very existence, they must depend on the Legislative Council to vote their salaries and the salaries of the establishment.”

* Mr. S. SATYAMURTI :—“ On a point of personal explanation, Sir, I only said, and I have always maintained that the salaries ought to be above the vote of the House. My point was, and is, that the expenditure which is provided for in clauses 6 and 7 of the Bill should come before the vote of the House just as the salaries of the establishment of the High Court, the Executive Council and the Governor come before the House.”

* Mr. ALLADI KRISHNASWAMI AYYAR :—“ Then, in further support of his opposition to the amendment, he invoked the principle that it is the duty of a lawyer to swear by his opinions. If, for example, there is the least doubt

[14th August 1929] [Mr. Alladi Krishnaswami Ayyar]

expressed from other quarters which you might respect, it is the elementary duty of any Legislature to see that it is put beyond doubt. I have never heard it said that a single lawyer, however eminent he may be, or a number of lawyers, however eminent they may be, ought to stake their opinions against possible doubts expressed in high quarters. On the other hand, it would be the very fundamental duty of any legislative assembly when there is any possible doubt in regard to the construction of any clause, to see that the matter is rendered clear beyond all doubt. If, for example, the Government intends that a particular expenditure is to be met out of provincial funds, if there is room for doubt, the Government ought to bring forward a clause saying that that is the intention, and the very fact that the doubt is expressed in some quarters is a reason for the Government coming forward with an amendment of this description. Another thing, Sir, and it is not a personal thing at all. There is a higher duty to the House. When clauses 6 and 7 were discussed, the President ruled that it is not right on the part of Members of the Council to go into the question whether it is votable or non-votable, or whether it is right that these salaries should be payable from out of the provincial revenues. Any Member of the House who stands for its dignity, for the independence of its members and for their freedom, ought to say that it is not right or fair to debate on the question whether it is payable out of the provincial revenues, as a result of the ruling of the Chair. And it is not right that a lawyer should put his reputation, his prestige and his view of a particular thing above the dignity of the House and its freedom which must characterise the deliberations of any assembly. The debate has been confined to the narrowest limit when clause 7 was before the House. It may be I took one view, but when the hon. the President has given his ruling, we are bound to obey the ruling of the Chair. The net result of the ruling is that the Members had not an opportunity of discussing the question whether it is payable out of provincial revenues or not. To-morrow, supposing this Bill is passed into an Act without this amendment and it is sent to the Advocate-General for the time being, the Advocate-General says ‘ I do not care for the discussions of the Legislative Council; as I read the Act, the salary is payable out of the provincial revenues’, will it be fair to the Assembly? Will it be consistent with democratic principles? Is it the right thing which any responsible Government or Swaraj Government would do under the circumstances? I do feel as strongly as anybody else for the freedom of this House. I do feel that, if you believe in Self-Government or in Swaraj and in the development of free institutions, the elementary duty of every member of this House is to see that there is a fair debate on a question. If, for example, there is a doubt as to whether there has not been a fair debate upon particular questions, it will not be fair for the Government to rely upon technicalities and to take the chance of the matter being fought in a court of law or to rely on the Governor’s ruling under particular sections whether the expenditure is votable or non-votable. I believe as strongly as anybody else in securing the freedom of debate in this House. It is well-known that the discussions of the Legislative Assembly are not a proper guide in the construction of enactments. But, so far as any Government is concerned, when there has been no free debate on the question whether a particular item is payable from the provincial revenues or not and when there is an embargo upon that discussion as a result of the ruling of the Chair, I submit that no Government can stand aloof and say, we will not bring in a clause to that effect. That is the reason why I gave the advice and the Government accepted

12-45
pm.

[Mr. Alladi Krishnaswami Ayyar]

[14th August 1929]

that advice. I do not fight shy of the responsibility of saying that in the circumstances, an amendment of this nature ought to be brought forward before the House and the vote of the House taken, so that the Government may know what exactly is the mind of the House upon that particular provision."

* The hon. the PRESIDENT :—Before the debate proceeds further, I want to make one point clear to the House. If the House remembers well, on the previous day the debate was going on on clause 7 on the basis that the expenditure was votable. When a doubt was entertained by me that there was no provision to make the expenditure a charge upon the provincial revenues, I wanted to clear a possible difficulty that might arise. The only ground that prompted me to interfere at that stage was whether Government would come forward with another amendment to make it a charge or not. I think every Member of the House will distinctly remember my ascertaining the wishes of the Mover of the Bill whether he wanted to content himself with the provisions as they were or whether he wanted to bring forward an amendment to make it a charge. Whether he took the advice of the Advocate-General or whether he himself stated it, it is not my concern, the Mover of the Bill did say to me that he wanted to bring in an amendment. Then, I foresaw the possibility of a question being raised by the Opposition as to the amendment offending the rule against repetition and then I stated in order to remove apprehensions that the House might discuss the provisions of clause 7 on the basis that the hon. the Revenue Member would bring forward a separate provision or amendment in regard to the expenditure of the commission being met from the provincial revenues."

* Rao Bahadur Sir A. P. PATRO :—"Sir, there seems to be a great deal of confusion with regard to the proper form of the amendment by which the financial provision has been introduced in this Bill. If the Government is advised, or if the Government is satisfied that there is sufficient provision either according to precedent or according to the provisions of the Government of India Act, there seems to be absolutely no reason why this new clause should be brought in. The hon. the President has rightly anticipated the difficulty that might arise later on, that if there is no specific provision for the sanction of payment to the Commission under this Bill, the question might arise in a court of law. It is in order to avoid this difficulty that the President has rightly pointed out that the question might be examined. But, your ruling, Mr. President, seems to me only to suggest this difficulty and you have not barred any discussion of the matter or the discretion vested in the Government whether they would proceed with the measure as it is or bring in amendments. Therefore, it is now for the Government to make up their mind once for all and to say whether they are prepared to stand by the provisions of the Bill as formulated and placed before this House or whether they would adhere to the amendment proposed, not because that the Chair has suggested or raised or anticipated any difficulty, but because the Government is convinced that there is difficulty. If this matter is made clear by Government, some of us here on this side will be in a better position to vote on the amendment. But, it is very difficult to say whether the motion as it stands is desirable or necessary at present because I think that such a provision does not exist in other Acts and that being so, this amendment seems to me to be unnecessary. But, I believe, if the Government is advised that it is necessary and desirable to clear any doubt that might arise later on, I am prepared to consider the

14th August 1929]

[Sir A. P. Patro]

matter, but as the Bill stands at present, it seems to me very doubtful that the amendment is necessary."

* The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"I only wanted to say this: that my hon. Friend the Leader of the Justice Party thinks that this amendment is really unnecessary, but the Government are advised by their highest legal adviser, who has also himself spoken on this, that this amendment is really necessary, so that we want this amendment to go forward."

* Mr. SAMI VENKATACHALAM CHETTI :—"Mr. President, Sir, I feel it is necessary to say that at least this portion of the House feels greatly indebted for the homily that has been so ably and effectively paid by the hon. the Advocate-General, but I may mention that the whole of his homily is based upon a confusion of ideas of which he is so characteristically full. In his homily he had certain pertinent remarks to make to the Swaraj Government. But, I may say, whatever the Swaraj Government may or may not do, it shall take care to see that its Advocate-General confines himself to the expression of his opinion upon legal matters and not proceed any further beyond that."

"My hon. Friend, the Member for the University, was charged by the hon. the Advocate-General being full of contradictions. But the contradiction seems to be more with the hon. the Advocate-General than with the hon. Member for the University, who has taken care to see that his objection was confined only so far as to make the establishment of the Public Services Commission non-votable. We have had no objection to make the salaries of the members of the Commission non-votable. As a matter of fact, it was our desire to see that these gentlemen are placed beyond the trammels of any political influence. But, it is only with regard to the staff and the office establishment of the Public Service Commission we are insisting that it ought to be a votable item. The Government themselves felt certain doubts when you suggested the difficulty with regard to either votability or non-votability of this expenditure. Sir, I agree with my hon. Friend, the Advocate-General, when he says that my Friend, Mr. Satyamurti, was wrong in expecting the lawyers to stick to their opinion on all occasions. I think it is a weakness of the lawyers that they change their opinions according to the wishes of the presiding Judge. It was exactly that that made the Advocate-General to yield when you pointed out the difficulty. Further, if the Advocate-General had adhered to the opinion which he had already formed in regard to this clause, the House would not have been deprived of its legitimate discussion so far as the clause was concerned and that clause would have been put to vote even the other day, and because Government itself was suffering from indefinite decision on this matter that they have got to . . ."

* The hon. the PRESIDENT :—"Let it not appear that I have deprived the House of its legitimate right of discussion. On the admission made by the hon. Mover of the Bill that he was going to bring forward an amendment to cover this ground, I said that the House need not proceed on that as far as clause 7 was concerned."

* Mr. SAMI VENKATACHALAM CHETTI :—"Sir, it was on the strength of that ruling that I charge Government for having deprived that right and now they are trying to charge my friend with contradiction and so on,

[Mr. Sami Venkatachalam Chetti] [14th August 1929]

I have no doubt, Sir, that the clause as it stands will be defeated, because, I see that support is coming from all directions. We consider that this amendment is wholly unnecessary and I therefore oppose this amendment."

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

"The question is that the following new clause be added after clause 18:—

'The salaries referred to in sections 5 and 6 and the expenditure incurred under section 7 shall be defrayed from the provincial revenues of the Local Government.'"

The motion was put to the House and declared carried.

A poll was demanded and the House divided thus:—

Ayes.

- | | |
|---|---|
| 1 p.m. 1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur. | 26. Mr. W. P. A. Soundarapandian. |
| 2. " Sir Thomas Moir. | 27. Rao Sahib R. Srinivasan. |
| 3. " Diwan Bahadur M. Krishnan Nayar. | 28. Mr. C. E. Wood. |
| 4. " Mr. A. Y. G. Campbell. | 29. " A. J. Leach. |
| 5. " M. R. Setruatnam Ayyar. | 30. " F. E. James. |
| 6. " S. Muthiah Mudaliyar. | 31. " R. J. C. Robertson. |
| 7. " Dr. P. Subbarayan. | 32. " H. F. P. Hearson. |
| 8. Mr. Alladi Krishnaswami Ayyar. | 33. " S. N. Dorai Raja. |
| 9. " Hilton Brown. | 34. " S. Arpudaswami Udayar. |
| 10. " H. A. Watson. | 35. " G. Premayya. |
| 11. " A. G. Leach. | 36. Swami Sahajanandam. |
| 12. " J. Gray. | 37. Mr. V. Ramjee Rao. |
| 13. " S. V. Ramamurti. | 38. " C. Gopala Menon. |
| 14. " C. B. Cotterell. | 39. " B. Ramachandra Reddi. |
| 15. " V. Ch. John. | 40. Rao Bahadur C. S. Ratnasabapathi Mudaliyar. |
| 16. " M. A. Manikkavelu Nayakar. | 41. " Sir A. P. Patro. |
| 17. " Syed Tajudin Sahib | 42. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 18. " J. Bheemayya. | 43. Mr. P. T. Rajan. |
| 19. " R. Foulkes. | 44. " T. K. Chidambaramatha Mudaliyar. |
| 20. " P. J. Gnanavaram Pillai. | 45. " Abdul Razaq Sahib. |
| 21. " Mahmud Schammad Sahib. | 46. " Khadir Mohidin Sahib. |
| 22. " J. Kuppuswami. | 47. " T. M. Moidoo Sahib. |
| 23. Subdar-Major S. A. Nanjappah Bahadur. | 48. Rao Bahadur B. Muniswami Nayudu. |
| 24. Mr. N. Siva Raj. | 49. Mr. K. Sarabha Reddi. |
| 25. " V. I. Muniswami Pillai. | 50. " A. V. Bhanaji Rao. |

Noes.

- | | |
|------------------------------------|--|
| 1. Mr. P. C. Venkatapathi Raju. | 12. Mr. B. Obi Reddi. |
| 2. " Sami Venkatachalam Chetti. | 13. " T. Adinarayana Chettiyar. |
| 3. " S. Satyamurti. | 14. " A. Kaleswara Rao. |
| 4. " C. V. Venkataramana Ayyangar. | 15. " C. N. Muthuranga Mudaliyar. |
| 5. " J. A. Saldanha. | 16. " K. Krishnaswami Nayakar. |
| 6. " G. Harisarvottama Rao. | 17. " C. Venkatarangam Nayudu. |
| 7. " C. S. Govindaraja Mudaliyar. | 18. " A. Ranganatha Mudaliyar. |
| 8. " L. K. Tulasiram. | 19. Diwan Bahadur R. N. Arogyaswami Mudaliyar. |
| 9. " D. Narayana Raju. | 20. Mr. R. Nagan Gowda. |
| 10. Dr. B. S. Mallayya. | |
| 11. Mr. P. Anjaneyulu. | |

Ayes 50. Noes 20.

The amendment was carried.

14th August 1929]

New clause after clause 19.

*The hon. Mr. A. Y. G. CAMPBELL:—"Mr. President, Sir, certain amendments have been brought forward to ensure that the report of the proceedings of the Commission should be placed annually before the Council so that the Council should have an opportunity of discussing them. In accordance with the suggestion made by my hon. Friend, the Finance Member, in the course of the discussion on the Bill, I beg to move—

'That after the new clause which has just been inserted, the following clause be inserted:—

Within six months of the end of each financial year, the Commission shall present to the Local Government a report on its proceedings during such financial year and the report shall be brought up by the Local Government for the consideration of the Legislative Council.'

and that the remaining clause be re-numbered."

The hon. Mr. M. R. SETURATNAM AYYAR:—"I second it."

The amendment was put and carried.

*Mr. J. A. SALDANHA:—"Sir, I beg to move—

'That the following be added as a new paragraph to the new clause 19:—

The staff and establishment appointed under sections 6 and 7 shall be subject to rules and regulations as to appointment, leave, travelling allowance, pension and conduct binding on Government servants appointed by the Local Government.'

"Sir, I have brought this clause merely as a matter of caution. As the Government have found it necessary to bring a superfluous clause to be added to the Bill, I feel also that there is some necessity to make it clear in the very language of the Act that the servants appointed under the sections mentioned in my amendment are not like those being appointed by the local bodies, the University and other bodies. When the appointments are so made by the Commission and they are questioned, the Commission may say that their choice is not restricted by any provisions in the Act in the matter of those appointments. It is to safeguard against such danger, to avoid any doubt arising on the point, that I wish this paragraph to be added to the clause. Unqualified persons may be appointed. Travelling allowances may be allowed higher or lower than the rate provided for by Government. The servants of the Commission may be deprived of their right for pension. The Accountant-General may raise the objection that the posts under the Commission are not pensionable in the absence of such a clear provision in the Bill. I also wish to prohibit the servants of the Commission from canvassing at election time and doing other public work which in the case of Government servants would be irregular. Therefore, Sir, it is in order to make the conditions of service under the Commission similar to those obtaining in Government service that I have thought it necessary to move my amendment."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I second it."

[14th August 1929]

* The hon. Sir THOMAS MOIR :—" Mr. President, I think that we must oppose this amendment because our intention is to give the Commission as much power and responsibility in respect of its establishment as is possible. We have not considered the question of how the services and conditions of service of its subordinate servants should be regulated in detail. And it is quite possible that the Commission on various points might consider that the ordinary Government servants' rules will not entirely apply and if this clause is inserted in the Bill it will not be open to us to consider any representation on these points which the Commission may make to us. We are therefore unable to accept the amendment."

Mr. G. HARISARVOTTAMA RAO :—" Mr. President, the hon. the Finance Member's explanation is rather queer. He told us, Sir, that he wants to give this Public Services Commission responsibility for appointing its own men upon its own terms. This is grand responsibility indeed! Once in the course of the discussion on this Bill has the Treasury Bench conceded that the Commission should have some responsibility to discharge, and the responsibility that is conceded to this august body by the Treasury Bench is the responsibility of appointing its own peons and clerks. The motion before the House, Sir, is nothing extraordinary. It does not say that the Public Services Commission should be debarred, if the Local Government should so desire, from advising the Local Government on matters of detail with regard to the pay, pensions, allowances and things of that kind that should apply to all Government servants. What the motion intends to do is this, that the establishment of the Commission shall have the same rules and the same regulations in regard to their conduct, their pay and allowances as every other Government servant has. Beyond that the motion before the House does not go. Why there should be a specific distinction I cannot understand. Moreover, Sir, I desire to point out that it would be a hardship really if the Public Service Commissioners are not as liberal as the Government itself. The establishment of the Commission is a special establishment and does require some protection. It should not be that the Commissioners because they are saddled with the responsibility of making a model for all public services are at liberty to cut down the emoluments that must necessarily go to every one employed under the Government. Therefore, to provide against the idiosyncrasies of these Commissioners in regard to their establishment it is essential that the Government which is taking care of all the establishments in all the departments of Government should also look upon them with the same paternal care. That care can be exercised only if the establishment of the Commission is employed subject to the same conditions and the same rules as other establishments in other services. I can understand a situation, Sir, where the Public Service Commissioners may deal with their subordinates in a very generous spirit. Even so, Sir, I do not believe that there should be a distinction between the establishments of the Commission and other establishments. There is already a great deal of trouble in this matter on account of the distinctions made with regard to the establishments in Government offices and in quasi-Government institutions like the local boards. Let us not commit the same mistake once again in regard to this matter. Let us be sure that there will be uniformity of conditions of service all over the country. To achieve that uniformity it is necessary that this motion should be accepted. It is a wonder, Sir, how the Government looks at these things. They have a queer notion that what all they say

[14th August 1929] [Mr. G. Harisarvottama Rao]

should go down the throats of this House. It appears to me, Sir, that they have made a mistake in this matter. They have committed themselves to a line of action which will not be beneficial either to the establishments or to the administration as a whole. It is essential that the Government should keep this Commission as a model for the public services and in order to do so, this establishment should dictate, I really agree, terms for other branches of service, but as long as this establishment is not brought under the control of the uniform rules, it is not likely that there would be a uniform improvement in the conditions of service with regard to other establishments.

" Therefore for a reciprocal advantage it appears to me necessary that this establishment should be on a par with other establishments in the country. And it would be an advantage to other establishments in this manner that if the Public Service Commissioners feel that their establishment deserves something better, they will also influence the Government to apply the same rules and conditions to those other services also. I do not want that a distinction should be made, and I therefore request the hon. Members of this House through you, Sir, to vote for this motion."

1-15
p.m.

The amendment was put and negatived.

Clause 19 (clause 21 as re-numbered).

* Mr. J. A. SALDANHA :—" Sir, I move—

'that in lines 5 and 6 after the word 're-published' the following words be inserted :—

"With such amendments as may be made by the Council on a motion of any member thereof with a previous notice of three days before a meeting of the Council and as may be approved by the Governor."

" The existing sub-clause (3) provides that 'rules made under this section shall be published in the *Fort St. George Gazette* and laid in draft before the Madras Legislative Council for a period of three months while the Council is in session and shall on the expiry of such period be re-published and upon such re-publication take effect as if enacted in this Act.' Sir, it is not shown in this clause for what purpose these rules should be placed before the Legislative Council, and it is not clear what power the Council will have to make amendments to the rules. Simply laying the rules on the table of the House for three months will have little effect, and the law on the subject in this country is not very clear, whether the Legislative Council during these three months can take up these draft rules and propose amendments to them and pass them. That is why I want to make this clear by means of this amendment. I think the evident intention of laying these rules on the table of the House is that this House should have such power. This Council has also the desire to have the power of amending these rules. Therefore, I propose this amendment, and the clause, if the amendment is accepted, will read as follows :

' Rules made under this section shall be published in the Fort St. George Gazette and laid in draft before the Madras Legislative Council for a period

[Mr. J. A. Saldanha]

[14th August 1929]

of three months while the Council is in session and shall on the expiry of such period be re-published with such amendments as may be made by the Council on a motion of any member thereof with a previous notice of three days before a meeting of the Council, and as may be approved by the Governor, and upon such re-publication take effect as if enacted in this Act."

"Therefore, Sir, if we have got any sense of responsibility in this respect my amendment must be accepted; if members of this House after seeing these rules find it necessary to make any amendments in the rules, they will be empowered under this amendment of mine to move for such amendments at a meeting of the Council, and if these amendments are passed by the Council and approved by the Governor they will be republished, and will then have the force of law. I have added a precaution that these rules should be approved by His Excellency the Governor. With this precaution I do not see any reason why we should restrict the power of the House after the rules are placed before the House. Why should we not give the Council the power to amend these rules subject to the approval of the Governor? I am sure this amendment, that is, the power proposed in it is very important, and the rules also may be such as to require amendments in this House."

Mr. A. RANGANATHA MUDALIYAR :—"I second it."

* The hon. Mr. A. Y. G. CAMPBELL :—"Mr. President, Sir, I am afraid we cannot accept this amendment to this clause. The usual procedure is for the legislature to pass an Act, and in doing so it considers and discusses the more important provisions which the Council considers necessary, and the less important details are left to the Government so that they may put them forward in the form of rules. There is provision in this Bill that these rules should be placed before the Council, and that will give an opportunity to any Member of the Council to make representations to the Government if he wishes to do so. But if this amendment is carried, it will mean that the hon. Members of the Council can bring forward amendments to the rules, and they will have to follow the same procedure with respect to the draft rules as is now being followed with reference to Bills; that is to say, there will be considerable discussion here again regarding the proposed amendments to the draft rules. Therefore, Sir, I must oppose this amendment to the Bill."

Mr. A. KALESWARA RAO :—"Sir, the Government is in the habit of inserting a very dangerous provision at the end of every Act, i.e., to reserve to themselves the power of making rules which will infringe the salutary provisions that are contained in the Act. That is the way in which the rules are framed, and though sometimes the Act and the provisions thereof are good and useful, in the name of the rules the Government exercises autocratic powers and will spoil all the utility of the sections. That is how the Government wants even in this case to have that absolute power of making rules without reference to this Act. What this amendment simply proposes is that these rules should come before the Council and that this Council should have the full opportunity of discussing the details of these rules and see whether they are consistent with the Act and whether they help the real intentions of the framers of the original Bill and the Legislative Council which passed the Bill into an Act; and we want that power to be reserved to the

[14th August 1929]

[Mr. A. Kaleswara Rao]

Council itself. It will be really a good thing if the Government is prepared to give up its autocracy. I therefore support the amendment moved by my hon. Friend Mr. Saldanha."

