

THE LEGISLATIVE COUNCIL OF THE GOVERNOR
OF MADRAS,

Monday, the 27th January 1930.

The House met at 11 o'clock, the Deputy President [Dr. (Mrs) S. MUTHULAKSHMI REDDI] in the Chair.

PRESENT:

Usman Sahib Bahadur, <i>Kt.</i> , The hon. Khan Bahadur Sir Mahomed.	Manikkavelu Nayakar, Mr. M. A.
Krishnan Nayar, The hon. Diwan Bahadur Sir M.	Moidoo Sahib Bahadur, Khan Sahib T. M.
Campbell, C.S.I., C.I.E., C.B.E., V.D., I.C.S., The hon. Mr. A. Y. G.	Muniswami Nayudu, Diwan Bahadur B.
Subbarayan, The hon. Dr. P.	Muniswami Pillai, Rao Sahib V. I.
Muthiah Mudaliyar, The hon. Mr. S.	Muppil Nayar of Kavalappara <i>alias</i> Kumaran Raman.
Seturatnam Ayyar, The hon. Mr. M. R.	Murugappa Chettiyar, Diwan Bahadur A. M. M.
Abdul Razaack Sahib Bahadur, Khan Bahadur S. K.	Nagan Gowda, Mr. R.
Appavu Chettiyar, Mr. C. D.	Nanjappa Bahadur, Subadar-Major S. A.
Ari Gowder, Mr. H. B.	Natesa Mudaliyar, Rao Bahadur C.
Arogyaswami Mudaliyar, Diwan Bahadur R. N.	Parthasarathi Ayyangar, Mr. C. R.
Arpudaswami Udayar, Mr. S.	Patro, <i>Kt.</i> , Rao Bahadur Sir A. P.
Bhanoji Rao, Mr. A. V.	Premayya, Mr. G. R.
Bheemayya, Mr. J.	Raja of Kallikotta.
Chidambaramanatha Mudaliyar, Mr. T. K.	Ramachandra Padayachi, Mr. K.
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.
Ellappa Chettiyar, Rao Bahadur S.	Raman Menon, Mr. K. P.
Ethirajulu Nayudu, Diwan Bahadur P. C.	Ramjee Rao, Mr. V.
Foulkes, Mr. R.	Ramaswami Ayyar, Mr. U.
Gangadhara Siva, Mr. M. V.	Ranganatha Mudaliyar, Mr. A.
Gnanavaram Pillai, Rao Sahib P. J.	Ratnasabhapati Mudaliyar, Rao Bahadur C. S.
Govindan Nayar, Mr. C.	Robertson, Mr. R. J. C.
Gray, C.B.E., I.C.S., Mr. J.	Rutherford, C.I.E., I.C.S., Mr. T. G.
Hearson, Mr. H. F. P.	Sahajanandam, Swami A. S.
Hilton Brown, I.C.S., Mr.	Saldanha, Mr. J. A.
James, Mr. F. E.	Sarabha Reddi, Mr. K.
John, Mr. V. Ch.	Shetty, Mr. A. B.
Kesava Pillai, C.I.E., Diwan Bahadur P.	Siva Raj, Mr. N.
Khadir Mohidin Sahib Bahadur, Muhammad.	Srinivasa Ayyangar, Mr. T. C.
Khalif-ullah Sahib Bahadur, Khan Bahadur P.	Srinivasan, Rao Sahib R.
Kumara Raja of Venkatagiri.	Subrahmanya Moopanar, Mr. S.
Kumaraswami Reddiyar, Diwan Bahadur S.	Subrahmanya Pillai, Mr. Chavadi K.
Kuppuswami, Mr. J.	Tulasiram, Mr. L. K.
Leach, I.C.S., Mr. A. G.	Uppi Sahib Bahadur, K.
Leach, Mr. A. J.	Venkiah, Mr. S.
Maharaja of Pithapuram, C.B.E.	Watson, I.C.S., Mr. H. A.
	Wood, Mr. C. E.
	Zamindar of Singampatti.

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I

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Agriculture

Opening of an arecanut farm in Malabar.

* 1256 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Development be pleased to state—

(a) whether it is a fact that the Government have decided upon opening an arecanut farm in Malabar and, if so, where it will be located; and

(b) whether the Government have considered the claims of South Kanara in this matter?

A.—(a) No.

(b) Yes.

Mr A. B. SHETTY:—“May I know whether there is any proposal to open an arecanut farm on the West Coast?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“From the answer given to clause (a) the hon. Member will understand that the Government have not decided upon opening an arecanut farm or not.”

Co-operative Societies

Alleged ill-health of the Deputy Registrar, Madras Circle.

* 1257 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Development be pleased to state—

(a) whether it is a fact that the present Deputy Registrar, Madras Circle, is a chronic invalid unable to sit up for even a couple of hours; and

(b) whether he has applied for leave and why he is kept in office in spite of his ill-health?

A.—(a) No. The Deputy Registrar is quite capable of performing his duties efficiently.

(b) He applied for three months leave from 1st November 1929 and subsequently decided to postpone it till March 1930.

Compulsion of co-operative unions to accept pooling of the supervision fund.

* 1258 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Development be pleased to state—

(a) whether it is a fact that when the co-operative unions and societies send in applications for registration, the Deputy Registrars refuse to register them unless they consent to the pooling of the supervision fund in the District Federation; and

(b) whether the Government have issued instructions to the officials of the department to force co-operative unions and societies to accept pooling even in cases where they are unwilling?

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A.—(a) & (b) Only one instance has been brought to notice. The pooling of supervision fund has been recommended by the Committee on Co-operation in Madras to render supervision more effective and is a part of the general policy of the department. It is obviously futile to have the recommendations of the Committee in this regard generally accepted and then to register unions and societies with by-laws at variance with these recommendations.

Misappropriation by officers of co-operative societies.

* 1259 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Development be pleased to state—

(a) how many cases for misappropriation against the officers of co-operative societies were reported to the District officers and how many were under their investigation and how many were under investigation for more than a year; and

(b) what steps do Government propose to take to prevent such irregularities?

A.—(a) A statement^a furnishing the information in respect of the last five years is appended.

(b) As persons responsible for such irregularities are being prosecuted in all cases either by the societies affected or by the Government, when there is evidence available, which is considered sufficient to ensure convictions, no further action is necessary.

Industries

Conversion of the Industrial Engineering Workshop into a Central Research Workshop.

* 1260 Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Minister for Development be pleased to state—

(a) whether any steps have been taken by the Director of Industries during the last four months, for converting from the next official year the Industrial Engineering Workshop into a Central Research Workshop for the Presidency and placing it in charge of a qualified Mechanical Engineer; and

(b) if so, what they are, and if not, why not?

A.—(a) No.

(b) The Government have not thought it necessary to take the step suggested in the question.

Appointment of an Industrial Engineer for pumping and boring activities.

* 1261 Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Minister for Development be pleased to state—

(a) whether any steps have been taken by the Director of Industries during the last four months for appointing the Industrial Engineer to be from the next official year in sole charge of the district pumping and boring activities, with his headquarters as Bellary and fixing the responsibility upon him for running the section without loss to Government; and

(b) if not, why not?

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A.—(a) No.

(b) The Government consider that the existing arrangement is satisfactory.

Establishment of bone-crushing factories at suitable centres.

* 1262 Q.—Mr. K. V. R. SWAMI: Will the hon. the Minister for Development be pleased to state whether the recommendation of the Agricultural Advisory Committee that nothing can be done to establish bone-crushing factories at suitable centres has been accepted by the Government?

A.—Yes.

Veterinary*Appointment of a committee to find out ways for controlling cattle diseases.*

* 1263 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Development be pleased to state whether the Government have at any time considered the question of appointing any committee for the purpose of finding out how best cattle diseases can be controlled in this Presidency?

A.—No.

Mr. A. B. SHETTY:—“Madam, in view of the increasing cattle mortality in this Presidency year after year, may I know whether Government propose to adopt any special measures to combat the diseases?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“The recommendation of the Royal Agricultural Commission has been carefully examined and there was already a proposal for the interchange of visits of the officers of this Government with those of Mysore to see how best the diseases can be tackled and to take concerted action to control rinderpest.”

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR:—“Madam, with reference to the question ‘whether the Government have at any time considered the question of appointing any committee for the purpose of finding out how best cattle diseases can be controlled in this Presidency’, the answer given is ‘No’. Am I to understand from the answer just now given by the hon. the Minister, that the matter of appointing a committee is under consideration?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“It is not the formation of a Committee that is under consideration, but it is the method by which the diseases can be controlled that is under consideration.”

Income from and expenditure on cattle-breeding stations.

* 1264 Q.—Mr. K. V. R. SWAMI: Will the hon. the Minister for Development be pleased to state—

(a) the number of cattle in each of the breeding stations in each year since starting;

(b) the amount of total expenditure in each such year;

(c) the amount of income in each such year if any and how the same was realized; and

(d) the results that each station has produced in the locality if any?

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A.—(a) to (c) Statements ^a are appended containing the information as far as is readily available.

(d) The results cannot be estimated until a reasonable period of time has elapsed. The locality served by each station is the whole Presidency in the case of the Central cattle farm at Hosur and half the Presidency in the case of the cattle farm at Chintaldevi.

Excise*Removal of the toddy shop in Triplicane.*

* 1265 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Public Health be pleased to state whether he has considered what action he should take on the decision of the House urging the removal of the toddy shop in Venkatarangam Pillai street, Triplicane, on the adjournment motion on the 7th instant?

A.—The Commissioner has been asked to consult the Excise Licensing Board as to the action to be taken on the matter.

Medical*Appointment of a Commissioner of Medical Examination in India.*

* 1266 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Public Health be pleased to state—

(a) the reasons why he agreed to the appointment of a Commissioner of Medical Examination in India, on behalf of the General Medical Council of England;

(b) why he did not agree to the constitution of a General Medical Council for India;

(c) whether he and the Surgeon-General differed on either or both of these matters at the conference recently held by the Government of India to consider these questions; and

(d) whether he will place on the table of the House the proceedings of the conference in so far as they relate to the attitude of this Government?

A.—(a) The hon. Member is referred to the answer given to question No. 367 on 12th August 1929.

(b), (c) & (d) As already stated in answer to question No. 513 on 26th September 1929, the discussions connected with the conference are confidential.

Appointment of a Commissioner of medical qualifications and standards in India.

* 1267 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Public Health be pleased to state—

(a) the reasons why he did not consult the University of Madras before agreeing to the appointment on behalf of the General Medical Council of Great Britain of a Commissioner of medical qualifications and standards in India; and

(b) whether he intends consulting the University of Madras on this matter; and, if not, why not?

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- 4.—(a) The Madras University was consulted in 1926 in connexion with the visit of Sir Norman Walker to India as the representative of the General Medical Council, for the purpose of inspecting and reporting to the Council on the arrangements for education and training in the various Medical Colleges in India. The University was quite agreeable to the proposal. The appointment of a Commissioner of medical qualifications and standards was proposed as a temporary measure to do similar work and it was not necessary to consult the University again.
- (b) As a Commissioner of medical qualifications and standards has not yet been appointed, the University of Madras has been consulted, as to the steps to be taken to ensure the continued recognition of the medical degrees of the University by the General Medical Council.

Representation of Muslims in the Madras Medical Service.

* 1268 Q.—MR. ABDUL HAMEED KHAN: Will the hon. the Minister for Public Health be pleased to state whether the Government have taken any and, if so, what steps to give the Muslim community adequate representation in the Madras Medical Service?

A.—The attention of the hon. Member is invited to rule 3 of the rules regulating recruitment, conditions of service, pay, allowances and pension of officers of the Madras Medical Service (General Branch), published on pages 1871–1874 of Part I of the *Fort St. George Gazette*, dated the 15th October 1929.

Work done by the Venereal Specialist.

* 1269 Q.—MR. K. V. R. SWAMI: Will the hon. the Minister for Public Health be pleased to state—

- (a) what work the Specialist in Venereal Diseases has done since his appointment; and
- (b) whether he has framed any scheme of anti-venereal work?

A.—(a) Since joining his appointment on the 28th December 1928, the Specialist in Venereal Diseases has been engaged in organizing the work of the Venereal Diseases departments in the large hospitals in Madras City. So far the work in the Government General Hospital and the Government Hospital for Women and Children, Madras, has been organized. The Specialist has also trained two Government medical officers and twelve private medical practitioners in the up-to-date methods of diagnosis and treatment of venereal diseases.

- (b) Recently, Dr. Happer submitted to the Surgeon-General a short general scheme for combating venereal diseases which includes the organization of venereal clinics in the mufassal and propaganda work throughout the Presidency. In the scheme Dr. Happer has suggested visits to important hospitals in the mufassal where venereal clinics are in operation or are proposed to help and advise local men and to hold propaganda meetings.

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The scheme has been generally approved by the Surgeon-General. The work of organizing venereal clinics in the mufassal has not yet begun. As regards propaganda work it is reported that in conjunction with the Publicity Officer of the Health Propaganda Board a film is being prepared for exhibition to the public.

Training of medical graduates by the Venereal Specialist.

* 1270 Q.—DR. (MRS.) S. MUTHULAKSHMI REDDI: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the details of the scheme to train a certain number of men and women medical graduates by the newly imported Venereal Specialist to effectively administer this kind of medical relief throughout the Presidency has been worked out and, if so, what they are;

(b) whether he has received resolutions passed at women's meetings and other representations to the effect that the majority of women prefer treatment by women to men especially when suffering from this particular ailment; and

(c) if the answer to (b) be in the affirmative, whether separate provision (separate accommodation and women staff) has been made in the General Hospital and other hospitals in the Presidency for the treatment of women patients suffering from venereal diseases?

A.—(a) The hon. Member is referred to the answer given to question No. 1269, in which an account of the work so far done by the specialist in venereal diseases has been given.

(b) Yes, in 1927.

(c) A list of Government hospitals in which separate provision has been made for the treatment of women suffering from venereal diseases is laid on the table. In all district headquarter stations there are either lady doctors attached to the main hospitals or separate institutions for the treatment of women and children. In Madras City, lady doctors are employed in the marginally-noted institutions. Women patients suffering from venereal diseases are given treatment in all hospitals which they attend for such treatment.

1. Hospital for Women and Children.
2. Victoria Caste and Gosha Hospital.
3. Kovapetta Hospital.
4. Rayapuram Hospital.
5. Tuberculosis Institute.
6. Mental Hospital.

Provision of facilities for training nurses.

* 1271 Q.—MR. A. B. SHERRY: Will the hon. the Minister for Public Health be pleased to state all hospitals in which facilities have been provided for training nurses since 5th September 1928 when question No. 151 was answered in Council?

A.—No additional training centres have been opened as the facilities already provided have not yet been fully utilized.

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Ability of medical officers in Ganjam district to converse in Oriya.

* 1272 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the medical officers (Assistant Surgeons) of Russellkonda, Chatrapur, Parlakimedi in Ganjam district and the medical officer, Jeypore, Vizagapatam Agency, understand and talk Oriya;

(b) whether they have passed the departmental examination in Oriya; and

(c) whether the Government have any information about or will enquire into the difficulties of the people in those areas owing to the inability of such medical officers to understand the people?

A.—(a) The medical officer, Jeypore, can understand and talk Oriya. The civil assistant surgeons at Chatrapur and Parlakimedi can neither understand nor talk Oriya and the knowledge of Oriya of the assistant surgeon at Russellkonda is limited. Under each of these officers there is a sub-assistant surgeon who knows Oriya besides Oriya-knowing compounders and midwives.

(b) No.

(c) No such difficulties have been brought to notice. The Government have however received a few memorials urging the need for the recruitment of more Oriya doctors for employment in the Ganjam district as an encouragement to Oriyas to resort to Allopathic treatment.

Treatment of lepers in this Presidency.

* 1273 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Minister for Public Health be pleased to state—

(a) whether he has any proposals for proper treatment of lepers in this Presidency;

(b) whether he has considered the proposals of the officer Dr. Issao Santra in charge of the Empire Leprosy Relief work now working in the district of West Godavari; and

(c) what action he proposes to take thereon?

A.—(a) The attention of the hon. Member is invited to the answer given to question No. 515 on 26th September 1929. Out-patient leprosy clinics have also been opened at Pithapuram and Peddapuram in the East Godavari district and Villupuram in the South Arcot district.

(b) No proposals have been received.

(c) Does not arise.

Starting of rural dispensaries provided for in the last budget.

* 1274 Q.—Mr. K. V. R. SWAMI: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the rural dispensaries provided for in the last budget have been started;

(b) if so, how many of them; and

(c) if not, why not?

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A.—(a), (b) & (c) Seventy-eight additional rural dispensaries were provided for in the budget for 1929-29. Of these, 66 dispensaries were opened (one was subsequently closed) and the remaining twelve dispensaries have not yet been started mainly owing to want of qualified medical practitioners.

Education

Conveyances to Muslim girls attending Government Hobart School for Girls, Royapetta.

* 1275 Q.—Mr. ABDUL HAMEED KHAN: Will the hon. the Minister for Education and Local Self-Government be pleased to state what steps have been taken to redress the grievance of the Muslim community in respect of the supply of conveyances to the girls attending all the classes in the Government Hobart School for Girls, Royapetta, and other Government schools for Muslim girls in the province?

A.—Orders have been issued to the effect

- (1) that conveyances should be provided from provincial funds in all Government schools for Muslim girls in which there are classes above the fifth, the concession being restricted to pupils in the fifth and higher classes;
- (2) that discretion should be vested in the head of the institution to allow the concession to girls in classes below the fifth provided they are above the age of ten; and
- (3) that in secondary schools a monthly fee should be levied from pupils using the conveyance, the headmistress being given the power to remit the fee in the case of scholarship holders and poor pupils.

Provision for Oriya instruction in Government institutions.

* 1276 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether there is any Oriya section or Oriya instructor in any of the Government Colleges in the Andhra University area;

(b) whether representation was made by Sri Vikramadeva Varma, President of the Utkal Samaj, Vizagapatam, on the question of giving instruction in Oriya language in Government schools and whether in Memorandum No. 3066 C-3, dated 4th October 1929, Government promised consideration of regular teaching provision; and

(c) whether the Government have considered the question of opening an Oriya teaching class at Rajahmundry by appointing an Oriya Pandit or at Vizianagram by subsidy?

A.—(a) No.

(b) & (c) In a communication dated the 31st August 1929, the President of the Utkal Samaj desired that provision might be made for the teaching of Oriya in the Maharaja's College, Vizianagram; no reference was made to Government schools.

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He was informed that the matter was one primarily for the consideration of the management of the college and that the Syndicate of the Andhra University was prepared to consider the question of exempting candidates from the production of attendance certificates in respect of the Oriya language till provision came to be made for the regular teaching of the language in any college. The President thereupon suggested that provision might be made for teaching the language in the Government Arts College, Rajahmundry. As there were no Oriya speaking students in this college and as there was no demand for instruction in the language, the President was told that the Government were unable to accept the suggestion.

Government orders on the report of the Secondary Education Committee.

* 1277 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education and Local Self-Government be pleased to state when the Government propose to pass orders on the report of the Secondary Education Committee?

A.—The following Government Orders which bear on the recommendations of the Committee are placed on the table a :—

1. G.O. No. 158, Law (Education), dated 28th January 1929.
2. G.O. No. 1636, Law (Education), dated 3rd August 1929.
3. G.O. No. 1578, Law (Education), dated 29th July 1929.

The Committee's recommendations regarding the adoption of the vernacular as the medium of instruction in high schools are still under consideration.

Enquiry into the grievances of teachers.

* 1278 Q.—Mr. S. ARPUDASWAMI UDAYAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that the Education Department in this presidency has been considering the question of setting up an agency for enquiring into the grievances of teachers;

(b) whether it is a fact that enquiries were made by the department and replies received from the various agencies, public bodies and organizations;

(c) whether these replies and suggestions have been considered; and

(d) what decision has been arrived at by the department in respect to the kind of agency and the duties to be entrusted to it?

A.—(a) & (b) No; but a circular was issued to elicit opinion regarding security of tenure and the position of teachers in secondary schools.

(c) & (d) The hon. Member is referred to G.O. No. 1578, Education, dated 29th July 1929, which has been placed on the table in connexion with question No. 1277.

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Education of Mappilla boys and girls.

* 1279 Q.—Mr. K. V. R. SWAMI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) the number of Mappilla boys and girls of the school-going age that is between 5 and 12 years;

(b) how many of them are receiving elementary education; and

(c) the percentage of Mappilla literates to their population?

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

(c) The hon. Member is referred to the census report of 1921.

Preparation of text-books for use in primary schools in rural areas.

* 1280 Q.—Mr. K. V. R. SWAMI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the opinion given by the Agricultural Advisory Committee that no action need be taken on the recommendation of the Royal Agricultural Commission regarding the preparation of suitable text-books for use in primary schools in rural areas has been accepted by Government; and

(b) if so, for what reasons?

A.—(a) & (b) The matter is under consideration.

Government contribution to the Boy Scouts Association.

* 1281 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) what amount the Government are now giving for the Boy Scouts Association in Madras; and

(b) whether they propose to increase this grant in the coming year?

A.—(a) A grant of Rs. 10,000 a year has been given to the Boy Scouts Association, Madras, since the year 1925-26.

(b) No.

Mr. A. B. SHETTY:—"May I know whether the Boy Scouts Association in Madras applied for an increase in the grants which Government have been giving them so far?"

The hon. Dr. P. SUBBARAYAN:—"Yes, the Government replied that the Association should get private contribution. This contribution of Rs. 10,000 was given with a condition that they should as far as possible get private contribution. In spite of that they were unable to get private contribution. So the Government are going to grant the same amount in the coming year also."

Mr. A. B. SHETTY:—"May I know whether Government are aware that the Governments in other Provinces are giving larger grants to Scouts Associations?"

The hon. Dr. P. SUBBARAYAN:—"This Government are not guided by other Provincial Governments."

[27th January 1930]

Local Boards*Nomination of women to local bodies.*

* 1282 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Education and Local Self-Government be pleased to state the names of municipalities, taluk boards and district boards to which women have been nominated as members?

A.—A list ^a of municipal councils and district boards to which ladies have been nominated as members is placed on the table. Government have no information about taluk boards as nominations thereto are made by the presidents of district boards concerned.

Nomination of Europeans and Anglo-Indians to local bodies.

* 1283 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) in how many municipalities and local boards, Europeans and Anglo-Indians have been nominated as members; and

(b) whether the Government will be pleased to place a list of them on the table of the House?

A.—(a) & (b) A list ^b of the municipalities and district boards who have nominated European or Anglo-Indian members is placed on the table.

Municipal Councils*Prosecutions under section 52 (2) of the Madras District Municipalities Act.*

* 1284 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Education and Local Self-Government be pleased to lay on the table, with reference to the answer to question No. 713, dated 3rd October 1929—

(a) whether there have been any prosecutions under section 52 (2) of the Madras District Municipalities Act, 1920; and

(b) if so, the names of the municipalities concerned, and the punishment awarded?

A.—Government have not sanctioned the prosecution of any chairman under this section and they have no information in regard to other municipal officials.

Acceptance of tenders for construction of a school building at Tiruvannamalai.

* 1285 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) with reference to the answer to question No. 749, dated 4th October 1929, whether the rules regulating the acceptance of tenders by local bodies will be placed on the table of this House;

(b) whether the Government have received a copy of the dissenting minutes of certain councillors of the Tiruvannamalai municipality objecting to the acceptance of a higher tender for the construction of a school building at a loss of about Rs. 1,500; and

(c) what action was taken on them?

^a Printed as Appendix V on page 667 infra. ^b Printed as Appendix VI on page 667 infra.

[27th January 1930]

A.—(a) The attention of the hon. Member is invited to rules 255 and 256 of the Local Boards Manual and instructions (403) to (406) thereunder and to Articles 333—337 of the Municipal Account Code.

(b) & (c) No.

Appointment of an appeal committee by the Chidambaram Municipal Council.

* 1286 Q.—Swami A. S. SAHAJANANDAM: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether an appeal committee has been appointed by the Chidambaram Municipal Council; and

(b) whether the Government have already directed or propose to direct the Chidambaram Municipal Council to appoint such a committee, and if so, when?

A.—(a) Yes.

(b) —

Rao Sahib V. I. MUNISWAMI PILLAI:—"With reference to the answer given to his question may I know when this Committee was constituted?"

The hon. Dr. P. SUBBARAYAN:—"Notice."

Museums*Expenditure on the Madras Museum.*

* 1287 Q.—Mr. K. V. R. SWAMI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) the total capital expenditure incurred on the Madras Museum since it was started; and

(b) the same during each of the last ten years?