The amendment was then put and negatived.

Mr. G. HARISARVOTTAMA RAO :—"Mr. President, Sir, I hope and trust that you will be pleased to put this provision clause by clause; each sub-clause of clause 19 may be put separately. I refer to sub-clause (2) in particular and I want to oppose it. The Government has professed solicitude for the Public Services Commission, and sub-clause (2) contradicts their profession. It runs thus: 'In particular and without prejudice to the generality of the foregoing power, the Local Government may make rules prescribing the procedure to be adopted by the Commission'. I really do not understand what this provision is intended to do. Is the Public Services Commission to be bound by the rules of the Government in conducting its proceedings? Has it not the liberty of a local board? Is it to be deprived of the power of making rules for the conduct of its own business? Is the Local Government going to impose upon the Public Services Commission rules in regard to what it shall do or what it shall not do when it sits as a body and conducts its business? I really fail to understand the mentality of a Government that introduces a provision of this nature making two responsible statements on the floor of this House. The one responsible statement is that they want this body to be an independent body, and the second responsible statement is that they want to concede to this body some responsibility in regard to its affairs. I find, Sir, that this clause is particularly obnoxious to those two attitudes. Of course, I shall stand corrected if the hon. the Revenue Member is prepared to argue that this refers to something special. There is nothing special so far as I can see. The language does not permit of anything special being understood from the context. The rules relate to the procedure of the Public Services Commission. If I have misunderstood it, I wish to correct myself. But I feel that there is nothing here which I can misunderstand. I feel that this provision binds down the Public Services Commission to a particular kind of procedure in its business, and if it applies to the conduct of business by the Public Services Commission, I think this is a clause which is very dangerous to the autonomy of that body. It is absolutely unworthy of a legislature to impose upon a body of respected advisers like the Public Services Commission any provision like this. I therefore feel that it would not be right for us to allow this clause to go in without a word of protest. I know the fortunes of my opposition. I am clear in my mind that this will be carried, but still I feel that I owe it to the body that we are creating, that I owe it to the principles that I hold should have been held sacred in regard to this matter, to the principle that this body should have been made completely independent of the Government. I feel, Sir, that I must enter a protest, and a strong protest at that, against this clause."

* The hon. the PRESIDENT :—"I am not able to accept the suggestion of the hon. Member to put this provision clause by clause. If really the intention of the hon. Member was to have sub-clause (2) omitted, he had the opportunity to do so and he has not availed himself of it by giving notice of any amendment to omit that sub-clause. And now to come forward and ask me to divide the whole clause into three sub-clauses is an unusual procedure."

The House then adjourned for lunch.

[14th August 1929]

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

II

BUSINESS FOR THE NEXT MEETING OF THE COUNCIL—*cont.*

* The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—“Mr. President, Sir, as far as I am able to anticipate and as far as I am able to get information from my hon. Colleagues, I find that Government business for the next meeting of the Council will consist of the following Bills, namely, the Bucket Shops Bill, the Civil Courts Act (Amendment) Bill, the Malabar Tenancy Bill, the Local Boards Act (Amendment) Bill and the District Municipalities Act (Amendment) Bill. There may be one or two other Bills, if they are ready by that time. It is not possible for the Government to say how many days we will have to sit at the next meeting; perhaps it will be a week or ten days.”

* The hon. the PRESIDENT:—“I think not less than fifteen days will be required for all that business. That is my minimum estimation.”

* The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—“Everything depends upon the Bills being ready, Sir. We are not sure if the Malabar Tenancy Bill will be ready for the next meeting.”

* The hon. the PRESIDENT:—“In my estimation, the Local Boards Act (Amendment) Bill will take up one day for introduction and the Malabar Tenancy Bill at least ten days for consideration.”

III

THE MADRAS SERVICES COMMISSION BILL—*cont.*Clause 19 (re-numbered 21)—*cont.*

* Mr. J. A. SALDANHA:—“Sir, I urge that this clause 19 should be altogether omitted—I mean that it should not be passed and made part of the Bill—and that for very good reasons. This rule-making power of Government is one which is now attracting considerable attention in England, and there is a strong movement in the Houses of Parliament and also among the English public against what is called delegated legislation. The Parliament, owing to its multifarious duties, has been for a long time giving unrestricted powers to the Government to make rules for which provision was made in the Acts themselves by way of schedules, as we have done in the case of schedules under the District Municipalities Act and the Local Boards Act here in this Presidency. We also know that this House has been passing Act after Act in which the Local Government has been given power to make rules without any restriction, which are never brought up before this House for discussion. In one or two Acts, which I do not recollect, they cleverly managed to get a clause like this passed. But in another Act that we passed—the Member in charge of the Bill was quite innocent and the Government at that time was very generous towards this Council—they consented without any suspicion to a provision that the rules should be subject to the approval of this House. But the Government of India at once took alarm, and they returned the whole thing for amendment that that provision should be omitted. We at that time strongly deprecated the high-handed action of the Government of India as affecting the liberty, the independence and the autonomy of this Council, and said that for the Government to accept that condition was really demeaning or derogatory to their conduct of efficient administration. It is only after

[14th August 1929]

[Mr. J. A. Saldanha]

the Government of India interfered in one Act—I do not remember the exact Act—that this Government has been coming forward to make rules without the sanction or consent of this House. I really wonder, Sir, why they should be reluctant to make draft rules and place them for the sanction of the Council. Is it because they have to undergo an elaborate course of a first reading, a second reading and a third reading and all the other circuitous or long complicated procedure? According to my amendment, the rules will be passed in one sitting after considering all the objections. I think, considering the great interest the public take in our legislation and in the rules that are to be made under Acts passed here, it is but fair that Government should take the public as well as the representatives of the public into their confidence. Therefore, it is quite desirable that every rule that is made, especially one of a far-reaching character or otherwise important, should be considered by this House. As I mentioned already, this unlimited power which the Government is given in the matter of making rules without consulting the Parliament is going to be subject at an early date to some restriction. Because the progressive party in the British Parliament feels that, in view of present-day democracy, Government should not be given unlimited powers to make rules as they like. I think, Sir, it is high time that this House should insist that it should be consulted when the Government have to make any rules. As pointed out by my hon. Friend who objected to sub-clause 2, it is very strange that the Local Government should have the power to make rules for the procedure of another body. This is the first time we hear of any such thing when rules of procedure are made by Government for what they call an independent body. Take, for instance, this Council. We have to make rules for the conduct of business and for procedure, as provided in the Government of India Act. What will you say if the rules of procedure for this Council—the Standing Orders—are to be made by the Government of India? What will you say if the rules of procedure for a municipality or a local board ought to be made by this House? Surely, Sir, I think it is most derogatory to the dignity of any body that another higher body should make the rules of procedure for the former. It is but reasonable that a Commission like this, which the Government say is an independent body, should make its own rules of procedure. Already almost every clause of this Bill is intended to restrict its powers, and ultimately it has to subordinate its actions to the whims of the Government, which wants to inflict upon it certain rules made by them even in the matter of procedure. I am at a loss to know whether any gentleman will consider at all dignified to accept posts on this Commission under such humiliating conditions and restrictions. Under clause 3, it is provided that the rules should be placed before the Council for three months. This question has been taken up very seriously in England and I am sure that Parliament will make a provision for restricting the powers of Government, and in future they will probably appoint special committees to go into this question of rules. I may mention that on the Continent itself, in Germany, this rule-making power is subjected to very narrow limits. The House is so constituted that rules or amendments to rules are taken up for consideration automatically by particular committees. Some such sort of procedure must be introduced in this House. This Government should agree to eliminate this clause altogether and they should take time to bring these rules in the form of schedules and allow the Commission to make rules as to procedure, etc., which is within their power. With these words, I oppose this clause.”

2-15
P.m.

[14th August 1929]

The hon. the PRESIDENT:—"The question is that clause 21 shall stand part of the Bill."

The motion was carried and clause 21 was added to the Bill.

The preamble was then put, passed and added to the Bill.

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

'that the Bill be passed into law.'

"Subject to the insertion of two clauses, the Bill has been passed as amended by the Select Committee, and I see no reason why it should not be passed into law, subject to your permission."

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

Mr. P. C. VENKATAPATHI RAJU:—"Under Standing Order No. 49 (2), I object to the passing of the Bill at this sitting, and in so doing, I may be permitted to point out that there was a time when the Government did not think it urgent and intimated to you that the sitting might be closed without even taking it for consideration. Now, in the course of the consideration of this Bill two new clauses have been added and you, Mr. President, had to bring to our notice some desirable changes, and it was found that those changes have to be effected in order that the Bill might be in proper form. Since there is no urgency and since two new clauses have been added (not mere amendments), it is both fair to the House and to the Government to give time to consider the effect of these two new clauses and remove the defects in the drafting. The new clauses are a substantial change in the Bill, and I therefore request that you may not be pleased to suspend the Standing Order."

* The hon. the PRESIDENT:—"Here it is a case of using the discretion. The first point is whether the standing order is intended to operate to prevent hasty legislation or whether it is intended to prevent bad drafting. As the wording stands, what must be the intention of the Standing Order? (Mr. Sami Venkatachalam Chetti: Perhaps both.) If you can show from the wording that the intention is to prevent hasty legislation we have to examine it from one standpoint; but if you think that the wording is to prevent bad drafting, we have to examine the question from a different standpoint. If you consider, as Mr. Sami Venkatachalam Chetti suggests it is intended to prevent both, we have to examine the question from a third standpoint. But you will have to convince me of that."

Mr. P. C. VENKATAPATHI RAJU:—"I submit that it is to prevent hasty legislation."

* The hon. the PRESIDENT:—"We can presume the intention to be to prevent hasty legislation if the wording was that the second reading shall not be taken up until the expiry of such and such time, and that if the President in his discretion allows it, it may be brought forward earlier. Standing Order No. 44 clearly lays down that a certain period shall expire, between certain stages of a Bill, and the intention of that Standing Order is to prevent hasty legislation. If you can show any such intention from the wording of Standing Order No. 49 (3) I shall be very glad."

[14th August 1929]

Mr. P. C. VENKATAPATHI RAJU:—"My submission is that it is to prevent hasty legislation, because, Mr. President, you might observe, with reference to taxation Bills it was stated that this clause shall not prevail even for giving us three days' time. If the objection shall prevail and if the Government say that is an urgent law they can bring it after three days. It clearly shows that after going through the second reading, some time must be given both to the Government and the Opposition to look into their bearings."

* The hon. the PRESIDENT:—"Can it not be construed by the very fact that only three days are given that it is more to rectify the defects in the language used than to prevent hasty legislation? Obviously, three days' time is not sufficient to prevent hasty legislation."

Mr. P. C. VENKATAPATHI RAJU:—"Three days will give us time to study the whole Bill. Even a night may be sufficient."

Mr. A. KALESWARA RAO:—"I wish to submit that we lost the opportunity of making certain amendments on account of certain accidents that took place."

* Mr. F. E. JAMES:—"Mr. President, Sir, I should like to submit that the purpose of this Standing Order is not so much to deal with what may be called hasty legislation as to deal with those cases where a Bill is so altered in the course of the discussion as to require possible re-drafting in certain respects while retaining the essential principles. I should like to emphasize that. It is not a question of hasty legislation that is involved, nor is it a question of giving further time for reflection nor, is it to give further time so that additional amendments may be moved at the final stage. It is rather with the object of providing a short time which is necessary in case the Bill has received such substantial alterations in the course of the discussion as to require re-drafting. If that is the interpretation of the intention of the Standing Order, then there is no validity in the objection of my hon. Colleague, the Leader of the Opposition. This Bill has been very slightly amended during the past three days, and in my view it is not changed sufficiently to warrant a further delay of three days. What I suggest therefore is that the objection has no strength in it."

Mr. G. HARISARVOTTAMA RAO:—"Mr. President, Sir, I concede that it is not very clear on the face of the Standing Order whether it is intended for the purpose of avoiding hasty legislation or for the purpose of drafting the Bill in a better manner after the amendments have been made. But one thing is clear and it is this, that the Standing Order allows some little time even if it be three days, for consideration of the Bill as a whole. Clause (3) of the Standing Order says: 'and may then be passed with or without further amendment.' Further amendments are not shut out, and it has been the practice of this House, I may be permitted to point out, to move very substantial amendments at the third reading stage. I am referring to the University Bills."

* The hon. the PRESIDENT:—"The point is not controverted."

Mr. G. HARISARVOTTAMA RAO:—"I am proceeding on that basis, Sir, ^{3 p.m.} it is the privilege of minority parties in this House to be protected in their right to move amendments and to be given sufficient opportunities. The Opposition in this House, Sir, has not much opportunity to affect legislation that is passed in the teeth of opposition. It may be that the Bill has been discussed sufficiently on the floor of this House, but it is a fact that the discussion went on in a spirit which betrayed that the opposition had been in the

[Mr. G. Harisarvottama Rao] [14th August 1929]

brains of the treasury benches. Also, Sir, by an accident there has been some deprivation of opportunity for the opposition. Under the circumstances, Sir, I beg of you as the custodian of the rights of the opposition minorities to follow the precedent that this House has established and not to overrule that precedent."

* The hon. the PRESIDENT :—"What is the precedent?"

Mr. G. HARISARVOTTAMA RAO :—"The precedent of moving substantial amendments at the third reading."

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

Mr. G. HARISARVOTTAMA RAO :—"Since that precedent remains, it means that this House has accepted this Standing Order as capable of being used for correcting hasty legislation. That is the implication of the precedent that has been established in this House. Therefore, Sir, I feel that the Chair would be perfectly right if it held that it shall not overrule the objection."

"Then Sir, it is stated in the Standing Orders that even if a single amendment be made it is allowable to the parties concerned to object. I request you to examine the implications of that particular provision 'even if a single amendment be made.' That is really intended to give the opposition parties in the minority an opportunity. I request you that that opportunity for further discussion might be allowed to the opposition."

* The hon. the PRESIDENT :—"Even granting that that is possible, what are the difficulties? Is it a case of not discussing the Bill?"

Mr. G. HARISARVOTTAMA RAO :—"We have discussed the Bill, I agree. But it has been already submitted to you that by an accident we missed certain portions of the Bill. I also have to point out to you that at every stage there was the difficulty of drafting."

* The hon. the PRESIDENT :—"Is the Chair intended to assist the minority when it fails to function properly?"

Mr. G. HARISARVOTTAMA RAO :—"It is not a question of failing to function properly, Mr. President. It is a question of a few amendments being passed over before the arrival of the members. Whatever that may be, Mr. President, there is another point on which I am supported in my contention. The language of the Standing Order is clear. It says that this clause shall not apply to taxation Bills. Even where the opposition to a measure might be unreasonable, this Standing Order has made provision."

* The hon. the PRESIDENT :—"It only means that the discretion is taken away from the President."

Mr. G. HARISARVOTTAMA RAO :—"It is taken away. I merely want to point out what the Standing Order suggests about the legislation before the House. It feels bound to remove the discretion of the President in regard to taxation Bills, but does not feel that any other measure is so emergent as to compel the President to give the ruling on the side of passing it. Therefore, it is clear that the Chair has the privilege under ordinary circumstances, according to this Standing Order, of protecting the minorities and I appeal, Sir, to you to allow us to move that the third reading be not taken up."

* Mr. SAMI VENKATACHALAM CHETTI :—"Mr. President, Sir, I am not a lawyer and am therefore unable to interpret the Standing Order."

14th August 1929]

* The hon. the PRESIDENT :—"Let the layman's light be thrown."

* Mr. SAMI VENKATACHALAM CHETTI :—"It is only in that light that I place my submission before you."

"It is evidently the intention of the framers of these instructions that the ordinary rule by majority ought not to prevail in this case; otherwise such of those who are in charge of the Bill and such of those who are confident that by the majority they have they can out-vote any objection can easily be allowed to do so by vesting the discretion in the hands of the House. But the fact that the framers of this Standing Order have divested the majority of their natural right to out-vote the minority and placed the minority of even a single member in an advantageous position shows to me that they intended that the hon. the President must pay great regard to the objection that may be raised by the minority. The Standing Order even goes to the length of saying that even if a single member objects the President shall decide. Therefore, if more than a single member takes objection to the passing of the Bill in the same sitting the position is all the more important and the President, I am afraid, must take a very heavy responsibility if he ignores such objection."

* The hon. the PRESIDENT :—"He always does."

Mr. SAMI VENKATACHALAM CHETTI :—"I know he does."

* The hon. the PRESIDENT :—"At least it has to be presumed."

* Mr. SAMI VENKATACHALAM CHETTI :—"I only request that the President may pay particular attention to this aspect of the question. If it was the intention that the majority will might prevail on occasions of this kind also and the minority ought to be ignored . . ."

* The hon. the PRESIDENT :—"Section 44 (1) (i) lays down—

'that the Bill as reported by the Select Committee, be taken into consideration, but any member may object to its being so taken into consideration if the copies mentioned in Standing Order No. 42 have not been available for the use of members for fifteen days or if three months have not elapsed from the date of the first publication of the Bill.'"

Mr. SAMI VENKATACHALAM CHETTI :—"That is with regard to consideration."

* The hon. the PRESIDENT :—"That is the provision mainly intended to prevent hasty legislation."

* Mr. SAMI VENKATACHALAM CHETTI :—"Yes, so far as hasty legislation is concerned. I am not relying on that point."

* The hon. the PRESIDENT :—"The minimum period contemplated to make a Bill not be characterized as hasty legislation is three months."

* Mr. SAMI VENKATACHALAM CHETTI :—"I do not rely on that argument. I say that the legislation may be defective in wording and if so, by granting three days' time and the hon. the President allowing the objection to prevail he would be deserving the thanks of both the Opposition and of the Government."

Rao Bahadur Sir A. P. PATRO :—"Sir, after all, a layman's view is a layman's view. The hon. Member for the city of Madras stated that he is in the minority and therefore he should have the right to object and that the discretion of the President should be exercised in his favour. I am afraid that

[Sir A. P. Patro]

[14th August 1929]

what is a minority to-day may be a majority to-morrow. Minority is sufficiently protected by other rules. In connexion with a Bill therefore majorities and minorities cannot be taken note of in interpreting Standing Orders.

"The only objection raised by the Leader of the Opposition is that two new clauses are introduced, and that opportunity should be given for sending in amendments in respect of them. Sir, it has to be said to the credit of the House that the Bill has been discussed in every detail with interest and enthusiasm for six days, and every possible shade of opinion has been expressed in the matter. Therefore, there can be no reason for saying that proper objections have not been put forward on any amendment and considered. One of the two new clauses mentioned as an objection to the passing of the Bill now, relates to the question of funds and the other is practically adopted by the House without any discussion. Therefore, to say that they require further amendment or further consideration does not stand to reason at all. I think the Leader of the Opposition and every one concerned practically agreed to them, although it is true that in connexion with the financial clause there was a suggestion that the wording required modification.

"The other reason suggested by the Member representing the City was that he was in the minority and in order to give an opportunity to the minority the discretion of the President should not be exercised in favour of the majority. I submit, again, that the question of majority and minority is no consideration for the Chair. The Chair has to see whether there are sufficient grounds for exercising his discretion. For these reasons, I submit that there is absolutely no reason whatever to postpone consideration."

Mr. S. SATYAMURTI:—"The discretion of the Chair as per this Standing Order is unfettered so far as the express wording of the Standing Order goes. Our duty and our right is merely to raise the objection and whether you will be pleased to either suspend the Standing Order or not to suspend the Standing Order is entirely in your unfettered discretion.

"No doubt, Sir, you have been good enough to give an opportunity to some of us to state our reasons for the objection in order, I presume, to enable you to exercise the discretion in the best interests of the House. Now, Sir, while I quite see the point of seeing what is the intention behind the Standing Order, I respectfully suggest, Sir, that to seek to interpret the word of a statute or a statutory rule not according to the actual words to be found there, but according to the presumed intention of the authors thereof, is a somewhat difficult and dubious process as all lawyers know. What the intention of the framers of this Standing Order was, it is impossible for us to say except by reading the actual wording thereof. But the actual wording thereof does not say for what purpose it is intended whether to prevent hasty legislation or to improve drafting except this, viz., that if any amendment be made, that amendment presumably gives the right to any member of the Opposition to raise an objection and casts the duty upon the Chair of either suspending the Standing Order or not suspending the Standing Order. Therefore, Sir, I submit that so far as the wording of the Standing Order goes, the intention should be presumed to be that if an amendment is made the responsibility is that of the Chair to decide whether in view of that amendment this Standing Order should be suspended or not.

"Sir, as regards hasty legislation or redrafting, I submit that this Standing Order cannot prevent it at all. Because, Sir, even if you decide to-day not to suspend the Standing Order and the objection prevails, the Government can

14th August 1929]

[Mr. S. Satyamurti]

bring in a Bill three days later; and it does not follow that in those three days we are going to prevent either hasty legislation or improve the drafting. Even supposing that it is redrafted, it will have to go through every stage and if the words are changed, they will have to give notice of amendments, the amendments will have to be considered by the House and the House may even remit it back to a Select Committee. I do think, Sir, I may say, that I respectfully agree with you that the only provision with regard to hasty legislation in so far as you can read from the words of the Standing Orders themselves is the Standing Order with regard to the presentation of the Select Committee report where the House can object either on the ground of three months not having elapsed since the publication of the Bill or of 15 days not having elapsed after the publication of the report. As for drafting, it is not the concern of the Opposition or of the Chair. It is a concern of those who are in charge of the Bill. And if the . . ."

*The hon. the PRESIDENT:—"I differ from the hon. Member. I think the reputation of the chamber depends upon the drafting of the Bills passed by it and if every Bill is to be full of drafting mistakes, it is not the Mover that is responsible, it is the whole House."

*Mr. S. SATYAMURTI:—"Or the majority which will not accept drafting amendments even. (Laughter.)

"That apart, Sir, I join issue with my hon. Friend the Member representing the Planters' Constituency when he said that this Standing Order should be suspended because there have been only minor amendments made. The question of minor or major does not arise. I beg of you, in the interests of this House and in the interests of successive occupants of that high office which you occupy to-day, not to fetter your discretion. There may be dangerous Bills which may be passed in this Council in a hurry and I submit that in the interests of this House such legislations ought not to be allowed to be passed at the same stage. There should not be any hard and fast rule."