A.—(a) & (b) A statement ^a furnishing the information is appended.

Religious and Charitable Endowments*Reconstitution of the North Arcot Temple Committee.*

* 1288 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) when the North Arcot Temple Committee was reconstituted, amalgamating Tiruvettipuram and Vellore Temple Committees and when the period of the committee expired;

(b) why no arrangements have yet been made for its reconstitution;

(c) what arrangements have been made for the control of the endowments in the district during the interim period; and

(d) what are the qualifications for membership of a temple committee; and what steps the Government have taken to ensure that no person is appointed to a temple committee who is not interested in regulating the worship in these temples according to the established rituals and customs of such temples?

^a Printed as Appendix VII on page 668 infra.

[27th January 1930]

- A.—(a) The Temple Committee for the North Arcot district was reconstituted on the 21st August 1928 and its term expired on the 20th August 1929.
- (b) & (c) The Committee has since been reconstituted again.
- (d) The attention of the hon. Member is invited to the provision in sections 25 and 26 of the Hindu Religious Endowments Act, 1926; no special instructions have been issued in the matter but the authorities concerned are expected to recommend only suitable persons.

Forest Panchayats

Inspection of Panchayat forests by Deputy Tahsildars.

* 1289 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Member for Revenue be pleased to state whether it is a fact that the inspection of forests under the control of forest panchayats is made by a deputy tahsildar and whether he has jurisdiction over more than half of a district?

A.—The inspection of forest panchayats is made by deputy tahsildars. A statement* showing the jurisdiction of the 25 panchayat deputy tahsildars now working in the Presidency is attached.

Irrigation

Silt clearance in Nattar river.

* 1290 Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Member for Revenue be pleased to state what action the Chief Engineer for Irrigation has taken on the communication of Mr. P. S. Ramakrishnan regarding silt clearance in Nattar river sent to him by the Government?

A.—The Chief Engineer decided after inquiry that the removal of silt from the Nattar river was impracticable and unnecessary.

Land Revenue

Assessment on backyards in Polagudi village.

* 1291 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Member for Revenue be pleased to state with reference to the answer to question No. 539 answered on 26th September 1929 regarding assessment on backyards in Polagudi village in Nannilam taluk, Tanjore district—

(a) whether he will be pleased to call for the information asked for in clauses (a) and (e); and

(b) whether he will place it on the Council table?

A.—(a) & (b) With reference to clause (a) of question No. 539 which was answered on 26th September 1929, the Government have ascertained that the number on backyards exceeding 25 cents in the village is three. In order to supply the information required by clause (e) of that question, a special compilation would be necessary in all the districts, and the Government are not satisfied that the labour involved in such a compilation would be justified by the result.

* Printed as Appendix VIII on page 669 infra.

[27th January 1930]

Acts

Popularization of the Child Marriage Restraint Act of 1929.

* 1292 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Law Member be pleased to state—

(a) the action taken to explain the provisions of the Child Marriage Restraint Act of 1929 to the people in mufassal; and

(b) whether the Government have considered the necessity of translating the provisions of the said Act in the five recognized vernaculars of the Presidency and to distribute the translations in every village?

A.—(a) & (b) Pamphlets explaining the principal provisions of the Act have been prepared in English and in all the vernacular languages of the Presidency. Copies of the pamphlets will be distributed in all the important villages and towns in the Presidency. The question of putting up posters in all post offices and schools is also under consideration.

Forests

Encouragement to co-operative organizations for supplying fuel and agricultural implements.

* 1293 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Law Member be pleased to state—

(a) how many co-operative organizations for taking up coupes for supply of fuel and other agricultural implements are now working in the Presidency and what they are;

(b) what is the constitution of such organizations and how any profit of such business is distributed;

(c) whether it is a fact that the Government were selling coupes to such organizations for a fixed reasonable rate to avoid undue competition in public auctions;

(d) whether it is a fact that the Government have worked trial plots in each coupe and arrived at a reasonable seigniorage rate;

(e) whether it is a fact that recently the system was abolished and all coupes were brought to public auction;

(f) whether it is a fact that owing to unhealthy competition the rates have gone very high and the co-operative organizations have suffered much; and

(g) whether the hon. the Law Member will kindly make enquiries to find out if he can encourage co-operative societies by fixing flat rates without allowing unhealthy competition?

A.—(a) There are 25 co-operative societies for supply of fuel and they are distributed as shown below:—

Cuddapah district.

Madireralli Forest Coupe	Co-operative Society.
Sidhavattam	do.
Veerapalli	do.
Kavalakunta	do.
Mallepalli	do.
Thippireddipalli	do.

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Cuddapah district—cont.

Gollapalli Forest Coupe Co-operative Society.
 Pappanapalli do.
 Surisdhipalli do.
 Savesettipalli do.
 Rekalakunta do.
 Vempalli Field Labourers Co-operative Society.
 Badvel do.
 Adireddipalli Co-operative Society.
 Jandlavaram do.
 Pathur Adi-Andhra do.
 Pathur Christian do.
 Kanuparthi do.
 Kothapalli do.

Kurnool district.

Chetlamallapuram Labour Co-operative Society.

Madura district.

Ayyalur woodcutters.
 Kolakod do.

North Arcot district.

Ambur.
 Tiruvannamalai Labour Union.

Anantapur district.

Maddipalli.

- (b) These societies consist mainly of woodcutters, cartmen or labourers with a certain number of skilled labourers assisted by honorary presidents and secretaries and by a paid staff of maistris and clerks. The majority of the members are unskilled labourers but they take in as members or as workers various skilled artisans to carry out particular works with reference to the contract upon which they are engaged.
- Their profits are distributed 25 per cent to reserve fund, dividend at 9 per cent on the paid-up share capital, honorarium for scriptory work subject to a maximum and a bonus in proportion to the work done and the wages earned by each member.
- (c) The Forest Department has been accepting such offers for some time in cases where the offer was good or no higher offer was received at the auction.
- (d) Yes. The hon. Member apparently refers to the practice of felling sample areas ahead of sales of coupes. This is done in order to be able to estimate the probable yield and so to check the adequacy of bids at the auctions. There is no question of arriving at a seigniorage rate by this practice.
- (e) Yes.

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- (f) To a large extent the competition of private contractors stands in the way of labour societies getting contracts at favourable rates. To conduct the society properly, the labour societies have to employ persons having knowledge and experience of the direction and control of such work and they are mostly contractors themselves and their interests are opposed to the interests of these co-operative labour societies. They compete in the tenders given by such co-operative organizations.
- (g) The Government had occasion to consider the question recently and they have decided that no special concessions need be shown to co-operative societies in the matter of forest leases.

Working of saw mills in the Presidency.

*1294 Q.—Mr. K. V. R. SWAMI: Will the hon. the Law Member be pleased to state—

- (a) the capital expenditure incurred for each of the saw mills now working under the Forest department;
- (b) the gain or loss in each of the years since they were started; and
- (c) the total gain or loss for each and the reason for the loss, if any?

	Rs.
A.—(a) Olavakkote Saw Mill	1,95,439
Pollachi, now Top Slip Saw Mill	86,840
Chedleth Saw Mill	25,943
Peypore Saw Mill	23,131
Parappa Saw Mill	34,943
(b) A statement * giving the information is attached.	
(c) Olavakkote Mill—Loss	4,77,290
Pollachi, Top Slip Mill—Loss	1,21,288
Chedleth Mill—Loss	74,222
Peypore Mill—Profit	1,77,549
Parappa Mill—Loss	8,945

The overheads charged to the mills are heavy. The cost of log production at Olavakkote is high due to long lead and nature of the country. New species of timber placed on the market command low prices. The Top Slip Mill was dealing with stocks which could not be sold in log. Consequently a low yield was obtained and the sawn material was of poor quality. The Chedleth Mill made an unfortunate start, with an unsatisfactory staff, while much ill-health was also encountered in a malarial locality. The mill also deals with an inferior class of a timber.

As regards the Parappa Mill, the losses were incurred on sawing species other than teak. The Government have since ordered the closure of the saw mills at Olavakkote, Top Slip and Parappa. The question of the continuance or otherwise of the other mills is under consideration.

* Printed as Appendix IX on page 670 infra.

Jails

[27th January 1930]

Reformation of women convicted for infanticide.

* 1295 Q.—Mr. A. B. SHETTY: Will the hon. the Law Member be pleased to state—

(a) the number of women convicted for infanticide during the past five years and the nature of the punishment awarded in each case;

(b) whether there was remission or commutation of the sentence in any case; and

(c) whether the Government have considered the necessity of committing these women to any institutions in which they will be enabled to reform themselves and become useful members of society?

A.—(a) & (b) A statement ^a is laid on the table.

c. Government have not considered the question.

Depressed Classes

Propaganda against intemperance among the depressed classes.

* 1296 Q.—Mr. A. B. SHETTY: Will the hon. the Home Member be pleased to state—

(a) whether the Labour department is carrying on any propaganda against habits of intemperance among the depressed classes; and

(b) whether the officers of this department render any help to the District Temperance Propaganda Committees in their work, and if so, in what ways?

A.—(a) No.

(b) No instructions have been issued by Government in the matter.

Mr. A. B. SHETTY:—"May I know whether Government propose to issue any instructions to the Labour department to help the District Propaganda Committees in their work?"

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

Mr. A. B. SHETTY:—"May I know whether Government are aware that the drink habit is doing great harm to the depressed classes?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"The difficulty is that propaganda against drink is not one of the items of work of the Labour department."

Mr. R. NAGAN GOWDA:—"What is the difficulty in entrusting this work to the Labour department?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"No difficulty, but we have got certain programme of work to be entrusted to the Labour department which they are legitimately carrying on."

Mr. B. RAMACHANDRA REDDI:—"Will it be too much work for the Labour department if this work also is entrusted to them?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"Nothing is too much in this world."

^a Printed as Appendix X on page 671 infra.

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Police

Alleged compulsion of the clerks of the East Godavari District Police office to work from 11 a.m. to 8 p.m.

* 1297 Q.—Mr. ABDUL HAMEED KHAN: Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that the clerks in the East Godavari District Police office are compelled to work from 11 a.m. to 8 p.m.; and

(b) what steps the Government have taken or propose to take to prevent such work during nights?

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

(b) The question of increasing the strength of the District Police office is under the consideration of the Government.

Recruitment and promotions in the Police Department.

* 1298 Q.—Mr. ABDUL HAMEED KHAN: Will the hon. the Home Member be pleased to state the reasons for changing the order of recruitment and promotions in the Police department as regards various communities from the one that was adopted by the Registration department?

A.—There is no difference between the communal rotation applied to the Madras Police Service and that applied to the other Provincial Services. In every service where the communal rule is applied, the starting point in the rotation is fixed with reference to the last appointments made to the service prior to the issue of the 'recruitment rules'.—For example, if the last appointment made to a Provincial Service was of a Non-Brahman Hindu, the rotation for future appointments to that service is taken to start with the next community in the order of rotation, viz., Muhammadan. In the case of the Madras Police Service, the last appointments made to the service prior to the issue of the rules for that service were of one Muhammadan and one Non-Brahman (Hindu) and therefore the starting point is taken to be with the next community, viz., Anglo-Indian or Christian or non-Asiatic of Indian domicile.

The general order of communal rotation is prescribed to secure the following proportion of appointments from each community out of every twelve vacancies:—

	Number.
Non-Brahmans (Hindu)	5
Brahmans	2
Muhammadans	2
Anglo-Indians and Christians (including Europeans) ...	2
Others (including Depressed Classes)	1
	—
	12
	—

Whatever may be the starting point this proportion of appointments from each community is not affected.

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Mr. A. RANGANATHA MUDALIYAR :—" May I know whether this order applies to promotions also ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIR Bahadur :—" No, Madam. As far as I remember, only for recruitment."

Recruitment of Muslims in the Police Department.

* 1299 Q.—Mr. BASHEER AHMAD SAYEED : Will the hon. the Home Member be pleased to state why while the second and ninth places are allotted to Muslims in the case of every other service and the subordinate appointments, in the case of the Police Service alone Muslims have been allotted the sixth and eleventh vacancy ?

A.—The hon. Member's attention is invited to the answer to question No. 1298. The principle followed in all cases is the same. The communal rotation in the case of the Provincial Police Service has been fixed with regard to the community of the candidate last appointed before the issue of the Communal Rule.

Alleged shadowing of the Editor of ' Satyagraha ' by the Police.

* 1300 Q.—Sriman BISWANATH DAS Mahasayo : Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that Mr. A. Govindachari, Editor of the ' Satyagraha ' is always kept shadowed by the Police, and if so, from which date and why ; and

(b) the strength of and the expenditure on the Police staff kept to watch him ?

A.—(a) Mr. A. Govindachari exhibited in March last a tendency to make speeches inciting to violence and thus gave occasion to the Police to make a record of his speeches.

(b) No special staff has been employed nor additional expenditure incurred.

Alleged dismissal of Mr. Anantacharan Patnaik, Sub-Inspector of Police, Udayagiri.

* 1301 Q.—Sriman BISWANATH DAS Mahasayo : Will the hon. the Home Member be pleased to state—

(a) the grounds on which an ex-Sub-Inspector of Police, Udayagiri station (Ganjam district), Mr. Anantacharan Patnaik, was dismissed from service ;

(b) whether a copy of the charges framed against him by the Assistant Superintendent of Police, Parlakimedi, was handed over to him only after the preliminary enquiry ;

(c) whether the sub-inspector was permitted to cross-examine the witnesses after the charges were framed agreeably to G.O. No. 751, Public, dated 4th August 1929 ;

(d) if not, why ;

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(e) whether the sub-inspector cited the sub-magistrate of Udayagiri and a peon of his office as his defence witnesses ; and

(f) the reason why these two defence witnesses were not summoned or examined ?

A.—(a) He was dismissed on charges of extorting a confession from an alleged accused in a criminal case, embodying the same in the First Information Report and registering the case under extremely suspicious circumstances, i.e., preparing a First Information Report on mere rumour which had no foundation.

(b) Yes.

(c) Yes.

(e) No.

(d) & (f) Do not arise.

Termination of the services of Mr. Apparao.

* 1302 Q.—Sriman BISWANATH DAS Mahasayo : With reference to the answer to question No. 6 answered on 6th August 1929 regarding the termination of the services of Mr. V. Apparao and his being found incompetent, will the hon. the Home Member be pleased to state whether the Government followed the procedure as laid down in Police Orders Nos. 66 and 244 in the above case ?

A.—The provisions of Police Order 66, Volume I, were fully complied with. Police Order 244, Volume I, does not apply to Mr. Apparao as he was only a probationer. It was a case of his probationary service being found unsuitable, not of his being dismissed.

Alleged assault by Mr. Atkinson, District Superintendent of Police.

* 1303 Q.—Mr. S. SATYAMURTI : Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that on 13th September 1929, at about 6-30 a.m., C. M. Atkinson, Esq., District Superintendent of Police, Chittoor, severely assaulted Mr. China Veera Ravuttar, toll-gate keeper of No. 1 toll-gate in the Palmaner road near Irumanam, and whether he has received a complaint about the same ;

(b) what action he has taken or proposes to take on the petition ; and

(c) whether the Government intend causing a searching inquiry to be made with a view to further action being taken and if not, why not ?

A.—(a) A petition was received by Government from the individual in question. It appears that there was no ' severe assault ' ; that a petty affair has been grossly exaggerated, and that the toll-gate keeper behaved in an unduly impertinent and provocative manner.

(b) & (c) The Government propose to take no further action in the matter.

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Mr. A. RANGANATHA MUDALIYAR :—" May I know whether the Superintendent was once before charged with having assaulted a respected vakil when he (the Superintendent) was in Bellary ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" I have no information."

Mr. C. R. PARTHASARATHI AYYANGAR :—" Is it not a fact that a doctor's certificate was appended to the petition presented by the person assaulted ? "

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

Mr. A. RANGANATHA MUDALIYAR :—" May I know how the matter was disposed of? Did the party make any compromise or what ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" In this connexion I should just like to read what the Inspector-General has said. I was informed that somebody launched a case and afterwards it was withdrawn. This is what the Inspector-General wrote: 'The Agent for the toll-gate lessee put in a complaint about the assault and withrew it when he learnt that the gat-keeper had behaved in a provocative manner and had rightly been admonished by Mr. Atkinson.'"

Mr. C. R. PARTHASARATHI AYYANGAR :—" Is it not a fact that the Sub-Inspector of Police brought pressure to bear upon the complainant to withdraw his complaint ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" I have no information to that effect."

Mr. K. P. RAMAN MENON :—" May I know what was the nature of the admonition administered there ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" I was told that he gave a slap."

Mr. C. R. PARTHASARATHI AYYANGAR :—" Is it not a fact that severe injuries were inflicted on the toll-gate keeper ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" The information that I have is that the man behaved in a provocative manner and he was given a slap."

Mr. A. RANGANATHA MUDALIYAR :—" Will the hon. Member be pleased to state whether a sub-inspector was deputed to interfere in the matter ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" I must ask for notice."

Mr. A. RANGANATHA MUDALIYAR :—" Will the hon. Member be pleased to communicate the answer to the Superintendent concerned and call for a report and find out whether there is any need to give redress to the aggrieved party ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" I do not think there is any necessity to call for a report."

Mr. K. P. RAMAN MENON :—" May I know how many years service he has put in ? "

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

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Mr. A. RANGANATHA MUDALIYAR :—" May I know whether he is the same Superintendent who once assaulted a respectable High Court Vakil of Bellary ? "

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

Mr. C. R. PARTHASARATHI AYYANGAR :—" May I know whether it is not a fact that he has been in Chittoor district for too long a time ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" It is a matter of opinion."

Prosecutions for allowing stray cattle on public roads in Mangalore.

* 1304 Q.—Mr. J. A. SALDANHA : With reference to the answer given to my question No. 874 on the 10th October 1929, will the hon. the Home Member be pleased to state—

(a) whether during this year several owners of cattle were prosecuted by the Police for allowing cattle to stray on public roads in Mangalore ;

(b) if so, under what enactments of law and for what reasons, and how many prosecutions were instituted ; and

(c) whether the District Magistrate and the District Superintendent of Police, or whoever was or were responsible for prosecutions above mentioned, enquired and ascertained what facilities or disabilities the cattle-owners of Mangalore had for the grazing of their cattle ?

A.—(a), (b) & (c) The Government have no information but have called for it.

Mr. A. RANGANATHA MUDALIYAR :—" May I know whether this prosecution by the police for allowing cattle to stray on the roads is restricted only to Mangalore Municipality or it is a general rule observed in all municipalities ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" I suppose it is observed in all municipalities."

Mr. R. NAGAN GOWDA :—" It is stated in answer to this question that 'Government have no information'. May I know then under what law this step of prosecution was undertaken ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" I have just received the information called for. It will be communicated to the hon. Member in the usual way."

Public Services

Communal representation in Government services.

* 1305 Q.—Mr. J. A. SALDANHA : Will the hon. the Member for Revenue be pleased to state—

(1) the reasons for the variations, if any, in the number and order of rotation in the various departments of the several communities to be appointed to Government service under the notifications and orders passed by Government regarding communal representation in services ; and

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Mr. A. RANGANATHA MUDALIYAR :—" May I know whether the Superintendent was once before charged with having assaulted a respected vakil when he (the Superintendent) was in Bellary ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" I have no information."

Mr. C. R. PARTHASARATHI AYYANGAR :—" Is it not a fact that a doctor's certificate was appended to the petition presented by the person assaulted ? "

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

Mr. A. RANGANATHA MUDALIYAR :—" May I know how the matter was disposed of? Did the party make any compromise or what ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" In this connexion I should just like to read what the Inspector-General has said. I was informed that somebody launched a case and afterwards it was withdrawn. This is what the Inspector-General wrote: 'The Agent for the toll-gate lessee put in a complaint about the assault and withdrew it when he learnt that the gate-keeper had behaved in a provocative manner and had rightly been admonished by Mr. Atkinson.' "

Mr. C. R. PARTHASARATHI AYYANGAR :—" Is it not a fact that the Sub-Inspector of Police brought pressure to bear upon the complainant to withdraw his complaint? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" I have no information to that effect."

Mr. K. P. RAMAN MENON :—" May I know what was the nature of the admonition administered there ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" I was told that he gave a slap."

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Mr. A. RANGANATHA MUDALIYAR :—" Will the hon. Member be pleased to state whether a sub-inspector was deputed to interfere in the matter ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" I must ask for notice."

Mr. A. RANGANATHA MUDALIYAR :—" Will the hon. Member be pleased to communicate the answer to the Superintendent concerned and call for a report and find out whether there is any need to give redress to the aggrieved party ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" I do not think there is any necessity to call for a report."

Mr. K. P. RAMAN MENON :—" May I know how many years service he has put in ? "

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

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Mr. A. RANGANATHA MUDALIYAR :—" May I know whether he is the same Superintendent who once assaulted a respectable High Court Vakil of Bellary ? "

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

Mr. C. R. PARTHASARATHI AYYANGAR :—" May I know whether it is not a fact that he has been in Chittoor district for too long a time ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" It is a matter of opinion."

Prosecutions for allowing stray cattle on public roads in Mangalore.

* 1304 Q.—Mr. J. A. SALDANHA : With reference to the answer given to my question No. 874 on the 10th October 1929, will the hon. the Home Member be pleased to state—

(a) whether during this year several owners of cattle were prosecuted by the Police for allowing cattle to stray on public roads in Mangalore ;

(b) if so, under what enactments of law and for what reasons, and how many prosecutions were instituted ; and

(c) whether the District Magistrate and the District Superintendent of Police, or whoever was or were responsible for prosecutions above mentioned, enquired and ascertained what facilities or disabilities the cattle-owners of Mangalore had for the grazing of their cattle ?

A.—(a), (b) & (c) The Government have no information but have called for it.

Mr. A. RANGANATHA MUDALIYAR :—" May I know whether this prosecution by the police for allowing cattle to stray on the roads is restricted only to Mangalore Municipality or it is a general rule observed in all municipalities ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" I suppose it is observed in all municipalities."

Mr. R. NAGAN GOWDA :—" It is stated in answer to this question that 'Government have no information'. May I know then under what law this step of prosecution was undertaken ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" I have just received the information called for. It will be communicated to the hon. Member in the usual way."

Public Services

Communal representation in Government services.

* 1305 Q.—Mr. J. A. SALDANHA : Will the hon. the Member for Revenue be pleased to state—

(1) the reasons for the variations, if any, in the number and order of rotation in the various departments of the several communities to be appointed to Government service under the notifications and orders passed by Government regarding communal representation in services ; and

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(2) whether Government propose to publish a manual of the various rules and orders on the subject?

A.—(1) The attention of the hon. Member is invited to the answer to question No. 1298. The starting point in the case of each Provincial Service is decided with reference to the recent recruitment to it.

(2) Yes; after the rules relating to all services and posts have been issued.

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

II

MOTION REGARDING VICEREGAL PRONOUNCEMENT ON DOMINION STATUS AND ROUND TABLE CONFERENCE.

11-15
a.m.

* Diwan Bahadur P. KESAVA PILLAI :—“Madam, I beg to move the following motion :—

‘That this Council welcomes the pronouncement of His Excellency the Viceroy made on the 31st October 1929 regarding Dominion Status and Round Table Conference as a timely and statesmanlike offer, and trusts that the pronouncement will be fully given effect to, to the satisfaction of all parties.’

“With your permission, I wish to make a few remarks. I had the privilege of moving the resolution on loyalty to the British throne during the time of the war. In the year 1914 I moved the following resolution :—

(a) That this Council recommends that His Excellency the Governor in Council may be pleased to convey to His Gracious Majesty the King-Emperor that in the great crisis through which the Empire is passing a deep and profound feeling of loyal attachment and devotion to his Person and Throne pervades the members of this Council and the people of this Presidency and that they most gratefully acknowledge, and highly value, the privileges accorded to His Majesty's subjects in India to serve the common cause of the Empire.

(b) That this Council further recommends that His Excellency the Governor in Council may be pleased to convey to His Excellency the Viceroy, Lord Hardinge, their most sincere and whole-hearted thankfulness to His Excellency for securing to the Indian soldiers the privilege and the honour of fighting in this great war and for selecting a Madras contingent to join the Expeditionary Force to the front.

(At this stage the hon. the President took the Chair).

“I find, Sir, that, among the persons who were present on that occasion, there are only two Members present to-day, you, Sir, and Mr. K. P. Raman Menon. Some of the other Members who were present on that occasion have gone to the other world—a better world; some of them are occupying higher positions and some of them have retired. Of course I then spoke of the Queen's Proclamation which was considered as the *magna charta* of India. Some Englishmen did not blush to contend that it was a mere ‘ceremonial paper’ held out to charm the decadent peoples of this great and ancient country into willing submission.

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“I also referred, then, to various declarations and pledges made but not carried out. And yet we had not lost our faith in the British statemanship, and in the British honesty and therefore the country was rallying round the banner of England to fight her cause.

“I said then that we wanted righteous Government and I quoted on righteousness :

Bhishma, the grandfather of the Kuru race. He said to Yudishtar, “It is difficult to describe what is righteousness. Righteousness was declared by Brahman (the Creator) for the advancement and growth of all creatures. Therefore, that which leads to advancement and growth is righteousness. Righteousness was declared for restraining creatures from injuring one another. All creatures are upheld by righteousness. And a kingdom, Oh! foremost of men, depends on righteousness. Do you act, therefore, righteously. There is nothing superior to righteousness. The righteous King succeeds in conquering the whole earth. That King who rejects righteousness and wishes to act with brute force, falls away from righteousness and loses both virtue and profit.”

“Lord Pentland who was the President of the Council spoke at the conclusion as follows :—

“We are all proud of the part which India is playing, giving of her best in this struggle, and we are all proud of the part which, among the peoples of India, the people of Madras have undertaken as their share of help. Such loyalty is the very air that we breathe down here and it is natural to us, and perhaps that makes it somewhat difficult to realize how precious it is, through every part of the Empire, as the life-blood of the struggle in which the Empire is engaged. I cherish the hope that when the occasion which has produced these feelings has passed away, the feelings will still remain, and that the unity and the comradeship so close and so evident throughout India now will be recognized as a landmark in the history of the devotion of India to the British Crown.”

“But subsequent to the war—when the war was over—when the British arms were crowned with success there was altogether a different tone among the British politicians. They had said during the war that it was a glorious chapter in the history of India because India fought for the Empire in the battle-fields of France, Palestine, Egypt and Africa. Lord Hardinge said :—‘It is now an imperishable page in history, that, in the critical times to the Empire, the moral and the national support given by the Indian Princes and peoples have been of incalculable value.’ ‘The Indian Army still continues to play’, said our esteemed friend, Sir William Meyer in his Budget speech, ‘a conspicuous part side by side with representatives of every portion of the Empire in the Great War which the King-Emperor and his Allies are waging for the cause of liberty and right.’ But, after the war was over, Mr. A. J. Balfour, first Lord of the Admiralty in proposing the health of Mr. Hughes, Prime Minister of Australia, spoke of the statesmanship and of the help given by the Dominions. Mr. Bonar Law in paying a tribute to this Ambassador of three of the five free nations (Australia, New Zealand, Africa, Canada) spoke of the splendid forbearance of Australia and New Zealand in regard to the Gallipoli failure, forbearance hardly less magnificent than the courage of the Anzac battalions and withal a rare phenomenon in political life and of the most happy augury. Our people also fought with the Turks; 3,000 European soldiers and 6,000 Indian soldiers were made prisoners in the surrender of Kut by the British General Townsend.

“Bonar Law hoped that ‘both here and in the Dominions, statesmen will realize that the War has made a great difference, that it has made everything plastic, that things which were impossible before are perhaps easy now and above all that it may be found that perhaps a big step is not more difficult to take than a small one.’ That was for welding the five nations together.

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A 'Neo-Imperialist' in *Land and Water* commenting on this writes that 'in the big step many prejudices will have to be sacrificed, many vague phrases re-examined, many conflicting interests adjusted. The supreme passion for liberty, the supreme necessity of adequate defence these will prevail to carry the great settlement to build the *five nations into one indissoluble sovereign state*.' 'We have also heard of a Duty and Discipline movement then for the proper training of the rising generation of the white subjects of the King, who will be entrusted with the Government of 340 millions of helpless, voiceless, dependent, coloured subjects of the King-Emperor.'

"We fondly cherished hopes that our relationship with the English people here and in England, on an equal footing, a Government of India on the colonial lines would be established, when His Majesty the King-Emperor gave expression to such noble sentiments of love and wisdom, in his gracious proclamation in Delhi in 1911. He expressed among other things that

11-30. "Every Briton who treads the soil of India is assisting towards better understanding with the Mother country, helping to breakdown prejudice, to dispel misapprehension and to foster sympathy and brotherhood. Thus, he will not only strengthen the old ties but create new ones and so, please God! secure a better understanding and a closer union of hearts between the Mother country and her Indian Empire."

And when the Empire was involved in the life and death struggle for its very existence, the people of India, Princes and peasants readily and loyally responded to the call and fought for the victory of the British arms. And soon after the Empire emerged safe out of its danger, with the help of India, as well as of the British colonies, they forgot India, and remembered only the Colonies, and would further make the Colonies indissoluble parts of the Sovereign State, to govern India as a subject country. This sudden change of the British attitude could not but create a revulsion of feeling among the sensitive and civilized peoples of India.

"We had always agitated for the dominion status. Mr. Dadhabai Naoroji stated in the Congress of 1886 that 'Self-Government on colonial lines has been the demand of the reawakened India' and quoted Macaulay who said that 'India was to be regarded as a trust placed by God in their hands and in the due discharge of that trust, they should follow the 'plain path of duty' and that 'he would rather see the people of India free and able to govern themselves than they should remain the bondsmen of Great Britain, and the obsequious toadies of British officials.' Then, Sir K. G. Gupta of the India Council said in his lecture on 'India's future' at the Crystal Palace in August 1911:

"While there is a growing consciousness in India of inevitable drawbacks of alien rule, there is also a widespread conviction that national salvation can be obtained only under the fostering care and guidance of Britain. The best minds among the Indians gaze towards the goal bringing her on the level of the self-governing colonies so that she may take her place in the Empire not as a mere dependency but on terms of equality and co-ordination."

So, Sir, the people of India who have been loyal during all the critical times to the English rule, during the mutiny and at every subsequent crisis, naturally entertained hopes that they would be treated fairly and justly as the equal citizens of the Empire. We have read about Mr. Canning, the first Viceroy, who stemmed the tide of vindictive fury after the mutiny of 1857 and proclaimed amnesty to all those prisoners who were sentenced under the Martial Law. He was reviled and attacked and nicknamed 'Clemency Viceroy'.

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Then comes Lord Ripon who endeavoured to establish racial equality and founded the nurseries, who repealed the Vernacular Press Act and did many other things for the good of India, as one that believed in his Bible, and he was beloved and honoured all over India. He had to face a great deal of contumely and opposition both here and in England and yet he did his best for the glory of England and for the good of India. Then comes Lord Hardinge. We are all familiar with his great achievements for India. Among many other things, he abolished that iniquitous system, the indentured labour system. He fought for the rights of Indians overseas and he did many other things for the uplift of India. He too was assailed. In an admirable review of Lord Hardinge's work in India, the *Times of India* stated that

"We often talk of the difficulties of the Indian administration; but in some respects, the task ahead is immeasurably the most difficult of all, because it demands not only justice, fair-dealing and courageous energy, but the quality in which the English are sometimes said to be lacking imagination. Let there be no paltering with the Indian problem. We could no more arrest—if we would—the intellectual forces we have unloosed in India than we could make the sun and moon stand still; none but the purblind would wish so to do. We have learnt anew from this War the supreme importance of the ethical principles in human Government, and the sure destruction which must inevitably overtake any administration, no matter how scientific and efficient, that is divorced from moral law. The British connection with India must of necessity be a progressive force; if ever it became a hampering influence, then we could place a limit to its life. The adaptation of this connection to the growing political life of India, without impairing the efficiency of the one or retarding the development of the other, is the question of the hour; if we can solve it, and it can be solved, then we shall have won the greatest glory ever conferred on an Imperial system."

"These words stand true to-day and I think they might be repeated not only here but in England. We are now seeing how Lord Irwin has won the hearts of our people. He is the grandson of Sir Charles Wood who gave the education chart to India. Lord Irwin is a sincere, a transparently sincere man, and he is anxious to do justice to India. And he is assailed both in India and in England by some short-sighted politicians who think that India ought to be under the perpetual tutelage of England. We have our Lord Birkenhead who was called the 'Galloping Smith' when he wanted to lead an insurrection against the English Government for granting Home Rule to Ireland. We have again Mr. Churchill of the Gallipoli fame. . . and who threw away millions in backing the Russian General Wrangle in his struggle against the Red army thus causing thousands and thousands of people to die and suffer. Then we have got our old friend Sir Joynson Hicks—I think he is now Lord Bentford—and he is called in English political circles as 'JIX'. This gentleman is always breathing fire and thinking in the terms of legions, guns and bombshells and aeroplanes. He is a man of iron and blood. He says 'We should either govern or quit'. 'Govern' means, govern with brutal force. Then we have got Mr. Lloyd George. He is a great man who has done so much for England during the war. He rose from the very bottom and he has come to the top in political life. He has given Home Rule to Ireland and franchise to women. It is sad that he makes speeches which are incendiary and which are likely to inflame even the most placid tempers in this country. I am an old man of 70 and even I felt, my heart felt bruised when I read the speeches of these politicians who seem to have no vision at all, no vision of the future and no vision of the past histories of Empires. Otherwise, they would not speak as they do in order to thwart Lord Irwin's wise purpose. And it is really very satisfactory to note that Mr. Wedgwood

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Benn, the follower of Mr. Montagu's policy and the Prime Minister, Mr. Ramsay MacDonald, would carry out their promises unperturbed. I think, Sir, that dominion status is the best for India to aim at. dominion status is a kind of constitution unknown to political philosophy. It is a peculiar growth of politics, a product of English constitutional development, especially after the secession of America through the failure of English statemanship. I may parenthetically observe here that there was a Lord North then to make England lose America. We seem to have now several Lord Norths in England who would alienate India through their obstinacy. 'Dominion status' started in a sense from the statemanship of Lord Durham. The expression 'Dominion Status' is not a term of art; its meaning is to be sought in usage and in political practice. It is my firm conviction and the conviction of many who have thought over the subject, that under the dominion status programme the country will progress with far greater rapidity and with far less risk than under a programme of 'Independence'. It will be winning political liberty without violence, for taking our place among free peoples, not only winning, but maintaining it. Dominion status is most suited as we can start with internal autonomy and peace and freedom from anarchy.

"Sir, I am only echoing the feelings of all those whom I have consulted in the country when I say that we have to fight for dominion status. Lord Irwin has told us: 'we have got that in view; both you and I'—that is, the English people and the Indian people—are agreed upon this goal. Only the method to be adopted is to be found out. We have called for a Round Table Conference which will decide what should be done to bring about this consummation.' I think, Sir, that is very reasonable; but only we would like to have a time-limit, so that we may be hoping that the goal will be reached soon and not put off and that it may not be thwarted in future by the politicians of the type of Lord Birkenhead and other reactionaries. As regards the personnel of the Round Table Conference we have able and wise men in and out of the councils. We have in this Presidency a man like Mr. Salem Vijayaraghavachariyar, who will be one of the fittest persons to sit at the Round Table Conference. He is a congressman and once presided over the Congress. He is a master of constitutional questions. There is also Sir Muhammad Habib-ul-lah, who is a man of robust commonsense and vast experience. I hope His Excellency would select really representative men from among our many public men of high character, capacity and commonsense. I trust that it may be given to Lord Irwin to bring about the most satisfactory settlement among all the parties concerned. With these few words, I move this motion for the acceptance of the House."

11-46
a.m.

* Diwan Bahadur B. MUNISWAMI NAYUDU:—"Sir, I associate myself with the sentiments expressed by the hon. Mover of the proposition. India to-day feels profoundly thankful to the statesmanlike announcement made by Lord Irwin on the 31st of October 1929. Sir, while large clouds existed in the firmament of India's political ideas, Lord Irwin came at an opportune moment and cleared these clouds and stated that the goal of India's aspiration is dominion status, and India has been assured of an equal partnership in the commonwealth of nations and as a component part of the British Commonwealth. Immediately after the declaration, there was the Leaders' manifesto signed by distinguished politicians in this country

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welcoming the announcement and promising to participate in the Round Table Conference that was to be set up. It led on to the interview of the 23rd December of the Viceroy with Mr. Gandhi and other statesmen. Unfortunately, the interview ended in a failure and it was not possible to get the Congress to accept participation in the conference. Sir, I can understand and appreciate the difficulties of the Viceroy, Lord Irwin, to give an off hand answer and to say that what will be discussed at the conference is mainly to draft a constitution to fit in with dominion status and that it should immediately be granted. But, at the same time, dominion status having been defined to be the object and the goal of the Indian Government, it is absolutely necessary so far as the other parties in this country are concerned, who are willing to participate in this conference, that we should make no secret of it, and that we as Indians want that in any constitution that may be framed, dominion status must be guaranteed. Sir, I can understand the difficulty of His Majesty's Government and that of the Labour Government to-day, constituted as they are, of committing themselves beforehand to a proposition of that sort. I can take them to be sincere in what they say as even in the announcement recently made in the Assembly by Lord Irwin on the 25th of this month, he has stated that the British Government are prepared to consider any unanimous opinion that may be arrived at by a large section of leaders of various parties who attend that conference and that they would try and see to what extent they could agree to them.

"Sir, in the announcement made on the 31st October, we find that the conference is called, as Lord Irwin would put it, to this effect: 'It will be their earnest hope that, by this means, it may subsequently prove possible on these grave issues to submit proposals to Parliament which may command a wide measure of general assent.' That, I take it, is an earnest of the intentions of the British Government; if at that conference, Indian leaders come to a fairly unanimous opinion that any constitution that may be drafted for India must contain a definite declaration of the immediate grant of dominion status, subject to certain safeguards that may be necessary, then, Sir, it looks to me, that Lord Irwin has committed the Government, or at any rate, has told India that on the part of the British Government there will be nothing wanting to see that the proposals, so unanimously accepted by the Indian leaders, should be as far as possible given effect to and placed before the Parliament for approval.

"Then, Sir, there has been a lot of discussion as to what dominion status means; whether in the attainment of dominion status there should be various stages and who should be the ultimate arbiters with regard to the grant of opportunities or the time of these various stages. Sir, it has been the unanimous opinion of all leaders who count, that there should be no more commissions, that with regard to this question of the fitness of India for dominion status, it is the Indians that should decide and that dominion status being conceded as the ultimate goal it must be embodied in any constitution that may be drawn up. I should only refer, in this connection, to the opinion of two prominent politicians. I do not propose to quote the views of Congress politicians because to-day they have declared Independence and would no longer participate in the conference, but I refer to those genuine patriots who represent the country. I quote the opinion of Mr. M. A. Jinnah published in the papers on the 4th of November last, to this effect:

'The announcement, if properly examined, is at once a clear and radical change of policy of Great Britain towards India. The declaration with one clear bound commits the British people

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now in cold print to proceed with the future scheme of the constitution of India to be framed for the purpose of attaining dominion status and establishing sovereign legislatures in India. In other words, the issue before the conference to be set up will not be whether Dominion Status should or should not be the objective—it now being already conceded—but how it is to be established and when.

“Then, Sir, there is the statement of Sir Tej Bahadur Sapru to this effect. That was made on the 9th January of this year after the interview proved a failure. Sir Tej Bahadur interviewed said:

“Earl Russell’s speech which was cabled out yesterday is quite Wintertonian in its outlook and, in my opinion, it is difficult to reconcile it with the speeches of Mr. Wedgewood Benn or the announcement of the Viceroy. I can only hope that it is the speech of a new man new to office. It is obvious that Earl Russell has yet to learn his lessons in Indian politics. If the Round Table Conference is to be a free conference, as I expect it will be, Earl Russell cannot possibly anticipate its decision or commit the Government to any policy in advance. It is clear that we, Liberals, must stand by the programme we have adopted and the programme is one of dominion constitution subject to such safeguards and reservations as may be necessary for the period of transition only. We cannot contemplate the achievement of dominion status being a matter for the distant future.”

“Sir, those are the statements made unequivocally by two Indian statesmen, who are willing to participate in the conference. The announcement of the statement by His Excellency Lord Irwin in the Assembly on the 25th instant makes one feel whether after all there has not been a sort of climb down from the announcement made on the 1st of November (Mr. K. P. Raman Menon: Hear, hear). Sir, I do hope and sincerely trust that there is no such intention at all in that speech, but on the other hand, it is only trying to outline the limitations under which a Viceroy, however sympathetic and however whole-hearted he may be with the aspirations of India, has to work. I do hope that the aspirations which were engendered in the minds of politicians in India like Mr. Jinnah and Sir Tej Bahadur Sapru, will be fulfilled. These opinions represent the real sentiments of India and I hope it will be agreed to by the conference of British statesmen.

“Then, Sir, in the Nayar report, the report of the Central Committee appointed to co-operate with the Simon Commission, they have clearly stated that in the matter of dominion status, it should not be a matter of successive stages, and in regard to the question of the fitness of Indians for the grant of Dominion status they have stated that the question of deciding it by committees should be abolished and they have automatically provided for India reaching dominion status with equal partnership with the other dominions in the British Commonwealth, though they have contemplated that in the transitional stages certain safeguards may have to be made with reference to the stages. The question of Indian States will be one of the subjects which may form the subject of serious consideration at the conference in order to fit in their schemes with the scheme of dominion status for India. Sir, subject to these safeguards being made, I do hope that, if statesmen and parties in India, not belonging to the Congress faith or the Independence faith, co-operate in the Round Table Conference, our modest requests will be conceded by the British Parliament and by the British statesmen.

“Sir, Lord Irwin appeals to the unanimity of opinion, as far as possible of Indians themselves. He puts it in this form: ‘I entertain no doubt, but that those who will go to the conference from British India will be men who can speak authoritatively for the several component parts of the great volume of Indian public opinion which they will represent. To all that body of opinion I would say that, if India’s case is to have full weight at the conference, it is of the utmost importance that no efforts should be spared to

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enable it to find expression with something like unanimity’. We do hope, Sir, that if only Government will choose representatives of the various progressive political parties, there would be no difficulty in getting the unanimity of opinion which His Excellency Lord Irwin hopes for.

“Then, Sir, His Excellency, in another place says:

“The conference, which His Majesty’s Government will convene is not indeed the conference that those who have demanded and claimed that its duty should be to proceed by way of majority vote, to the fashioning of an Indian constitution, which should thereafter be accepted and unchanged by Parliament. It is evident that any such procedure would be impracticable and impossible of reconciliation with the constitutional responsibility that must rest both on His Majesty’s Government and upon the Parliament. But though the conference cannot assume the duty that appertains to His Majesty’s Government, it will be convened for the purpose, hardly less important of elucidating and harmonising opinion and so affording guidance to His Majesty’s Government on whom the responsibility must subsequently devolve of drafting proposals for the consideration of Parliament.”

“There again, Sir, though in the first portion of this speech, it is stated that His Majesty’s Government would not accept unchanged the opinion that may be expressed on behalf of India by the Indian leaders, yet, there is hope that if there is unanimity of opinion, it will, as far as possible, guide them in placing their proposals before the Parliament. We take that assurance in the spirit in which it is given and we do hope that it will be possible for His Majesty’s Government to agree unchanged, to the constitution that Indian leaders would agree to in that conference.

“As I said, Sir, the parties in India are not prepared to lose the opportunity which His Excellency has offered in the name of His Majesty’s Government and they on their part would show the utmost willingness to put forward proposals which would ensure to India her rightful place in the dominions as an equal partner in the British Commonwealth. I do hope that England will rise to the occasion and say that it has not lost sight of the opportunity that will make India a loving and an affectionate partner in the British Empire. I therefore hope that in any conference that may be set up, this cardinal principle will be observed, that the unanimity of opinion which is required is that of the progressive elements in the country and that India will remain and be retained as a substantial partner in the British Commonwealth. (Hear, hear.)

“Sir, the Viceroy in his statement on the 25th of January has referred to the question of personnel. With regard to this question of personnel, I can only suggest this, that it should be such as to command the confidence of the various parties and interests that will be called in and that he should see that as far as possible, such representatives are selected by those parties and by those interests who represent their real interests and nobody else.

“And I do hope that in such selection all progressive political parties in the country will be represented in such a manner that they will have a preponderating voice in the matter. I do hope that in a country like ours, where there are so many parties and classes of political thought, there will be none who will be content with nothing except dominion status. In this connexion I may observe that there are some men who talk as if they do not want dominion status. But if we analyse their opinion it amounts to this, i.e., that they are willing to subscribe for dominion status provided it is granted with certain safeguards (Hear, hear). I need not say that I am referring to the

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depressed classes. And I do hope that the statesmen who may be attending the conference will help us to solve the situation, or rather that they will be able to find out a proper solution to that problem.

"As I said before, we are going to co-operate with the Britishers on equal and honourable terms, and we expect from them that sort of reception only. We hope we are called together to co-operate with them in deciding as to what India's future should be, that is to say, we are summoned to that conference not as witnesses or spectators, but as ambassadors of India to claim on her behalf equal rights and equal status with the other dominions of the Empire (Hear, hear). With these few words I commend this resolution for the acceptance of this House."

* Mr. J. A. SALDANHA :—"Mr. President, Sir, I beg to speak from this place for two reasons. One is this appears to be more convenient and the other is my voice is a little bit hoarse to-day and I wish to speak to the microphone. Sir, I beg to move the amendment to this resolution in a slightly different form from that appearing in the printed agenda. Sir, I move.

that the words 'that the pronouncement will be fully given effect to, to the satisfaction of all parties' after the word 'trusts' shall be omitted and that in their place the following words be substituted: 'that the conditions laid down in the manifesto of the leaders of Indian public opinion issued from Delhi soon after His Excellency the Viceroy's pronouncement will be satisfied immediately so that a proper atmosphere may prevail for the proposed conference.'

"For the enlightenment of hon. Members of this House, who may have forgotten the terms of, what was called, the Delhi manifesto I shall read the relevant passages from that manifesto. Though it is called the congress manifesto, I submit, it is better to call it the manifesto of eminent leaders of public opinion, as it contains the signatures of non-Congressmen also. The principal signatories to that manifesto are the following:—Mr. Gandhi, Pandit Motilal Nehru, Pandit Madan Mohan Malaviya, Pandit Jawaharlal Nehru, Mr. M. A. Jinnah, Dr. Ansari, Maharaja of Muhammadabad, Sir Tej Bahadur Sapru, Right Hon. Mr. V. S. Srinivasa Sastri, Mrs. Annie Besant, Dr. Moonji, Vallabhai Patel, Mrs. Sarojini Nayudu, Mr. Sen Gupta and Mr. Sardar Singh."

"The manifesto reads thus:—

"We have read with careful consideration the Viceroyal pronouncement on the question of India's future status among the nations of the world. We appreciate the sincerity underlying the declaration, as also the desire of the British Government to placate Indian opinion. We hope to be able to tender our co-operation to His Majesty's Government in their effort to evolve a scheme of dominion constitution for India's needs, but we deem it necessary that certain acts should be done, and certain points should be cleared so as to inspire trust and ensure the co-operation of the principal political organizations in the country. We consider it vital for the success of the proposed conference that, firstly, a policy of general conciliation should be definitely adopted to induce a calmer atmosphere, secondly, political prisoners should be definitely amnestied, and thirdly, the representation of progressive political organizations should be effectively secured, and that the Indian National Congress, as the largest among them, should have predominant representations. Some doubt has been expressed about the interpretation of the paragraph in the statement made by the Viceroy on behalf of His Majesty's Government, regarding dominion status. We understand, however, that the conference is to meet, not to discuss when dominion status is to be established but to frame a scheme of dominion constitution for India. We hope we are not mistaken in thus interpreting the import and implications of the weighty pronouncement of His Excellency the Viceroy."