The hon. the PRESIDENT:—"The Standing Order says that only three days' time should be allowed between the second reading and the third reading."

*Mr. S. SATYAMURTI:—"Three days is only the minimum. The hon. the Leader of the Justice party forgetting that he also stands in a minority, said in reply to the appeal of my hon. Friend the Member for the city of Madras that no question of minority or majority arose in a matter like this. I am not ashamed to admit that my party is a minority party on this matter. Sir, this Standing Order vests in you, as several other Standing Orders, the right to protect the interests of minority. If the Chair is not vested with such discretion, the hon. the Revenue Member can get up in his place and move the whole thing and somebody can second him and the whole thing can be finished in five minutes."

*The hon. the PRESIDENT:—"In this particular case what is the aspect which the minority want time to consider. I want to know the particular disadvantage in which the minority has been put to. You are only appealing to me to protect the interests of minority. You may draw my attention to any instances."

Mr. S. SATYAMURTI:—"I refer to the walk-out."

*The hon. the PRESIDENT:—"Besides that, is there any other point?"

3-15
p.m.

[14th August 1929]

* Mr. S. SATYAMURTI :—"The other point is this: certain amendments have been thrown out at least by a narrow majority, I mean by three votes. We hope, that, if time is allowed, we can convince some of those who disagreed with us on those amendments and shall be able to get them passed again."

* The hon. the PRESIDENT :—"Your point seems to be this. This Standing Order is intended also to give power to the President as a revising authority. If I remember right in previous cases my predecessors did not allow the moving of amendments that had been thrown out at the second reading, at the time of the third reading."

* Mr. S. SATYAMURTI :—"I am aware of it. I know that you as Leader of the Opposition fought against it. However, I beg to submit that no ruling of your predecessors is binding upon you. Even your own ruling given on one occasion does not bind you on a subsequent occasion. Luckily you are not bound by precedents in these matters like High Court Judges. What I submit to you is that, as a considerable portion of this House wants to move amendments that have been rejected at the second reading at the time of the third reading, you should not suspend the Standing Order."

"My substantial point is that we want time."

* The hon. the PRESIDENT :—"What is the particular amendment which the hon. Members on that side want to move."

* Mr. S. SATYAMURTI :—"That amendment is with regard to the obligation on the part of the Government to consult the Commission. That was thrown out by 40 votes against 37. That is one of the amendments on which the Opposition had not the opportunity of reconsidering. Seeing that they could not come to an agreement with us, the hon. the Leader of the House informed you, I believe, last Friday or Saturday whether the Public Services Commission Bill was passed or not and whether the Public Services Commission was going to function or not, the House would rise on Saturday. That showed that Government was not in a hurry. There has been between Saturday and now very little time for them to review the whole position. I think there lies as much burden of proof on the other side, as it lies on our side, to show why you should suspend the Standing Order. I submit we have made out a case why you should not suspend the Standing Order."

* Mr. J. A. SALDANHA :—"I wish to refer to only one point. The hon. the Revenue Member said that a reference would be made to the Secretary of State for amending certain rules. I do not see any reason why we should not wait until we get a reply to that reference. In a fortnight's time we can easily get the reply from the Secretary of State in which case hon. the Revenue Member assured us in his reply that this legislation would be of a more comprehensive character and would be framed on a more vital basis. He said very clearly that a reference would be made to the Secretary of State and if we get an amendment of the rule all our objections to the Bill would be removed and we shall have a body of commissioners who will have vital powers."

"An important amendment on the motion of the hon. Revenue Member was passed, viz., that the expenditure should be borne out of the revenues of this Province. The significance of that amendment is of a far-reaching character. Our knowledge of the finances of this Government are somewhat limited."

[14th August 1929]

* The hon. the PRESIDENT :—"We need not go into the merits of that now."

* Mr. J. A. SALDANHA :—"A number of amendments have been suggested to me at this stage" (Laughter.)

The hon. the PRESIDENT :—"Perhaps that is one of the main grounds on which the hon. Member asks me not to suspend the Standing Order and allow him time."

Mr. J. A. SALDANHA :—"Yes, Sir. I have got a definite amendment and I have not had time to draft it. If you will allow me two hours or three hours, I shall be able to give a definite shape to it."

* The hon. the PRESIDENT :—"Every amendment may be objected to by the Government because ten days' notice has not been given to them. Then too, perhaps you would want me to use my discretion."

* Mr. J. A. SALDANHA :—"Sir, we want time to move as many amendments as we want, no matter whether they are carried or not. We are sure our amendments will be defeated but that is another matter."

Mr. P. ANJANEYULU :—"I shall not repeat the arguments of my hon. Friend by reading that particular section over and again. That rule says 'Even if one hon. Member should object to the passing of the Bill that objection shall prevail unless the President in the exercise of his discretion suspends the Standing Order and allows the Bill to be passed into law.' I take it that this particular section was introduced so that when we have not discussed the Bill in detail and when a number of amendments were sprung upon us without due notice, we might have time to consider them. Sir, the picture was not placed on the canvas as a whole. When the picture is placed on the canvas at the time of the third reading, some retouching may be required here and there, and some rigging has to be set right. It is to quell our thoughts in a synthetic form that we require time. My hon. Friend Mr. Patro was saying that my Friend Mr. Swami was a layman and I thought that he (Mr. Patro) who claimed to be an expert would tell us something new, but he proved much worse. Sir, I submit that you should not exercise your discretion against our wish."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"As a matter of fact whether this particular Standing Order is intended to prevent hasty legislation or to improve drafting after the Bill has been passed in the second reading—that question has been amply discussed. So far as the drafting is concerned, there is no need whatever to effect any change. As has been pointed out only two amendments by way of alteration have been made. One is with reference to the expenditure to be incurred out of the Provincial revenues and the other is with reference to the report of the Public Services Commission being placed before this Council within a period of six months after the end of the financial year. Is there anything wanting in the drafting?"

"Sir, much has been said about the protection of minorities. I yield to none regarding the necessity for protection of minorities, but as a matter of fact I ask how does the question of protection of minorities arise in this case. Even most of the Members on the other side did not say that ample opportunities had not been given to them for discussing their amendments. In fact during the last six months we have been considering this Bill. I submit no question of protection of minorities arises in this case."

[Mr. M. Krishnan Nayar]

[14th August 1929]

3-30
p.m.

"My friends on the other side expressly said that the reason for which they wanted adjournment was to move amendments against the conclusions which have been arrived at by the majority. There seems to be some misapprehension somewhere. After giving opportunities to minorities—as they ought to have—the House by a majority have come to its own conclusions. It has been ruled already that no amendments can be moved hereafter against the conclusions that have already been reached. I submit that no valid reasons have been advanced at all by the other side why you should not be pleased to exercise the discretion vested in you in favour of my hon. Friend."

* The hon. the PRESIDENT:—"It is highly desirable I agree that hasty legislation should be prevented. The President has to be given power to prevent hasty legislation by suitable Standing Orders. He will not be justified in importing his own personal views into matters in which he has to give a decision according to the wording of the Standing Orders. The only Standing Order that really contemplates to prevent hasty legislation is Standing Order 44. I am personally of opinion that the other Standing Orders are not intended to prevent hasty legislation. I have to use the discretion vested in me under Standing Order 49. I carefully examined the wording of the Standing Order and I am personally of opinion that this is not intended to prevent hasty legislation. My conclusion is that the main object of this Standing Order is to prevent drafting mistakes. When a large number of important amendments are carried, it may be necessary to co-ordinate the amendments carried and when the President has to exercise his discretion under Standing Order 49, he has to see whether the amendments that are carried are of such a nature as to require co-ordination and whether redrafting is necessary or not. The only amendments that have been carried with regard to this Bill are (1) a new clause regarding the expenditure to be met from the Provincial revenues and (2) another clause to give an opportunity to the House to examine the working of this Commission every year. These two clauses have really no bearing on the drafting of the other clauses in the Bill. I therefore do not consider that there is any necessity to examine the drafting of the Bill again. In these circumstances I do not think I will be justified in upholding the objection."

"The question is that the Bill be passed into law."

MR. G. HARISARVOTTAMA RAO:—"Mr. President, Sir, I oppose the motion. The law that has been adumbrated and has to be passed on the floor of this House in this instance is to shape the Public Services Commission. The hon. the Revenue Member contemplated at every stage to create an independent body. We have gone through the clauses and they are before us. The highest function that is referred to in the Bill and that is given to this Commission is to advise on regulations. There is not the slightest power left in the hands of the Commission itself to make any rules in any respect. The regulation of public services falls under a number of heads. I refer to section 96-B (2) of the Government of India Act. The functions referred to there are classification of service, methods of recruitment, condition of service, pay and allowances, discipline and conduct. I grant, Sir, that, conditions being what they are, the Government was under a necessity to respect the rules made by the Secretary of State in Council and the local Government in respect of certain cases. The Secretary of State has made various rules in

[Mr. G. Harisarovottama Rao]

14th August 1929] regard to all the heads and under the delegation rules the local Government have made rules regarding recruitment by competitive examination, by selection and by promotion. Evidently by inference the Government intend to make such rules where they have not hitherto made. It is implied in the legislation that has been undertaken now. They have not given the least power of making rules to this Public Services Commission. With regard to conditions of service, pay and allowances, the same state of affairs obtains; with regard to discipline and conduct the same state of affairs exist. Even under the handicaps under which the Government are working it was open to the Government to give the Commission the power of making rules in regard to some of these matters. For instance, in the classification of services, barring such rules as have been made and such subjects as have been dealt with, it was open to them to give powers to the Commission. There was sufficient room for the Local Government to give plenty of powers to the Public Services Commission. From the clauses that have been passed I find that the Commission have no other power in their hands except the following: they have power to advise in regard to regulations—regulations with regard to recruitment by competitive examination—the classification of candidates, admission to the examinations and the syllabus of the examinations. In a similar manner they have power to advise prescribing regulations for recruitment, selection, qualifications of candidates and the submission of the applications. They have power to advise with regard to regulations regarding confirmation and promotion, concerning conditions for admission for examinations, syllabus of the examination and the percentage of marks to be obtained for passing the examinations. It is not intended that they should make rules; it is intended that they should tender advice or that they should be consulted when regulations are made. Beyond that, the Commission has no power. What then is the power that is vouchsafed to this Commission? The Commission will only be a dignified examining board. Their functions will be like those of the School Final Certificate Board or a Board set up to make recommendations to the Syndicate of a University for the Intermediate Examination; nothing more than that. Even in regard to these three powers that are supposed to be the highest powers conferred on the Commission, they have no more power than an ordinary recommending examination board set up by some university or other.

"What are the powers given to this Public Services Commission? Those powers are enunciated in clauses 13 and 15. There is a show of power left in the hands of the Public Services Commission. Clause 13 says that the powers of the Commission shall be to advise the local Government in regard to regulations prescribing the conditions of admission to the examination, the syllabus of the examination and the percentage of marks to be obtained for passing the examination, to make all arrangements for the actual conduct of the examination, to arrange the successful candidates in order of merit and to publish the results in the *Fort St. George Gazette*. Again under clause 15, the local Government have to consult the Commission before they pass any order on any appeal presented to them under the rules made by the Government of India Act. Some exceptions also are made. So, no substantial power is given to this Commission. I wonder why this Commission is established. I wonder why, for this purpose, the Commissioners should be paid Rs. 3,000 and Rs. 2,000 and the Secretary Rs. 1,500 and a sum of Rs. 100 for contingencies. If the hon. the Revenue Member had accepted the

[Mr. G. Harisarvottama Rao] [14th August 1929]

position that at least the Commission should have control over the administration of the executive in the manner suggested by our amendments, leaving aside those matters which are covered by rules already made either by the Secretary of State or under delegated powers given to the local Government, the Bill would have been an useful one. As it is, I find that the Commission has absolutely no important duty to perform. It is a glorified name for an ever subordinate limb of the Executive Government, an absolutely subordinate limb of the Executive Government and a dependent limb of the Executive Government. We have pointed out on the floor of the House how the local Government hang the policeman's baton over the Commissioners' heads and how the local Government desire to restrict the powers of the Commission with regard to the procedure that they should adopt in the conduct of business. The Commission are not as much independent as even the local boards; they are not as much independent as municipalities. They have not got the slightest independence; and yet the hon. the Revenue Member wants us to help him in passing this Bill. I feel there is no point in asking us to allow this Bill to be passed. We wanted to have an efficient Commission. We all wanted a Commission. There is no doubt about it; we have expressed this desire in so many words. We have attempted to the best of our ability to make this Bill as complete as possible. . . .

Mr. T. ADINARAYANA CHETTIYAR:—"Sir, there is no quorum in the House."

(The bell was rung and after the quorum was formed discussion was continued.)

3-45
p.m.

Mr. G. HARISARVOTTAMA RAO:—"I was saying, Sir, that we had done our best in a spirit of offering the best co-operation that we can, to the Government on a matter like this, on a matter with which we agree in essentials. We did our best, Sir, and we find that nothing has been done by the Members on the Government side to make this body of Commissioners either useful or effective. We are convinced that this particular Public Services Commission which will be established under the clauses that we have passed will be a mere ornament, a body for the exercise of the patronage now in the hands of the Executive Government, a body to endorse the decrees of the Executive Government, a body to permit the Executive Government to carry out in the name of an independent body what is in their own mind as bureaucratic administrators. I therefore feel it my duty to emphatically protest against the passage of this Bill. If we thought there was any use in passing this Bill, if we were convinced that there was a shred of utility in passing this Bill, we should not have objected. I for one personally am feeling that the Government have wasted so much of their energy and public money in bringing before us a Bill like this and in having stuck to their guns in not accepting even one or two amendments of an essential character. We have failed to impress on the Government that we have done our sincere best. I do not mind it; the Government cannot understand that we can be sincere. We have been the most sincere Opposition in this matter. We have tried step after step to convince the Government that they should include in the Act all that can be included without detriment to the operation of the rules that have already been made and the Government have refused at every stage to concede even the least independence to the body that they are going to set up. There is therefore no other course left to us but to oppose the passage of this Bill at this stage."

14th August 1929]

* The hon. the PRESIDENT:—"Mr. Satyamurti has given notice of moving an amendment. I wish to know how it is admissible in the third reading stage."

Mr. S. SATYAMURTI:—"At the third reading stage, amendments are permissible just as they are permissible in the second reading stage."

* The hon. the PRESIDENT:—"Under what Standing Order?"

Mr. S. SATYAMURTI:—"Under Standing Order No. 49."

* The hon. the PRESIDENT:—"That Standing Order says:

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

"Then and then only can the Bill be passed with amendments. Now, it is only the usual motion that is made. The only sub-order under which he can move amendments is sub-order (3) of Standing Order No. 49, in the third reading stage."

* Mr. S. SATYAMURTI:—"No, Sir. I submit that unless there is a necessary implication in sub-order (2) also that amendments shall not be moved, I submit I am entitled to move amendments at this stage also. You will notice, Sir, that so far as the House of Commons is concerned, there is a standing order governing amendments to be moved at the third reading stage."

* The hon. the PRESIDENT:—"The point is this. There is a standing order for amendments being moved in the second reading stage, and there is only a limited right for moving amendments in the third reading stage. When the Bill is postponed for more than three days, then only the Bill is to be passed with or without amendments. It only means that when once the Bill in the third reading stage is postponed for three days, then the right to move amendments arises. I believe that is the basis on which the Council proceeded all these nine years."

Mr. S. SATYAMURTI:—"As you please, Sir."

* The hon. the PRESIDENT:—"The hon. Member is not in order."

* Mr. S. SATYAMURTI:—"Sir, I am personally glad and I am considerably relieved that we have come to the end of our labours on this Bill. It has been a great strain on me. I should like to congratulate the hon. the Revenue Member on the tact with which he has piloted this Bill. Sir, tact has become a rare quality with the Treasury Bench nowadays, and I must express on my own behalf and on behalf of several hon. Members on this side of the House that he gave us a very courteous hearing and replied to our points with the seriousness which I trust will characterise the Members of the Treasury Bench at least hereafter. I am sure, Sir, that he will appreciate, as every other Member must appreciate, that in the desire to constitute a really independent Public Services Commission, we yield to none in the House, not even to the Members of the Treasury Bench. In fact, practically all the amendments that we had tabled were amendments intended to improve the scope and the status of the Commissioners. We wanted an independent Commission; we wanted a Commission which will have ample powers; we wanted a Commission whose word will carry considerable, if not, decisive influence and weight with the Government. We realise we have lost; we take the loss like sportsmen. And although I should not speak about my

[Mr. S. Satyamurti]

[14th August 1929]

side, I think some sympathy will not be wanting to my side that in spite of continual defeats, not often unaccompanied by cynical laughter, we have been enabled by a high sense of duty to stick to our views and bring amendment after amendment in the hope that some amendment at least will be accepted by this House. We are not however disheartened; we have done our duty as Members of this House and certainly we have done our duty by the taxpayers of this province.

"Sir, I should also like to express to the European group our feeling that they have for the first time to my knowledge, in the history of this Council, shown that they are really an independent body. It augurs well for the future. I only wish that their courage had stuck to the end; but it is a small beginning they have made, and I think beginnings must be small. I look to the future; they have begun well and I trust they will persist in taking up that independent attitude, so that it may be easy for them and it may be easy for us to co-operate with each other in order that we may move on smoothly together on common issues, on which we agree. Sir, so far as the Government is concerned, I trust the hon. the Revenue Member will very soon fulfil his promise to us that he will address the Secretary of State and have the Devolution Rules amended so as to secure. . . ."

The hon. Mr. A. Y. G. CAMPBELL :—"The Classification Rules."

MR. S. SATYAMURTI :—"I am sorry, Sir; I stand corrected—the Classification Rules amended, so as to secure for the Commission those powers which we wanted to secure for them by means of amendments. Though we did not gain, we have stood by our consistent attitude to add to the truncated powers of the Commission as they appear in the Bill. We are also glad, Sir, that we have got this new clause put in enabling this House to review the work of this Commission year after year on the presentation of its annual reports. Those are the two things which I hope will make the Commission something like the one we should like it to be. My hon. Friend the Member from Chittoor was waxing eloquent over my plea for communal justice, and he indulged in some cheap sneers against me. I can quite understand it; his ideas and my ideas of communal justice do differ. My idea of communal justice is not injustice to one community and that to the point of destroying it. It is not justice only to those communities which happen to be represented on the Treasury Bench or which happen to command great influence. My idea of communal justice, Mr. President, is that no single community shall be allowed to preponderate in the service of the province, subject always to minimum standards of efficiency. My idea of communal justice also is this: that when once a man becomes a servant of the Government, his future must depend upon his character, his ability, his integrity and not upon the antenatal accident of his caste or religion. I am sure the hon. the Revenue Member agrees with me that that is the right kind of communal justice. If he does not, I should like to know how his Government is going to command that loyal service from its servants which any Government must command for its carrying on with efficiency.

"Then, Sir, so far as the working of the Commission is concerned, it depends to a very large extent upon the personnel of the Commission. Sir, it is not for us to give any advice to the Government. They are the authority to appoint this Commission; but whether this Commission will bring in the millennium

[14th August 1929]

[Mr. S. Satyamurti]

which we all desire or whether it will merely be an appendage to the Executive Government, every Member of the House will, I am sure, agree with me when I say that that depends to a large extent upon the persons who are going to be appointed to these high offices. If they are independent men, if they are honest men, if they are efficient men, free from prejudice, not liable to influence of any kind, and if they can bring to the discharge of their duties all these high qualities, I have still hopes that in spite of their very small powers, they may be able to establish conventions under which they may achieve the powers which, for example, the Civil Services Commissioners in Great Britain to-day have. Sir, even when a man is to be recruited to the I.C.S., the Civil Service Commissioners simply certify that so and so is qualified for the Civil Service. It is the Secretary of State alone that appoints; but I do not think, Sir, any Secretary of State has ever dreamt or will ever dream of recruiting anybody who has not been so certified by the Civil Service Commissioners. The Government have got such a right under this Bill, but I trust they will never exercise it. Whether they will or they will not will depend to a large extent, as I said, upon the personnel, upon the character and the independence of the Commissioners. I do sincerely trust that the Government will be very very careful in seeing that this Commission is filled in its first personnel with the best men they can get.

"Sir, we have opposed many clauses of the Bill and we have been defeated. We are not sorry that this Commission is going to be appointed. We shall wait and watch its work. Our fears are that, truncated as its powers are, it may not achieve the purpose we want it to achieve; but if in spite of its restricted powers the Commission itself tries to gain its object in freeing the Executive Government from the embarrassing position of distributing patronage and as the late Raja Sahib of Panagal once wittily remarked from that Treasury Bench that 'for every appointment we make, we make one good friend and twelve certain enemies', if the Government is relieved of that trouble, and if the Commission is to be free from party allegiance based upon discriminating distribution of patronage both in permanent services and in other services, then I think, Sir, a great deal will have been achieved by the Commission. Whether it achieves it or not, time alone can show. Our fears are that it may not achieve; our wishes are that it should achieve."

MR. T. ADINARAYANA CHETTIYAR :—"Mr. President, Sir, now that in spite of the fire of criticism that has been levelled from this side during the last four or five days, the measure is going to become a statute, I wish to take this opportunity of offering a few remarks. Sir, the establishment of the Public Services Commission is an event of the first magnitude. If the personnel is rightly selected, it will usher in a millennium to the people who form the employees of this Provincial Government. In fact, their very appointment, their careers, their destinies and even their punishments and dismissals will be entrusted solely to the hands of the Commission. Sir, from the analogy of Public Services Commissions in other, perhaps more civilized, parts of the world, we in this House expect that the Commission to be established will not be far short of our high expectations. Sir, the functions of the Commissioner are of a very responsible and of a very high order. They are not less important than those of Judges; in fact, in more than one respect their functions approximate to those of the Judges. Judges in England, cannot be removed except by a vote of both Houses of Parliament, and we expected that the appointment of the Commissioners and their dismissal would be entrusted

[Mr. T. Adinarayana Chettiyar] [14th August 1929]

to a higher authority than the Local Government, so that that would be a guarantee they will be honest and be above all suspicion and thus convince the world that they are above suspicion.