"Sir, I have to lay stress with some force on this manifesto especially in view of His Excellency the Viceroy's speech on last Saturday before the

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Assembly. That speech contains certain passages, which make, to a certain extent, the situation clear, if there was any doubt before His Excellency's pronouncement. It is clear now that what is going to happen is not a Round Table Conference, but a deputation of some eminent Indians of political thought, to be chosen, probably by the Viceroy himself, to put the case of India before the Premier and the British public. To me this so-called Round Table Conference appears to be of the nature of a Darbar held by a great chief or Maharaja (Laughter) to receive the humble petitions of his subjects. It looks as though there is to be neither a maximum of agreement nor a minimum one—I do not know what exact word is to be used here—and hence without any doubt it will be concluded that we have not got a fit case. For these reasons I call it a Darbar and not a conference, or a Round Table Conference—in fact there will probably be no table at all to sit round (Laughter)—and I fear it will result in as huge a farce as the Indian Central Committee. We know very well with what respect that committee and the conclusions of that committee have been treated and will be treated in the future. There is one condition in this manifesto which may be treated as obsolete, because it is claimed here that the Congress is the largest political organization in India and hence it should have a predominant representation in the conference. But I am not sure whether the Congress claims at all or intends to ask for any representation; as a matter of fact, their decisions are conclusive on the subject, and therefore they are out of court, so far as this Round Table Conference is concerned. In the circumstances, I am to urge before you the three conditions contained in the manifesto, namely, general amnesty to political prisoners, the policy of general conciliation to induce a calmer atmosphere, and the framing of a constitution for India on the basis of dominion status. I may here refer to the resolution passed at the twelfth session of the National Liberal Federation held at Madras during the last Christmas season, in which it was urged that all parties in India which accepted the announcement of the Viceroy whole-heartedly should combine together for the purpose of securing a constitution based on dominion status with such safeguards and reservations as may be necessary for the period of transition. I do not think, Sir, there is substantial difference between this resolution and the Delhi manifesto as regards the main issue, that the conference should be held to frame a constitution based upon dominion status. Sir, all members of this House are aware that this resolution of the National Liberal Federation had the support of a large number of leading Indian statesmen, and I may say for the information of the House that among them are the Right Hon. Mr. V. S. Srinivasa Sastri, Mrs. Annie Besant, and no less a person than that eminent gentleman, Sir Phiroze Sethna, who presided over the deliberations of that federation, and last but not least, Sir O. P. Ramaswami Ayyar, our late Law Member. Thus it will be evident from this that that resolution has the support of eminent Indian statesmen.

"Now, Sir, I do not think there can be any objection for placing this portion of the Delhi manifesto and of the Liberal Federation Conference held at Madras on the forefront of the objects of the Round Table Conference. For, what is called dominion status has been understood in various senses since it was first adumbrated in the sixties of the last century in granting dominion status to Canada and in its various stages of development. What is called dominion status has had a slow evolution. Take, for instance,

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Sir, Canada. Dominion Home Rule was granted to French and British Canada in 1868 when the two nations were constantly at conflict with each other and had feuds, hopeless feuds on religious questions. Though dominion status was given to it as early as 1868, in 1874, the responsible statesmen in Canada felt that Canada was not free. Making allowances for exaggeration, it must be recognized that Canada had no voice in regard to British foreign policy. Legislation in times of war was subject to the control of the British Government. These shackles on her freedom were relaxed gradually with the growth of a national or super-national union between the French and the British. The greatest impetus to this growth was given by the 'Canada-first movement.' 'Canada before all,' 'Canada before Britain,' were the rallying points against communalism on the one side and imperialism on the other. It raised and developed the Canadian national spirit to such a pitch that it made dominion status possible for Canada, as it is understood at present—a free Canada like a free Ireland with its domestic legislation unfettered by the British Government's veto. Its foreign relation and fiscal policy in relation to the United Kingdom or the other parts of the Empire or the rest of the world were dominated to a great extent by its own will. This development, Sir, as pointed out by W. Stuart Wallace in his 'Growth of the Canadian Feeling' went far to make Canada a complete autonomous nation within the British Empire and towards making her a unit in the international politics. Under the present regime, the Government of India is wholly responsible to the British Parliament and hardly responsible to the Indian Parliament while, in the provinces, Local Government is only partially responsible to the provincial Parliaments. Our toy Parliaments have less power than the tiny English Parliament in the reign of Edward III, that is in the middle ages, could boast of. Those tiny Parliaments in the middle ages could boast of larger powers of legislation, taxation and control of the purse than our toy Councils and Assemblies. Differences of races, languages and religions, Sir, have not hindered the formation of one national or super-national Government based on responsibility to the people. We have only to bear in mind the instance of Canada mentioned above and two other striking instances. The federal Union of South Africa and the United States of America, with so many races and nations, speaking different languages and professing so many religions, once constantly at war with one another have now united as one nation or super-nation. I ask, Sir, what is there to prevent India getting dominion status at once or within a short time? Not illiteracy of the masses, not the difference of races and languages and religions, not the vast space of the country. India has a geographical entity of its own. With its frontiers on the north, north-west and north-east, bounded by high mountains and a vast sea on the other side, a common linguistic basis in the English language and the main division of religion into Aryan and Dravidian on some common fundamental lines, the social development on the common caste system and various other common factors, and add to this the factor of common Government of the British crown, India has been and is fast becoming one united nation or super-nation. We meet on the platform of the National Congress or other organizations at Delhi, Cawnpore, Lahore or Madras with a consciousness of common nationalism. There are some politicians who question this view or the policy underlying the aspirations of our advanced politicians. They point out the question of the rights of minorities

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like Indian Christians. Sir, speaking for Indian Christians, most of us have kept aloof from the main current of political agitation in India with folded hands, only taking advantage of the rights secured to India by the result of agitation by the various political parties, notably by the Indian National Congress, and the recent declaration and announcement of Lord Irwin is intended to those who have been attacking the Simon Commission. Among these attackers, there are only a few Indian Christians."

* The hon. the PRESIDENT:—"I am not able to follow how this is relevant to the motion or the amendment."

Mr. J. A. SALDANHA:—"What I want to say, Sir, is that the point of argument raised against the grant of dominion status is this: that dominion status is unthinkable—these are the words written by an eminent author in one of the articles published—until and unless the minority question is settled and unless the rights of the minorities are guaranteed and so on and so forth. This is one of the points raised by politicians in England against our aspirations in India. It is said that India is a vast continent, India has so many races, so many religions. What I would point out is that these are the difficulties raised against the Indian nationalists. Take the example of the United States again. The United States consists of many nations . . ."

* The hon. the PRESIDENT:—"The hon. member is repeating his own arguments."

Mr. J. A. SALDANHA:—"Then I shall come to other arguments, Sir. I am giving arguments as to the minority question. What are our minority questions? Those questions were raised in Canada, and at the time the dominion status was granted to Canada, Sir Alfred . . ."

* The hon. the PRESIDENT:—"The hon. member is repeating the facts stated by him."

Mr. J. A. SALDANHA:—"So far as the minority question was in respect of that nation, that minority question was not settled. It was left out to be settled by the Canadian Government itself and it was settled. What are our minority questions? In speaking about Indian Christians, if you have got any minority question at all, it is not of a very substantial character. Ninety-nine per cent of our grievances are as to land revenue settlement, as to forests, as to so many other things against Government and are all of universal character. They have their own separate schools and they are fighting their own battles?"

* The hon. the PRESIDENT:—"May I request the hon. member to pass on to the question under discussion."

Mr. J. A. SALDANHA:—"Therefore, Sir, I may urge that we are quite prepared for Dominion Home Rule for this country immediately or within, say, the shortest possible time. Now, what I fear is that the recent pronouncement of Earl Russell though it was in a crude fashion is reflected to a great extent in the speech of Lord Irwin at the Assembly last Saturday. In India there are, Sir, the politically-minded people. The word 'politically-minded' is cautiously avoided in the speech of Lord Irwin. Are not the politically-minded people the representatives of the masses? They say there are the dumb millions. Therefore these people are not proper representatives and that they do not voice the needs of the masses. Lord Irwin's speech followed

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12-30 P.M. the speech of the Under-Secretary and practically questioned the right of the politically-minded Indians to represent the dumb millions. There are dumb millions in South Africa. What guarantee is there for their protection? There are dumb millions in the Commonwealth of Australia. They have granted dominion status in spite of the dumb millions. Is there a word of sympathy guaranteeing their rights and liberties? Why, then, should so much, Sir, be made of the rights and liberties of the minorities, of the dumb millions and so on? I say, Sir, the educated intelligentsia of India do represent the masses."

* The hon. the PRESIDENT :—"I am not able to follow how all this is relevant to the main question."

Mr. J. A. SALDANHA :—"My main point is that we are entitled to say that the Round Table Conference should be convened for the purpose of framing a constitution based on dominion status with such limitations, guarantees and reservations as may be necessary for the transition period. The difficulty is to induce the British statesman to make them include

* The hon. the PRESIDENT :—"Many of the Members are anxious to join in the debate."

Mr. J. A. SALDANHA :—"Many of the members of the Council are anxious to join, I know. I hope, Sir, I have given sufficient points for discussion (laughter) and I would be glad if these points are threshed out to-day. I will not take much of the time of the Council. There is only one other point. (Laughter.) They say that dominion status is not suitable to the genius of India. They say that India is governed by big chieftains and Rajas with autocratic powers with a subject people who have never been accustomed to representative institutions. I question this statement. As Henry Maine has pointed out in his work 'Ancient India' and 'Village communities' and several other works, in India from ancient times in the village communities they had institutions democratic and popular. There has been the caste system with an autonomy of its own. It is powerful in making India a democratic nation. Our customs were never interfered with by our monarchs. Even Asoka and Chandragupta never dared to interfere with the customary laws and rights of the Indian people. As Henry Maine in one famous passage says, the Indian monarchs have been tax-gathering sovereigns, they have been respecting the laws of the people and therefore there was not much need for making laws. Laws were made by customary usages. India had customary laws which no other nation in the world had. They had also large commentaries on their laws, such as the Dharma Sastras of Manu and Yagnavalkya. India therefore had been a very great democratic nation. It ceased to be democratic since the time of the Muhammadan and British rule. Even the little democracy that prevailed has practically been done away with in these days. We have to revive it with great difficulty. As I myself pointed out in my essays on the 'Village communities in Western India' this democratic spirit still prevails in a few village communities. Our people are accustomed to democracy and it is a perversion of the state of things in India to say that Indians are not accustomed to democratic institutions. They are accustomed to it and the fact that the Sovereigns and Diwans and others have administered the laws of the country with due regard to custom and usages and have always respected the feelings of the people shows

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that we are quite prepared for democratic institutions and even parliamentary institutions. Earl Russel has asked how can India have parliamentary institutions while England has taken centuries to arrive at parliamentary institutions."

* The hon. the PRESIDENT :—"The scope of the resolution is not such as to allow all these statements being made. I request the hon. Member to confine his remarks to the wording of the resolution."

Mr. J. A. SALDANHA :—"Therefore what I say is this."

* The hon. the PRESIDENT :—"I am afraid the hon. Member is quite irrelevant."

Mr. J. A. SALDANHA :—"Therefore, Sir, I conclude now with a straight appeal to the hon. Members of this House to adopt my amendment especially with due regard to the very vague wording of the resolution placed by the hon. Members Rao Bahadur Kesava Pillai and Diwan Bahadur Muniswami Nayudu."

Diwan Bahadur P. KESAVA PILLAI :—"I am also a Diwan Bahadur."

Mr. J. A. SALDANHA :—"All right, I am glad my Friend is Diwan Bahadur now. The wording of the resolution is 'and trusts that the pronouncement will be fully given effect to, to the satisfaction of all parties.' First of all, is it possible to frame a constitution which will satisfy all parties in India. Then the resolution says that the pronouncement be fully given effect to—what pronouncement? What is the pronouncement as it is explained in the last speech of His Excellency the Viceroy? The pronouncement has to be judged from his Saturday's speech. There is nothing to be fully given effect to. It means nothing. After carefully reading the speech, I find it is practically nothing. It has flouted the All-India manifesto. There is nothing at all in what Lord Irwin stated on the 31st October in that famous Diwali statement. It throws very little light even at the Diwali time. What is the goal that India is to be given? That is dominion status. It may be a very long road. That is what is implied in the Viceroy's speech. Therefore to say that the pronouncement be fully given effect to is ridiculous. I therefore bring this sensible amendment. It is not my manifesto. It is the manifesto of all leaders. Let us accept our leaders. Our leaders in Madras have repeated the request of the manifesto. Out of regard at least to their views, I hope you will not carry this resolution which will be laughed at by any man who really knows the history of the pronouncement and who knows what political science is. Therefore I move that the words at the end of the resolution be omitted and my amendment substituted therefor. It comes to this—that, while ready to attend the Round Table Conference, we will do so all the more cheerfully if treated as befitting the dignity of the Indian Nation, with the object of trying to draft a constitution based on Dominion Status, subject to the necessary reservations and guarantees."

* Mr. C. R. PARTHASARATHI AYYANGAR :—"I second the amendment. The amendment proposed by Mr. Saldanha explains the main resolution so that we may have a clear idea of what the timely and statesmanlike offer is as understood by us and how it was understood by people who were present at the time and the light that is sought to be thrown upon it by the way in

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which the pronouncement is sought to be interpreted. Sir, it cannot be denied that there is a distinct feeling throughout the country that things are not moving as fast as they should. Everywhere young men as well as old are convinced that the rate at which we are proceeding is slow and that immediately some step ought to be taken so that people may live in a proper atmosphere and there may be a proper understanding of what we really want. We want something definite. We would not be satisfied with vague substitutes. That is the feeling which asserts itself. Very often statements are made which have the effect of taking away the effect of statements made in the House of Commons. Some people have gone to the length of stating that the statement of the Viceroy is not as satisfactory as it ought to be. But there is a way of understanding the whole thing and, taking His Excellency's statement in the best light, we can only say that he wants to be very careful, cautious and exact, showing more the lawyer than the statesman, showing how he is not likely to make any pronouncement which will give more hopes than he thinks he can give.

"Anyhow, it is a great point of satisfaction that His Excellency has understood the spirit of the times, has understood the fact that the young men, especially of Northern India, and also of the South, and also sober-minded statesmen are agreed that they cannot tolerate this state of affairs any longer. Therefore, there should be some acts done immediately so that the people may be satisfied, that the promises held forth are kept. In the face of these promises, we see that section 124-A is still on the Statute Book and that prosecutions like that of the Editor of the *Modern Review* are still going on, which causes a great deal of suspicion in the minds of the people.

"There is also the fact as to how Dr. Sunderland's book was brought up before a court of law and how the Chief Justice of Allahabad remarked: 'I cannot help the state of law I have to administer, and therefore you will have to administer the law as it is'. Therefore His Excellency the Viceroy would be well advised to remove the suspicion and distrust in the minds of the people as quickly as possible, especially when prosecutions are launched for statements by people who are a little bit over-anxious for their country. Everywhere people are very sensitive. Ignorance and hunger are now coming to the front, and it is well that the Viceroy takes note of these things and comes to the conclusion that it is necessary that immediate steps should be taken to remove such suspicion and distrust. What the people say now is that there is no longer time to be dallying with these statements but immediate and statesmanlike action should be taken immediately and at once, and they are willing to co-operate on honourable terms by which their grievances may be redressed, and India and England may be partners and equals in the Indo-British Commonwealth. India should no longer be treated as a subject nation, and it shall not be possible for any other nation to point the finger of scorn at an Indian wherever he goes. That is the determination, and that is the vow taken by Indians, and that vow has to be fulfilled. Will the British people come to our help without saying all sorts of stories about the previous history of India about which they absolutely know nothing? Indian history stretches far far back before English people ever thought of any kind of organized government. Therefore, to say that India should go through all those stages is a mockery. India is past the stage of experiment. We know how it has grown from the village republic

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to a great empire like the Empire of Chandragupta of the past and British Empire at present. We know what it is. We only can breathe the spirit into it, and not the British or any other nation. Englishmen, however well-intentioned, cannot think as an Indian. They may think only in terms of their own past history. You must be honest, sincere and truthful. As a Governor-General said, do not eat your words. Let us have no more Russells and men of that type. You must not mince matters—there must be a true and genuine offer—by saying your history is like that, you have so many castes and creeds and so on. None of those pretexts are true if things are rightly understood. Only you want to put off the evil day by making such statements. Let there not be any more such tantalising statements. The energy that has now gone forth is divine energy spreading throughout the country, and if this flood is taken advantage of and converted into noble purposes, then England and India shall walk together as equals and partners, in the Free Commonwealth of Nations united by the Crown of King George."

The amendment of Mr. Saldanha was put and negatived.

Mr. Saldanha asked for a poll. The Ayes and the Noes were therefore counted and it was found that Ayes were only 3 against a large number of Noes. The hon. the President said:—

'The demand for a poll is frivolous.'

* MR. A. RANGANATHA MUDALIYAR:—"Sir, I beg to move the motion of which I have given notice, namely:

For the words 'to the satisfaction of all parties' substitute the words 'to the satisfaction as far as possible, of all parties by holding the Round Table Conference as early as possible this year with a preponderant representation therein of the progressive elements in the country.'

"Sir, I should just like to read to the Council the words which His Excellency the Viceroy addressed to the Assembly on the 25th. He said, as we find in the papers,

'All history is a tale of opportunities seized or lost, and it is one of its chief functions to teach us with what fatal frequency men have allowed opportunities to pass them by, because it may be that the opportunity presented itself in a form different from that which they had expected or desired; and history, it seems, is in danger of repeating itself to-day in certain quarters of India.'

"If I may say so, the case of the British history in India is more illustrative of 'opportunities lost' than any other that one can think of in connexion with India. Any one that has studied the history of the British India will see how serious promises were made from time to time and how they have all been broken? And if to-day there is a section in this country, I believe it is still a minority section, but fortunately or unfortunately, rather growing in numbers, which is so bitter against the British Government, may I say that it is due in no large measure to the fact that the British have failed to appreciate the difficulties and to find a solution for them in time?

"My resolution may be considered from three standpoints. I have omitted the words 'all parties' and have said 'to the satisfaction as far as possible of all parties.' Obviously nothing that one can do will satisfy every single individual or community in India. The most that one can do is to obtain

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the utmost agreement possible among the different peoples and communities in India. So I say I shall be satisfied if the aim of this conference is to secure the satisfaction, not of every party, but of as many forward parties as possible in India. Secondly, Sir, I have said that this conference should consist of the progressive elements in the country in a preponderant measure. One may well ask 'Why are you so sceptical about this matter; don't you think that the Government would really take the trouble of giving due weight and representation to all parties in this country?' They may or they may not. It is said, for example, here in the Viceroy's statement, 'that this body should, so far as it may be honestly and fairly representative of all opinion in India which can legitimately claim to be heard in the discussions where central and provincial issues must inter-act closely upon one another'. Sir, we know a section or sections in British India who think that dominion status is a thing which cannot be visualized in any near future; and it is possible, and I know, there are sections even in India, who think that dominion status is not a thing to be sought for or achieved immediately. Well, Sir, we know what it was when we were dealing with the reforms. Even then there was a section of people who would rather continue under the system as it was then, than have any reforms introduced, for they were afraid that power might pass into the hands of a minority. It is just possible that history may repeat itself. Even now, there are some sections who are against dominion status. I should say, therefore that the conference should not consist of a majority of people holding reactionary views; otherwise, even those who are now for Round Table Conference will not agree to take part in it. After all, Sir, one can have a view or an idea of what the authors of the conference have in mind, by analysing the composition of the conference and understanding the views they respectively stand. If the majority of the people there should consist of people who may be of immense wealth and influence, but of reactionary views, you may take it that the leaders who count would never care to touch this conference even from a distance.

"I have said that this conference should be held as early as possible this year. For when one reads the address of the Viceroy made on the 25th, one is driven to the conclusion that perhaps this conference is not likely to come before 1931. It is said that some other conference is engaging the attention of the Premier, and the Premier would in all probability take a personal part in the discussion of this conference, so it is just possible that Labour Government have an idea of putting off the conference to 1931. In that case, I warn the Government of the serious consequences that may result from such postponement. People are already bitter because they feel that the British people say one thing and later on modify it, and that they put forth something plausible in order to gain some respite from the troubles in the country. To any close reader it will be evident that the statement of the 25th January does not breathe the same spirit as the earlier statement on Depavali last. It may be that some pressure was brought to bear on the Viceroy and he was obliged to some extent to modify the tone he adopted in the earlier case. Whatever it be, people are beginning to think that the good statements made at the moment of their need of India's help are not adhered to when that need has passed away. Did they not say during the War that India will be given self-determination? What became of that? I would like to quote one or two passages in this connexion. Sir, the Labour party at its

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annual conference held in 1927 resolved as follows:—

'The conference reaffirms the right of the Indian people to full self-government and self-determination and therefore is of opinion that the policy of the British Government should be one of continuous co-operation with the Indian people, with the object of establishing India, at the earliest possible moment, and by her own consent, as an equal partner with the other members of the British Commonwealth of Nations.'

"Mr. MacDonald, probably not counting upon his becoming the next Premier, used the following words in 1928.

"Presiding at the British Commonwealth Labour Conference at London p. n on 2nd July 1928 Mr. Ramsay MacDonald said:

'I hope that, within a period of months rather than years, there will be a new Dominion added to the Commonwealth of our Nations, a Dominion of another race, a Dominion that will find self-respect as an equal within this Commonwealth. I refer to India.'

"One would like to ask whether they are merely words meant for the ear and to be broken to the heart or whether they are meant to be carried out as both honour and expediency would dictate. The future is dark and threatening before us and therefore one would like to ask whether the Labour Government and the present Prime Minister would redeem the promises they have made and earn the goodwill of our people. I am one of those who believe in the attainment of dominion status by India as an equal partner in the Commonwealth of Nations within the Empire so that, as one interested in this connexion, I would appeal to the authorities concerned to do all in their power to allay the suspicion in the minds of us and hold this conference in the way suggested by us.

"Sir, there may be some among us who would object to the addition of the words 'progressive elements' in the resolution. I do not say that all those who do not agree with my programme are not progressive elements. I certainly say that the parties to my right and to my left are progressive parties however much I may differ and differ violently from them in regard to certain of their activities. But there are other sections which are reactionaries and do not want even dominion status for this country. I would certainly say that such people should not be given a dominant voice at the conference. I therefore recommend my amendment for the acceptance of the House."

* Mr. K. P. RAMAN MENON :—"Sir, I have great pleasure in seconding the amendment so ably moved by my hon. Friend, Mr. Ranganatha Mudaliyar.

"With reference to the amendment itself, from the speech of the Leader of the Opposition, Mr. Muniswami Nayudu, I could gather that the second portion of it commends itself to him. For, the amendment, as has been already brought to your notice, runs thus: 'to the satisfaction as far as possible of all parties by holding the Round Table Conference as early as possible this year with a preponderant representation therein of the progressive elements in the country'. I heard Mr. Muniswami Nayudu say more than once that the conference should be one in which the progressive elements in the country should have a predominant voice. I therefore think, with some reason, that that portion of the amendment will not be unacceptable to Mr. Muniswami Nayudu.

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"Then again, with reference to the holding of the conference, may I say in all humility that the non-holding of this conference for a number of months or years would, as a matter of fact, add additional despondency to the already despondent people of this country? 'Hope deferred maketh the heart sick' is a saying that applies to nations as well as individuals. Hence any delay would have deplorable effects. So, therefore, if the conference, which has been agreed to by various statements made by various statesmen in England and in India, should be a success, it should be held as early as possible. As a matter of fact, we see from a comparison of the utterance of the Viceroy made on 31st October with that of His Excellency made last Saturday (25th January 1930) a considerable note of hesitation in the latter. What does he say in his latest pronouncement? Analysing the statement carefully, one can find that these are the three cardinal points emerging from it: the first thing is that discussion of dominion status does not mean the attainment thereof; the second thing is that the granting of the concession depends upon the way the case is presented—whether it is unanimously presented or otherwise. It is not a matter of voting this way or that and the reasonableness of the demand; and the last or third point that emerges is—and this is the most important point which I would stress upon—that the ultimate grant of dominion status does not lie with the Round Table Conference or with any other authority. It lies with the British Parliament and in no one else.

"Now, Sir, is this pronouncement the same as the pronouncement that was made on the 31st October? Certainly to my mind there is considerable climbing down from the statement made on 31st October. As has been ably pointed out by my hon. Friend Mr. Muniswami Nayudu, the issue is not whether dominion status is to be given or not and whether it will be allowed to be discussed, but the issue must be how it is to be attained, what are the safeguards which should be provided for and what is the machinery that has to be set up in connexion with that dominion status constitution. Attainment of dominion status must be taken as granted and the discussion should be confined to the details of the new state of things, viz., dominion status. That point must be made perfectly clear to the Government and it is in the hope that that point will be made clear that, I believe, this motion has been tabled here.

"There is a certain section of the Indian public—of leading politicians which refuses to discuss this matter at all at a Round Table Conference. I certainly do not agree with them in their view although it is held by no less a person than Mahatma Gandhi himself. I do not believe that British statesmanship is so bankrupt as to refuse to consider questions of policy which are adumbrated before the conference. Always there is a good deal to be gained by discussing questions, by seeing both sides of the question and seeing eye to eye with one another. Therefore it is better that matters are discussed at a Round Table Conference. There is no use of saying: 'No, I am not going to discuss with you.' With all respect to the respected leaders who have adumbrated this position, I may say that such behaviour is like that of a sulky child. Why not go up to Europe or any other place? Why not meet Englishmen at a Round Table Conference? I believe we can hold our own against any Englishman in England. Why not discuss the question of policy and questions of detail? Why not discuss all the material questions that may arise in connexion with this matter? If, as a matter of fact, after discussion

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you find that you are not going to be given anything tangible, if you find that all these statements by responsible statesmen are moonshine, why not withdraw them? Of course you can then say, we shall have nothing further to do with you. We will shape our course as we deem fit. It would have been much better if, as a matter of fact, that had been the attitude taken by our leading politicians. Anyhow, the door is not shut. There is always the invitation of the Viceroy open. It is up to us to show that there are persons who, although many of our leaders have vacated their position of command, will take their place and discuss the matter with English statesmen and come to a clear finding on matters that have to be discussed in connexion with this particular constitution for dominion status.