4 p.m. "Sir, the Bill as passed in this House is a most unsatisfactory one as it confers no powers on the body to be set up by the Executive Government. Therefore, at this stage it is left to us only to make an appeal to the Executive Government to see now that they have got the giant's power they would not use it like a giant, that they will use it in the best interests of the thousands of employees whose fate will hang in their hands. As regards the personnel, there are already rumours as to their names mentioned in the press and elsewhere. I hope, Sir, that in the selection of the first personnel, especially, the action of the executive Government will be such as to destroy all these bad impressions that have been unfortunately created. Sir, although the Bill as enacted, gives ample powers for the Executive Government to appoint even outside the list recommended by the Services Commission, I hope they will treat the Commission with the respect which it deserves and which it enjoys in other parts of the world and not treat it as a subordinate appanage of the Government and I hope that although the Commission is its own creature, it will be treated as an institution independent of the local Government. With these words and with this appeal, I bring my remarks to a close."

Mr. S. ARPUDASWAMI UDAYAR :—"Mr. President, Sir, I congratulate the hon. the Revenue Member on the ability and the tact he has shown in his successfully piloting this Bill through this House during the last five or six days' strenuous work. I also congratulate my hon. Friends in the Opposition on their sincerity of purpose displayed in moving amendments after amendments with the sincere object of trying to make this Commission a really independent body able to do justice, in the sense as my hon. Friend, Mr. Satyamurti, put it that no community, especially the minority communities, would have any cause to complain. I especially congratulate my hon. Friend the Member for the University on his sense of duty in coming to this House even in spite of his illness and trying his level best to see that he was able to give expression to his political convictions and contribute his mite towards the improvement of this Bill. Sir, I for one have nothing but the admiration of a sportsman for the hon. Members in the Opposition who for certain reasons, which are evidently according to them very strong and sincere, tried to make this measure as perfect as it might be made. Therefore, I think it but fair and proper that while I congratulate the Government on the way they have carried this measure through this House, I should also congratulate my friends in the Opposition and especially the Member for the University who, in spite of his illness, has attended the council to the end on the excellent fight they have shown in order to make this Bill perfect, to make the Commission an instrument or measure that justice may be done to all communities, especially the minority communities. Sir, I think that the time bestowed on the careful consideration of this Bill all these days clause after clause is time not wasted. I believe that with a strong Opposition, it will be possible for this House to see that other Bills which may come up before the House will also be carefully studied and that amendments will be moved and that every attempt will be made to see that the legislation which emerges after all these deliberations and discussions is perfect and satisfactory. In that spirit, I once again congratulate the hon. the Revenue Member on the success he has attained by the passage of this Bill into law."

14th August 1929]

Mr. A. KALESWARA RAO :—"Mr. President, Sir, I congratulate the Government for having rushed through this Bill in such a short time in spite of our persistent opposition . . ."

* The hon. the PRESIDENT :—"The Council spent seven days over 19 sections."

Mr. A. KALESWARA RAO :—"The Bill has not been conceived in a liberal spirit. I must submit, with due respect to the hon. the Revenue Member, that they have gone on in the usual official way. They have not been able to see their way in accepting our amendments which we have moved only in one spirit, namely, to make the Commission a really independent and first-class one. We wanted that in the appointment and in the continuance and in the obligations of the Government, they should consult the Commission on all important occasions and that the Commission should have independence. They should not be treated as a mere appendage of the local Government and no prejudices should prevail in the Cabinet or in the Council of His Excellency the Governor and that they should not mar the independence of the Commission. All our opposition can be appreciated because we have been actuated only by one motive and that is that the Government should consult the Commission, though that Commission may be appointed by the Government for a fixed period or removed at the sweet will and pleasure of the local Government. Anyhow, the Bill has now become a law and at this stage I do not want to say that we should reject the Bill. I accept the Bill for the time being and I hope we shall have opportunities very soon to propose suitable amendments to make the Bill a really useful and a first-class one."

Mr. C. E. WOOD :—"Mr. President, Sir, we are very pleased to see that this legislation has gone through its course in this House and we congratulate the hon. the Revenue Member very sincerely, for he stuck to his guns in spite of our opposition in some respects. We have pressed that it should be incumbent on the Government to consult the Commission, but we were defeated in that attempt. Yet, we do not think that we were defeated, as we know that he has accepted that in principle. On the other hand, we have been assured that this House will have opportunities of discussing the work of the Commission when that has been constituted in a full manner. There remains now to see the working of the Bill and we hope that in due course every section of the House will feel satisfied on this piece of legislation."

Mr. A. RANGANATHA MUDALIYAR :—"Mr. President, Sir, I beg to associate myself with what my hon. Friend Mr. Satyamurti has said in congratulating the hon. the Revenue Member on the successful way in which he has piloted this Bill through the House and, if I may, I wish also to congratulate the hon. and learned Member for the University on the unobjectionable sentiments conveyed in his last speech on the third reading of this Bill. Now, Sir, this Bill has become law and I think a very great responsibility rests on the Government as to how they are going to make this Bill an entirely workable one and work it to the entire satisfaction of the people of this Presidency. Much depends on the choice of the first occupants of the office. I venture to express the hope that the appointment will be such as will not affect the independence of the members of the Commission in one way or another or to create distrust in the minds of the public and they will appoint only such people who are not pronounced to possess partisan spirit or prejudice in one way or another. I therefore think that much will depend on the personnel of the first Commission and very much also will

[Mr. A. Ranganatha Mudaliyar] [14th August 1929]

depend on the Commission itself as to how they are going to conduct themselves in the discharge of their duties. I also know that much will depend on the people who are going to administer the provisions of the Bill. I hope that the Commission will do its work conscientiously and in such a manner as to command the confidence of the public. With these expressions I associate myself with what has been said by my previous speakers."

* Rao Bahadur Sir A. P. PATRO:—"Sir, we on this side, are not behind any other section of this House in appreciating the manner in which this Bill has been piloted through this House. The House should now feel gratified that after a labour of seven days of incessant working in every detail, it has been able to place on the Statute book a very useful piece of legislation. It is hoped that the passing of this Bill in this province would place all communal questions beyond all dispute. I hope that the rules to be framed by the Government will be such—as has been now followed by the Staff Selection Board which has been working for some time past—that communal justice will be done and that monopoly will be demolished. When the rules are successfully worked I am sure the Commission will have won the gratitude of the public of this province. It is not merely by passing a legislation of this kind that we can achieve the results aimed at by all people and by every section of the public at large and of this House, but it depends on the spirit in which the Commission will work the provisions contained in this Bill and the rules framed by the Government. I know and I realize that there are defects in the Bill. Therefore I stated in the beginning that after working for some time we could realize the defects and the difficulties in the Bill and with the experience and knowledge gained we might probably be in a better position to improve its provisions. The House will have to congratulate itself on having been able to pass one clause which has been accepted by the Government, namely that the annual report of the Commission will be placed before the House for the purpose of discussion, when this House will have every opportunity of reviewing the work of the Commission and analysing its proceedings to see whether it has conformed to the rules framed by the Government or it is after all another Staff Selection Board. It is on the results of the working of the Commission that we will have to express our opinion later on. But for the present, Sir, I join every Member of the House in appreciating the manner in which the Bill was piloted through by the hon. the Revenue Member. He will have very hard work before him in the next session of the Council as well with the Malabar Tenancy Bill and other measures of importance.

"In respect of the power of the House to discuss the annual report of this Commission, practically all sections of the House were brought round to agree with him and that is an illustration of the way in which such work should be done, not so much by arguing and as much by talking to the various parties in the House and convincing them or being convinced. It is that spirit of give and take that is necessary for smooth and successful working as it has been shown on the present occasion."

* Mr. N. SIVA RAJ:—"Mr. President, I wish to associate myself with the sentiments expressed by the various speakers, particularly those expressed by my hon. Friend Mr. Arpudaswami Udayar. I congratulate both the hon. the Revenue Member and the Members of the Opposition for the way in which they have been able to carry the Bill through the House. I only wish to add by way of request that the Government will take care to see that such communities as the one to which I belong should not on any account fear the

14th August 1929]

[Mr. N. Siva Raj]

existence of this Commission. We have no doubt, Sir, that at the present moment we are not in a position to compete on equal terms with certain other communities who had had the advantages, particularly material advantages, which go a great way towards helping the education of their youths. All our disadvantages notwithstanding, we are not afraid of any competitive examination or any test provided we are given equal opportunities for making ourselves fit to compete. What we have been complaining all along is that we have not been given those opportunities and that it is through the fault of the Government that we did not have them all this time. I hope, Sir, that the Government will remedy that defect and see that the Commission is so instructed that our community gets its natural representation in the services."

Mr. P. C. VENKATAPATHI RAJU:—"Mr. President, Sir, even though the Presidency was looking forward for a long time to the establishment of a Public Services Commission I am sorry that when it has actually come to be established there is little reason for the Presidency to be satisfied with it. For, the Commission which was wanted by the public was one that would be quite independent of party politics and of the Government, but the one that is going to be established under this Bill is one which will give satisfaction neither to the members constituting the Commission, nor to the services, nor even to the persons who stand to be affected by the establishment of this Commission. The Commission itself is going to be constituted by the Governor in Council and the apprehension of the public that being locally connected the Governor in Council will not have that detached view of things so necessary for the purpose is well founded. And the Commission so appointed will continue for an unlimited period as the Bill now stands, except for the one provision in it that the life of the Commission can be terminated at any time. What again, are the functions allotted to the Commission? They are purely advisory and I am surprised that my hon. Friend Mr. Wood is satisfied with the provision that the Commission shall advise the local Government when they are asked by the Government to advise them. I fail to understand how this is a right conferred on the Commission for it is but a duty cast upon them that they must advise when called on by the local Government. If all the functions assigned to them are advisory in character, there is no obligation put upon the Government to be guided by that advice. Not satisfied with that, the Bill in clause 17 lays down that even in the exercise of these limited advisory functions, the Commission shall observe the rules, if any, made by the local Government regarding the constitution of, or recruitment to, any provincial or subordinate services. And so, from its inception to its fulfilment I am sorry that this Commission has somehow or other been viewed with suspicion by the Government. And as a result of this Bill, a body which is created in suspicion, a body which has purely advisory functions, a body which though called upon to advise on occasions, has not even the right to insist upon the Government recording their reasons when they happen to differ from the Commission, such a body is established as the Public Services Commission in this Presidency. Now, the recruitment to the services is done by the Staff Selection Board. I fail to observe what further remedy has been provided by this Commission against some of the possible idiosyncrasies that will influence the selection of candidates. On the contrary the only difference that I observe between this Commission and the Staff Selection Board is this, that the Board is an honorary body whereas this Commission is a paid body costing more than a lakh of rupees. I fail to realize whether there is even a single advantage gained by incurring this huge expenditure in the place of the far less

[Mr. P. C. Venkatapathi Raju] [14th August 1929]

costly machinery of the present Staff Selection Board. As was observed by some of the speakers, the Government in the choice of the Commissioners have to exercise their best discretion. Even if the best men were chosen, in spite of the provision in the Bill that they should not aspire to positions under Government, there is the exception made that a Commissioner may aspire for chairmanship of the Commission or that the chairman may aspire for a similar place on the All-India Services Commission. Even if the best persons are selected, in the face of this exemption made in the Bill, it is but natural that they should aspire for these higher places and their independence could no longer be maintained.

"Sir, before I close I should be failing in my duty if I do not express my appreciation at the way in which the hon. the Revenue Member has been able to pilot the Bill through. Though the Bill is unsatisfactory from the beginning to the end and seeks to create a body which will not meet the end in view, it was a pleasure to me and to members of my party to receive that uniform courtesy which the hon. Member has shown to us on all occasions and, though I very much wish that I could congratulate the hon. Member on the production of his efforts, I will be failing in my duty if I refrain from expressing my sense of satisfaction at the way in which he has carried the Bill through the House."

* The hon. Mr. A. Y. G. CAMPBELL :—"I desire, Sir, in the first place to express my gratitude for the very kindly terms in which hon. Members in various parts of the House have been good enough to refer to the manner in which I have dealt with this Bill in its final stages. I must admit, Sir, my inexperience in the art of piloting Bills in this House and I suffer under the disadvantages that I was not a Member of this House when the Bill was introduced and passed through the earlier stages, and that I was not a Member of the Select Committee. But, Sir, if I have been able to pilot this Bill successfully through the last stage, it is due to the assistance which I have received from all parts of the House. I believe that we all had the same objects fundamentally at heart, although we might differ as to the methods by which we hope to attain those objects. My task has been rendered the easier by that fact. I particularly appreciate the devotion to duty of the hon. Member for the University in coming down to assist us in spite of the indisposition from which he has unfortunately been suffering for the last two days. I hope, Sir, that this Bill will indeed be effective in putting beyond the range of politics the patronage which rests in the hands of Government and its officers, and that further it will serve to protect its officers after they have joined our service from the fear of being submitted to any political pressure in any respect. This Bill provides part of the machinery to attain the end which we have in view. This deals with the constitution of a Commission and the functions of the Commission. It remains to define the connexion between the Commission and the local Government—the relations between the one and the other. Those relations may be determined by rule or by convention or by tradition. I agree, Sir, with those hon. Members who have referred to the great importance of seeing that the first members of this Commission should be gentlemen who will have the confidence not only of all parts of this House but of all communities and creeds and all sections of the public throughout this Presidency. On them will depend to a very great extent the conventions and the traditions which will spring up in connexion with this Commission. I hope and believe, Sir, that we shall be able to find

14th August 1929] [Mr. A. Y. G. Campbell]

three gentlemen who will satisfy these conditions and be able to effect the objects we have in view. I close, Sir, by once more expressing my gratitude to hon. Members in all parts of the House for the assistance which they have given us in passing this Bill into law."

* The hon. the PRESIDENT :—"The question is that the Bill be passed into law."

The motion was put and carried, and the Bill was passed into law.

The House then adjourned to meet again on Tuesday, the 24th September 1929, at 11 a.m.

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

INDEX TO THE PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL

FOURTH SESSION OF THE THIRD
LEGISLATIVE COUNCIL

6th to 14th August 1929

Volume XLIX

PAGES

A

Abbas Ali Sahib, Mr.—	
Question <i>re</i> Alleged police surveillance on—	17-18
Abdul Hameed Khan, Mr.—	
Bills—	
District Municipalities Act (Amendment) Bill	189-191
District Municipalities Act, the Local Boards Act, and the General Clauses Act, Bill to amend the —	180
Services Commission Bill, the Madras	639, 641- 642, 664, 750, 757-758
Demand for supplementary grant — Irrigation — Reserved	410
Resolution <i>re</i> —	
Muslim girls, supply of conveyances to school-going —	318-319
Abdul Razack Sahib Bahadur, Khan Bahadur S. K.—	
Resolution <i>re</i> —	
Muslim girls, supply of conveyances to school-going—	321-322
Abkari Act—	
Question <i>re</i> False cases under the —	459
Abkari Act (Amendment) Bill, the Madras—	
<i>See</i> Bills.	
Activated sludge plant—	
Question <i>re</i> Installation of a — at Coimbatore	513
Acts assented to by His Excellency the Governor—	
Ellamarru and Panjendra Impartible Estates Act, 1929	44
Hindu Religious Endowments (Amendment) Act, 1929, the Madras	44
Medical Registrations (Amendment) Act, 1929, the Madras	44
Mirsapuram and Pedaganur Impartible Estates Act, 1929	44
Port Trust (Amendment) Act, 1929, the Madras	44
Acts assented to by His Excellency the Governor-General—	
Andhra University (Amendment) Act, 1929	44
Hindu Religious Endowments (Amendment) Act, 1929, the Madras	44
Port Trust (Amendment) Act, 1929, the Madras	44
Adinarayana Chettiyar, Mr. T.	
Adjournment motion—	
Procedure <i>re</i> moving of —	715
Bills—	
Services Commission Bill, the Madras.. .. .	824, 827- 828
Demand for supplementary grant—	
Irrigation—Reserved	405, 406
<i>See</i> Questions and Answers.	
Adjournment motion—	
Anakapalle municipality, superse:ision of the —	386, 388, 389
Annapurnayya, Government sanction to prosecute, Mr. M.	45-49, 201-228
Procedure <i>re</i> moving of —	715
Administration of Justice—Reserved—	
<i>See</i> Demand for supplementary grant <i>re</i> —	

	PAGES
A—cont.	
Advisory Committee—	
Question <i>re</i> — for District Headquarters Hospitals	272
Question <i>re</i> Non-official medical men and women for — of the State hospitals	705
Agricultural and Industrial Engineering Department—	
Question <i>re</i> Purchase of power drills by —	270-277
Agricultural College—	
Question <i>re</i> Admissions to —	351, 619
Agricultural College Dairy—	
<i>See</i> Papers laid on the table.	
Agricultural Commission—	
Question <i>re</i> Indianization recommended by the —	471-472
Agricultural Implements—	
Question <i>re</i> Sale of — in Kurnool	498-499
Agriculture, Royal Commission on—	
Question <i>re</i> report of the —	148-149
Abobilam water-supply scheme—	
Question <i>re</i> lands for —	511
Anakapalle Municipality—	
Adjournment motion <i>re</i> supersession of —	286, 536-540
Question <i>re</i> supersession of —	278, 279, 280, 281, 282, 283
<i>See</i> Papers laid on the table.	
Anamasamudram tank—	
Question <i>re</i> supply channel to the —	504
Andhra University (Amendment) Act, 1929—	
<i>See</i> Acts assented to by His Excellency the Governor-General.	
Anjaneyulu, Mr. P.—	
Adjournment motion <i>re</i> —	
Anakapalle municipality—supersession of the—	540-542
Annapurnayya, Government sanction to prosecute Mr. M.	45, 201-205
Bills—	
Services Commission Bill, the Madras.. .. .	648, 655, 738, 739, 821
Discussion <i>re</i> Indian Statutory Commission—Report of the committee appointed by the Legislative Council to confer with the—	622
<i>See</i> Questions and Answers.	
Annapurnayya, Mr. M.—	
<i>See</i> Adjournment motion.	
Appa Rao, Mr. V.—	
Question <i>re</i> alleged dismissal of —	14-17
Apprentices—	
Question <i>re</i> — in Kerala Soap Factory	607
Arogyaswami Mudaliyar, Diwan Bahadur R. N.—	
Adjournment motion <i>re</i> —	
Anakapalle municipality—supersession of the —	556-557
Condolence resolution <i>re</i> late Mr. P. Bhaktavatsulu Nayudu	13
Demand for supplementary grant <i>re</i> Irrigation—reserved	394, 402, 403
Discussion <i>re</i> Indian Statutory Commission. Report of the committee appointed by the Legislative Council to confer with the —	622
Motion <i>re</i> Godavari Kistna Economic Enquiry Committee, extension of time for submission of report	286-288
Arpudaswami Udayar, Mr. S.—	
Bills—	
Malabar Tenancy Bill	60
Services Commission Bill, the Madras	81-82, 759-760, 828
Demand for supplementary grant <i>re</i> Irrigation—reserved	392-393
Discussion <i>re</i> Indian Statutory Commission. Report of the committee appointed by the Legislative Council to confer with the —	625-628, 629
Resolution <i>re</i> —	
Karnataka province, formation of a—	316-317

	PAGES
A—cont.	
Artificial manures—	
Question <i>re</i> experimental station for testing —	273-274
Assessment—	
Question <i>re</i> — on nanja lands in Madurantakam taluk.. .. .	706
Assignment of lands—	
Question <i>re</i> — to the depressed classes in South Kanara	27-28
Assignments—	
<i>See</i> Ex-military men.	
<i>See</i> Meecheri village.	
Assistant Registrar —	
Question <i>re</i> appointment of History graduates	43
Attendees and peons —	
Question <i>re</i> depressed classes to be appointed as—	503
B	
Badrachalam division —	
<i>See</i> Polavaram.	
Basel Mission Property —	
Question <i>re</i> Acquisition of —	467
Basheer Ahmad Sayeed, Mr.—	
Bills—	
Services Commission Bill, the Madras	93
Resolution <i>re</i> —	
Muslim girls, supply of conveyances to school-going —	323
<i>See</i> Questions and Answers.	
Batocha Sahib —	
<i>See</i> Boycott Poster.	
Belary —	
<i>See</i> Dev Brothers.	
<i>See</i> Industrial Schools.	
Berm cutting —	
Question <i>re</i> — in Cuddapah district	705-706
Bhaktavatsulu Nayudu, the late Mr. P.—	
Condolence resolution <i>re</i> —	12-13
Bifurcation —	
<i>See</i> Kistna district.	
Bills —	
Abkari Act (Amendment) Bill, the Madras —	178
Brothels and Immoral Traffic — Bill for the Suppression of Select Committee — Appointment of Messrs. E. J. Rowlands and F. E. James as members of the.	620
District Municipalities Act (Amendment) Bill —	
Presentation of Select Committee's report	185
Motion to take the Bill into consideration	185-201
District Municipalities Act—	
Local Boards Act and General Clauses Act, Bill to amend the Madras, Presentation of Select Committee report,	179
Bill discussed	179-185
Madras University (Amendment) Bill —	
Message from H. E. the Governor	177-178
Madras University (Amendment) Bill —	
Reconsideration of — as returned by H. E.	389
Passed into law	389
Malabar Tenancy Bill —	
Introduced and referred to Select Committee	50-62
Select Committee on addition of members to the	517-521
Services Commission Bill, the Madras —	
Select Committee report presented and the Bill taken into consideration	62-93
Passed into law	637-671, 785-811, 812-814
	814-833

B—cont.

Biswanath Das Mahasayo, Sriman —	
Bills —	
Services Commission Bill, the Madras	83-85
	644-646, 652
Demand for Supplementary Grant <i>re</i> Civil Works—Transferred	422-423
Resolution <i>re</i> , Karnataka province, formation of a —	312-313
See Questions and Answers.	
Board of Revenue.	
Question <i>re</i> endowments vested in —	263-264
Bombay system of voting —	
See Voting by symbols.	
Bore holes —	
Question <i>re</i> — for irrigation purposes	277
Borings —	
Question <i>re</i> — in Malabar and South Kanara	277
Borstal Schools —	
Question <i>re</i> adolescents in —	249-250, 250
Boycott Poster —	
Question <i>re</i> arrest for affixing a —	385-387
Bridges —	
Question <i>re</i> — over river in Trunk road	285
British Social Hygiene Council —	
Question <i>re</i> Indian Delegation to the —	461
Brothels and Immoral Traffic Bill for the suppression of —	
See Bills.	
Bucket shops —	
Question <i>re</i> no. of — the Madras	486-487
„ Suppression of —	484-486
Buckingham Canal —	
See Papers laid on the table (Firewood).	
Bunt Community —	
See Temple Committees.	
Buntwal-Kadur Road —	
Question <i>re</i> Repairs to —	456-457
Byalabalu tank —	
Question <i>re</i> Supply of water to — in Hadagalli taluk	370

C

Calicut —	
See Industrial Schools.	
See Registration districts.	
Calicut—Mysore Frontier Road —	
See Demand for supplementary grant <i>re</i> Civil Works — Transferred.	
Campbell, the hon. Mr. A. Y. G. —	
Bills —	
Malabar Tenancy Bill	50-51, 60-62, 517, 520
Services Commission Bill, the Madras	62, 88-89, 539, 611, 646, 652-653, 662, 663, 667, 717, 728, 729, 731, 732, 736, 740, 741, 742, 747-748, 752, 754, 764, 768, 787, 788, 807, 810, 814, 826, 832-833.
Demand for supplementary grant <i>re</i> .	
Civil Works — Transferred	526
Irrigation — Reserved (Kodali gap, etc.)	389, 390, 395, 398, 399, 401, 410
Resolution <i>re</i> , Karnataka province, formation of a —	313-314
Cast-iron Pipes —	
Question <i>re</i> Centage charges on —	468
Catholic and Muhammadan schools —	
Question <i>re</i> —	156

C—cont.

Catholic Churches —	
Question <i>re</i> — in South Kanara	162-3
Cattle —	
Question <i>re</i> Protection of — in South Kanara	507-508
Cauvery Bridge —	
Question <i>re</i> fencing over —	703-704
Cauvery-Mettur Project —	
See Papers laid on the table.	
Centage charges—	
See Cast-iron pipes.	
Central Survey office—	
See Record of rights.	
Chemical examiner —	
Question <i>re</i> leave applied for by the second assistant	499
Chenai Nair Forest—	
Question <i>re</i> financial prospects of — And Mount Stuart Forest	489
See Papers laid on the table.	
Chettali Beyumma—	
Question <i>re</i> release of —	26
Chief Minister's Tour in Ganjam district—	
Question <i>re</i> —	161
Chikkana Wadiar tank—	
Question <i>re</i> water-supply to —	493
Chintaldevi Cattle Farm—	
Question <i>re</i> working of —	265
Chitrop village—	
Question <i>re</i> land for communal purposes in —	252-253
Cholam —	
Question <i>re</i> issue of improved strains of —	702
Cholavaram tank—	
See Demand for supplementary grant—Irrigation—Reserved.	
Cinchona Department—	
See Papers laid on the table.	
City Police Force—	
Question <i>re</i> pay of Indian members of —	176
Civil Budget Estimates for 1929-30—	
See Papers laid on the table.	
Civil Suite—	
Question <i>re</i> delay in disposal of —	248-249
Civil Surgeon, Cochin—	
Question <i>re</i> complainant against the —	510
Civil Works—Transferred—	
See Demand for supplementary grant.	
Coimbatore jail—	
See Cotton spinning mill.	
Colla Cunniah Chetti's Choultries—	
Question <i>re</i> grant of villages to —	506
Collett's case—	
Question <i>re</i> Justice Waller's judgment in —	443
„ High Court judgment—Action taken on	169
Commissioners of Hindu Religious Endowments Board—	
Question <i>re</i> appointment of the	88
Condolence resolution—	
Question <i>re</i> late Mr. P. Bhaktavatsulu Nayudu	12-18
Conversion of single-crop wet lands—	
Question <i>re</i> — into double-crop wet lands in South Kanara	29
Conveyances—	
See School-going Muslim girls.	

C—cont.		PAGES
Co-operative Societies—		
Question <i>re</i> Deputy Registrars of — selected in 1929-30		285
„ Fishermen — in Malabar		703
Cottage Industries—		
Question <i>re</i> Report <i>re</i> — in South Kanara		356
„ Special officer's reports on		354-355
Resolution <i>re</i> committee to examine the district reports on the survey of —		306-310
<i>See</i> Papers laid on the table.		
Cotton ginning factories—		
Question <i>re</i> weights and scales in the —		500
Cotton spinning mill—		
Question <i>re</i> — in the Coimbatore jail		501
Cotterell, Mr. C. B.—		
Oath of office		12
Cotton spinning mills in the Madras Presidency—		
<i>See</i> Papers laid on the table.		
Country liquor—		
Question <i>re</i> manufacture of —		616-618
„ rationing of —		614
Criminal Procedure Code, section 202—		
<i>See</i> Guntaka Kesava Reddi.		
Critical Manufacturing Company, Limited—		
Question <i>re</i> purchases from —		704
Crompton Parkinson, Limited—		
<i>See</i> Licence.		
Cuddapah—		
<i>See</i> Berm cutting.		

D

Demand for supplementary grant <i>re</i> —		
Administration of Justice—Reserved (Additional Sub-Court, Coconada)		410-414
Civil Works—Transferred (Pollachi-Vannanthorai road, Calicut-Mysore Frontier road, formation of a special irrigation division in Trichinopoly, etc.)		414-423, 560-569
		521-535, 560-569
Irrigation—Reserved (Kodali gap, Kulimaramat labour, Red Hills tanks)		389-410
Deo Brothers—		
Question <i>re</i> —		608-610
Departments—		
<i>See</i> Pay and prospects.		
Depressed classes—		
Question <i>re</i> — working in plantations		606
„ Lands to — in Harpanahalli		367
„ Transfer of lands assigned to —		444
<i>See</i> Assignment of lands.		
Deputy Registrars—		
<i>See</i> Co-operative Societies.		
Deputy Superintendent of Police—		
Question <i>re</i> appointment of a —		247
Derebail—		
Question <i>re</i> disposal of survey No. 126 in —		267
Director of Industries—		
Question <i>re</i> technical qualifications of the —		502-508
Question <i>re</i> qualifications of —		480
District and Subordinate Judges—		
Question <i>re</i> recruitment of —		168-169
District Board President, Malabar—		
Question <i>re</i> nominations to —		35-37
District Headquarters Hospitals—		
<i>See</i> Advisory Committees.		
District Municipalities Act (Amendment) Bill—		
<i>See</i> Bills.		

D—cont.

District Munsifs—		
<i>See</i> Subordinate Judges and District Munsifs.		
District Munsifs' Courts—		
Question <i>re</i> pay of head clerks of		376
District Secondary and Education Board—		
Question <i>re</i> constitution of Nellore		284
Dorai Raja, Mr. S. N.—		
Adjournment motion <i>re</i> —		
Annapurnayya, sanction to prosecute, Mr. M.		211
Bills—		
Services Commission Bill, the Madras		656
Discussion <i>re</i> Indian Statutory Commission—Report of the committee appointed by the Legislative Council to confer with the —		624, 625, 629
Draughtsmen—		
Question <i>re</i> pay and prospects of —		277-278
Duvvaleru—		
Question <i>re</i> gauge discharge results in		446

E

Education—		
Question <i>re</i> Medical—All-India Inspector		618
Educational Service—Superior—		
Question <i>re</i>		260-1
Elections—		
<i>See</i> Government servants.		
<i>See</i> Legislative Council.		
Electoral rolls—		
Question <i>re</i> — preparation of —		175
Electric schemes—		
Question <i>re</i> loans for — in municipalities		508-509
Electric supply—		
<i>See</i> Licences.		
Electrical Inspector—		
Question <i>re</i> tenders dealt with by the —		363-365
Question <i>re</i> tenders recommended by the —		453-454
Electrical machinery—		
Question <i>re</i> firms dealing with —		365
Question <i>re</i> orders given to non-British firms dealt with		365
Electrical schemes—		
<i>See</i> Octavius Steel Company.		
Electrification schemes—		
Question <i>re</i> — in municipalities		443
Elementary education—		
Question <i>re</i> expansion of — in South Kanara		495
Elamaru and Penjendra Impartible Estates Act, 1929—		
<i>See</i> Acts assented to by His Excellency the Governor.		
Estates—		
<i>See</i> Forest Act.		
Estates Land Act—		
Question <i>re</i> Amendment Bill		782
Estates Land Act Amendment Bill—		
Question <i>re</i> introduction of —		368-369
Ethirajulu Nayudu, Diwan Bahadur P.C.—		
Resolution <i>re</i> —		
Rajahmundry Taluk Board, trifurcation of the —		297
Excise—		
Question <i>re</i> foreign liquor shops and toddy shops in places where country liquor is prohibited		614-615

E—cont.

Excise Department—		
Question <i>re</i> ex-service men as sub-inspectors in —	151	
Excise Licensing Board—		
See Liquor shops.		
Ex-military men—		
Question <i>re</i> assignments to —	254	
Ex-service men—		
See Excise Department.		

F

Facsimile—		
Question <i>re</i> use of — in official correspondence.. .. .	285	
Factories—		
Question <i>re</i> number of Government and private — in the province	15-16	
Question <i>re</i> prosecutions against owners of small —	15	
Finance Committee—		
Election of a member to the —	49, 388	
Nomination of members for the —	178	
Resolution <i>re</i> composition of the —	288-296	
Finance Committee proceedings—		
See Papers laid on the table.		
Firewood—		
See Papers laid on the table.		
Fish-curers—		
Question <i>re</i> supply of salt to —	472	
Fish-curing yards —		
Question <i>re</i> control of —	375	
Fisheries—		
Question <i>re</i> officer for organizing — schools	276	
Fisheries Committee—		
Question <i>re</i> report of the —	473	
Fisheries Department—		
Question <i>re</i> Socio-Economic Sub-Assistant in —	275-276	
Floods—		
Question <i>re</i> damage by —	442-447	
Fly-proof kitchens—		
Questions <i>re</i> — in hospitals	499	
Foreign liquors—		
Question <i>re</i> sale of —	497	
Forest Act—		
Question <i>re</i> extension of the Madras — to estates in this province	21	
Forest College—		
Question <i>re</i> Native States students trained in the —	379-380	
Forest Department—		
Question <i>re</i> commercial undertakings in the —	489-490	
Question <i>re</i> reorganization of —	379, 506	
Forest grievances—		
Question <i>re</i> — in Vangal	249	
Question <i>re</i> committee on —	489	
Forest Panchayats—		
Question <i>re</i> Boards Standing Order <i>re</i> —	490-491	
Forest policy —		
Question <i>re</i> —	377-378	
Forest Rangers—		
Question <i>re</i> grievances of —	707-708	
Forests—		
Question <i>re</i> classification of — in North Arcot district	366-367	

G

G. V. Ponniah Sastry, Mr.—		
See Ponniah Sastry, Mr. G. V.		
Gangadhara Siva, Mr. M. V.—		
Resolution <i>re</i> —		
Liquor shops, closure of — on holidays and days of election	326	
Girls' schools—		
Question <i>re</i> — in South Kanara	159	
Godavari and Kistna Economic Enquiry Committee—		
Resolution <i>re</i> extension of time for submission of report of the —	286-288	
Godavari district—		
Question <i>re</i> lands in —	763-764	
Godavari Western Delta—		
See Papers laid on the table.		
Gopala Menon, Mr. C.—		
Bills—		
Brothels and Immoral Traffic—Bill for the suppression of	620	
Discussion <i>re</i> —		
Indian Statutory Commission—Report of the committee appointed by the Legislative Council to confer with the	633-635	
Resolution <i>re</i> —		
Cottage industries, committee to examine the district reports on the survey of —	709	
See Questions and Answers.		
Government Chemical Examiner—		
Question <i>re</i> training of candidates to act as a reserve under —	265	
Government Industrial Institute (Ink Factory)—		
See Papers laid on the table.		
Government Industrial Institute, Madras—		
See Papers laid on the table.		
Government servants—		
Question <i>re</i> — and elections	175	
Governor, His Excellency the—		
Message from — <i>re</i> Madras University (Amendment) Bill	177-178	
Govindaraja Mudaliyar, Mr. C. S.—		
Bills—		
Services Commission Bill, the Madras	657, 768	
See Questions and Answers.		
Grant-in-Aid Code—		
Question <i>re</i> revision of —	33-34	
Grants to aided, etc., schools—		
Question <i>re</i> delay in the payment of — inspected for grant in 1927-28	32	
Gray, Mr. J.		
Oath of office	12	
Grazing facilities—		
Question <i>re</i> — in Mangalore	493	
See Sennankuppam Setti Kinar Reserve Forest.		
Gudempad project—		
Question <i>re</i> report on —	491	
Gun licences—		
Question <i>re</i> — in South Kanara	383-384	
Intaka Kasava Reddi—		
Question <i>re</i> enquiry on a complaint by —	18-20	

H

Harbour Works—		
Question <i>re</i> excess expenditure in —	251-252	
Hariservottama Rao, Mr. G.—		
Adjournment motion <i>re</i> —		
Anakapalle Municipality—Supersession of the	544-546, 554, 557	
Annapurniah, Government sanction to prosecute Mr. M.	45, 205-207	

H—cont.

Harisarvottama Rao, Mr. G.—cont.

Bills—	
District Municipalities Act (Amendment) Bill	195, 197
Services Commission Bill, the Madras	86-88,
651-652, 668, 723-725, 732, 739-740, 743-744, 746, 752, 758-759, 762-763, 766-767,	
788, 794, 797, 808-809, 811, 815-816, 822-824	
Demand for supplementary grant re—	
Civil Works—Transferred	416-418, 529-531, 568
Irrigation—Reserved	401, 402
Resolution re—	
Cottage industries, committee to examine the district reports on the survey of—	303-308
Public Health staff, appointment of highly qualified women on the —	304
See Questions and Answers.	
Harpanahalli Board High school—	
See Urdu teaching.	
Head clerks—	
See District Mansifs' Courts.	
Hearson, Mr. H. F. P.—	
Bills—	
Services Commission Bill, the Madras	642, 654, 721
High Court—	
See Unpassed clerks.	
Hindu Religious Endowments—	
Question re deficiency in the cost of the administration of —	40-41
Hindu Religious Endowments Act Amending Bill—	
Question re—	161
Hindu Religious Endowments (Amendment) Act, 1929, the Madras—	
See Acts assented to by His Excellency the Governor.	
See Acts assented to by His Excellency the Governor-General.	
Hindu Religious Endowments Board—	
Question re provincialization of the —	458-459
History Graduates—	
See Assistant Registrar.	
Honorary Physicians—	
Question re extension of the system of —	361
Hospital Committees—	
Question re strength of the —	462
Hospitals—	
Question re cots and food wagons for —	272
House Committee—	
Election of members to the —	49-50, 178
Hydro-Electric Schemes—	
Question re progress of —	381-382

I

Indian Christians—	
Question re representation in the District Board of South Kanara of —	262
Indian Medicine—	
Question re post graduate training to Physicians in —	387
Indian Orphanages—	
Question re grants to —	452-453
Indian Statutory Commission—	
Discussion re report of the committee appointed by the Legislative Council to	
confer with the —	620-637
Industrial and trade schools—new—	
Question re—	150, 150-151
Industrial Engineering Workshop, Madras—	
See Papers laid on the table.	

I—cont.

Industrial Engineers' workshop—	
Question re apprentices in —	353-354
Industrial schools—	
Question re — at Calicut, etc.	608
Industries—	
Question re qualifications of Deputy Director of —	474-476
Industries Act—	
Question re Bill to amend the —	479
Loans under the —	477-479
See State Aid to Industries Act.	
Industries Depot—	
Question re programme of work in the —	501-502
Inspecting officers—	
Question re travelling allowance drawn by —	451
Inspector-General of Registration—	
Question re appointments by —	272-273
travelling allowance drawn by the —	362-363
See Registration.	
Irrigation—Reserved.	
See Demands for supplementary grants for 1929-30.	
Iyakannu Achari, Mr.—	
Question re previous experience and qualifications of —, Assistant Agricultural	
Engineer	43

J

Jail Committee—	
See Surgeons.	
Jail manufacture—	
Question re yarn to be —	505-506
Jailabandi allowance—	
Question re — and village officers	167
James, Mr. F. E.—	
Adjournment motion re —	
Anakapalle municipality — supersession of the —	542-544, 553
Bills—	
District Municipalities Act (Amendment) Bill	189
Services Commission Bill, the Madras	76-76, 660, 661, 727, 753, 815
Demand for supplementary grant re Civil Works—Transferred	565
Discussion re Indian Statutory Commission—Report of the committee appointed	
by the Legislative Council to confer with the —	629-632
Resolution re—	
Public Health staff, appointment of highly qualified women on the —	305
See Questions and answers.	
Joint patta—	
See Subdivision fees.	
Judicial and executive functions—	
Question re separation of —	170-172
Junior Electrical Inspector—	
Question re qualifications of —	778
Jurors—	
Question re priests serving as —	480-481
Jurors and assessors—	
Question re — inconveniences to —	168
"Justice" The—	
Reflections on the Legislative Council and the hon. the President by —	536

K

Kaleswara Rao, Mr. A.—

Adjournment motion <i>re</i> —	
Anakapalle municipality, supersession of —	286, 388, 536-540
Annapurnayya, sanction to prosecute Mr. M.—	214-215

Bills—

District Municipalities Act (Amendment) Bill	185
District Municipalities Act, the Local Boards Act and the General Clauses Act, Bill to amend the Madras	179, 180-181, 183, 184
Services Commission Bill, The Madras	642-643, 655-656, 744, 746-747, 763-764, 786-787, 810-811, 815, 829

Resolution *re*—

Karnataka province, formation of a —	314
<i>See</i> Questions and answers.	

Kanothamma tank project—

Question <i>re</i> estimates and plans for —	283
--	-----

Kapileswarapuram agharam—

Question <i>re</i> protective works for the Godavari bank near—	256-257
---	---------

Karant, Mr. K. R.—

Bills—

District Municipalities Act (Amendment) Bill	193-195
Services Commission Bill, the Madras	646, 647, 721-722, 736

Resolution *re*—

Finance Committee, composition of the —	293-2 4
<i>See</i> Questions and answers.	

Karnams—

Questions <i>re</i> allowances to — attending taluk offices	507
---	-----

Karnataka province—

Resolution *re*—

Formation of a —	310-317
------------------	---------

Kashmir—

See Tours.

Kasimkota union—

Question <i>re</i> actions of the President—	262
--	-----

Kerala Soap Factory—

See Apprentices.

Kerala Soap Institute, Calicut—

See Papers laid on the table.

Kesava Pillai, Diwan Bahadur P.—

See Questions and answers.

Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.—

Resolution *re*—

Muslim girls, supply of conveyances to school-going —	324
<i>See</i> Panel of Chairmen.	

Kirimanjeshwar village—

Question <i>re</i> assignments in —	163
-------------------------------------	-----

Kistna and Godavari districts—

Question <i>re</i> reamalgamation of —	444-445
--	---------

Kistna district—

Question <i>re</i> bifurcation of —	778-779
„ sale of lands in —	783-784

Kodali gap—

See Demand for supplementary grant—Irrigation—Reserved.

Koilpatti sedition case—

See Papers laid on the table.

Koti Reddi, Mr. K.—

Bills—

Malabar Tenancy Bill—Addition of members to the Select Committee on	519-520
---	---------

K—cont.

Koti Reddi, Mr. K.—cont.

Bills—cont.

Services Commission Bill, the Madras	647-648, 734-735, 766-757
Demand for supplementary grant <i>re</i> Civil Works — Transferred	526-528
Demand for supplementary grant <i>re</i> Irrigation — Reserved	396, 400, 401

Resolution *re*—

Finance Committee, composition of the —	290
---	-----

Krishnan, Mr. K.—

Bills—

Malabar Tenancy Bill	58-59
----------------------	-------

Krishnan Nayar, the hon. Diwan Bahadur M.—

Adjournment motion <i>re</i> Annapurniah — Government sanction to prosecute Mr. M.	45, 46, 47-48, 49, 218-219
--	----------------------------

Bills—

Brothels and Immoral Traffic Bill — for the suppression of	620
Malabar Tenancy Bill	62
Services Commission Bill, the Madras	788, 800, 801, 805, 821-822

Demand for supplementary grant — Administration of Justice — Reserved (Additional Sub-court, Cocanada)	410-411, 412
--	--------------

Discussion *re*—

Indian Statutory Commission — Report of the Committee appointed by the Legislative Council to confer with the —	624
---	-----

Krishnaswami Ayyar, Mr. Alladi—

Bills—

Services Commission Bill, the Madras	661-662, 663, 664, 666-667, 738, 744, 745, 746, 760, 769-770, 792, 793-794, 802-804
--------------------------------------	---

Kudimaramat—

Question <i>re</i> in Kumbam, etc.	506
------------------------------------	-----

Kumki areas—

Question <i>re</i> reserved trees in —	257-258
--	---------

Kumki lands—

Question <i>re</i> reserved trees in —	259
„ restriction on the privilege of taking timber from —	28-29

Kumki privileges—

Question <i>re</i> — of ryots in South Kanara	28
---	----

Kurnool—

See Land Mortgage Bank.

L

Labour schools—

Question <i>re</i> Adi-Dravida children in —	481
--	-----

Lady Godchen—

See Trawler.

Lady Honorary Bench Magistrate—

Question <i>re</i> proposed nomination of a — in Mangalore	21
--	----

Land Mortgage Bank (s) —

Question <i>re</i> interest on loans to —	275
„ opening of — in Kurnool	708
„ opening of a central —	352
„ registration of —	274-275

Lands in Malabar—

Question <i>re</i> reclassification of —	371-372
--	---------

Leach, Mr. A. G.—

Oath of office	12
----------------	----

Leech, Mr. A. J.—

Oath of office	12
----------------	----

Legislative Council—

Business for the September 1929 meeting of the —	785, 813
Duration of the August sitting — Discussion <i>re</i> —	535-536
Question <i>re</i> elections to next —	712-713
Reflections on the — and the hon. the President by the “Justice”	536

L—cont.