"Then, Sir, I have to say a word to Mr. Saldanha; Notwithstanding the eloquent oration that he made before us that any statement that a Round Table Conference . . ."

* The hon. the PRESIDENT:—"I think this is not the opportunity to offer any advice to Mr. Saldanha. His amendment has been already disposed of."

* Mr. K. P. RAMAN MENON:—"I do not presume to advise Mr. Saldanha. In my view, Sir, the Round Table Conference can never deteriorate into a farce. It is a conference in which the highest in the land and the wisest in the land are going to take part and over which, if the statement of the Viceroy is to be read correctly, no less a person than the present Prime Minister will preside. How can any one say therefore that it will degenerate into a farce and that the issues will not definitely take shape there? I certainly believe in a conference like that. I believe that, as a matter of fact, at that Round Table Conference, the questions at issue will be greatly clarified and that by presenting a united demand we shall be able to attain dominion status within the shortest space of time imaginable. With these words, I have great pleasure in seconding the motion or amendment moved by my hon. Friend Mr. Ranganatha Mudaliyar."

* The hon. the PRESIDENT:—"It is moved and seconded that in the motion of Mr. Kesava Pillai, for the words 'to the satisfaction of all parties,' the words 'to the satisfaction, as far as possible, of all parties, by holding the Round Table Conference as early as possible this year with a preponderant representation therein of the progressive elements in the country, be substituted.'"

* Mr. F. E. JAMES:—"Sir, I rise to oppose the amendment."

"In the first place, the amendment seeks to add the words 'as far as possible' between the words 'satisfaction' and 'of all parties'. I find that my hon. Friend Mr. Ranganatha Mudaliyar is less optimistic than I am. I would put my trust higher and would hope that some solution will be found which will be satisfactory to all parties. I think, therefore, the additional words, 'as far as possible' convey no meaning at all and do not therefore seem necessary. In the second place, he has added the phrase 'by holding the Round Table Conference as early as possible this year.' I would like to say that, as far as I am concerned and as far as my colleagues are concerned, we have already, through our political organization, supported the early summoning of this conference and we have added that, as far as possible, it should be held this year. The Europeans in this country stand by the Viceroy's statement. We are anxious

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for a Round Table Conference. We are anxious that the Round Table Conference should be a representative one; and we are anxious that it should be held as soon as possible. The third alteration in the resolution which is proposed by the amendment is that the words 'with a predominant representation therein of the progressive elements in the country' should be added. Now, Sir, we find it difficult to accept this, because there is absolutely no doubt that this amendment would be misunderstood throughout the country. What do you mean by saying progressive elements? Who are those progressive elements? Who is to decide who is progressive and who is not progressive? Are you going to say that because a person does not believe in joint electorates, therefore he is not progressive? Are you going to say that because the Muhammadan group may not believe in immediate dominion status, that group should be called non-progressive? Are those groups not to be represented at the Round Table Conference? In other words, what is suggested is not a Round Table but a refectory table. The conference is not to sit round a table but at one side, the progressive elements on one side with no representation for non-progressive elements in the country on the other? I suggest that would be a most unstatesmanlike procedure. If you are going to have a Round Table Conference—the words 'Round Table Conference' are themselves suggestive—there must sit at it representatives of all parties in the country. It is essential that every element in the country should be represented there. Every point of view should be urged at the conference, and we should not make it a condition precedent to the holding of that conference that the progressive elements in the country should have a preponderating voice. I am anxious that the progressive elements in the country should, as a matter of fact, be there in larger numbers than those who may be considered to be not persons holding progressive views. But, as I pointed out, there will be the difficulty of deciding who is progressive and who is non-progressive. In my opinion, Mr. Shetty may be a reactionary? Who is to decide that he is or is not one? The Aga Khan is regarded by many as a non-progressive politician. Yet he is a distinguished man and, judging from his recent activities, he is certainly a very progressive gentleman. (Laughter.) Who is going to decide that?

"Now, Sir, I want to make a very special appeal to this House. On the question of the Round Table Conference, a great deal of unreality has been introduced in the debate by previous speakers who spoke at length. They have not dealt with the main problem. The problem before the country is that we are offered a Round Table Conference which shall meet and which shall be as representative as possible, and which shall discuss not only the report of the Simon Commission, but also any other relevant document placed before it. In other words, it is a Round Table Conference at which nobody need attend with his hands tied behind his back. The Indian National Congress has turned its back upon it and therefore we are not able to have its co-operation. Is it not therefore necessary that those elements in the country which are left and which are prepared to accept the Round Table Conference should be there and present a united demand as far as it is humanly possible. Now, I venture to suggest that if the amendment now placed before the House is accepted, it will not achieve that result. Therefore the House will be well advised in rejecting it.

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"The observations which we are making in this Council will be placed before the authorities concerned by this Government, but the general conclusions on which we are unanimous are really the most important. If the House is going to vote upon the amendment, it will not be and cannot be unanimous in putting forth its views. I therefore make a strong appeal to the hon. Member for Bellary to withdraw his amendment. His object is served in that it has elicited the opinions on what I may call the minor points in regard to the Round Table Conference. The main thing is that this House should accept the Viceroy's statement that our goal is dominion status and that we are prepared to that extent to co-operate with the British Government in finding out the best methods of implementing that promise and of attaining dominion status as speedily as possible. On that there is no difference of opinion. Let us leave it at that and be unanimous."

* The MAHARAJA OF PITHAPURAM :—"I have great pleasure in supporting the resolution. I welcome the pronouncement regarding dominion status and the Round Table Conference made by His Excellency the Viceroy who is, I believe, one of the greatest Viceroys that we have ever had. We are grateful to His Excellency for the wise assurance he has given to the effect that minority interests will be properly safeguarded and that the inherent wisdom of a proposal would carry greater weight than the numerical strength which a proposal might receive. This assurance is of the highest importance. The interest of the minority communities will have to be carefully safeguarded and they deserve special consideration and sympathy at the hands of the Government. I have every reason to believe that His Excellency is sincere, honest and genuinely sympathises with the legitimate aspirations of our countrymen. He is a genuine gentleman and a pious person; and when he says a certain thing, I firmly believe that he really means it. Then, Sir, the British Government in England seems to be well disposed towards India. Let us not lose this golden opportunity. At this critical juncture, I beg to submit that it behoves us to heartily co-operate with the Government and take part in the Round Table Conference and lay before it our well-considered views which in our humble opinion are conducive to the best interests of our country. If we do so, I hope that Great Britain and India will march hand in hand to the Heaven appointed goal."

* Rao Bahadur Sir A. P. PATRO :—"Mr. President, Sir, after the speech of Mr. James analysing the amendment of the hon. Member from Bellary it needs very little for me to comment on that. I am sure if the hon. Member from Bellary will reconsider his amendment he will see that it is more restrictive than the resolution that was moved and seconded. His amendment would put the resolution thus: 'That this Council . . . to the satisfaction, as far as possible, of all parties'. Whereas the original resolution reads 'That this Council welcomes the pronouncement . . . and trusts that the pronouncement will be fully given effect to to the satisfaction of all parties'. So, the amendment is less emphatic and less comprehensive than the original resolution which says that whatever scheme that is proposed or that is to be accepted should be satisfactory to all parties. Therefore on that ground the amendment seems to be restricting the freedom and restricting the representation at the Round Table Conference. Therefore, I think it is not necessary and desirable that such an amendment should be introduced."

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"The second part of the amendment reads that the Round Table Conference should be held as early as possible this year. On that matter it has been stated by His Excellency the Viceroy that every effort would be made to see if it could be held this year and that in view of the important engagements which the British Government have during the next few months it may or may not be possible to hold it early. But he has assured that he would consider if it could be held this year, if not next year. It is undesirable to attach too much importance to the holding of the conference as early as possible.

"The third part of the amendment says that the conference should consist of a preponderating proportion of the 'progressive' elements in the country. I have got a serious objection to this amendment. If it is accepted, it would indeed cast a reflection on the other political parties in the country who may differ in certain minor respects in regard to the scheme of dominion status or the goal of dominion status. We may not be in agreement with them in all points but still as regards the goal we are all in agreement with one another that it should be attained as early as possible. Because we differ from them in some respects, why should we call them non-progressive, and why they should be called as progressive because they belong to a vocal section or those that follow a particular creed? That those who are equally strong in the service of the country, equally straightforward, who have got equal experience and statesmanship and who have the interests of their country at heart, should be termed as non-progressive is unfair. I think that part of the amendment is objectionable and casts an unnecessary reflection on other parties in the country and therefore it should be eliminated altogether. If it is retained, it would amount to making an invidious distinction between the various political parties in India. It is the sincere desire of all political sections in India to attain dominion status as speedily as possible. His Excellency the Viceroy has been the great and noble ambassador of peace and reconciliation for India. We are grateful for the tremendous work carried on by him. It is our duty to stand by the Viceroy. The aim of this Conference is to have a free consultation with leaders of Indian opinion so that an agreement may be arrived at which would be acceptable to all the leading political parties in India and which should assist the British Government for formulating its own scheme. His Excellency the Viceroy has recently explained that the opinion of the majority is not the governing factor, that will be accepted. In his last speech His Excellency the Viceroy made the position more clear. He has stated what the acceptance of the goal meant that we could not realize the goal immediately if we were advancing as fast as possible. That being so, I do not see any reason why we should read more into the Viceroy's statement than what he meant and elucidated. Now, Sir, the original motion was moved by one whose political experience is longer than any of us. It was in 1882 he went to Salem as the representative of the *Hindu* to report on the Salem riots. It is probable that he is perhaps one of the two surviving members of the Indian National Congress which was founded in 1885. Sir Dinshaw Wacha and our Friend Diwan Bahadur P. Kesava Pillai are the two surviving members of the Indian National Congress. The latter entered the Legislative Council in 1909 under Lord Cross' Act. He has been in the Legislative Council ever since 1909 till this day. The resolution was prepared very carefully by him, he has had long political experience,

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he has fought many a battle against the bureaucracy and he has been a strong champion of Indian freedom. The resolution has been moved by such an able, experienced member of the House and is bound to command respect. The resolution is so comprehensive that it says that anything which the British Government are going to confer on India should be satisfactory to all parties. We must unite and agree upon the minority problem. If we pass it unanimously it would be very advantageous to the cause. If there is any modification, it would undoubtedly convey to the world and to His Excellency the Viceroy that there are differences on principles which we have none. One thing is certain and that is that the whole House is agreed on the principle of this resolution. Any differences of opinion in the matter of procedure may be easily settled among us. The final decision will be with the British Parliament and the spokesman of the British Government—the Viceroy. In his last speech he has indicated the ways which he would adopt in order to secure the best representation possible of Indian interests at the Round Table Conference. There is nothing to be suspicious about the method that will be adopted in order to secure the representation of the highest interest at the Round Table Conference. I am therefore constrained to oppose the amendment moved by the hon. Member from Bellary and commend the resolution for the acceptance of the House."

* Mr. S. ARPUDASWAMI UDAYAR:—"I oppose the amendment and support the original resolution moved by Diwan Bahadur P. Kesava Pillai. It is unnecessary for me to take up much time of the House in associating myself with the sentiments given expression to by the Mover and the Seconder. One point to be remembered here is this: the pronouncement taken by itself is a work of the highest statesmanship and, as the Mover has pointed out, it is most timely and opportune. We need not be disturbed by what interested politicians in India or England say about this pronouncement. Some, in England, have been trying to belittle the tone, significance and scope of His Majesty's announcement relating to the goal of Self-Government. They failed to realize what pernicious effect their unwise and their unauthoritative utterances would produce. His Excellency the Viceroy, who is a keen and sympathetic observer of political happenings in India and their underlying causes, took upon himself the role of a mediator, an advocate and an interpreter of the aims and aspirations of the people of this country and has obtained for them in clear and unambiguous terms this pronouncement stating that dominion status is the only natural issue before the country.

"His Excellency has made the situation very clear. Controversies may arise in this matter regarding the ways and means of giving effect to this pronouncement, but all controversy is stilled when the personality of His Excellency who has made this announcement is considered. Nobody doubts his genuine sympathy, his sincerity of purpose, his sterling honesty and his high-souled intention to recognize and meet the aspirations of Indians in the only constitutional way open to him. Therefore, why should we impose all these limitations, as far as possible, as early as possible. He is taking the initiative to get the representatives who are to meet at the Round Table Conference to discuss and evolve a constitution to be ratified by Parliament. His Excellency could not change or override the existing constitutional machinery. His message has brought peace to a country torn by bitter controversy, troubled by doubt and uncertainty. That is a position to be thankful for. As

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was asked by Mr. James, who are the progressive parties and who are the non-progressive parties, and where will minorities find themselves? Will they be classed among progressive parties or elements or non-progressive parties or elements? The amendment of Mr. Ranganatha Mudaliyar is unnecessary and useless, and one which gives rise to unwelcome controversy. Therefore I would ask my hon. Friend, Mr. Ranganatha Mudaliyar, to withdraw his amendment so that all parties may unanimously adopt the resolution moved by our old and learned Friend, Diwan Bahadur Kesava Pillai."

The Council then adjourned for lunch.

After Lunch (2-30 p.m.)

* Mr. N. SIVA RAJ :—" Mr. President, Sir, I rise to oppose the amendment of my hon. Friend, Mr. Ranganatha Mudaliyar, and to support the original resolution of Diwan Bahadur Kesava Pillai. I oppose the amendment on the ground that, simple as it looks, it introduces an element of disharmony which never existed before in the original resolution. The original resolution, as it stands, is a perfectly harmless, natural and uncontroversial resolution. But my hon. Friend's amendment seeks to throw, as has been pointed out by Sir A. P. Patro and Mr. James, some obstacles in the way of the realization of the object which His Excellency the Viceroy has at heart. I object, particularly, to the use of the word 'progressive'. As has been pointed out by Mr. James, it is indeed very difficult to say who is progressive and who is not, in the politics of this country? Independence-wallahs of the Congress will call the Council entry people 'non-progressive'; non-acceptance-of-office-wallahs will call those who want to accept office as job-hunters and traitors; the process will go on *ad infinitum*; nobody knows where it will end. Whatever may be the extremism of political opinion of a person, if he is not prepared to go far in the matter of social legislation, I would call him non-progressive. It is a very difficult proposition and it would be well if my hon. Friend, Mr. Ranganatha Mudaliyar, withdraws his amendment, particularly as the responsibility of achieving this noble object lies entirely upon His Excellency the Viceroy; he has taken upon himself the responsibility of making this announcement, and arranging for the Round Table Conference; we know that he is very sincere, sincere to the core, and that he wants to do something very good for India. He knows best how to do it. We are perfectly confident that the Viceroy will select the right persons, who will sit at the Round Table Conference and will ultimately achieve the object that he himself has got in view. My own opinion is that it is much better if the Round Table Conference consists of honest, practical, business-like men with profound common sense, who will aim at getting the constitutional status to which we are at present entitled, than of people who indulge in general phrases about nationalism and use this nationalism for the purpose of ultimately landing themselves in well-paid offices. That is the reason why I oppose the amendment. As for the support I give to the original resolution, I need not say much. On my own behalf and on behalf of the community whom I represent in this Council, I have great pleasure in according my support to the resolution. The present Viceroy, Lord Irwin, is one of those Englishmen who are born to save the British Empire. There have been great Englishmen who have built that Empire and are maintaining that Empire at the present moment. But England has need of men like Lord

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Irwin who are great builders and saviours of the Empire. The time has come at the present moment in Indian politics when we should have Englishmen of the type of Lord Irwin to solve the problem and to make the relations between England and India cordial. With these words, I oppose the amendment and support the original resolution."

* Mr. B. RAMACHANDRA REDDI :—" Sir, while opposing the amendment moved by Mr. Ranganatha Mudaliyar, I have only one observation to make. He has introduced certain words into his amendment which appear to be very simple and for all outward purposes to be very reasonable; perhaps they appear to be innocent too. But having pondered over the subject for a minute I recollect that he has borrowed the words 'progressive elements' from one of the resolutions of the Liberal Federation that held its sittings in Madras last December. As far as I can understand from the debates and speeches that were made at that Conference, the words 'progressive elements' were explained to mean and to refer to parties that non-co-operated with the Simon Commission. If that is the idea with which my hon. Friend, Mr. Ranganatha Mudaliyar, wants to introduce those words into this resolution, the Council should wake up and find out the real meaning . . ."

Mr. A. RANGANATHA MUDALIYAR :—" I said, Sir, that I considered both the parties in the Council as progressive parties and they did not boycott."

* Mr. B. RAMACHANDRA REDDI :—" If that is so, I have very little complaint against him. I am glad he has reiterated that statement and made matters very clear. I wish to add one word more. He has told us that a great proportion of the progressive elements must be represented in the Round Table Conference. Anybody who has read the speech of His Excellency the Viceroy in the Assembly very carefully, cannot fail to note the most important and valuable words he gave expression to, viz., that India would win by unanimity. It is not the majority or the minority vote that is going to carry weight in the Round Table Conference; but it is the unanimous opinion of all parties that is going to have great weight. It is that unanimity that will be very valuable. That point has to be noted by the House. In order to avoid all complications and to show our appreciation of the meritorious services the Viceroy has done to India it is better that Mr. Ranganatha Mudaliyar gracefully withdraws his amendment and allows the original resolution to be passed so that this unanimity of opinion may have its weight."

* Mr. S. N. DORAI RAJA :—" Mr. President, Sir, I oppose the amendment. It is not only necessary but also mischievous. It was only a reiteration of one of the conditions of the Delhi Manifesto, that is, men of the Congress persuasion should predominate at the Round Table Conference. At a time when most of the big political parties in the land were dissatisfied with the composition of the Simon Commission and refused to co-operate with it and when this dissatisfaction was fanned to flame by the utterance of Sir Malcolm Hailey and others, the Viceroy persuaded His Majesty's Government to define the goal of India in unambiguous terms and also made them commit themselves to a Round Table Conference. This Conference was to sit in judgment not only on the deliberations of the Simon Commission, but on all reports emanating from different political parties. This was a stroke of genius and the Viceroy's name would go down to posterity not only as a very great

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Englishman, but also as the greatest friend of India and the British Empire. I should like to make one or two remarks. I think that it would be better to announce soon the number of representatives to the Round Table Conference and to apportion them according to the importance and strength of the political parties. It would give them time to choose fitting representatives in whom they had faith.

"I am surprised to find the *Hindu*, which is a great authority on constitutional law, withholding its approval to the statement regarding the Round Table Conference made by Lord Irwin the other day. After all, the House of Commons is the sole arbiter, and not the Secretary of State, or the Viceroy alone; in a matter of this political magnitude he will be usurping the functions of the House of Commons, if he commits the Government to a certain line of action. The burden of proof has now been thrown upon us. The amount of unanimity we show in the Round Table Conference will be the measure of proposals that the Government will submit to the House of Commons. The opportunity presented to us is great; and let us not spurn it under false pretences. I support the original proposition."

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The hon. the PRESIDENT:—"In the amendment of Mr. Ranganatha Mudaliyar, Mr. Nagan Gowda proposes to move the omission of the words 'as far as possible' and the words 'as early as possible' and also the words 'with a preponderant representation therein of the progressive elements in the country'. The effect of this amendment on Mr. Ranganatha Mudaliyar's amendment will be that the amended amendment will practically run thus:

'to the satisfaction of all parties and hopes that the Round Table Conference will be held this year'.

"I hope that the House agrees to this form."

* Mr. R. NAGAN GOWDA:—"Mr. President, Sir, in moving this amendment, I wish to say just one or two words. I am hoping that my amendment will be able to meet the arguments of my hon. Friend, Mr. James and also of Sir A. P. Patro. In considering this question of the Round Table Conference, we have to bear in mind the fact of the democratic nature of the Labour Government in England at present in power and also the fact of their continued sympathy towards the aspirations of the Indian people. I think that some of the differences that do exist between us and the British people would be smoothened to a certain extent if we should meet on a common platform and discuss the matters together. I do not think, Sir, it would have been possible either for His Excellency the Viceroy or for the Secretary of State for India to lay down definitely the concessions or the amount of progress that should be made towards self-government in India, in a statement which both of them have made within the past few months. They have gone to a great extent when they said 'we will sit down together and discuss the matter'. Sir, I think the best part of it would be achieved if we sit down together for a discussion on this matter immediately without allowing a good deal of time to elapse between now and the holding of the Conference. I therefore, Sir, urge that this Conference should be held this year."

Mr. C. R. PARTHASARATHI AYYANGAR:—"I second this amendment."

* The hon. the PRESIDENT:—"The hon. Member has already had a chance of seconding another amendment. (After a pause) Has not the hon. Member seconded the amendment of Mr. Saldanha?"

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Mr. C. E. WOOD:—"I second the amendment, Sir."

Mr. A. RANGANATHA MUDALIYAR:—"Sir, in view of the speeches I have heard from my friends both on this side and on the other, and in view of the importance of having as much unanimity as possible in regard to this matter, I accept the amendment of my friend Mr. Nagan Gowda."

* The hon. the PRESIDENT:—"I now put the amendment of Mr. Nagan Gowda to the vote of the House. The question is: In the amendment of Mr. Ranganatha Mudaliyar, *omit* the words 'as far as possible' and the words 'as early as possible' and also the words 'with a preponderant representation therein of the progressive elements in the country'."

The amendment was carried.

* The hon. the PRESIDENT:—"The amended amendment runs thus.":

In the motion of Mr. Kesava Pillai, for the words 'and trusts that the pronouncement will be fully given effect to, to the satisfaction of all parties,' *substitute* the following: 'trusts that the pronouncement will be fully given effect to, to the satisfaction of all parties and hopes that the Round Table Conference will be held this year'."

* Rao Bahadur C. NATESA MUDALIYAR:—"Mr. President, Sir, I strongly support the resolution moved by the hon. Member, Mr. Kesava Pillai and seconded by the Leader of the Justice party, as amended by the amendment of Mr. Nagan Gowda which was accepted by Mr. Ranganatha Mudaliyar. Sir, there has not been a Viceroy who has won the homage and the goodwill of the people of India as much as Lord Irwin has done, excepting probably Lord Ripon. Sir, Lord Irwin is an English gentleman who has made many sacrifices in his life; he sacrificed his private interests for public work and became a Parliamentarian; he sacrificed his convenience and became the Viceroy of India. After seeing the culture and the economic and political aspirations of the people here, he went back to England to persuade His Majesty's Government that the best should be done for India in her political aspirations. The distant vision of the goal of self-government that was vouchsafed to us from time to time by the Declarations of 1857, 1912, 1917 and 1919 is, by the statement of Lord Irwin, becoming an actuality. Declarations ought to come to an end and action should come into existence; that is what we Indians want."

"Sir, as to the fitness of India to get dominion status, India compares very favourably with any other country which is enjoying that privilege now in the British Commonwealth. There are communal differences in South Africa, in Canada, in Australia and in other places; and moreover India compares favourably with them or rather perhaps much better than in regard to culture and attainments. It is on account of the latter that many from foreign countries that visit India, from time to time, go back highly impressed with her culture and attainments. Perhaps on that account also the Viceroys appointed by Conservative Governments have gone back to their country with a changed mind, with the impression that Indians must be helped in their political aspirations. Most probably, Sir, the British people in England have not enough knowledge about India. If they only come to know that Indians are not a set of aborigines but an ancient and civilized race—now more civilized than most of the civilized races of the world—surely, the British public will be the foremost to see that dominion status is given to India immediately. Mr. President, what is the use of Provincial

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Autonomy being given to us without a Responsible Central Government? The commerce, trade, industries, finance and all other important subjects are now with the Central Government, and what is the use of Provincial Autonomy for the provinces without responsibility in the Central Government? Is it simply for balancing the budget, is it simply for keeping the accounts of income and expenditure? Especially now, when the question of Empire free-trade policy is staring us in the face, we should get dominion status, so that we can have a tariff of our own and protect our country from being devastated. 'Economic salvation of our country'—that is what we are aiming at. It is one of the purposes for which we want dominion status. I am glad, Sir, that in this matter of the political aspirations of our people, all parties in the House are of one mind; I am glad also that Mr. James said that members of his community are wholeheartedly for this resolution. I am glad again that Mr. Siva Raj, who I thought would have had his own fears to accept dominion status, is with us on this resolution. As the Leader of the Justice party has said, we are with sufficient safeguards for the interest of the communities, for the highest possible privileges for India, we are for British connexion and we want dominion status under the British Empire, when India will be an equal partner with other dominions and will be a respectable member of the Commonwealth of Nations. I congratulate the Leader of the Justice party for the bold stand he has taken to-day. We want dominion status immediately. Yes, dominion status—but let it not be far off—with sufficient safeguards, immediately. Sir, there has been so much misgiving on the speech of the Viceroy which was made on the 25th of this month. I hope the Viceroy in his subsequent statements will clear such misgivings, and I also hope that such a sympathetic Viceroy will come forward and plead for dominion status for us in the Round Table Conference which should consist of all parties however minute the party may be,—we don't care whether they are progressive or retrogressive elements; all are progressive elements. We, the Justice party, are the most progressive people in the land, we prepared the country for dominion status; we worked the Reforms so successfully that the Madras Presidency stands to-day unique among the presidencies which deserve more reforms. I completely endorse all the statements made by the Leader of the Justice party who is my leader also."