Legislative Council Members—	
Question <i>re</i> shadowing of — by the Police	481-482
Lepers—	
Question <i>re</i> — in South Kanara	467
Leprosy—	
Question <i>re</i> expenditure on cure of	511-512
Leprosy in Ganjam district—	
Question <i>re</i> prevention of —,	41
Licences(s)—	
Question <i>re</i> grant of — to Messrs. Crompton Parkinson, Limited	708-709-710
“ — for electric supply	775-776-777-778
Licensing Boards—	
Question <i>re</i> extension of system of —	615-616
Linlithgow Commission—	
See Agricultural Commission.	
Liquor—	
Question <i>re</i> consumption of foreign —	460-461
“ hours of sale of —	498
Liquor shops—	
Resolution <i>re</i> — closure of — on holidays and days of election	324-328
Question <i>re</i> hour of closure of —	612-613-614
“ Inspection of — by Excise Licensing Board, etc.	612
“ new — opened, etc.	509
L.M.P. Examination—	
Question <i>re</i> Committee on the question of —	498
Local Board Presidents—	
See Rural Medical Practitioners.	
Local Boards Act (Amendment) Bill—	
Question <i>re</i> —	611
See Bills.	
Local Boards, Municipalities, etc., Acts—	
Question <i>re</i> Bills to amend the —	159-160
Local bodies—	
See Members of the Legislative Council.	
Local bodies, account of—	
See Papers laid on the table.	
Lock and Wharf Superintendents—	
Question <i>re</i> pay of —	370

M

Maddilingathahalli village—	
Question <i>re</i> assignments in —	162
Madhava Pai, Dr. P.—	
Question <i>re</i> grant to —	464-465
Madhavan Nayar, Mr. K.—	
Adjournment motion <i>re</i> —	
Anakapalle municipality — supersession of the —	551-554
Bills—	
District Municipalities Act (Amendment) Bill	199
Malabar Tenancy Bill	52-55, 517-518
Madras Forest Act—	
See Forest Act.	
Madras Social Hygiene Council—	
Question <i>re</i> grants to —	461
Madras University Amending Bill—	
Question <i>re</i> —	156-157
Madras University (Amendment) Bill—	
See Bills.	

M—cont.

Madurantakam—	
See Assessment.	
Magisterial powers—	
Question <i>re</i> — of Head accountants	387
Mahalingeswar temple—	
Question <i>re</i> Tasdik allowance to—	370-371
Maharaja of Pithapuram—	
Oath of office	12
Resolution <i>re</i> —	
Muslim girls, supply of conveyances to school-going—,	320, 322
Public Health Staff, appointment of highly qualified women on the—,	304
Mahmud Schamnad Sahib Bahadur—	
Condolence resolution <i>re</i> late Mr. P. Bhaktavatsala Nayudu	13
Demand for supplementary grant <i>re</i> Administration of Justice Reserved	411-412
Resolution <i>re</i> —	
Karnataka province, formation of a—,	311-312
Liquor shops, closure of — on holidays and days of election	326
See Questions and Answers.	
Malabar—	
See Borings.	
See Co-operative Societies.	
Malabar District Board President,—	
Question <i>re</i> nomination of—,	35-37
Malabar Tenancy Bill—	
Question <i>re</i> Introduction of—	368-369, 506
See Bills.	
Malaria—	
Question <i>re</i> — in South Kanara	466-467
Mallayya, Dr. B. S.—	
Adjournment motion <i>re</i> —	
Anakapalle municipality—supersession of the	546-548
Bills—	
Services Commission Bill, the Madras	745
Resolution <i>re</i> —	
Public Health Staff, appointment of highly qualified women on the—,	306
See Questions and Answers.	
Mangalore—	
See Industrial Schools.	
Manoranjan Gupta, Mr.—	
Question <i>re</i> arrest of—	482-484
Mecheri village—	
Question <i>re</i> assignments in —	169
Medical Education—	
Question <i>re</i> Report of Committee on—	510
Medical Legislation (Amendment) Act, 1929, the Madras—	
See Acts assented to by His Excellency the Governor.	
Meeran Sahib, Mr. Muhammad—	
Oath of office	44
Members of Legislative Council—	
Question <i>re</i> — appointed to honorary posts in local bodies	363
See Postal concessions.	
Message from His Excellency the Governor—	
Re Madras University (Amendment) Bill,	177-178
Mettur Irrigation work—	
Question <i>re</i> — to benefit Salem, etc.	446-447
Mettur project—	
See Salem Town.	
Mid-wives, etc.—	
Question <i>re</i> training for—	462

M—cont.

Millets Station— Question <i>re</i> new — at Adoni	518
Minister— See Tours.	
Mirzapuram and Pedaganur Impartible Estates Act, 1929— See Acts assented to by His Excellency the Governor.	
Moidu Sahib Bahadur, Khan Sahib T. M.— Demand for supplementary grant <i>re</i> Irrigation—Reserved	400
Resolution <i>re</i> Muslim girls, supply of conveyances to school-going —	320-321
Moir, the hon. Sir Thomas— Adjournment motion <i>re</i> Annapurnayya, sanction to prosecute Mr. M. —	223, 225
Bills— District Municipalities Act (Amendment) Bill	195-198
Services Commission Bill, the Madras —	659-660, 790, 799, 808
Demand for supplementary grant <i>re</i> — Civil Works—Transferred	568
Irrigation—Reserved	398
Finance Committee, election of a member to the —	49
House Committee, election of members to the —	49
Resolution <i>re</i> Finance Committee, composition of the —	291-293, 295
Molagavalli— Question <i>re</i> sale of lands for arrears of loans at —	783
Motor cars and buses— Question <i>re</i> speed limit of —	247
Motor traffic— Question <i>re</i> regulation of —	246
Motor Vehicular traffic— Question <i>re</i> — in the Presidency	16
Mount Stuart Forest— See Chenai Nair Forest.	
Muhammadan Schools— See Catholic and Muhammadan Schools.	
Muniswami Nayudu, Rao Bahadur B.— Bills— District Municipalities Act (Amendment) Bill	191
Services Commission Bill, the Madras —	654-655, 738, 801
Demand for supplementary grant <i>re</i> Civil Works—Transferred	420, 421, 422, 648
Discussion <i>re</i> Indian Statutory Commission, report of the Committee appointed by the Legislative Council to confer with the —	628-629
See Panel of Chairmen.	
Muniswami Pillai, Mr. V. J. — Condolence resolution <i>re</i> late Mr. P. Bhaktavatsulu Nayudu	13
Demand for supplementary grant <i>re</i> Civil Works—Transferred	418-419
Discussion <i>re</i> Indian Statutory Commission report of the Committee appointed by the Legislative Council to confer with the —	633
Resolution <i>re</i> Liquor shops, closure of — on holidays and days of election	325
Muppi Nayar of Kavalappara, the— Bills— Malabar Tenancy Bill	52, 517
Muslim dead bodies— Question <i>re</i> burial of —	442
Muslim girls— See School-going Muslim girls.	
Muslims in Co-operative Department— Question <i>re</i> appointment of —	43
" <i>re</i> representation of —	48

M—cont.

Muthiah Mudaliyar, the hon. Mr. S.— Discussion <i>re</i> Indian Statutory Commission, report of the committee appointed by Legislative Council to confer with the —	624
Resolution <i>re</i> Public Health staff, appointment of highly qualified women on the —,	304, 305
Muthulakshmi Reddi, Dr. (Mrs.)— Bills— Brothels and immoral traffic, A Bill for the suppression of —	620
Resolution <i>re</i> — Muslim girls, supply of conveyances to school-going —	319, 320
Public Health staff, appointment of highly qualified women on the —	301-304, 306
See Questions and Answers.	
Muthuranga Mudaliyar, Mr. C. N.— Demand for supplementary grant—Irrigation—Reserved	409, 410
See Questions and Answers.	
N	
Nagan Gowda, Mr. R.— Adjournment motion <i>re</i> Anakapalle municipality, supersession of the —	542
Bills— Services Commission Bill, the Madras —	645-648
Demands for supplementary grant <i>re</i> Civil Works—Transferred	414-415, 525-528
Resolution <i>re</i> Karnataka province, formation of a —	316, 316
Nagandur Village Panchayat— See Papers laid on the table.	
Nandyal tanks— Question <i>re</i> new sluice in the —	492
Nanjappa Bahadur, Subadar Major S. A.— See Questions and Answers.	
Narasapur-Razole ferry— See Papers laid on the table.	
Narayana Raju, Mr. D.— Bills— Services Commission Bill, the Madras —	656-657
Narayana Rao, Mr. M.— See Questions and Answers.	
Narayanawami Pillai, Mr. T. M.— Demand for supplementary grant <i>re</i> — Civil Works—Transferred	528-529
Irrigation—Reserved	394
Neiveli— Question <i>re</i> sheep shed near —	618
Nellore district— Question <i>re</i> irrigation facilities in —	283
See District Secondary Education Board.	
Nellore hospital— Question <i>re</i> a suicide in —	713
Night-soil— Question <i>re</i> conversion of — into poudrette	513
Nileshwar— Question <i>re</i> location of a toddy shop in —	265
Nominations— Question <i>re</i> — of Mrs. Punja to District Board of South Kanara	261
" <i>re</i> — to the South Arcot District Board	35
" <i>re</i> — to Taluk Boards of Salem, Coimbatore, etc.	262-263
Non military Associations— Question <i>re</i> grant of licence to — for target practice	15
Nurses— Question <i>re</i> pay of —	462

PAGES

O

Oath of office—	
Cotterell, Mr. C. B.	12
Grag, Mr. J.	12
Leach, Mr. A. G.	12
Leech, Mr. A. J.	12
Maharaja of Pithapuram	44
Meeran Sahib, Mr. Muhammad	12
Ramamurthi, Mr. S. V.	12
Rowlandson, Mr. E. J.	12
Ootavius Steel Co—	
Question <i>re</i> licences to — for electrical schemes	380-381
Ootacamund-Mettupalayam Road—	
See Demand for supplementary grant <i>re</i> Civil Works — Transferred.	
Orphanages—	
Question <i>re</i> encouragement of Indian —	495-496

P

Palghat —	
See Registration districts.	
Panchayat Court Members —	
Question <i>re</i> Proceedings of a meeting of — of Kasaragod	443
Panchayat Courts—	
Question <i>re</i> search warrants issued by — in minor theft cases	444
Panel of Chairmen—	
Nomination of Messrs. J. A. Saldanha, T. C. Srinivasa Ayyangar, B. Muni- swami Nayudu and P. Khalifulla Sahib to — for session beginning from the 6th August 1929	44
Papanasam—	
See Plant (paper and pulp).	
Papers laid on the table—	
Agricultural College Dairy, G.O. No. 789, Development, dated 3rd May 1929, recording the audit report for 1927-28 on —	94
Anakapalle municipality, notification regarding the supersession of the — for two years	94, 136
Canvey-Mettur Project, G.O. No. 1788 I., dated 15th June 1929, communicating sanction of the Secretary of State to the revised estimate for the —	94, 135
Chenat Nair Forests, G.O. No. 806, Development, dated 6th May 1929, record- ing the audit report of the — for 1927-28	94
Cinchona Department, G.O. No. 620, Development, dated 4th April 1929, recording audit report of — for the year 1927-28 and 30th June 1929	93
Civil Budget Estimates for 1929-30, G.O. No. 271, Finance, dated 4th April 1929, communicating corrections in this first edition of the —	93
Cottage Industries, reports of the Special Officer on the survey of —	94-95
Cotton spinning mills in the Madras Presidency, statement showing the number of —	95, 142
Finance Committee, proceedings of the 8th and 10th meetings of the —	93
Firewood, report of rise in the price of — in Madras City due to the closure of the Buckingham canal	95, 145-146
Godavari Western Delta, G.O. No. 990 I., dated 22nd March 1929, publishing the Special Executive Engineer's report on the second crop irrigation in the —	94
Government Industrial Institute (Ink Factory), G.O. No. 853, Development, dated 14th May 1929, recording the audit report on the — for half year ending 30th September 1928	94
Government Industrial Institute, Madura—	
G.O. No. 706, Development, dated 10th April 1929, recording the audit report of the — for year ending 31st March 1928	94
G.O. No. 850, Development, dated 14th May 1929, recording the audit report of the — for quarter ending 30th June 1928	94
G.O. No. 991, Development, dated 10th June 1929, recording the audit report of the — for quarter ending 30th September 1928	94
G.O. No. 993, Development, dated 10th June 1929, recording the audit report of the — for quarter ending 31st December 1928	94
Indian Statutory Commission, report of the committee appointed by the Legis- lative Council to confer with the —	692-700

PAGES

P—cont.

Papers laid on the table—cont.	
Industrial Engineering Workshop, Madras, G.O. No. 996, Development, record- ing the audit report of the — for quarter ending 30th June 1928	94
Kerala Soap Institute, Calicut, G.O. No. 856, Development, dated 14th May 1929, recording the audit report of the — for quarter ending 30th June 1928	94
Koilpatti sedition case, report <i>re</i> alleged ill-treatment of persons connected with the —	95, 141
Local bodies, G.O. No. 1776, L. & M., dated 16th April 1929, reviewing the annual consolidated report on the accounts of — for 1927-28	94
Nagandur village panchayat, report of the Honorary Organizer of Panchayats on the alleged irregularities in — and the proceedings of the Registrar-General of Panchayats thereon	95, 139-140
Narasapur-Razole ferry, West Godavari district, report of traffic on —	95, 144
Posts, list of—on Rs. 500 and above created during quarter ending March 1929	93, 133- 135
Resolutions passed by the Madras Legislative Council, statement of — during the third session of the third Legislative Council, 1928-29, and the action taken thereon by the Government	95, 136-137
Sunkesula and Praewa, report showing income and expenditure on —	95, 137-138
Water-diviner in Bellary, report of work done by the —	95, 143
Weaving parties, report of work done by — during 1927-28	95, 144
Parasurama Rao, Mr. A.—	
Demand for supplementary grant <i>re</i> irrigation, reserved	403-405
Parthasarathi Ayyangar, Mr. C. R.—	
Demand for supplementary grant <i>re</i> irrigation, reserved	397, 398, 399
Patro, Rao Bahadur Sir A. P.—	
Adjournment motion <i>re</i> Annapurnayya, sanction to prosecute Mr. M. —	226-227
Bills—	
Services Commission Bill, the Madras —	78-80, 722-723, 755, 804-805, 817-818, 830
Condolence resolution <i>re</i> late Mr. P. Bhaktavatsalu Nayudu	13
Discussion <i>re</i> Indian Statutory Commission, report of the committee appointed by the Legislative Council to confer with the —	620, 623
Pay and prospects.	
Question <i>re</i> — in various departments	606
Physical Education Committee—	
Question <i>re</i> recommendations of the —	363
Plant—	
Question <i>re</i> paper and pulp — at Papanasam	707
Plantations—	
See Depressed classes.	
Polavaram—	
Question <i>re</i> — division	780
„ abolition of — division	779-780
Police—	
Question <i>re</i> — constables and officers	774-775
Police espionage—	
Question <i>re</i> — of political workers	440-441
Police lines—	
Question <i>re</i> steel windows and doors for —	705
Pollachi-Vannanthorai road —	
See Demand for supplementary grant <i>re</i> Civil Works—Transferred.	
Polling stations—	
See Taluk board elections.	
Ponnayya Sastri, Mr. G. V.—	
Question <i>re</i> alleged police vigilance over —	17

P—cont.

Port Trust (Amendment) Act, 1929, the Madras— See Acts assented to by His Excellency the Governor. See Acts assented to by His Excellency the Governor-General.	
Postal concessions— Question re — to M.L.C's	176
Posts— See Papers laid on the table.	
Power drills— Question re working of — See Agricultural and Industrial Engineering Department.	377
President, the hon. the— Adjournment motion,—procedure re moving of — Anakapalle municipality, supersession of the — 286, 388, 389, 539, 542, 547, 554, 556, 558 Annapurnayya, Government sanction to prosecute Mr. M.— 45, 46, 47, 49, 207, 213, 215, 217, 218-219	715
Bills— District Municipalities Act (Amendment) Bill District Municipalities Act, the Local Boards Act and the General Clauses Act, Bill to amend the Madras — Madras University (Amendment) Bill, message from His Excellency the Governor nor Madras University (Amendment) Bill— Reconsideration of — as returned by His Excellency Passed into law Malabar Tenancy Bill Services Commission Report, the Madras	185, 193, 195, 196, 197, 199, 201 179, 180, 181, 182, 184 177-178, 389 389 389 58, 59 85, 647, 661, 662, 663, 665, 666, 667, 668, 670, 671, 715, 716-717, 723, 728, 729, 732, 733, 734, 738, 744, 745, 746, 747, 752, 760, 770, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 801, 802, 804, 805, 811, 814, 815, 816, 817, 819, 820, 821, 822, 825.
Demand for supplementary grant re — Administration of justice—Reserved Civil works — Transferred Irrigation—Reserved	411 420, 422, 423, 522, 523, 524, 527, 530, 532. 395, 396, 398, 400, 402, 403, 404, 405, 406, 407, 410.
Discussion re — Duration of the August sitting — Indian Statutory Commission, report of the committee appointed by the Legis- lative Council to confer with the — Legislative Council, business for the September 1929 meeting of the —	535-536 621, 622, 623, 624, 628, 629 785, 812
Finance Committee— Election of a member to the — Nomination of members for the — House Committee, election of members to the — Reflections on the — and the Legislative Council by the "Justice"	49, 388 178 50, 178 586
Priests— See Jurors.	
Prisoners— Question re — in special division	710-712
Prohibition— Question re step towards —	459
Property tax— See Railways.	
Protestant pastors— Question re status of —	452
Public Health Staff— Resolution re appointment of highly qualified women on —	301-306
Public servants— See Second appeals.	

P—cont.

Public Works Workshop— Question re apprentices in —	353-354
Pumping Engines— Question re alleged delay in sending — to ryots	42
Pumping machine— Question re failure of the — at Sadoor	480
Purasawalkam — See Toddy shop.	
Puttur taluk— See Special Malaria officer.	

Q

Questions and answers—

Adinarayana Chettiyar, Mr. T.— Question re endowments vested in the Board of Revenue " forests in North Arcot district, classification of — " land mortgage banks, registration of — " polling stations for taluk board elections " stones in porambores, free use of — " Tanjore Kajar, administration of endowments by — " temple committees in North Arcot, elections to — " Vellore Kuppuawami Mudaliyar, alleged ill-treatment of Mr.— in the Madura jail	263-264 376-377 274-275 35 372-373 365-366 37-38 22
Anjaneyulu, Mr. P.— Question re Inspector-General of Registration, appointments by the — " Inspector-General of Registration, officers condemned by the — " Inspector-General of Registration, travelling allowance drawn by the — " Registration departments, appointments in —	272-273 468 362-363 468
Basheer Ahmed Sayeed, Mr.— • Question re Assistant Registrars, appointment of History graduates as — " Muslims in the Co-operative department, appointment of — " representation of —	43 43
Biswanath Das Mahasaya, Sriman— Question re Appa Rao, alleged dismissal of Mr. V.— " Chief Minister's tour in Ganjam " draughtsmen, prospects of — " Estates Land Act, etc., Bill to amend the — " Ex-Sub-Inspectors and ex-service men " Forest Act, extension of the — to this province " grants to aided and recognized schools inspected for grant in 1927- 28, delay in payment of — " Hindu Religious Endowments Board, appointment of Commissioners of the — " leprosy in Ganjam district, prevention of — " pay and prospects in various departments " Public Works and Industrial Engineer's Workshops, apprentices in — " record of rights, duplicate copies of — in the land register in the central survey office " reforms, report of Special Officer for — " re-settlement operations in Ganjam " re settlement operations in Ganjam, inadequate staff for — " rural medical practitioners, control of — by local board presidents. " scholarships to students outside the presidency " Sub-Assistant Surgeons, selection of — by the Staff Selection Board " teaching grants " wild animals in Gumsur forests, ravages by —	16-17 161 277-278 368-369 151 24 32 38 41 606 353-354 32 494 369-370 373 41 152-153 30 154-155 507

Q—cont.

Questions and answers—cont.

Gopala Menon, Mr. C.—	
Question re Exotic Licensing Board, etc., inspection by members of — ..	612
“ foreign liquor shops and toddy shops in places where country liquor is prohibited ..	614-615
“ liquor shops, hour of closure of — ..	612-613-614
“ rationing of country liquor ..	614
Govindaraja Mudaliyar, Mr. C. S.—	
Question re Golla Cunniah Chetti's choultries, grant of villages to — ..	506
“ Secretariat, powers of Assistant Secretaries in the — ..	447
“ Typewriters, indent for — ..	487-488
“ Typewriters in Government offices ..	504-505
Harisarvottama Rao, Mr. G.—	
Question re agricultural implements, sale of — ..	488-489
“ Ahobilam water-supply scheme ..	511
“ Berm cutting in Cuddapah district ..	705-706
“ Collett case judgment ..	448
“ Crompton Parkinson Limited, licences to — ..	708-710
“ Forest Department, reorganization of — ..	505
“ Forest grievances, Committee on — ..	489
“ Forest panchayats, Board's standing order re — ..	490-491
“ Gauge discharge results in Davvaloru ..	446
“ Gudempad project, report on — ..	491
“ Guntak Kesava Reddi, enquiry on a complaint by — ..	18-20
“ Industries Act, rules under the — ..	473
“ Kanohalamma Tank Project ..	283
“ Karnams attending Taluk offices, allowances to — ..	507
“ Kudimaramat in Kumbam, etc. ..	506
“ land mortgage bank in Kurnool ..	703
“ land mortgage bank, opening of a central — ..	352
“ Legislative Council Members, shadowing of — by Police ..	481-482
“ L.M.P. course, Committee on the question of — ..	498
“ Licensing Boards, system of — ..	615-616
“ Nandyal tanks, new sluice in the — ..	492
“ Sanskrit College, Tirupati, communal distinction in the — ..	494-495
“ Smoking in schools & Colleges ..	158-159
“ supply channels in Kurnool ..	491
“ Tank Restoration Scheme Party ..	491
“ Textile Conference ..	473-474
“ Thippayapalem project ..	492
“ Tobacco cultivation ..	471
“ Tungabhadra project ..	492-493
“ Veterinary dispensary at Nandikotkur ..	503
“ White, Mr., enhancement of the sentence passed on — ..	488
“ yarn to be manufactured in jails ..	505-506
James, Mr. F. E.—	
Question re adolescents in Borstal Schools ..	249-250, 250
Kaleswara Rao, Mr. A.—	
Question re bifurcation of Kistna district ..	778-779
Karant, Mr. K. R.—	
Question re Bunt community, nomination of members of — to the temple committees in South Kanara ..	39-40
“ burial of Muslim dead bodies ..	442
“ Collet's case, High Court judgment, action taken on — ..	169
“ Deputy Superintendent of Police, appointment of a — ..	247
“ elementary education in South Kanara ..	495
“ forest policy ..	377-378
“ forests in South Kanara, accounts of — ..	377
“ gun licences in South Kanara ..	383-384
“ Head clerks of District Munsifs' Courts, pay of — ..	376
“ Inspecting officers, travelling allowance drawn by — ..	451
“ Kirimanjeshwar village, assignments in — ..	163
“ Kumki areas, reserved trees in — ..	257-258
“ Kumki lands, reserved trees in — ..	259
“ Kumki lands, restrictions on the privilege of taking timber from — ..	28-29

Q—cont.