* Khan Bahadur P. KHALIF-UL-LAH SAHIB Bahadur:—"Mr. President, Sir, I beg leave to associate myself with the resolution of Mr. Kesava Pillai as it now stands amended. The statement His Excellency the Viceroy has made is the most historic statement made in modern times. No Viceroy has won the whole heart of a great nation by a stroke of his pen as the present Viceroy has done by making his statement. It is not merely the stroke of his pen that has achieved this great success, but it is all by the magic of his heart and the magic of his statesmanship. As a Viceroy sent down here by the Conservative Government in England, he came to India to see the country for himself and study at first hand its needs and requirements. Having gained the knowledge that he sought by actual contact with the people, he thought it was his bounden duty to go to England and spread his knowledge among the leaders of parties there and among the leading Parliamentarians with a view to educate them and convince them that India's demands are reasonable and that a statement should be made both in Britain and in India; and His Excellency met with the success which his

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embassy deserved. It is through the largeness of his heart and the greatness of his statesmanship that the statement now under reference has been made. And that statement is certainly most timely and statesmanlike and has come not a moment too soon.

"I hope the House will be unanimous in adopting this resolution."

* The hon. Dr. P. SUBBARAYAN:—"Mr. President, Sir, I am glad that my hon. Friends, Diwan Bahadur Kesava Pillai and Diwan Bahadur Muniswami Nayudu have brought this resolution to express the wish of the House that we welcome the Viceroy's statement. I think the Viceroy's statement carries us further than any statement previously made by British statesmen has done; because it is not merely putting India on the 'road to self-government' which was what was contained in Mr. Montagu's Declaration of 1917, but it goes further than that on the question of giving India Responsible Government. That is why, I think, the Viceroy's statement should be welcomed by all of us here.

"I am not now going to raise the question of the Statutory Commission, because as the Viceroy himself has said in his statement, we ought to forget the things that happened before, especially the question of the boycott of the Commission. But I think this statement clears the issue and makes it possible for all parties to co-operate with His Majesty's Government in order to bring about dominion status for India which has now been conceded.

"I was sorry, Sir, to see that Sir Patro said that the Viceroy has made it clear by saying 'it is not dominion status; it is only the statement of the goal; it does not mean the achievement of it'. Sir, I do not read that in the Viceroy's statement at all. On the other hand, I feel that the Viceroy has only exemplified his statement and made it clear that if the greatest possible agreement could be achieved by all parties who attend the Round Table Conference, it would be the business of His Majesty's Government to implement it by a statute. Sir, of course, he has taken care to say that he cannot commit the British Parliament and we can quite understand that, because, it is not for any single person, not even for His Majesty's Government to commit the British Parliament. As has been clearly stated in the Viceroy's statement itself, it is for the Parliament to deal with this question and nobody can question the authority of the British Parliament in this connexion. I am glad that all parties who are now willing to go to the Round Table Conference concede this. I think, it was this which made it impossible for our Congress friends to co-operate with the British Government, but I hope a way will be found for even the Congress people to co-operate with the British Government, because, I do feel that we ought to have all parties at this Round Table Conference, so that His Majesty's Government may know exactly where the country stands, and what the view point of the country is in the matter of attaining sominion tatus. I would tell my Congress friends that they are fighting a chimera when they say they want independence. If anybody has read the recent book of Professor Keith of Edinburgh on 'Sovereignty in the British Dominions', he would find that dominion status is even a better thing to achieve for India than independence, because each dominion, as was stated in the Imperial Conference of 1926, can in its own internal affairs do anything it likes, provided it does not go against the British Commonwealth. I think that it is a great thing for India to belong to this great

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Commonwealth, and that in the British Commonwealth, we have a germ of the League of Nations, which would eventually lead to world peace and to the union of all peoples. In that sense, I do feel that India has a great deal to gain by being in the British Commonwealth, rather than being outside it.

"Now, Sir, the House has also accepted Mr. Ranganatha Mudaliyar's amendment as amended by Mr. Nagan Gowda that this conference should be held as soon as possible this year. I think that if peace has to be achieved in this country and if all parties are to accept the declaration of His Majesty's Government, it is best that this should be implemented as soon as possible, but I would like also to point out that there are certain difficulties in the way and that is the reason, perhaps, why the hon. Mover of the resolution did not include the question of the conference being held this year. I am sure all members of this House are aware that the Imperial Conference is to be held sometime this autumn and His Majesty's Government will naturally be very busy with this conference and it will be perhaps not before the end of October when they will be free from their work in this conference. So, if the Round Table Conference is to be held this year, it will have to be sometime in November or so and perhaps His Majesty's Government are concerned whether the middle of the English winter will be the best time for the people of this country who will attend the conference. That is a difficulty which we shall have to keep in mind, but I am sure if all the people of this country are agreed that they are willing to attend this conference even in the middle of a severe English winter, His Majesty's Government will only be too glad to convene this conference as early as possible.

"I am glad this House has been given an opportunity of placing on record their appreciation of His Excellency the Viceroy's work in England, because when His Excellency left India, he said, he was going to England as an ambassador of India. I think India owes a deep debt of gratitude to His Excellency for having fulfilled this function of an ambassador in the best way he could by bringing about this settlement. I only feel sorry that he has not had the support of all parties in India which he so richly deserved. I hope, at least this House will give that backing to His Excellency the Viceroy and see that this tangled problem of Indian constitution is properly solved."

* Rao Bahadur Sir A. P. PATRO:—"May I make a personal explanation, Sir? The hon. Dr. Subbarayan has not either carefully followed me or he did not properly understand me. It may be either of the positions. He has stated . . ."

The hon. the PRESIDENT:—"Order, order. Commenting is not at all personal explanation."

* Rao Bahadur Sir A. P. PATRO:—"My statement was that the Viceroy made it clear what is meant by dominion status for India and that in his second statement he has cleared the position unequivocally as much was read hitherto into his speech by more than one party . . ."

* The hon. the PRESIDENT:—"I am afraid the hon. Member is not entitled to make a speech."

* Rao Bahadur Sir A. P. PATRO:—"What I said was that the Viceroy made it clear what dominion status means in his second speech and that it

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now lies with the people to unite together to make that offer a success; that is all what I said, but not what the hon. Dr. Subbarayan interprets it to be."

* The hon. Mr. A. Y. G. CAMPBELL:—"Mr. President, Sir, I consented to the discussion of this subject on the resolution that has been moved, because, I felt that it was only right that the Members of this House, if they so desired, should have an opportunity of expressing their views on the very important matters which are referred to in the resolution. The original resolution was very fittingly, in my opinion, on two grounds, proposed by my hon. Friend, Diwan Bahadur P. Kesava Pillai. In the first place, there is, I think, no one in this House who has been connected for a longer period than he with the legislatures in Madras. (Hear, hear.) He was an additional Member of the Council of the Governor of Fort St. George for legislative purposes before the Morley-Minto reforms were introduced. He has, therefore, had an opportunity of seeing at close quarters the various reforms and changes which have been taking place during the past quarter of a century in the form of administration of this country. And, in the second place, while he has always been a fearless and trenchant critic of Government, he has nevertheless been always ready to come to our assistance in finding a solution of the difficulties or means of removing the defects which he had brought to notice. He has displayed just the spirit which we need now, the spirit to assist in solving difficulties and in considering what policy the Government should adopt in respect of the important issues now before it. I believe, Sir, that that spirit is now very widely spread abroad among those who are taking part in public affairs in this Presidency. It is therefore most fitting that this resolution should be moved by my hon. Friend Diwan Bahadur Kesava Pillai.

"Sir, I have been listening with great interest to the speeches which have been made on all sides of this House to-day and I think that the outstanding feature of them is the very general appreciation of the work which is being carried on by His Excellency the Viceroy, and the belief in his sincerity and his intention to carry out all that he has stated, with the least possible delay. I think too, Sir, that it has been shown that he has done very much to clear up the position and to interpret clearly what was in some quarters held to be doubtful as to the meaning of former pronouncements of British statesmen. Sir, it seems to me that this is a matter in which we may leave it to the non-official Members of the House to vote, as it is a question on which their votes and their opinions can be most usefully expressed on this occasion, and I shall take steps as soon as possible after the close of this debate, to see that a report of the proceedings in this House on this resolution and on the various amendments, is forwarded to the Government of India for their information."

* The hon. the PRESIDENT:—"I now put the amendment to the vote of the House. In effect, the amendment will run thus:

'To the motion of Mr. Kesava Pillai, add the following words at the end:—

"and hopes that the Round Table Conference will be held this year."'

The amendment was adopted.

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* The hon. the PRESIDENT:—"I now put the motion of Mr. Kesava Pillai, as amended, to the vote of the House.

"The question is :

'That this Council welcomes the pronouncement of His Excellency the Viceroy made on the 31st October 1929 regarding Dominion Status and Round Table Conference as a timely and statesmanlike offer, trusts that the pronouncement will be fully given effect to, to the satisfaction of all parties and hopes that the Round Table Conference will be held this year.'"

The above motion was adopted unanimously.

III

A BILL TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920.

Clause 121.

The discussion on the amendment of the hon. the Chief Minister to substitute a new clause for clause 121 was then resumed.

* Mr. C. R. PARTHASARATHI AYYANGAR :—"Sir, it will be found that the old section 300 was intended to be enacted for the purpose of providing an antidote against smallpox, as it was thought that smallpox will be combated successfully by vaccination being resorted to. It is not on medical principles that we are now considering but on the consequences of vaccination as a matter of reason and commonsense. Some of them are known personally to me and so I speak with knowledge and not on mere theory. Sir, it is said that vaccination cures smallpox. I had all my children vaccinated, but ever since the date of the vaccination, they have always been complaining of headache and one of them developed a peculiar disease, not known to doctors and diagnosed only on the day of death as *meningitis*. So, Sir, that put me on enquiry as to why this disease should take possession of the child and after having carefully read all the available literature on the subject and after consulting all the persons who have been affected by it, I tried to convince my own municipality of the great difficulties and the strange position in which parents are placed in discharging their responsibilities. First they prosecuted me for disobeying the law—that is six years ago. Then, thanks to my lawyership, I was able to avoid it by means of some legal defects and thus the prosecution was thrown out. Then, an appeal went to the Government and the Public Prosecutor said they need not prosecute me. The municipality was not satisfied with that and again they prosecuted me and ordered a notice to be issued to me to show cause why I should not be prosecuted. This time, I could not evade it, as there was no legal defect in it. So, I studied all the literature on the subject and requested the audience of all the municipal commissioners. I put before them all the literature available and the different opinions which eminent doctors have been holding on the vaccination law in the various countries in the civilized world.

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"The District Medical Officer was also asked to be present at the time when this discussion took place in the municipal council, and he wisely said: 'you decide as you please', and the municipal council was of opinion that no prosecution ought to be ordered, and thus I escaped criminal prosecution a second time. And afterwards the matter was referred to the Ministry of

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Health and the question arose whether the municipal council or the municipal chairman had the final voice in the matter, and the answer given was that the municipal chairman was the final authority in the matter.

"Now, Sir, this question arose for the first time a hundred years ago, and since that date a lot of information has been gathered, and there have been agitations going on even in our own Presidency. You know there is an Anti-Vaccination League in Palghat, where the secretary of that league was prosecuted and fined for disobeying the vaccination rules. Now I want to put before this House that there is a strong public opinion against vaccination, and that there is a paper called 'Vaccination Inquirer' which gathers all the information available on the subject. And I have in my hand a copy of the memorial submitted by a deputation that waited on the Minister for Health, led by leading doctors and influential citizens of England and Wales, requesting him to consider the great disadvantages arising from the law, as it now stands, in England. And they also urged for the repeal of vaccination. You know that vaccination was compulsory till 1898 in England, and the first exemption was given in 1898. In 1907 there was a relaxation in the enforcement of the law, but yet there is the rule that all Government servants should get themselves vaccinated before they become eligible for Government service and that no children should be allowed into educational institutions unless they are vaccinated."

* The hon. the PRESIDENT :—"I don't know how far Government servants getting themselves vaccinated is relevant to the discussion."

* Mr. C. R. PARTHASARATHI AYYANGAR :—"Sir, I want to put before this House the extreme dangers which attend vaccination, and I want to show how it is a matter of life and death and not one of play as this amendment seeks to make. Sir, there is a volume of literature on this subject, and if you will only care to look into the 'Vaccination Inquirer' and other pamphlets which I have now before me—I am going to place them presently in the hands of the Chief Minister—you will see that vaccination produces more diseases than it intends to avert, and from the memorandum of the deputation that waited on the Minister of Health in August 1929 you will see that several doctors have testified to the fact from Government records published, that vaccination has produced several kinds of diseases and that it has produced even death. Thus the House will realize that the dangers attending vaccination are very great.

"This old superstition of getting oneself immune from smallpox by getting inoculated began about 100 years ago. At that time it was said that if a child is inoculated with the virus of a calf, which was in its turn inoculated with the virus of some diseased animal supposed to be suffering from smallpox it would be immune from smallpox. But later on this theory was put to the test; several inquiries were made and of them the most important is the one conducted by a body of doctors. In the report submitted by the doctors you will find several cases of boys contracting various kinds of diseases immediately after vaccination. I know of the case of a boy who died after a few days after getting himself vaccinated. And the most heart-rending spectacle is that of the death of the brother-in-law of a vakil friend of mine, who dropped dead scarcely had he walked three steps after the injection of the vaccine.

"Then, Sir, there are several grounds of objection against vaccination. First of all it is an inhuman treatment given to the calf. If you will only

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attend the place, I have attended, where doctors take the pus from the calf to be inoculated into the virus of the child, you will realize how the matter is so disgusting. But you may find that Europeans have a liking to this method. To this I will submit that they are meat-eaters, and to neutralize the poison which is present in the meat they eat they inject this poison. But we Brahmans who live on pure food, and who feed our children on pure food have no need for this. When the dirty pus taken from a diseased body, is injected into the pure blood of a child then disease sets in. From the statistics prepared by Government between the year 1888 to 1927, it is interesting to see that in places where there is no vaccination the rate of mortality has decreased, while in districts where vaccination is resorted to the rate of mortality has increased. The reason that the doctors say for this is, that injection weakens the body and thus makes the body more susceptible to diseases. As yet the doctors are quite undecided on the efficacy of vaccination. For they say that to be completely immune from smallpox one should get himself inoculated once in six months. In this connexion, I may point out to the House the results achieved by the Lecestershire municipality by experiments in sanitation. The municipality made a bold stand against vaccination and they refused to have anything with it. They said: 'we will improve our sanitation.' So the Lecestershire municipality took up the business of improving their sanitation, they pulled down old houses, removed all dirt from the precincts of the municipality, took special care that no offals or dung heaps existed by the side of habitations, in short they carried their sanitary reforms almost to perfection, and the result was that since the year 1872 there has been no case of smallpox in that municipality. So that the real remedy lies in sanitation and not in reducing the level of vitality and not in injecting the pus of dead animals into the pure blood of children. That is the lesson we learn from the Lecestershire municipality. I have got a book which gives statistics of the experiments made in the two countries of Holland and the Phillipines. In Holland, where they took to vaccination till 1927, the death rate was heavy; and then they tried the experiment of not vaccinating the people. The result was marvellous and from that year forwards they stopped vaccination altogether. Take Germany. There the Germans took to vaccination vigorously, first of all they vaccinated, then they re-vaccinated and then they re-re-vaccinated the people, but still the mortality instead of decreasing increased.

"So that on these grounds what the deputation of doctors in August 1929 said to the Health Minister was that 'it is not enough if you give us immunity from the penalty for refraining from vaccinating ourselves on the ground that we are conscientious objectors; we want something more, namely, that the Government order rendering non-vaccinated people ineligible for Government service should be repealed.' You all know very well how Lord Pentland refused to get his child vaccinated, though he was a resident of the Madras Corporation. He said 'I don't believe in your vaccination, I believe it produces more diseases.' And what did the Madras Corporation do with him?

"Sir, I have got with me a book, at the end of which there is a tabular statement showing the rate of mortality prevalent in areas where vaccination was resorted to and in places where vaccination was not adopted, I don't want to take the trouble of inflicting on this House those facts and figures, for they are dry and uninteresting. And what is dry and uninteresting to you is a matter of life and death to the parents of children and to children

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themselves. You pose to be the custodians of the health of children living in your municipality, you pose to be the *parens patrie* of all electors, you pose to be the guardians of electors and yet you inoculate them. There are several diseases which are traced to be the direct result of inoculation, such as, encephalitis, syphilis and even direct death.

"And then you will also find that cases of death have been reported by the Rollesa Committee consisting of two cases of death from smallpox of children below 15 years of age. It is very difficult to detect such cases but such cases as have found their way into the official records go to show that vaccination is considered by a great number of doctors—doctors of great eminence—as producing diseases of a most dangerous kind. Will the Government, before vaccinating a child, guarantee that that child will be free from disease or that the child will not die? If the Government takes upon itself the responsibility of a statement to that effect then the matter may be considered. In England, in several cases, on account of bad results following vaccination, the Government have paid damages to the extent of £2,000. You will find many instances showing that Government had to pay damages for bad vaccination. Doctors have stated that the resulting diseases are of a very extraordinary kind. More than any other, syphilis and leprosy are in the forefront. There have been 126 cases of syphilis within the last two or three years and after vaccination has been rendered optional the smallpox has dwindled down in England with the result that there have been only 28 deaths. Nature can be best helped only by good sanitation. Smallpox is only a disease which occurs on the failure of sanitary conditions and where people do not take care of their own health. Smallpox is an attempt on the part of the system to get rid of bad matter. If the system wants to do so, what is the good of importing bad matter into the system? It stands to commonsense, it stands to reason that that should not be done. I speak first from my own direct experience and from the study of literature that has been published on the subject. I have also a book on 'Vagaries of vaccination propaganda' by several doctors and a number of other people who are very strong in their view that it introduces more disease. It is a matter which, if people have suffered personally, will brand itself into their minds. Several persons are suffering but they do not articulately express themselves. Now that the question has come up before the Council, will the hon. the Minister be pleased to consider that several persons have studied the subject or at least are in possession of facts which go to show that vaccination has frequently produced death, secondly, it produces more disease, thirdly, from the humanitarian point of view, it kills animals and fourthly you expose your children to disease. The less strong they are, the greater the liability to disease. Vaccination lowers the vitality and they are not able to resist disease. Our country is already a poorly fed country and the state of vitality of the children, especially of the poorer classes, is very low. Why do you make the position of these poor people worse by poisoning the system by vaccination. That people who have already poisoned their bodies by feeding on meat and other things should be still more poisoned by vaccination is a different thing but it is deliberate cruelty that those who have no food to eat but are living in mere starvation, from half a meal to no meal, should be made to live on a medical superstition which has died long long ago. Therefore, Sir, the people are convinced that this state of affairs should end. Why of all things in the world in India, a country where people live on pure food and pure water, should

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people be subjected to vaccination and consequently diseases? A very curious machine invented in America identifies the germs of diseases present in blood or saliva. Lymph when submitted to this test shows the reaction of congenital syphilis and some of them show tuberculosis also. You see, Sir, that of late the complaint has been made that tuberculosis is on the increase. Surely it is because there are several elements showing that tuberculosis is always found in the system but if you put any vaccine which contains syphilis or tuberculosis, the germs which have been lying dormant are raised into activity. Is it commonsense that you should go to a doctor of all persons in this matter? Sir, doctors are not angels. When you go to a doctor with a disease, he asks you to diagnose, and then gives medicine. I have known some doctors who are so tired of their patients that they give some water and say it is good medicine. They are not persons gifted with a vision to deal with this state of affairs. The superstition that this vaccination is necessary for the purpose of preserving the lives of people ought to go. I know, in my own district, a certain highly placed official refused to admit clerks in his office because they did not get themselves inoculated with clean cholera germs. Sir, the clerk stated "I am free, my house is free, I am living in clean quarters" but the official replied "No, Sir, I will not allow you to enter my office unless you inoculate yourself."

* The hon. the PRESIDENT :—"The hon. Member is digressing."

* Mr. C. R. PARTHASARATHI AYYANGAR :—"I am only saying that . . ."

* The hon. the PRESIDENT :—"If the hon. Member confines himself to the point, his speech will be long enough."

* Mr. C. R. PARTHASARATHI AYYANGAR :—"You will kindly excuse me. I want to impress upon the House and upon the people because these things . . ."

* The hon. the PRESIDENT :—"The hon. Member will have to recognize that my main function is not to allow members to digress from the point at issue. I have to discharge my duties."

* Mr. C. R. PARTHASARATHI AYYANGAR :—"I do not want to digress at all but I want to bring home to the people that parents are more interested in the welfare of the children than any section of the Municipal Act. That is my point and if I have succeeded in impressing upon the minds of the Ministers and upon the members of the House that this matter affects the health of the children to a large extent and also of persons who have to be inoculated, I shall have accomplished my purpose. There is one other point. I have given notice of an amendment that at least exception should be made in the case of conscientious objectors. If this amendment is voted down, conscientious objection is there in the Select Committee . . ."

* The hon. the PRESIDENT :—"The hon. Member has not gone through the Bill as amended by the Select Committee. It is the Select Committee's amendment that is being amended by the Minister's amendment."

* Mr. C. R. PARTHASARATHI AYYANGAR :—"No doubt; but it leaves out of account this important fact. Suppose the school authorities do not allow the child to enter the school compound unless he is vaccinated. It

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would not enable him to say that he was once vaccinated. There must be a provision in the rules at least to the effect that when there is a definite objection on the ground of conscience the child need not be vaccinated. It must be a protection for ever when he becomes a clerk in an office or when he holds an appointment."

* The hon. the PRESIDENT :—"I request the hon. Member to protect the clerk as well as the educational institutions by means of a separate Bill."

* Mr. C. R. PARTHASARATHI AYYANGAR :—"I want also. . ."

* The hon. the PRESIDENT :—"But these remarks are not relevant to the issue."

* Mr. C. R. PARTHASARATHI AYYANGAR :—"Vaccination ought not be made compulsory either in the school compound or in the office."

* The hon. the PRESIDENT :—"Order, order. I am trying my best to induce the hon. Member to confine himself to the provisions of this section; but he is transgressing into the question of admissions to schools, the appointments of clerks, etc. That is not at all relevant. I request the hon. member not to pursue that line."

* Mr. C. R. PARTHASARATHI AYYANGAR :—"I am sorry I have not explained myself fully. My proposition that it should be of universal application . . ."

* The hon. the PRESIDENT :—"The hon. Member is requested to resume his seat."

* Mr. A. B. SHETTY :—"Mr. President, Sir, my hon. friend Mr. Parthasarathi Ayyangar generally talks such high philosophy and roars so high that several of us find it difficult to follow him but strangely enough to-day I find myself in agreement with much of what he has said just now. Sir, the Select Committee has wisely decided to recognize the growing strength of the conscientious objectors to a system of compulsory vaccination and to make vaccination optional. I see no reason to go back on this decision. The controversy between pro-vaccinationists, and anti-vaccinationists, is an old one. It is not cranks or cynics that are against vaccination but we find amongst them many eminent medical men and scientists of high renown. I am for putting this case against compulsory vaccination not so much on ethical grounds as my hon. Friend has done but on scientific grounds. Anti-vaccinationists contend that vaccination is not only useless but oftentimes it is positively harmful. My hon. Friend has made mention of several diseases that have been traced to vaccination. The Royal Commission on vaccination admitted 32 years ago that vaccination kills or injures a certain number of infants every year. We have recently heard much about a dreadful malady called encephalitis following vaccination in children. Two years ago, the occurrence of post-vaccinal encephalitis made the Dutch Government put a stop to compulsory vaccination in Holland. In England the risk of death from vaccination has been found to be greater than the risk of death from smallpox. During a period of 24 years ending with 1928 only 88 children under 5 died from smallpox in England, while 232 died from the effects of vaccination."