Questions and answers—cont.

Karant, Mr. K. R.—cont.

Question re lady honorary bench magistrate in Mangalore, proposed nomination of a — ..	21
“ Leprosy, expenditure on cure of — ..	511-512
“ Madhava Pai, Dr. P., grant to — ..	464-465
“ Malaria officer, recommendations of the special — ..	270-271-272
“ nomination of Mr. Punja to the South Kanara District Board ..	261
“ Panchayat courts issuing search warrants ..	444
“ Panchayat court members of Kasaragod — ..	443
“ quinine, free supply of — ..	462-463
“ quinine supplied to Karkal, etc., value of — ..	463-464
“ quinine supply to the Karkal taluk ..	463
“ Railway line from Mangalore to Malpi ..	173
“ Record of Rights Bill, introduction of — ..	26-27
“ Registration office for the village of Shirva ..	469
“ Resettlement operations in South Kanara ..	166-167
“ Royal Commission on Agriculture, report of the — ..	148-149
“ school masters of Kasaragod ..	453
“ seigniorage fees for fuel trees ..	258-259
“ seigniorage in Kumki and non-Kumki areas in South Kanara, collection of ..	27
“ seigniorage in South Kanara, rates of — ..	27
“ Staff Selection Board ..	443-449
“ Staff Selection Board, number and cost of meetings of the — ..	29-30
“ subdivision fees and joint pattas ..	163-164
“ Subordinate Judges and District Munsifs — 13 years' permanent service rule ..	248
“ Tasdik allowances to Mahalingeswar temple ..	370-371
“ teacher-managers of South Kanara, action taken on the memorial by the — ..	32-33
“ Temple Committees in South Kanara, nominations to — ..	366-367
“ toddy shop in Nilleshwar ..	265
“ tree-tax, arrear collection of — ..	151
“ Veterinary Assistant Surgeons, pay, etc., of — ..	356
“ Village Courts Act, Bill to amend the — ..	382-383
“ Voting by symbols, Bombay system of — ..	173-175
“ wild animals in Coondapoor ..	449
“ wild animals in reserved forests ..	449
Kesava Pillai, Diwan Bahadur P.—	
Question re Magisterial powers of Head Accountants ..	387
Mahmud Sahamnad Sahib, Mr.—	
Question re Chettali Beeyumma, release of — ..	26
“ Officer for organizing Fisheries schools ..	276
“ Socio-Economic Sub-Assistant in Fisheries Department ..	275-276
“ Trikannad Flag station, opening of the — ..	18
Mallayya, Dr. B. S.—	
Question re Anakapalle Municipality supersession of — ..	278-279, 280-281-282-283
“ Deputy Director of Industries, qualifications of — ..	474-477
“ Electric Schemes in municipalities, loans for — ..	508-509
“ Electricity supply, licences for — ..	776-777-778
“ Electrical Inspector, tenders dealt with by the — ..	363-365
“ Electrical Inspector, tenders recommended by the — ..	453-454
“ Electrical machinery, firms dealing with — ..	365
“ Electrification schemes of municipalities ..	443
“ Fish oners, supply of salt to — ..	472
“ Fish oners yards, control of — ..	275
“ Junior Electrical Inspector ..	778
“ Kasimkota Union President ..	262
“ Manoranjan Gupta, arrest of Mr. — ..	482-484
“ Octavius Steel Company of Calcutta ..	380-381
“ sheep-shed near Neiveli village ..	618
“ Sri Lakshmi Mills ..	785
“ Sub-treasury at Yemmiganur ..	784
“ trawler 'Lady Goshen' ..	784

Q—cont.

Questions and Answers—cont.

Muthulakshmi Reddi, Dr. (Mrs.) S.—	461
Question re British Social Hygiene Council	462
" Hospital Committees, strength of —	461
" Madras Social Hygiene Council, grants to —	462
" Midwives, etc., training for —	462
" Nurses, pay of —	461
" Social Hygiene, scholarships for the study of —	461
Muthuranga Mudaliyar, Mr. C. N.—	
Question re Ayyakannu Achari, Mr. —, previous experience and qualifications of —, Assistant Agricultural Engineer	48
" Nanja lands in Madurantakam — assessment on —	706
" Power drills, purchase of — by Agricultural and Industrial Engineering departments	276-277
" Pumping engines, alleged delay in sending — to the ryots	42
" Tahsildar of Sriperumbudur	782-783
Nanjappa Bahadur, Subadar-Major S. A.—	
Question re Boulder across the Shevaroy hills water course	481
" Salem College, construction of —	611
" Salem town, drinking water to —	616
Narayana Rao, Mr. M.—	
Question re Cotton spinning mill in the Coimbatore jail	501
Ramachandra Reddi, Mr. B.—	
Question re Anamasamudram tank, supply channel to the —	504
" Bridges over rivers in trunk roads	285
" Chintaldevi cattle farm	285
" Deputy Registrar of Co-operative Societies selected in 1929-30	285
" Facsimile use of, — in official correspondence	285
" Indian medicine, post-graduate training to students in —	387
" Irrigation facilities in Nellore district	283
" Sarada Ladies' Home, Triplicane	515-516
" Secondary Education Board, Nellore district	284
" Seva Sadan, Mylapore, grants to —	516
" Somasila Project	284
" Suicide in Nellore Hospital	713
" Tungabhadra Project	284
" Widows' Hostel, expenditure on —	514
" Widows' Hostel, matron of the —	514-515
" Widows' Hostel, residents in the —	515
Ramasomayajulu, Mr. C.—	
Question re Estates Land Act (Amendment) Bill	782
" Lock and wharf superintendents, pay of —	370
" Protective works for Godavari bank near Kapileswarapuram	256-257
" Agraharam	160-161
" Railways and property tax	24-26
" Sambamurti, transfer of Mr. B. — to the Bellary jail	33
" Secondary education for girls, committee to report on —	247-248
" Subordinate judges and district munsifs — 13 years' permanent service rule	608
" Thandava River	608
Ramaswami Ayyar, Mr. U.—	
Question re Fencing on Cauvery Bridge	703-704
Ramjee Rao, Mr. V.—	
Question re Kistna and Godavari districts, re — amalgamation of —	444-445
Ranganatha Mudaliyar, Mr. A.—	
Question re Activated sludge plant at Coimbatore	513
" Artificial manures, experiment station for testing	273-274
" Bore-holes for irrigation purposes	277
" Byalahal tank, supply of water to —	370
" Chemical examiner, leave to the Second Assistant —	499
" Chemical examiner — suitable candidates to act as a reserve under the —	265
" Chenai Nair Forest, financial prospects of —	489

Q—cont.

Question and Answers—cont.

Ranganatha Mudaliyar, Mr. A.—cont.

Question re Chikkana Wadiar tank	493
" Cholam, issue of improved strains of — to ryots	702
" Cholam, issue of —	702
" Cottage industries, special officer's reports on —	354-355
" Cotton ginning factories, weights and scales in —	500
" Depressed classes in Harpanahalli, lands to —	387
" Drinking water well in Harpanahalli	486
" Forest department, commercial undertakings in the —	439-490
" Harbour works, excess expenditure in —	261-262
" Hindu Religious Endowments Act Amending Bill	161
" Hindu religious endowments, deficiency in the cost of the administration of —	40-41
" Lands assigned to depressed classes, transfer of —	444
" Maddilingathahalli village — assignments in —	162
" Mecheri village — assignments in —	259
" Millers station at Adoni	513
" Molagavalli — Sale of land at —	763
" Nomination to South Arcot District Board	25
" Paper and pulp plant at Papanasam	707
" Police espionage of political workers	440-441
" Ponniah Sastri, alleged police vigilance over Mr. G. V. —	17
" Power-drills, working of —	277
" Rungers' cadre	706
" Royadrag — levy of special rate on wet lands in —	165
" Rural primary education, introduction of — in Saidapet taluk	33
" Singrahalli hamlet, drinking water well in —	384-385
" Special crops, markets for —	350-351
" Specialists appointed to the Medical College, training for —	498-499
" Stationery for use of village officers	374-375
" Timbers, foreign agents for sale of —	490
" Unpassed clerks in the High Court	165
" Urdu teaching in Harpanahalli Board High School	155
" Venereal cases in the General Hospital	465-466
" Village accounts, maintenance of —	373-374
" Village officers, servants for —	375
" Weavers' Society — Central	149
Saldanha, Mr. J. A.—	
Question re Abkari Act, false cases under the —	459
" Assignments to ex-military men	254
" Basel Mission property, acquisition of —	467
" Buntwal-Kadur road	457-458
" Catholic and Muhammadan schools	156
" Catholic churches in South Kanara	162-163
" Civil Surgeon, Cochin, complaint against the —	510
" Communal lands in Chitrap	252-253
" Cottage industries, survey of —	355
" Country liquor, manufacture of —	616-618
" Delays in disposal of civil suits	248-249
" Derebail village in Mangalore taluk, survey No 126 of —	267
" Electoral rolls — preparation of —	175
" Fisheries committee, report of the —	473
" Floods	445-446
" Foreign liquor, consumption of —	460-461
" Forest department, reorganization of —	379
" Forest rangers	707-708
" Grazing facilities in Mangalore	493
" Honorary physicians	361
" Hydro-electric schemes in the Presidency	381-382
" Indian Christians on the district board of South Kanara, representation of —	262
" Indian Orphanages, grants to —	452-453
" Industrial and trade schools — new	150-151
" Industries Act, Bill to amend the —	479
" Industries Act, loans under the —	477-479

Q—cont.

Questions and Answers.—cont.

Baldanha, Mr. J. A.—cont.

Question re Industries department, programme of work in the —	501-502
" Jurors and assessors, inconveniences to —	168
" Kerala soap factory, apprentices in the —	607
" Lepers in South Kanara	487
" Linlithgow Commission, Indianization recommended by —	471-472
" Malaria in South Kanara	466-467
" Mettur irrigation works to benefit Salem, etc.	448-447
" Motor cars and buses speed limit of —	247
" Nominations to taluk board, Salem, Coimbatore, etc.	262-263
" Orphanages, encouragement of Indian —	495-496
" Postal concessions to M.L.C.'s	178
" Process-fees, levied in civil courts —	442
" Prohibition, steps towards —	459
" Protestant pastors, status of —	452
" Registration department, strengthening the staff of the —	470
" Registration department, unpassed men in the —	409
" Resettlement operations in South Kanara	448
" Revenue Member's Conference re revenue settlement	448
" Rinderpest, protection against	358-359
" Roads Committee, recommendations of the —	457
" Roads in South Kanara	454-455
" Royal Commission on Agriculture, recommendations of the —	149
" Scholarships to Adi-Dravidas	451
" Serum institute, establishment of a —	356-358
" Stipends to Indian Christian teachers	452
" Subdivision of assessed lands, levy of fees for —	164
" Superior Educational Service	260-261
" Textile industry, development of —	477
" Textile schools in Salem, etc.	477
" Tirumani leper settlement, management of —	42
" Trichinopoly District Board, nominations to —	456-457
" Tuberculosis hospital, location of the —	359-361
" Village Courts Act, Bill to amend the —	383
" Wild animals in South Kanara	450-451

Sami Venkatachalam Chetti, Mr.—

Question re Bucket shops in Madras	486-487
--	---------

Satyamurti, Mr. S.—

Question re Abbas Ali Sahib, alleged police surveillance on Mr.—	17-18
" All-India inspection of medical education	618
" Boycott poster, arrest for affixing a —	385-387
" Bucket shops, suppression of —	484-486
" City Police Force — Indian members — pay of —	176
" Elections to the Legislative Council	712-713
" Foreign liquors, sale of —	497
" Forest grievances in Vangal	219
" Government servants and elections	175
" Grant-in-Aid Code, revision of —	33
" Judicial and executive functions, separation of —	170-172
" Local Boards Act, etc., Bills to amend —	611
" Local Boards, Municipalities, etc., Acts, Bills to amend the —	154-160
" Madras University Amending Bill	156-157
" Malabar Tenancy Bill	506
" Medical practitioners, grievances of —	266
" M.L.C.s appointed to honorary posts in local bodies	363
" Nomination of the District Board President, Malabar	36-37
" Non-military associations, grant of licences to — for target practice	15
" Non-official medical men and women for Advisory Committees	705
" Officers of the Registration department	273
" Prohibition propaganda before the auction of shops	510
" Recruitment of district and subordinate judges	166-169
" Resettlement operations, suspension of —	507
" Rifle shooting clubs, non-military —	14

Q—cont.

Questions and Answers.—cont.

Satyamurti, Mr. S.—cont.

Question re Scientific appliances, proposed reduction of grants for the purchase of —	34-35
" Second appeals from public servants	165-166
" Staff Selection Board, interview of candidates castewar	80-81
" Subordinate judges, direct recruitment of — memorials against —	169
" Temperance propaganda, allotment for —	267-270
" Temperance propaganda by Government	500
" Toddy shop in Puraawakkam, removal of a	510
" Tours of the hon. the Chief Minister	496-494
" Tours of the hon. the Minister for Development	510
" Tours of the hon. the Minister for Public Health	499-500
" Unpassed clerks in the Registration department	269
" Vellore Kuppaswami Mudaliar, alleged ill-treatment of Mr. — in the Madura jail	22-24

Shetty, Mr. A. B.—

Question re Advisory Committees for District Headquarters Hospitals	272
" Agricultural College, admissions to the —	352
" Assignment of lands (free) to depressed classes in South Kanara	27-28
" Borings in Malabar and South Kanara	277
" Cast-iron pipes, centage charges on —	468
" Conversion of single-crop into double-crop wet lands in South Kanara	29
" Cots and food wagons for hospitals	272
" Cottage industries in South Kanara	356
" Crops near reserves in South Kanara	507-508
" Depressed classes working in plantations	606
" Director of Industries, technical qualifications for the —	502-503
" Directors of Industries, qualifications, etc., of —	430
" Fishermen Co-operative Societies in Malabar	703
" Fly-proof kitchens in hospitals	499
" Girls' school in South Kanara	159
" Grant-in-Aid Code, revision of the —	33-34
" Gun licences in South Kanara	384
" Hindu Religious Endowments Board, provincialization of —	458-459
" Industrial schools at Calicut, etc.	608
" Interest on loans to land mortgage banks.	275
" Jamabandi allowance and village officers	167
" Kumki lands, restrictions on the privilege of taking timber from —	29
" Kumki privileges of ryots in South Kanara	28
" Labour schools	481
" Lands in Malabar, re-classification of —	371-372
" Medical education, report of committee on —	510
" Motor traffic, regulation of —	246
" Motor vehicular traffic in the Presidency	16
" Native States students trained in the Forest College	379-380
" New Registration offices in South Kanara	469-470
" Night soil, conversion of —	513
" Physical Education Committee	363
" Pumping machine at Sadoor	480
" Registration districts of Palghat, Calicut, Tellicherry and South Kanara	273
" Reserve boundary line in South Kanara	249
" Rewards for killing wild animals	167-168
" Sanitary Engineering Department to be separate from the Public Works Department	470
" Simon Commission, Government Memorandum to the —	494
" Smoking by teachers in schools	159
" Smoking in schools and colleges	157-158
" Special malaria officer's report about Puttur taluk	272
" Temple Committees, collection of contributions to —	163
" Textile Committee, recommendations of the	501
" Unemployment Committee, recommendations of the —	440
" Veterinary assistant surgeons, pay, etc., of —	356

Q—cont.

Questions and Answers—cont.

Srinivasa, Rao Bahib R.—		
Question re Depressed classes to be appointed as attenders and peons	503	
Question re Impounding of stray cattle on district roads	504	
Question re Priests serving as jurors	480-481	
Swami, Mr. K. V. R.—		
Question re Admission to Agricultural College	619	
Question re Allowances to sub-assistant surgeons	713-714	
Question re Deo Brothers	6-8-610	
Question re Factories, number of Government and private —	15-16	
Question re Lands in Godavari and Kistna districts	783-784	
Question re Liquor, hours of sale of —	498	
Question re Liquor shops newly opened	509	
Question re Polavaram division	779-780	
Question re Police constables and officers	774-775	
Question re Prisoners in the special division	710-712	
Question re Purchasers from Crittal Manufacturing Company, Ltd.	704	
Question re Small factories, prosecutions against owners of —	15	
Question re Steel windows and doors for police lines	705	
Question re Sub-assistant surgeons in jails	714	
Talasirani, Mr. L. K.—		
Question re Sivaganga estate	781	
Venkataramana Ayyangar, Mr. C. V. —		
Question re Sivaganga zamindari	254-256	
Venkataramnam Mr. B.—		
Question re taluk board president assuming office before it is gazetted	611	
Quinine—		
Question re free supply of —	462-464	

R

Railway—		
Question re —from Mangalore to Malpe	173	
Question re —and property tax	160-161	
Rajahmundry Taluk Board—		
Resolution re trifurcation of the —	236-261	
Rajas of Tanjore—		
See Tanjore Rajas.		
Ramachandra Reddi, Mr. B.—		
Resolution re Rajahmundry Taluk Board, trifurcation of the —	299	
See Questions and Answers.		
Ramamurti, Mr. S. V.—		
Oath of office	12	
Raman Menon, Mr. K. P.—		
Bills—		
Malabar Tenancy Bill	58, 519	
Ramasomayajulu, Mr. C.—		
Adjournment motion re—		
Anakapalle municipality, supersession of the —	548-550	
Annapurniah, Government sanction to prosecute Mr. M.—	47, 207-209	
Bills—		
Services Commission Bill, the Madras —	718-720, 764-765	
Resolution re—		
Rajahmundry Taluk Board, trifurcation of the —	299-300	
See Questions and Answers.		
Ramaswami Ayyar, Mr. U.—		
See Questions and Answers.		
Ramjee Rao, Mr. V.—		
See Questions and Answers.		

Ranganatha Mudaliyar, Mr. A.—

Bills—		
District Municipalities Act, the Local Boards Act and General Clauses Act, Bill to amend the Madras —	182-183	
Services Commission Bill, the Madras	75, 658-659, 722, 810, 829-830	
Demand for supplementary grant re—		
Administration of Justice—Reserved	411	
Irrigation—Reserved	390-391, 395, 396, 397	
Resolution re—		
Karnataka province, formation of a —	311	
Liquor shops, closure of — on holidays and days of election	326-327	
Rajahmundry Taluk Board, trifurcation of the —	300	
See Questions and Answers.		
Ranger's cadre—		
Question re bar to promotion in —	706	
Ratnasabhapati Mudaliyar, Rao Bahadur C. S.—		
Demand for supplementary grant re—		
Civil Works—Transferred	418	
Discussion re Indian Statutory Commission, report of the Committee appointed by the Legislative Council to confer with the —	624	
Rayadrug taluk—		
Question re levy of special rate on wet lands in —	155	
Record of rights—		
Question re record of duplicate copies of — in the land register in the Central Survey Office	32	
Record of Rights Bill—		
Question re introduction of —	26-27	
Red Hills Tank—		
See Demand for supplementary grant—Irrigation—Reserved.		
Reforms—		
Question re report of the Special Officer for —	494	
Registration—		
Question re Officers condemned by the Inspector-General of —	468	
Registration department—		
Question re appointments in —	468	
Question re strengthening the staff of the —	470	
Question re transfer of officers of —	273	
Question re unpassed men in the —	469	
See Unpassed clerks.		
Registration districts—		
Question re — of Palghat, Calicut, Tellicherry and South Kanara	273	
Registration office—		
Question re — for Shirva village	469	
Registration offices—		
Question re new — in South Kanara	469-470	
Reserve boundary line—		
Question re removal of — in South Kanara	249	
Reserved forests—		
Question re accounts of — in South Kanara	377	
Resettlement operations—		
Question re — in South Kanara	166-167, 447-448	
Question re — in South Kanara	447-448	
Question re inadequate staff for — in Ganjam	373	
Question re suspension of —	507	
Resolution re—		
Cottage industries, committee to examine the district reports on the survey of —	306-310	
Finance Committee, composition of the —	288-296	
Godavari-Kistna Economic Enquiry Committee, extension of time for submission of report	288-288	
Karnataka Province, formation of a —	310-317	
Liquor shops, closure of liquor shops on holidays and days of election	324-326	
Muslim girls, supply of conveyances to school-going —	318-324	
Public Health Staff, appointment of highly qualified women on the —	301-306	
Rajahmundry Taluk Board, trifurcation of the —	296-301	

R—cont.