"Even granting that the danger of vaccination is exaggerated by the anti-vaccinationists it is difficult to disbelieve their contention that vaccination

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is useless. Orthodox medical opinion believes in the efficacy of vaccination because it has become a part of their official creed. Statistics are quoted on either side but we know how often statistics are unreliable and how they are manipulated to suit the pet theories of medical men. Those who put their faith in statistics will find in the Army Medical returns the most striking refutation of the theory that vaccination is a sufficient protection against smallpox. Vaccination and re-vaccination are compulsory conditions of service in the army. Yet neither the German Army nor the Italian Army has ever been free from smallpox attacks and deaths. During the late war the British Army in Mesopotamia suffered severely from smallpox. Two hundred and eighty-seven soldiers who had been successfully vaccinated and re-vaccinated within the preceding three years had smallpox and twenty-nine of these thoroughly protected persons died of it.

"Doctors whose faith in the utility of vaccination as a perfect preventive of smallpox has been shaken by repeated epidemics of that disease in well vaccinated places are now coming round to the view that vaccination does not prevent smallpox but modifies its virulence. By modifying smallpox vaccination will only facilitate the spread of that disease. Smallpox is said to have become so mild in form in England that doctors find it difficult to diagnose it. Vaccination is not really so essential for controlling smallpox as improving sanitation. The results achieved in Leicester bear ample testimony to this fact. Leicester gave up compulsory vaccination nearly half a century ago and concentrated on sanitation. The result is that for the last 24 years there has not been a single death from smallpox there. England gave exemption to conscientious objectors as long ago as 1898 and took to sanitary reform with the result that to-day smallpox is practically extinct as a cause of death in that country.

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"If vaccination does really confer immunity then logically speaking we must make revaccination also compulsory. Because it is believed that the immunity lasts only for seven years and even in regard to this matter there has not been general agreement among doctors who believe in vaccination. In 1921-22 I understand there was a very severe epidemic of smallpox in this City of Madras. It was one of the severest epidemics experienced here in this century and they began to find out what the cause of this could be because vaccination was compulsory in this City. They examined the figures and referred the matter to the Director of King Institute. Here is what he says with regard to the whole matter :

'The only logical conclusion which can be drawn from the figures as given by the Health Officer is that vaccination has no protective power against smallpox. . . . is positively dangerous and that the malign influence increases as time goes on, for while the attacks among the vaccinated gradually decrease with age, those amongst the vaccinated increase at an alarming rate.'

"Then the figures had to be re-examined and retabulated so as to make out a case for compulsory vaccination. But finally they gave up the idea of making revaccination compulsory. In Bombay also 15 years ago this question was discussed by the Corporation and finally they abandoned the proposal of compulsory revaccination. We are told that in Germany and Japan where not only vaccination but also re-vaccination is compulsory there have been several epidemics of smallpox with high mortality. Smallpox has now become one of the least important causes of death. In fact there are very

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many diseases which levy a greater toll than smallpox. Measles, for instance, is responsible for a much larger number of deaths than smallpox. I do not understand why we should be particular about taking prophylactic measures against this particular disease, while we don't protect ourselves from several other diseases which are more common and fatal. On a consideration of all these facts, I trust that this House will agree that it will be better to allow vaccination to be optional and exempt conscientious objectors."

* Rao Bahadur C. NATESA MUDALIYAR :—"Mr. President, Sir, I am sorry that a horrible picture has been depicted by the hon. Members Mr. Parthasarathi Ayyangar and Mr. Shetty. Such objectors existed even at the time of William Jenner although he proved by thousands and tens of thousands of cases that a very hateful disease which killed thousands or maimed for life; many more thousands can be made harmless by vaccination. Sir, I am glad that among the objections that were mentioned they did not mention two imaginary objections. Sir, the objectors said that vaccination is taken from the cow; so it produces bestial character among vaccinated human beings. They say that smallpox is a visitation of the heavens to relieve the burden of a poor man's family. The greater the success of vaccination, the greater was the opposition to it. This sets all medical colleges and medical men for more and more research work so much so that the body of evidence produced to-day is 'unassailable' and 'unassailed.' Sir, papers on the efficacy of vaccination were submitted to the House of Commons and were published in 1857. Before vaccination was introduced, for over 100 years, 45 millions of people died of smallpox. In Greenland two-thirds of the population was swept away in one year. In Iceland 18,000 people out of 50,000 were swept away in one year. Russian Empire alone contributed 2 million victims every year. Among one tribe of American Indians numbering 1,500 all were swept away except 30. In Sweden before vaccination the death-rate was 2,050 per year and now it is only about 158. In Germany before vaccination was introduced, 24 years before vaccination was introduced, 3,422 people died annually and now it is only about 176 people. Germany, where vaccination is compulsory for 40 years, I learn, has been free; especially Berlin has been free from smallpox. It is only at the time of war when foreign elements were introduced that smallpox entered Berlin. They were able almost to stamp out smallpox till the time of war. In London it was 3,000 to 5,000 deaths per year from smallpox. Now I learn it is only 340. Perhaps it is the conscientious objectors that are responsible for the smallpox death-rate in the City of London. Otherwise London will be a proof against smallpox taking into consideration the precautions taken against infectious diseases. The United States Army doctors by systematically vaccinating the people of six provinces, the Philippines, were able to reduce smallpox deaths from six thousand to nil. Smallpox existed in India from time immemorial which will be known from the Mariamman temples having existed in the various places for a long period. In those days what was the preventive? It was the inoculation mentioned in the vedas. Brahmans were performing the inoculation ceremony reciting the hymns that were mentioned in the vedas. What were they doing? They were taking the matter from smallpox postule and then inoculating them to other children on the outer side of the arm from shoulder to elbow. Not only were they taking the matter from smallpox for inoculating but mere giving it to children with rice balls and jaggery to be eaten. So that if the matter is given to children they get smallpox in a mild form and

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the children lived. Then it was thought all over the world, and in India, that it was inevitable that every individual born must get smallpox. When a man was asked how many children he had, the answer was 'I am not certain till smallpox visits my children and they survive.' So every one thought that a man must go through the ordeal of smallpox. It was said that smallpox caused tenths of the deaths in ordinary times, fifty per cent at the time of epidemics, and maimed and disfigured one-fourth of mankind. Inoculation was carried from India to Arabia and from Arabia to Turkey. In Turkey Lady Montague's son was inoculated by Mr. Maitland. When they came back to England a daughter of the same lady was inoculated by the same gentleman. This was followed on a large scale in England, till Jenner found out the simpler and more effective method. It was found that virus of smallpox when passed through the body of a cow became much milder. Jenner got it from a milkmaid, who said, that she had cowpox. Then he began to experiment on human beings."

* The hon. the PRESIDENT :—" I am not able to understand how all this is relevant."

* Rao Bahadur C. NATESA MUDALIYAR :—" Mr. Jenner had congratulations from monarchs all over the world, on account of the efficacy of his vaccination, and the British Parliament voted thirty thousand pounds for him, on account of the efficacy of his vaccination. What did India do? Bengal contributed four thousand pounds for Jenner fund, and Bombay two thousand, and Madras about one thousand three hundred pounds and odd, in appreciation of the efficacy of his vaccination."

* The hon. the PRESIDENT :—" I am not able to find the relevancy of this."

* Rao Bahadur C. NATESA MUDALIYAR :—" In India itself one million and a quarter people died of smallpox before vaccination was introduced. And it was reduced to four lakhs after the introduction of vaccination. Then as to the diseases produced it is mostly due to lymph, and the way in which the operation is performed. If lymph is prepared hygienically and the operation is aseptically performed, everything will be all right. Even pin-prick may produce Tetanus, if there be uncleanness. If you select your calf clean and if you make your instruments as aseptic as possible, there will be no disease. Smallpox is not a respecter of persons, strong or weak. Generally diseases attack weak people. But strong or weak, rich or poor, and persons with sanitary surroundings or not, smallpox attacks them all. It respects only vaccination. So when an epidemic visits, these conscientious objectors will be the first to be swept away."

"Of course vaccination once or primary vaccination is not enough. There should be a re-vaccination. I hope the Minister will take care to see that there should be vaccination once and vaccination after every seven years in a man's life so that we may be able to stamp out smallpox altogether from the Presidency. Universal and efficient vaccination can achieve this object."

* Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—" Mr. President, I rise to support the amendment to make vaccination compulsory, because I am of opinion that vaccination should be done not only once in one's life, but three times. I say this from my own experience. I myself have been vaccinated several times and it has not produced any evil results so far, I have been connected

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also with some of the girls' institutions, schools and hostels and I have got them all vaccinated not only once but several times and they have not reported any bad consequences. (A voice : Question.) I have known families where infants three months old have been vaccinated; but I have always taken care to get pure lymph and to have the arm cleaned out properly and then the vaccination done. These are the essentials of vaccination. I think that all the evils that result from vaccination may be attributed to bad technique and bad lymph used in inoculation and the inoculation itself being done in an indifferent manner. I look upon serum as a saviour and a benefactor of humanity. Hon. Members have used quotations from medical people of other countries in support of their statements. But, I hope they will have the patience to listen to the facts that are placed before them by the medical people in this country. In my own medical practice I have not known one single case of vaccination having caused death; but I know of a family where all the children have been vaccinated except a healthy baby one year old and the mother had been postponing vaccination for some reason or other. Somehow lay people imagine that vaccination weakens the child, and for some mild ailment such as cold or itch, they postpone vaccination. The result was that one baby got a virulent attack of smallpox and died. The poor mother related that sad story to me afterwards. I know that children vaccinated in their early years get attacks of smallpox later on which I will attribute to vaccination not being repeated as often as necessary. Vaccination has effect only for seven years. I know many people suffer from smallpox because they have not been vaccinated again. As I have had the vaccination done three times, I do not get infection from patients who suffer from smallpox. We can judge how this generation is free from many of the physical deformities which the previous generation have been subject to by non-vaccination. We have seen many who have lost their eyes, who have their faces disfigured by smallpox marks, because vaccination was not so popular then as it is now. Again such diseases such as syphilis and leprosy may be due to the inoculation of human lymph from one child to another. I have not heard of any cow having been infected by such diseases. I hope the veterinary experts will enlighten me on that. I have never heard leprosy attacking cattle. I myself have not seen any syphilis or leprosy having resulted from vaccination. As for tetanus, it is the result of bad technique. We have known cases of patients who have undergone operation under good surgeons who developed tetanus owing to an error in the preparation of the instruments or the skin. Smallpox, we know, is a most dreadful disease which causes death, suffering, disfigurement and very often the loss of some precious organ in the body. So we cannot leave it to the option of the lay ignorant public. Now we have got compulsory notification of contagious diseases such as cholera and plague, that people suffering from them should report to the proper authorities; so also vaccination should be made compulsory in the interest of public health, in the interest of future as well as the present generation. With these words, I support the amendment."

The amendment was put and adopted.

Clause 121 as amended was put, passed and added to the Bill.

Clause 122.

Clause 122 was put, passed and added to the Bill.

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Clause 128.

* The hon. Dr. P. SUBBARAYAN :—" I move—

In sub-section (3) of section 305 as re-numbered in line 1 after the words 'proposed to be made' insert the words 'under sub-section (2) of section 77-A or'."

"I said Mr. President, in replying to the amendment proposed by Mr. Kumaraswami Reddiyar that any rule to be made under section 77-A will be brought under section 305, so that the approval of the Legislative Council might be obtained before any such rule becomes part of the statute. In view of that assurance given to the House, I move this amendment."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put and adopted.

Clause 128 as amended was put, passed and added to the Bill.

Mr. F. E. James who was absent at the time when his amendment was called wanted to move it, on which the hon. the President said: "If hon. Members want to move their amendments they are requested to be specially present in the House however wearisome the debate might be."

Clauses 124 to 146.

Clauses 124 to 146 were put, passed and added to the Bill.

Clause 147.

* The hon. Dr. P. SUBBARAYAN :—" I move—

In the penultimate line of sub-rule (1) of rule 3 in Schedule III of clause 147 (ii) for the words 'six clear days' substitute the words 'ten clear days'.

"This brings the provisions under the District Municipalities Bill into line with the Local Boards Bill as amended by the Select Committee."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put and adopted.

Sub-rule (2).

* The hon. Dr. P. SUBBARAYAN :—" I move—

(a) *In line 2, for the word 'receipt' substitute the word 'delivery'.*

(b) *In line 3, after the words 'on the day specified therein' insert the words 'or within three days thereafter'.*

"I move this amendment for the same reason as in the case of the other amendment."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put and adopted.

Clause 147 as amended was then put, passed and added to the Bill.

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Clause 148.

Schedule IV.

* The hon. Dr. P. SUBBARAYAN :—" I move—

*At the end of sub-rule (2) of rule 2, add the following words, namely :—
'and such person or agent shall be entitled to take extracts free of charge, from the said books and records'.*

"Sir, this is also to bring the District Municipalities Act into line with the amendment carried in the Local Boards Act."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put and adopted.

Clause 148 as amended was put, passed and added to the Bill.

Clause 149.

Schedule IV—Rule 9.

* The hon. Dr. P. SUBBARAYAN :—" Sir, I move—

(a) *In the first sentence, for the words 'date of service of the special notice hereinafter referred to' substitute the words 'date of such notice.'*

(b) *Omit the last sentence.*

"Sir, as I have said in the dissenting minute, this provision would add considerably to the work of the establishment and lead to much inconvenience in practice. Therefore I would recommend this provision be left out."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

* Rao Bahadur Sir A. P. PATRO :—" Sir, it is really a great hardship that there should not be any notice to the ratepayers for the revision of tax. It is essential that they should have sufficient opportunity of contesting the assessment and the basis on which such assessment has been fixed. It is not sufficient if a general notice is put up in the municipal office and say 'You all take notice, etc., etc.' That might have been done before but the times are changing. Each individual ratepayer must know what he has to pay and it is the duty of the municipality to intimate to him. Therefore the responsibility lies on the municipality to intimate the assessment to them. You cannot charge a ratepayer for what he has to pay unless you give notice to him as to the amount he has to pay. No doubt there was the practice of putting up such notices in the municipal office. That has led to great deal of confusion and even injustice. It is essential therefore that there should be special notice given in this connexion where liability is to be fixed on the ratepayer."

* Mr. A. RANGANATHA MUDALIYAR :—" Sir, I would request my Friend Dr. Subbarayan not to let personalities influence him in coming to a decision on this matter. Even on the reserved side there are cases as, for example, in the case of the recovery of the cost of survey stones, notice has to be given to a very large number of people. Even there a new rule has been introduced by which individual notices are given apart from the general notice fixed in the village chavadi. We all know what this general notice means, how very few are the people who read it and how people lose their right of appeal which they would have if they had timely intimation."

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"I really would ask the hon. Minister to reconsider his position and leave alone the provision as framed by the Select Committee. You must after all realize, Sir, that there is a vast army of municipal employees such as bill collectors, sanitary staff and so on. These people may usefully come into contact with the residents of the municipality. They can even get an idea of what the reasonable assessment should be if they go to these houses at least for the purpose of serving these notices. I hope my hon. Friend will favourably consider the suggestion thrown out from this side, viz., to drop this amendment and to have the original provision as introduced by the Select Committee."

Diwan Bahadur B. MUNISWAMI NAYUDU:—"Sir, I was first inclined to take the view that the amendment is not necessary. But you find that in rule 9 it is said: 'When assessment books have been prepared for the first time and whenever a general revision of such books has been completed, the chairman shall give public notice . . .'. And again, in rule 10, it is laid down, 'In every case in which, between one general revision and another, the chairman assesses any property for the first time or increases the assessment on any property . . . the chairman shall by a special notice to the owner or occupier of such property that a petition for revising the assessment will be considered . . .'. I think these will do. The amendment is necessary."

* Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR:—"Sir, I support the amendment for the reason that the omission to serve a notice in any individual case generally invalidates the revision. As several people avoid accepting the notice so as to escape the revision, municipalities are put to difficulties. In view of rule 11 under which every house owner has got the right to submit revision petition every year, I do not think this amendment will work as a hardship. Rule 11 reads thus: 'Any person may, at any time, not being less than 30 days before the end of a half-year, move the chairman by revision petition to reduce the tax to which he is liable for the forthcoming half-year on the ground that the annual value of the property in respect of which the tax is imposed has decreased since the assessment of the property was last made or revised.' So, apart from the quinquennial revision, every year, every house owner has got a right to submit a revision petition. In view of this, I propose that the service of individual notice which is a difficult and complicated procedure should not be insisted upon. Hence I support the amendment."

The amendment was put and adopted.

* Mr. F. E. JAMES:—"Sir, I move that after rule 9, the following proviso be inserted:—

'Provided that in the case of property belonging to Government, Railway or corporate bodies such petitions shall be presented within 60 days after the date of service of the special notice.'

"This amendment seeks to give a longer period within which to send a petition in connexion with the revision of assessment of property belonging either to Government or to a railway or corporate body. The position of many of the railway and other bodies is that they have very often to deal with a large number of municipalities and they necessarily require time to make the

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requisite calculations for filing the necessary petition. In the case of corporate bodies like the railway bodies, the period should certainly be what I have suggested."

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR:—"Sir, I second the amendment. But I would amend it thus:

For the words 'the date of service of the special notice', substitute the words 'the date of such notice'.

* Mr. F. E. JAMES:—"I accept the amendment."

The amendment was put and adopted.

* The hon. the PRESIDENT:—"I will now put the amendment of Mr. James as amended."

"The question is that after rule 9 the following proviso be inserted:—

'Provided that in the case of property belonging to Government, Railway or corporate bodies such petitions shall be presented within 60 days after the date of such notice.'

The amendment was adopted.

Clause 149 as amended was passed and added to the Bill.

Clause 150.

Clause 150 was put, passed and added to the Bill.

Clause 151.

* The hon. the PRESIDENT:—"The hon. the Chief Minister will now move his amendment. After that, Mr. Hearson may move his amendments as amendments to that of the Chief Minister."

* The hon. Dr. P. SUBBARAYAN:—"I move—

For rules 16 to 19 substitute the following rules, namely:—

'Assessment of the profession tax.
16. (1) *The classes into which companies and persons shall, for the purposes of assessment to the profession tax, be divided and the maximum half-yearly tax leviable on each class shall be as follows:—*

Class.	Half-yearly income.		Maximum half-yearly tax.
	Rs.	Rs.	
I More than	Rs. 18,000	Rs. 18,000	Rs. 400 0
II "	18,000	18,000	250 0
III "	12,000	12,000	150 0
IV "	9,000	9,000	85 0
V "	6,000	6,000	55 0
VI "	4,000	4,000	35 0
VII "	3,000	3,000	20 0
VIII "	1,800	1,800	10 0
IX "	1,200	1,200	6 0
X "	600	600	3 0
XI "	300	300	1 8
XII "	150	300	0 8

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- (2) The council shall determine the tax leviable on each class subject to the maximum specified in sub-rule (1):

Provided that the proportion which the tax on any class bears to the minimum income of that class shall in no case be smaller than the proportion which the tax on any lower class bears to the minimum income of such lower class.

- (3) The council may exempt any one or more of the classes in sub-rule (1) from liability to profession tax, but no class shall be exempted from liability when any lower class in the scale is liable to tax.

17. A company or person shall be deemed to have transacted business or exercised a profession, art, or calling or held an appointment within a municipality if such company or person has an office or place of employment within such municipality.

18. (1) Where a company or person transacts business in any half-year exclusively in the area of a single municipality the income of such company or person from the transaction of such business shall, for the purpose of levying profession tax under this Act during the half-year, be deemed to be—

(a) where income-tax is assessed on such company or person under the Indian Income-tax Act, 1922, for the year comprising the half-year, one-half of the amount at which the profits and gains of such business are computed under section 10 of the Indian Income-tax Act, 1922, for the purpose of assessing the income-tax; and

(b) where the amount of the said profits and gains is not ascertainable, or where such company or person is not assessed to income-tax, such percentage as the Local Government may, subject to the approval of the Legislative Council, prescribe, of the turnover of the business transacted in the area of the municipality during the half-year or where this is also unascertainable, during the corresponding half-year of the previous year.

- (2) Where a company or person transacts business partly in the area of a municipality and partly outside such area, the income of such company or person from the transaction of business in the area of the municipality shall, for the purpose of levying profession tax under this Act, be deemed to be the percentage referred to in clause (b) of sub-rule (1) of the turnover of the business transacted in such area during the half-year or the corresponding half-year of the previous year as the case may be.

- (3) For the purposes of clause (b) of sub-rule (1) and sub-rule (2), the turnover of business in any municipality means the aggregate money value of the goods produced, manufactured, purchased or sold or of any other business transacted in such municipality.

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Explanation.—In determining the turnover of business under this sub-rule—

(a) where the delivery of any goods on account of any purchase made by any company or person and the delivery on account of the sale thereof by the same company or person or both effected in the Presidency of Madras, only the latter transaction shall be taken into account;

(b) where the delivery of any goods on account of any purchase made by any company or person is effected in any place outside the said Presidency and the delivery on account of the sale thereof by the same company or person is effected in any place in the said Presidency, the latter transaction shall be taken into account; and

(c) where the delivery of any goods on account of any purchase made by any company or person is effected in any place in the said Presidency and the delivery on account of the sale thereof by the same company or person is effected in any place outside the said Presidency, the former transaction shall be taken into account.

19. (1) If, in the opinion of the chairman, profession tax is due from any company or person for any half-year, he shall serve a notice on such company or person either in that half-year or in the succeeding half-year requiring the company or person to furnish within such period, not being less than thirty days as may be specified in the notice, a return in the prescribed form showing the income on the basis of which, according to such company or person, it or he is liable to be assessed to profession tax for the half-year in question. Thereupon it shall be open to such company or person to submit returns showing the income derived by it or him during the half-year for which profession tax is claimed or for the corresponding half-year of the previous year and produce any evidence on which the company or person may rely in support of the return made.

- (2) If a return is made as required under sub-rule (1) and the chairman is satisfied that it is correct and complete, he shall levy the profession tax from such company or person on the basis of such return.

Explanation.—In cases not falling under clause (b) of sub-rule (1) or under sub-rule (2) of rule 18, if the company or person produces the notice of demand of income-tax served on it or him under section 29 of the Indian Income-tax Act, 1922, for the year comprising the half-year in question, the chairman shall be bound to take one-half of the income mentioned in such notice of demand as the income derived from the sources on which profession tax is leviable under this Act, as the income on the said sources for the purposes of levying profession tax.

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- (3) If no return is made as required under sub-rule (1) or if the chairman is satisfied that any return so made is incorrect or incomplete, the chairman shall assign to the company or person the class in the scale appropriate to the half-yearly income of such company or person as estimated by him.
- (4) The chairman may, when classifying any company or person under this sub-rule, do so on general considerations with reference to the nature and reputed value of the business transacted, the size and rental of residential and business premises, the quantity and number of articles dealt with, the number of persons employed and the income-tax paid to Government.
- (5) The chairman shall not be entitled to call for the accounts of any company or person.

"Sir, this is done so that the rule with regard to profession tax and the companies tax which have been given up in accordance with the decision of the Select Committee on the Local Boards Bill may be the same in the case of the District Municipalities Bill also. That is the reason for this amendment."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I second it."

* The hon. the PRESIDENT :—"In the above amendment, Mr. Hearson may move that in Rule 16 (1) the figures 400 may be replaced by the figures 250, the figures 200 may be replaced by the figures 200 and that Rule 17 be omitted."

Mr. H. F. P. HEARSON :—"Sir, I shall move first, items 1 and 2 of my amendment."

"I move that in Rule 16 (1) the figures '400' be substituted by the figures '250' and the figures '280' be substituted by the figures '200'. The object of my amendment, as the Chief Minister said, is to reduce the disparity between the various classes coming under Rule 16 (1). The Select Committee by a narrow majority decided to retain this figure. I am opposed to it and that is why this amendment. I shall move for the omission of Rule 17 afterwards."

Mr. C. E. WOOD :—"I second it."