Resolutions passed by the Madras Legislative Council— See papers laid on the table.	
Revenue Member's Conference— Question <i>re</i> — <i>re</i> revenue settlement	448
Rifle-shooting clubs— See Shooting clubs.	
Rinderpest. Question <i>re</i> protection against —	353-359
Roads— Question <i>re</i> — in South Kanara	454-465
Roads Committee— Question <i>re</i> recommendations of the —	457
Robertson, Mr. R. J. C.— Bills— Services Commission Bill, the Madras —	72
Rowlandson, Mr. E. J.— Oath of office	12
Rulings— Adjournment motions— Should not relate to a matter <i>sub judice</i> — A motion to discuss the action of Government in sanctioning a prosecution for sedition is not out of order (the matter <i>sub judice</i> being whether the speeches constitute sedition, and not the expediency of the sanction accorded). No member can make an adjournment motion in the Council, without previously obtaining the consent of the President therefor The policy adopted by Government cannot be a 'recent event' and hence cannot be the matter of an adjournment motion In an adjournment motion <i>re</i> sanction to prosecute a person, reference to materials of the prosecution is not allowed. Members should confine themselves to the circumstances under which Government had to exercise discretion in granting sanction, or to the conduct of Government in granting the sanction.	49 715 47 212, 218-219
Bills—Amendments at the third reading stage— Under Standing Order 49, right to move amendments at the third-reading stage would arise only if the Bill had been postponed for three days after it was taken into consideration, for the third reading	825
Bills, amendments— Sanction of Governor-General obtained in respect of a particular Bill cannot be utilized to make an amendment to a different bill with a different scope An amendment to omit a particular clause would have the effect of a negative vote within the language of Standing Order 32 (2), and is therefore not to be allowed The mover of a Bill can table amendments to the clauses of the Bill as amended by the select committee The mover of an amendment has no right of reply	183 745 738 618
Bills—Financial provisions— In the absence of any provision in a Bill stating that the expenditure arising out of the scheme of the Bill should be met from provincial revenues, any reference to the budgetary disposition of the probable items of expenditure, e.g., whether votable or non-votable, on the presumption that by necessary implication the expenditure would come under the provincial budget, will be out of order The point whether it will detract from the plenary powers of the legislature to pass any law affecting the peace and good governance of the province debated	680-684 789-791
Bills—Sanction of Governor-General— It may not be convenient for the House to use the sanction obtained for a Bill to make an amendment to another Bill the scope of which may be quite different	183

R—cont.

Rulings—cont.	
Bills— Standing Order 49, interpretation of — Standing Order 49 is not intended to prevent hasty legislation, but to prevent drafting mistakes, while Standing Order 44 is one that seeks to prevent hasty legislation	822
Debate— Anything not published cannot be referred to in a debate Reference to unpublished documents (a minute of dissent not forming part of the proceedings either of the Council or of a select committee) is out of order.	197 196, 197, 199
Debate, limitation of — Description of members of a select committee of the House is no reflection on the conduct of the House which elected it	195
Delegation rules and powers of the legislature— The legislature can legislate giving a direction to the Government under section 80-A of the Government of India Act without at the same time infringing on the delegated powers of Government under section 96-B	745-746
Demands for supplementary grants— It is not desirable to allow the general policy of the Government or proposals for legislation to be discussed on a motion for reduction of a demand for supplementary grant	396
Dilatory motions— There should not be another dilatory motion immediately after one just disposed of —	668
Questions— Not allowed to be put to Mr. President	157
Questions, supplementary— Government cannot decline to answer a question relating to a matter under correspondence between the Local Government and the Government of India unless it is a subject of controversy or it would not be in public interests to answer it On a question <i>re</i> grant of scholarships a question asking for the names of candidates is not in public interest and is out of order	171 152
Rural medical practitioners— Question <i>re</i> control over — by local board presidents	41
Rural medical relief scheme — Question <i>re</i> medical practitioners under —	266
Rural primary education— Question <i>re</i> introduction of — in Naidapet taluk	33
Saldanha, Mr. J. A.— Adjournment motion <i>re</i> — Annappurniah, sanction to prosecute Mr. M —	215-217
Bills— Abkari Act (Amendment) Bill, the Madras — District Municipalities Act, — the Local Boards Act and the General Clauses Act, Bill to amend the Madras — Malabar Tenancy Bill Services Commission Bill, the Madras — 80-81, 93, 641, 670, 732-733, 734, 744, 765, 768-769, 786, 787-788, 795, 800, 801-802, 807, 809-810, 812-813, 820, 821 Demand for supplementary grant <i>re</i> Civil Works—Transferred	178 179 55-57, 58 423, 521-523
Resolution <i>re</i> — Finance Committee, composition of the — Karnataka province, formation of a —	288-289, 294-295 311
See Panel of Chairmen— See Questions and Answers.	

S—cont.

Salem College—	
Question <i>re</i> construction of —	611
Salem town—	
Question <i>re</i> drinking water to — from the Mettur project	516
Sambamurti, Mr. R.—	
Question <i>re</i> transfer of — to the Bellary jail	24-26
Sami Venkatachalam Chetti, Mr.—	
Adjournment motion <i>re</i> —	
Anakapalle municipality—supersession of the —	547
Annapurnayya, sanction to prosecute Mr. M.—	219-221
Bills—	
District Municipalities Act (Amendment) Bill	198-199
District Municipalities Act, the Local Boards Act and the General Clauses Act, Bill to amend the Madras	183
Services Commission Bill, the Madras	687, 717, 754, 796, 805-806, 816, 817
Demand for supplementary grant—Irrigation—Reserved	410
Resolution <i>re</i> cottage industries, committee to examine the district reports on the survey of —	808
<i>See</i> Questions and Answers.	
Sanitary Engineering Department—	
Question <i>re</i> separation of — from Public Works Department	470
Sankaran Unni, Mr. E.—	
Bills—	
Malabar Tenancy Bill—Addition of members to the Select Committee on—	518-519
Sanskrit College, Tirupati—	
Question <i>re</i> communal distinction in the—	494-495
Sarada Ladies' Home, Triplicane—	
Question <i>re</i> opening of the—	515-516
Satyamurti, Mr. S.—	
Adjournment motion <i>re</i> Annapurnayya, Government sanction to prosecute Mr. M. 48, 221-223	
Bills—	
District Municipalities Act (Amendment) Bill	186-189, 196
Services Commission Bill, the Madras	62-75, 639-641, 650-651, 660-662, 684-685
715-716, 725-727, 728, 729, 731-732, 736-738, 741-742, 748-749, 751, 752, 753-754, 768	
788, 789-790, 791-792, 795-796, 797-800, 802, 818-819, 820, 825-827	
Demand for supplementary grant <i>re</i> Civil Works—Transferred	533-535, 560-564, 568
Irrigation—Reserved —	
<i>See</i> Questions and Answers	406-409
Scholarships—	
Question <i>re</i> — to Adi-Dravidas	451
Question <i>re</i> — to students outside the Presidency	152-153
School-going Muslim girls—	
Resolution <i>re</i> supply of conveyances to —	318-324
Schoolmasters—	
Question <i>re</i> Kasaragod taluk	453
Scientific appliances—	
Question <i>re</i> proposed reduction of grants for purchase of —	31-35
Second appeals—	
Question <i>re</i> — from public servants	167-166
Secondary education for girls—	
Question <i>re</i> appointment of a committee to report on —	53
Secretariat—	
Question <i>re</i> powers of Assistant Secretaries in the —	447
Seigniorage —	
Question <i>re</i> collection of — in kumhi and non-kumhi areas	27
Question <i>re</i> rates of — in South Kanara district	27

S—cont.

Seigniorage fees—	
Question <i>re</i> — for fuel trees	258-259
Sennakuppam Setti Kinar Reserve Forest—	
Question <i>re</i> grazing facilities in—	20
Serum Institute—	
Question <i>re</i> establishment of a —	356-358
Services Commission Bill, the Madras—	
<i>See</i> Bills.	
Settlement operations—	
Question <i>re</i> — in Ganjam	369-370
Seturatham Ayyar, the hon. Mr. M. R.—	
Bills—	
Malabar Tenancy Bill	61
Services Commission Bill, the Madras	62, 807
Demand for supplementary grant <i>re</i> Civil Works—Transferred	414, 523-524, 531
Resolution <i>re</i> cottage industries, committee to examine the district reports on the survey of —	309
Seva Sadan, Mylapore—	
Question <i>re</i> grants to—	516
Shanmugam & Co.—	
<i>See</i> Foreign liquors.	
Shetty, Mr. A. B.—	
Bills—	
District Municipalities Act, the Local Boards Act and the General Clauses Act, Bill to amend the Madras	179, 180
Discussion <i>re</i> Indian Statutory Commission—Report of the committee appointed by the Legislative Council to confer with the—	635-636
Resolution <i>re</i> Karnataka province, formation of a —	
<i>See</i> Questions and Answers	314-315
Shervoy hills water-course—	
Question <i>re</i> boulder across the—	481
Shooting clubs—	
Question <i>re</i> non-military rifle	14
"Simon Commission"—	
Question <i>re</i> Government memorandum to the—	494
Single-crop wet lands—	
Question <i>re</i> conversion of — into double-crop wet lands in South Kanara	29
Singrahalli hamlet—	
Question <i>re</i> drinking water well in—	384-385
Siva Raj, Mr. N.—	
Bills—	
Services Commission Bill, the Madras	830-831
Siva Rao Mr. P.—	
Bills—	
District Municipalities Act, Local Boards Act and the General Clauses Act, Bill to amend the Madras	184
Services Commission Bill, the Madras	76-77
Resolution <i>re</i> —	
Finance Committee, composition of the—	290-300
Karnataka province, formation of a—	310-311, 317
Sivaganga—	
Question <i>re</i> — estate	781
Sivaganga Zamindari—	
Question <i>re</i> —	254-256

S—cont.

Smoking—		
Question <i>re</i> — by teachers in schools	159	
Smoking in schools and colleges—		
Question <i>re</i> —	157-159	
Social Hygiene—		
Question <i>re</i> scholarships for the study of—	461	
Somasila project—		
Question <i>re</i> investigation of —	284	
Soundara Pandian, Mr. W. P. A.—		
Bills—		
Services Commission Bill, the Madras	670	
South Arcot District Board—		
See Nomination.		
South Kanara—		
Question <i>re</i> nomination to the District Board of—	261	
See Borings.		
See Registration districts.		
See Reserve boundary line.		
Special crops—		
Question <i>re</i> markets for —	350-351	
Special Malaria Officer—		
Question <i>re</i> recommendations of —	270-272	
report about Puttur taluk	272	
Specialists—		
Question <i>re</i> training for — appointed to the Medical College	498-499	
Sri Lakshmi Mills—		
Question <i>re</i> loan application from —	785	
Srinivasa Ayyangar, Mr. R. —		
Adjournment motion <i>re</i> Annapurnayya, Government sanction to prosecute Mr. M.	46-47	
Demand for supplementary grant <i>re</i> Irrigation—Reserved	403	
Resolution <i>re</i> Rajahmundry Taluk Board, trifurcation of —	298-299	
Srinivasa Ayyangar, Mr. T. C.—		
See Panel of chairmen.		
Srinivasan, Rao Sahib, R.—		
Bills—		
District Municipalities Act, the Local Boards Act and the General Clauses Act, Bill to amend the Madras	181-182	
Discussion <i>re</i> Indian Statutory Commission—Report of the committee appointed by the Legislative Council to confer with the —	624	
Resolution <i>re</i> liquor shops, closure of — on holidays and days of election.	324-325, 327	
See Questions and Answers.		
Sriperumbudur—		
Question <i>re</i> tahsildar of —	782-783	
Staff Selection Board—		
Question <i>re</i> interview of candidates castewar by the —	30-31	
number of meetings of the —	29-30	
selection by —	448-449	
See Sub-Assistant Surgeons.		
State-aid to Industries Act—		
Question <i>re</i> rules under the —	473	
See Sri Lakshmi Mills.		
Stationery to village officers—		
Question <i>re</i> supply of —	374-375	
Stipends—		
Question <i>re</i> — to Indian Christian teachers	452	
Stones in porambores —		
Question <i>re</i> free use of —	372-373	
Stray cattle—		
Question <i>re</i> impounding of — on district roads	504	

S—cont.

Sub-Assistant Surgeons—		
Question <i>re</i> selection of — by the Staff Selection Board	30	
Subbarayan, the hon. Dr. P.—		
Adjournment motion <i>re</i> Anakapalle municipality — supersession of the —	388-389, 554-556	
Bills—		
District Municipalities Act (Amendment) Bill	185-186, 193	
District Municipalities Act, Local Boards Act, General Clauses Act, Bill to amend the Madras	179-180, 182-183	
Services Commission Bill, the Madras	741	
Condolence resolution <i>re</i> late Mr. P. Bhaktavatsolu Nayudu	13	
Demand for supplementary grant <i>re</i> Civil Works—Transferred	421, 423	
Discussion <i>re</i> Indian Statutory Commission—Report of the Committee appointed by the Legislative Council to confer with the —	621	
Resolution <i>re</i> —		
Muslim girls, supply of conveyances to school-going —	522	
Rajahmundry Taluk Board, trifurcation of the —	300-301	
Sub-Court, Cocanada, Additional—		
Demand for supplementary grant <i>re</i> Administration of Justice—Reserved	410-414	
Subdivision fees—		
Question <i>re</i> — and joint pattas	163-164	
Subdivision of assessed lands—		
Question <i>re</i> levy of fees for — in South Kanara	164	
Subordinate Judges—		
Question <i>re</i> — direct recruitment of — memorials against —	169	
Subordinate Judges and District Munsifs—		
Question <i>re</i> removal of 13 years' permanent service rule	247-248	
Sub-treasury—		
See Yemmiganur.		
Sunkesula and Praema fish ponds—		
See Papers laid on the table.		
Supply channel—		
Question <i>re</i> repairs to — in Kurnool	491	
Surgeons—		
Question <i>re</i> Sub-Assistant — allowances to —	713-714	
Question <i>re</i> Sub-Assistant — recommendations of the Jail Committee regarding —	714	
Swami, Mr. K. V. R.—		
Adjournment motion <i>re</i> —		
Annapurnayya, sanction to prosecute Mr. M.	211-214	
Bills—		
District Municipalities Act, the Local Boards Act and the General Clauses Act, Bill to amend the Madras	180-181	
Services Commission Bill, the Madras	657-658, 720, 754-755	
Demand for supplementary grant <i>re</i> —		
Administration of Justice—Reserved	412-413	
Civil Works—Transferred	419-421	
Irrigation—Reserved	391-392	
Motion <i>re</i> —		
Rajahmundry Taluk Board, trifurcation of the —	227-228	
Resolution <i>re</i> Finance Committee, composition of the —	289-290, 292	
See Questions and Answers.		
T		
Taluk Board elections—		
Question <i>re</i> fixing of polling stations for —	35	
Taluk Board President—		
Question <i>re</i> assuming office before it is gazetted	611	
Tanjore Rajas—		
Question <i>re</i> administration of endowments by —	365-366	

T—cont.

Tank Restoration Scheme Party— Question <i>re</i> examination of tanks by —	491
Target practice— See Non-Military Associations. See Shooting clubs.	
Tasdik allowance— See Mahalingeswar temple.	
Teacher-managers of South Kanara— Question <i>re</i> action taken on the memorial by —	32-38
Teaching grants— Question <i>re</i> —	154-155
Tellicherry— See Registration districts.	
Temperance propaganda— Question <i>re</i> —by Government „ allotment for —	509 267-270
Temple committees — Question <i>re</i> collection of contributions to — „ elections to tho — in North Arcot „ nomination of members of Bunt community to—in South Kanara „ nominations to—in South Kanara	161 37-38 39-40 366-367
Textile Committee— Question <i>re</i> recommendations of the —	503
Textile industry— Question <i>re</i> conference on — „ development of —	473-474 477
Textile schools — Question <i>re</i> — in Salem, etc.	477
Thandava river. Question <i>re</i> floods in —	608
Thomas, Mr. Daniel— Adjournment motion <i>re</i> Anakapalle municipality — supersession of the — Annapurmayya, sanction to prosecute Mr. M. —	550-552 209-210
Resolution <i>re</i> — Liquor shops, closure of — on holidays and days of election	326-327
Timber— See Kamki lands.	
Timbers — Question <i>re</i> foreign agents for sale of —	490
Tippayapalem project — Question <i>re</i> execution of the —	492
Tirumani Leper Settlement — Question <i>re</i> management of the —	42
Tobacco cultivation — Question <i>re</i> —	471
Toddy sales — Question <i>re</i> prohibition propaganda before — are completed	510
Toddy shop — Question <i>re</i> removal of a — in Purasawalkam	510
Tours — Question <i>re</i> — of the hon. the Chief Minister „ — of the hon. the Minister for Development „ — of the hon. the Minister for Public Health	496-497 514 499-500
Travelling allowance — See Inspector-General of Registration.	
Trawler — Question <i>re</i> — “Lady Gosehen”	784
Tree tax. Question <i>re</i> arrears collection of —	151

T—cont.

Trichinopoly District Board — Question <i>re</i> nominations to —	456-457
Trikanad Bag station — Question <i>re</i> opening of —	18
Tuberculosis hospital— Question <i>re</i> location of the —	359-361
Tulasiram, Mr. L. K. Bills—Services Commission Bill, the Madras See Questions and Answers.	648-649, 760-761
Tungabhadra project. Question <i>re</i> — „ survey of —	492-493 284
Typewriters— Question <i>re</i> — in Government offices „ indent for —	504-505 487-488

U

Unemployment Committee — Question <i>re</i> recommendations of the —	440
Unpassed clerks— Question <i>re</i> — in High Court „ — in the Registration department	165 260
Uppi, Sahib, Mr. K. Bills—Malabar Tenancy Bill Resolution <i>re</i> — Muslim girls, supply of conveyances to school, going —	69-80 321, 322-323
Urdu teaching— Question <i>re</i> — in Harpanahalli Board High School	155
Uman Sahib Bahadur, the hon. Khan Bahadur Sir Muhammad— Bills — Brothels and Immoral Traffic Bill for the suppression of — Services Commission Bill, the Madras Condolence resolution <i>re</i> late Mr. P. Bhaktavatsulu Nayudu	620 814 12
“Demand for supplementary grant <i>re</i> Civil Works—Transferred Discussion <i>re</i> Indian Statutory Commission—Report of the Committee appointed by the Legislative Council to confer with the — Finance Committee, election of a member to the — House Committee, election of members to the — Legislative Council, business for the September 1929 meeting of the —	568 620 49 49 812

V

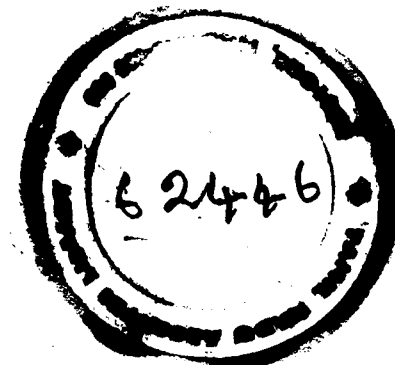
V. Appa Rao, Mr.— See Appa Rao, Mr. V.	
Vangal— See Forest grievances.	
Vellore Kuppaswami Mudaliyar, Mr.— Question <i>re</i> alleged ill-treatment of — in Madura jail	22-26
Veneral cases— Question <i>re</i> — in the General Hospital	465-464
Venkatapati Raju, Mr. P. C.— Adjournment motion <i>re</i> — Anakapalle municipality, supersession of the — Annapurmayya, Government sanction to prosecute Mr. M.	266-539 47, 49, 217-218
Bills— District Municipalities Act, Local Boards Act and the General Clauses Act, Bill to amend the Madras Services Commission Bill, the Madras	184 660, 670, 755-756, 797 814, 815, 831-832
Condolence resolution <i>re</i> late Mr. P. Bhaktavatsulu Nayudu Demand for supplementary grant <i>re</i> Civil Works—Transferred	13 568

V—cont.

Venkatapati Raju, Mr. P. C.—cont.	
Discussion <i>re</i> Indian Statutory Commission—Report of the Committee appointed by the Legislative Council to confer with the —	621-622
Reflections on the Legislative Council and the hon. the President by the "Justice"	536
Venkatarama Ayyar, Mr. K. R.—	
Bills—	
Services Commission Bill, the Madras	82-83, 653-654
Venkataramana Ayyangar, Mr. C. V.—	
Bills—	
District Municipalities Act (Amendment) Bill	191-193
Services Commission Bill, the Madras	89-91, 637-639, 661, 665, 666, 668-669, 671, 723, 729-730, 749-750, 752, 754, 785-786, 796, 797, 807
Demand for supplementary grant <i>re</i> Civil Works—Transferred	415-416, 564-566, 568
Demand for supplementary grant <i>re</i> Irrigation—Reserved	395, 399-400
Resolution <i>re</i> Finance Committee, composition of the—	289
<i>See</i> Questions and answers.	
Venkataratnam, Mr. B.—	
Resolution <i>re</i> Rajahmundry Taluk Board, trifurcation of the —	296, 301
<i>See</i> Questions and Answers.	
Veterinary Assistant Surgeons—	
Question <i>re</i> pay, etc., of —	356
Veterinary dispensary—	
Question <i>re</i> — at Nandikotkur	503
Village accounts—	
Question <i>re</i> maintenance of —	373-374
Village Courts Act—	
Question <i>re</i> Bill to amend the —	382-383
Village officers—	
Question <i>re</i> servants for —	375
Question <i>re</i> stationery for use of —	374-375
<i>See</i> Jamabandi allowance.	
Voting by symbols—	
Question <i>re</i> Bombay system of —	173-175
W	
Water diviner—	
<i>See</i> Papers laid on the table.	
Weavers' society—	
Question <i>re</i> central	149
Weaving parties—	
<i>See</i> Papers laid on the table.	
Well—	
Question <i>re</i> drinking water — in Harpanahalli	466
White, Mr.—	
Question <i>re</i> enhancement of the sentence passed on —	468
Widows' Hostel—	
Question <i>re</i> expenditure on — at Triplicane	514
" matron of the — at Triplicane	514-515
" residents in the —, at Triplicane	515
Wild animals—	
Question <i>re</i> havoc done by — in Coondapoor	449
" havoc caused by — in South Kanara	450-451
" hunting — in reserved forests	449
" ravages by — in Gumsur forests	507
" rewards for killing	167-168

W—cont.

Women on Public Health staff—	
<i>See</i> Public Health staff.	
Wood, Mr. C. E.—	
Adjournment motion <i>re</i> Annapurnayya, sanction to prosecute Mr. M.—	210-211
Bills—	
Services Commission Bill, the Madras	666, 734, 829
Condolence resolution <i>re</i> late Mr. P. Bhaktavatsulu Nayudu	13
Demand for supplementary grant <i>re</i> Civil Works—Transferred	565
Y	
Yarn—	
<i>See</i> Jail manufacture.	
Yemmiganur—	
Question <i>re</i> sub-treasury for —	784



D
V211, 32 N29
N29, 47311