* The hon. Dr. P. SUBBARAYAN :—"Mr. President, I myself in the Select Committee thought that the figure was rather too high, that Rs 250 might be put in for the first class of cases and that Rs. 200 might be put for the third class of classes. This was rejected by a small majority in order to bring the clause in a line with that in the Local Boards Act. Hon. Members will see that the rise from Rs. 150 to Rs. 280 is nearly double of the income which the municipality would get from a person who would get an income of Rs. 3,000 more. Hon. Members will admit that it is not quite fair to levy such a high tax. I think it is but proper that the amendment of Mr. Hearson in this particular case should be admitted."

* Mr. R. NAGAN GOWDA :—"I rise to oppose the amendment."

* The hon. the PRESIDENT :—"The Council will adjourn to-day at 4-40 p.m. It has been so agreed to by the Leader of the House and the new Leader of the Opposition."

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* Mr. R. NAGAN GOWDA :—"Sir, two arguments have been advanced regarding the reduction of the profession tax. One of them is that the rise from Rs. 150 on the third class to Rs. 280 on second class is a very rapid one. This cannot be taken to be a reasonable argument for the reason that a limit is to be fixed below which you cannot tax them. After that the rates at which the taxes that are to be levied on higher incomes than that also must rise very rapidly with the rise in the incomes. It is on that principle that sur-taxes and super-taxes are levied. The other argument that was put forward by Mr. Hearson was that where a company did business there were the servants of that company who were paying profession tax. That, I think, is not a valid argument at all. The salaries of the servants are deducted from the gross income and then the net income of the company is calculated; the servants of the company just as anybody else pay profession tax themselves. Therefore that has no connexion with the income on which the company is asked to pay tax. Therefore I very strongly oppose the amendment as moved by Mr. Hearson."

* Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—"I oppose this amendment. The hon. the Chief Minister said that he agreed to this amendment for the simple reason that from Rs. 280 it went up to Rs. 400 and that the disparity was very great. Any one who would get Rs. 3,000 in a half year has to pay Rs. 10 and one who would get over Rs. 3,000, i.e., even Rs. 3,001 has to pay Rs. 20 that is double of Rs. 10. So the disparity referred to by the hon. the Chief Minister in classes 1 and 2 is not as great as it is in the lower classes. If we accept the amendment of Mr. Hearson it would mean that as we go up higher, we should reduce the tax. Therefore I do not see sufficient reason to accept the amendment of Mr. Hearson. If big companies are not sufficiently taxed I am afraid the resources of the municipalities will be very much crippled and they will not be able to provide sufficient amenities. For these reasons, I oppose the amendment."

* Mr. F. E. JAMES :—"I am really surprised to find that this amendment should be opposed. One of the arguments that was advanced by the previous speakers was that this is a profession tax and as such the tax should proceed on the basis of the income which one gets. That speaks of the extraordinary muddled financial thinking which is characteristic of certain members of this House. The Bill should proceed on this basis, viz., that profession tax is a tax on professions and therefore properly speaking the rate of the tax should include a schedule in which professions are graded in a certain form and taxed at a certain figure. That is the basis on which this tax should normally proceed. On the other hand, I find that this tax is proceeded with on the basis of income. You are not taxing the profession, but you are taxing the income. I have always understood that income-tax was levied by the Central Government, and I do not know how the Government of India have been able to give their sanction to the introduction of such a clause as this. As apparently sanction has been obtained for the introduction of this clause, I suggest that this is an innovation on the part of the Central Government, for which they will one day rue. I would point out that the scales that have been fixed by the hon. the Chief Minister are very unfair to the individual tax-payer. I do not see why an individual tax-payer should be graded with companies. I am not in a company; I am an individual and pay my profession tax. Therefore if you fix the maximum very high to catch companies,

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you also fix the maximum very high in the case of individuals. Under this Bill individuals are classified along with companies. Any one therefore who is enthusiastic in taxing companies is directly taxing individuals who have no other resources than their own. I am quite sure that that is not the intention of the hon. Member from Coimbatore."

Rao Bahadur C. S. RATNASARAPATHI MUDALIYAR:—"We must set an example."

* Mr. K. P. RAMAN MENON:—"One of the arguments that was put forward by Mr. James was that our method of levying profession tax was approximating the methods of levying income-tax. As a matter of fact, in the case of municipalities profession tax is also graded with taxes which are levied on persons who have their incomes. Mr. James also mentioned that private individuals will be affected by this provision and they will be graded according to the income they derive. As a matter of fact that is the rule. I know that in Calicut municipality taxes are paid according to the incomes of people divided into grades. People who have a higher income have to pay higher tax so that the provision for raising the scale is not a new innovation. So far as the municipalities are concerned, the fact that income-tax is levied by the Central Government and the profession tax is levied by municipalities cannot alter the situation. I submit that in the case of larger municipalities unless large companies and individuals having half-yearly incomes of more than Rs. 20,000 are taxed according to a larger scale, they will not be able to meet their expenditure. It is therefore desirable that the scale set by the Select Committee should be accepted. I therefore would stand by the hon. Minister's amendment and oppose the amendment of Mr. Hearson."

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

IV

PAPERS LAID ON THE TABLE.

1. * With reference to the answer given to question No. 164 at the meeting of the Legislative Council held on the 9th August 1929, a list of persons appointed as honorary medical officers to Government medical institutions in the mufassal is laid on the table.

2. † Proceedings of the fourth meeting of the Finance Committee for 1929-30 held on Tuesday the 17th December 1929 at 2 p.m. in the Cabinet Chamber, Fort St. George.

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

* Laid on the table on 23rd January 1930—vide Appendix XI at pages 672-678 infra.

† Do. 24th January 1930—Printed separately.

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APPENDIX I.

[Vide answer to question No. 1259 asked by Mr. T. Adinarayana Chettiyar at the meeting of the Legislative Council held on the 27th January 1930, page 559 supra.]

Year.	Number of cases pending at the beginning of the year.	Number of cases launched during the year.	Total.	Number of cases which ended in conviction.	Number of cases which ended in acquittal.	Number of cases withdrawn.	Total.	Number of cases pending trial.	Number of cases pending investigation.	Total.
1924-25 ..	4	9	13	9	4	..	13	..	..	..
1925-26 ..	..	25	25	11	4	1	16	9	..	9
1926-27 ..	..	23	32	15	4	..	19	13	..	13
1927-28 ..	9	58	71	22	10	..	32	39	..	39
1928-29 ..	13	68	71	22	10	..	32	39	..	39
1928-29 ..	39	36	75	36	14	1*	51	22	2	24*

* Accused died while under trial.

APPENDIX II.

[Vide answer to question No. 1264 asked by Mr. K. V. R. Swami at the meeting of the Legislative Council held on the 27th January 1930, page 560 supra.]

A.—Statement showing the number of cattle in each of the breeding stations in the Presidency since its starting.

HOSUR.

Started on 1st September 1924.

	1924-25.	1925-26.	1926-27.	1927-28.	1928-29.
Cows and heifers over a year ..	123	196	209	269	275
Breeding bulls and calves over a year ..	28	52	64	95	105
Bull calves ..	17	34	52	70	62
Heifer calves ..	18	59	57	74	52
Work animals ..	45	49	46	59	66

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CHINTALDEVI.
Started in 1918-19.

	1918-19 to 1920-21.	1921-22.	1922-23.	1923-24.	1924-25.	1925-26.	1926-27.	1927-28.	1928-29.
Cows and heifer calves	Information not readily available.	68	55	77	59	67	73	86	79
Bull calves		29	45	27	29	32	25	23	20
Heifer calves under one year		..	39	18	9	19	17	9	14
Breeding bulls		2	2	3	3	4	4	4	26
Work animals		27	26	20	22	27	29	25	24
Bull calves (Virus producers)		5	4	..	1	..	..	..	..

* Over one year.

† Under one year.

COIMBATORE.

Taken over by the Livestock section in June 1923.

	1922-23.	1923-24.	1924-25.	1925-26.	1926-27.	1927-28.	1928-29.
Cows	45	53	43	42	45	34	39
Heifers	54	48	10	10	8	4	6
Heifer calves	9	15	14	..	..	..	..
Bull calves over one year	38	18	2	9	8	11	8
Bull calves	4	18	17	1	..	..	..
Breeding bulls	14	18	12	12	10	11	11

GUNTUR.

Started on 12th June 1923.

	1923-24.	1924-25.	1925-26.	1926-27.	1927-28.	1928-29.
She-buffaloes	4	20	25	28	27	31
Buffalo bulls	3	4	9	11	14	13
Bull calves	3	5	6	6	8	8
Heifer calves	5	5	2	6	6	12

B.—Statement showing the amount of expenditure in each of the cattle
breeding stations in the Presidency since it was started.

Year.	Chintaldevi.	Hosur.	Coimbatore.	Guntur.
From the date of starting up to end of—	RS.	RS.	RS.	RS.
1927-28	2,18,186	* 2,45,176	1,12,688	27,115
1928-29	31,557	88,178	25,428	10,082

* Excludes pay and travelling allowance of permanent staff of the farm. These figures were all merged in the whole section figures.

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C.—Statement showing the amount of income from each of the cattle
breeding stations in the Presidency since it was started.

Year.	Chintaldevi.	Hosur.	Coimbatore.	Guntur.
	RS.	RS.	RS.	RS.
Information from 1918-19 to 1922-23 not available				
1923-24	No information.			
1924-25	2,555	387	No information.	807
1925-26	1,428	11,994	25,524	2,423
1926-27	3,898	13,846	29,872	2,806
1927-28	3,480	17,260	33,781	3,301
1928-29	4,302	19,838	33,684	3,301

NOTE.—The income was realized by the sale of the livestock of the farm milk and other dairy produce.

APPENDIX III.

[Vide answer to question No. 1270 asked by Dr. (Mrs.) S. Muthulakshmi Reddi at the meeting of the Legislative Council held on the 27th January 1930, page 563 supra.]

List of Government hospitals in which separate provision has been made
for the treatment of women suffering from venereal diseases.

Hospital.	Accommodation provided for women patients suffering from venereal diseases.	Staff employed.
General Hospital, Madras.	20 beds	A lady doctor is temporarily working in the department at present. A proposal to appoint a permanent lady assistant surgeon is under consideration.
Women and Children Hos- pital, Madras.	6 beds	A staff nurse is in charge of this section. The patients are given special treatment three times a week by the specialist in venereal diseases.
Headquarter Hospi- tal, Cuddalore.	Patients are treated in the separate isolation block for females.	One lady sub-assistant surgeon and one honorary lady sub-assistant surgeon and one female nursing orderly (all part-time).
Headquarter Hospi- tal, Bellary.	6 beds	Patients are attended to by a sub-assistant surgeon with the help of a female nursing orderly and a female toti.
Women and Children Hospi- tal, Bellary.	4 beds	The lady medical officer attends these cases assisted by a female nursing orderly and a female toti.
Headquarter Hospi- tal, Coimbatore.	A ward of 4 beds is set apart for patients suffer- ing from venereal diseases and also for septic cases.	No special staff.
Headquarter Hospi- tal, Guntur.	6 beds	Do.
Headquarter Hospi- tal, Kurnool.	8 beds	Do.
Headquarter Hospi- tal, Tanjore.	8 beds	Do.
Headquarter Hospi- tal, Trichinopoly.	8 beds	Do.
Headquarter Hospi- tal, Vizagapatam.	12 beds	Do.
Government Hospi- tal, Negapatam.	6 beds in the female sep- tic wards.	Do.
Government Hospi- tal, Tuticorin.	4 beds	Do.

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APPENDIX IV.

[Vide answer to question No. 1277 asked by Mr. S. Satyamurti at the meeting of the Legislative Council held on the 27th January 1930, page 566 supra.]

(1)

G.O. No. 158, Education, dated 28th January 1929.

READ—the following paper :—

Letter from R. LITTLEHAILES, Esq., M.A., Director of Public Instruction, Madras, to the Secretary to Government, Law and Education Department, dated the 7th April 1927, R.C. No. 974-D/25.

With reference to paragraph 4 of G.O. No. 1922, Law (Education), dated 7th November 1925, I have the honour to submit herewith a copy of the proceedings of the Conference of the Committee of officials and non-officials which considered the general question of the reorganization of secondary education with particular reference to the matters mentioned in the Government Order referred to above. I enclose also dissenting minutes of seven members and make the following brief remarks on the recommendations of the Conference :—

As will be observed from the proceedings the Committee met for the last time on the 17th February 1927. The members desired, however, a full month after the date of this meeting in which to submit their notes of dissent. Otherwise this report could have been submitted earlier.

The first subject taken into consideration was the position of higher elementary and middle schools. The Committee was very evenly divided on this subject. At an early meeting it resolved tentatively by a majority of 9 to 8 that all higher elementary schools should be converted into middle schools. The Committee at a subsequent meeting cancelled this tentative resolution. Finally after full consideration the Committee resolved by 8 to 6 to abide by its decision to cancel its first tentative resolution, thus leaving the relation between higher elementary schools and middle schools just as it is at the present time. I advise that this resolution which is not specifically included in the list of resolutions finally passed by the Secondary Education Reorganization Committee be accepted by Government.

No serious objection was taken to Resolutions I and II which make the middle school stage a four years' stage and the high school stage a two years' stage instead of each of them being a three years' stage as at present. I am not opposed to the acceptance of these resolutions.

Resolution III.—One of the main factors weighing with the Committee in its deliberations which led up to the passing of the III resolution "that it is desirable that there should be a common course of instruction for all pupils whether in rural or in urban areas up to and including the present 5th standard" was the desire that boys in more rural areas should not be disadvantageously placed as compared with boys in urban areas when they sought higher education, on account of any difference in the course of instruction prescribed. It was felt that if different courses of instruction were prescribed in the lower classes of a secondary school and in an elementary school, then a boy from a school in a rural area where secondary

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education was not available might not be able to pass into the middle school stage without spending an additional year or so at the transitional period. Mr. Champion in his note of dissent elaborates a point of view which is opposed to the acceptance of this resolution. His first point, viz., that the acceptance of Resolution III would mean the acceptance of a view that there is no difference between the needs of rural elementary schools and the needs of the preparatory classes of secondary schools, might be met by a common but quite general course laid down in such general terms as to allow within the subjects of the course prescribed such variation as will enable the rural student to obtain the rural outlook within the course just as the urban student obtains the urban outlook from within the course which he undertakes. Mr. Champion's second point that the acceptance of this resolution would mean the disappearance of any form of practical instruction from the preparatory classes of secondary schools and from elementary schools on the ground that it is manifestly impossible to introduce practical instruction in all elementary schools is not of much weight, since under the rules framed under the Madras Elementary Education Act practical instruction is included as an optional subject for elementary schools, the practical instruction given ordinarily having reference to the chief occupations or industries of the locality and the class of pupils. Similarly Mr. Champion's third point that the acceptance of this resolution would mean the disappearance of English from all classes below Form I in secondary schools can have little weight, since English also is included as an optional subject of study for elementary schools in the rules framed under the Elementary Education Act.

Provided that the course is laid down in sufficiently general terms I see no strong objection to the acceptance of a common course of instruction for all pupils whether in rural or in urban areas up to and including the present V standard although for some years to come I do not expect that the common course will extend much beyond the IV standard which is the highest standard which I think at the present time can be aimed at for compulsory elementary education.

Resolution IV is a new departure or rather a reversion to an old practice, viz., that of holding an examination at the end of the lower secondary stage. There was general unanimity of opinion that some form of test conducted so as to ascertain whether or not a pupil is fit to receive a secondary education should be adopted at this stage, viz., at the end of the lower secondary stage which is according to the opinion of the Committee to be held at the end of the IV Form. This examination is a central or Presidency examination only in so far as the setting of papers is concerned. The arrangements for the conduct of the examination and the valuation of the papers are to be made in each district separately so that the examination is practically a district examination. This will presumably be conducted by the District Educational Officer in each district with the assistance of a small board composed mainly of headmasters of each district. I am in favour of the acceptance of this resolution.

I also favour the acceptance of Resolutions V, VI, VII and VIII, though I am not unmindful of the difficulties that may arise in giving effect to Resolution VIII (c).

It will be observed that in Resolution IX the study of the mother-tongue is made compulsory. Discussion on this resolution centred round the position of Sanskrit in the middle school curriculum. It was the general feeling that

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the study of the vernacular should be made compulsory and that the middle school curriculum was sufficiently heavy for the ordinary boy without the introduction of a classical language like Sanskrit as a compulsory subject. Messrs. B. Swaminatha Ayyar and P. A. Subrahmanya Ayyar pressed for the inclusion of Sanskrit as an alternative to the vernacular in the middle school course. They have submitted minutes which express their views. I may remark that the matter was thoroughly thrashed out by the Committee which came to the conclusion that the vernacular should be given first place and that there was ordinarily not room in the curriculum for a classical language unless it be taken only by boys of special aptitude or brilliance and then only as an additional subject outside the normal middle school course. I advise the acceptance of this resolution of the Committee.

Resolutions X, XI and XII received general approval except that some members, in particular Mr. Roy and Mr. Champion, have sent in minutes of dissent objecting to vocational subjects forming any part of the high school course. The general attitude of the school of thought to which these two members belong is that vocational subjects are not suitable in a school for general education; they should be taught in special schools.

The subjects on the vocational side as well as on the general side are indicated in Resolutions XIII and XIV. It will be observed that the curriculum prescribed for the high school stage has as its basis a course of general culture together with manual training. In addition various options are provided which may be cultural, agricultural, industrial, commercial or vocational. Mr. Anstead, in his minute of dissent which is agreed to by Mr. Saunders, considers that the subject of agriculture should not be included in the school course for general education; it should be dealt with in special or technical schools which should be established in convenient centres and in which instruction should be given in the vernacular. Mr. N. Subramanian in his minute presses for "practical instruction" instead of "manual training" being included as a compulsory subject. He raised this point at the meetings of the Committee but the large majority of the members was against the inclusion of practical instruction in the obligatory portion of the curriculum in the high school stage. If Mr. Subramanian's proposal had been accepted, it would have meant that the educational aspect of manual training might have been neglected, subjects being taken up purely from their vocational as apart from their educational aspect, a condition of affairs that would not be in keeping with the principles underlying a sound general high school education. I am of opinion that the recommendations of the Committee may be accepted.

Resolution XV deals with the medium of instruction in Forms IV to VI. Prior to the IV Form the medium of instruction is the vernacular. If Resolutions II and IV are accepted, making the high school course begin at the V Form and instituting an examination at the end of the IV Form, then Form V should possibly be substituted for Form IV in Resolution XV. The Committee accepted the view that it should recommend to managers of schools that approximately one-half of the time devoted to instruction should be given to teaching through English and the other half in teaching through the vernacular. Mr. N. Subramanian in his note of dissent considers that this recommendation should be replaced by an obligation and that the vernacular should be adopted as the medium of instruction in certain specified subjects in the high school course. Mr. Roy in his minute of dissent suggests

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that the use of the vernacular be made compulsory after a period of years to be immediately fixed by the department. My own view is based upon the fact that in this country an educated youth should be truly bi-lingual in English and in a vernacular. In order to be truly bi-lingual he should be able to use the vernacular and English equally well in conversation and thought. I doubt whether a person can use English and vernacular equally well and thus be truly bi-lingual unless after he takes up English as a medium he continues his education in the stage of adolescence in at least some subjects through the medium of the vernacular. The view put forward by Mr. N. Subramanian appears therefore to be sound and I endorse it except that I should not specify the subjects in which vernacular should compulsorily be used as the medium of instruction. I should however insist upon approximately one-third to one-half of the instruction being given through the vernacular and the other two-thirds or one-half through English. I should adopt Mr. Roy's suggestion and give notice that after a specified period, say, two years, instruction through the medium of the vernacular must be begun—naturally in the lowest high school form only in the first year—in teaching some subjects in high school classes. I recognize that difficulties will arise for example in such a place as South Kanara where many languages are spoken and where one of the main languages, viz., Tulu is scarcely used except as a medium of conversation. The quantity of written Tulu is very small indeed. Again, the staff in some schools may not be well acquainted with the vernacular of the district in which the school is situated. We have relatively more Tamil and Malayalam teachers than Telugu teachers. Adjustment will be necessary. It might even be necessary to give exemption from the use of the vernacular in some areas as also to individual pupils whose mother-tongue is not the usual language used in the school attended by the pupil. Indeed, in this Presidency I anticipate that a considerable number of exemptions will be required. With elasticity in the regulations to be framed for carrying out of these proposals it should be possible however to overcome the difficulties which certainly are great in a multi-lingual province like Madras, where Tamil, Telugu, Malayalam, Kanarese, Oriya or Urdu are spoken by large numbers of people, all those speaking the same language not being collected in the same areas.

I endorse Resolution XVI regarding physical training and the acquisition of playgrounds.

Regarding Resolution XVII, I have little to add to the text of the proceedings. The Committee accepted the view that vocational education should be given in special schools rather than in schools for general education. It also was of opinion that it was neither practicable nor desirable to classify the middle and high school stages according as they prepared pupils for practical life or for higher or collegiate education. The Committee recommended, however, that till special schools of the type desired are established, vocational training may continue to be given optionally in the ordinary schools. This is borne out by the curricula which have been framed in Resolutions IX, XIII and XIV. I consider that the resolution of the Committee might be accepted from the educational standpoint.

As regards Resolution XVIII, the Committee considered that the acceptance by the management of a minimum pay for each grade of teacher should be a condition of recognition. I do not support this recommendation unless

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Government propose at the same time to fix a minimum pay for other professional workers than teachers in South India. And I do not anticipate that such is under contemplation. Apart from such action being in the nature of social legislation which raises larger issues than the purely educational ones, we have the added objection that in aided education a large amount of work is philanthropic; men and women are prepared to give their services in the cause of education for a bare subsistence allowance sufficient to meet their most frugal wants which are much lower than the minimum contemplated by the Committee. It would be unjust and uneconomical to penalize the schools to which these workers are attached. Moreover, the suggestion of the Committee is suitable for adoption only in cases where the grant-in-aid system is a salary grant system; it is not suitable for adoption in any other system of the award of grants. Mr. P. A. Subrahmanya Ayyar is the chief advocate on the Committee of this fixation of a minimum pay for teachers. He introduces in his minute the question of the revision of the Grant-in-aid Code in the direction of making its provisions more liberal and less stringent. I have already submitted my recommendations to Government in connexion with the revision of the Grant-in-aid Code which should suffice to meet all reasonable complaints that are made against the present system and its rules.

The above are brief remarks only. The matters under discussion have been sufficiently well ventilated in the proceedings accompanying this letter as well as in a former committee which dealt with the question of secondary and higher education over which Sir Ventataratnam Nayudu presided. There is little more to be said. Decisions only appear to be needed.

ENCLOSURE

Report of the Secondary Education Reorganization Conference.

In G.O. No. 1922, Law (Education), dated 7th November 1925, Government appointed a Committee consisting of eight officials and twelve non-officials to consider the general question of reorganization of secondary education with particular reference to the following matters:—

(1) Grading of school course into different stages: Elementary, Middle and High: the duration of each stage.

(2) The middle school stage—consideration of the position of middle schools and higher elementary schools in rural and urban areas.

(3) The possibility and desirability of classifying the middle and high school stages according as they prepare pupils for practical life or for higher or collegiate education: the question of specialization in the higher classes: and, as regards practical life, how far the necessary training can be given in the ordinary secondary school or how far the instruction imparted in the secondary school should be preparatory to training in special institutions; revision of the curricula in accordance with the decision arrived at on these points.

(4) Recognition of secondary schools and aid to such schools—the relation between recognition and aid.

(5) The financial implication of the proposed reorganization.

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2. The Committee met on the following dates:—

					Number of members present.
19th and 20th January 1926	...	...	...	...	18
2nd to 5th March 1926	...	...	...	...	17
30th July 1926	...	...	...	...	16
29th October 1926	...	...	...	...	16
17th February 1927	...	...	...	...	14

The position of higher elementary and middle schools was first considered. The Committee decided that there was no need to discriminate as between schools in rural and schools in urban areas. On the question of the general position of higher elementary and middle schools there was some division of opinion. Some members advocated the conversion of higher elementary schools into middle schools on the following grounds:—

(a) The instruction given in Standards VI, VII and VIII of higher elementary schools did not differ in essentials from that offered in corresponding Forms I, II and III of middle schools.

(b) It is desirable that every opportunity should be offered to boys resident in rural parts to obtain a secondary education and that such opportunity would be, to some extent, provided by the conversion of higher elementary schools to middle schools.

In this connexion it was pointed out that at present a boy proceeding from an elementary to a secondary school is, under the provisions of rule 37 of the Madras Educational Rules, placed in the class for which he is found fit and not necessarily in the corresponding next higher class or form in the secondary schools. It was felt that this check in the boy's school course should be, as far as possible, removed and that one step in this direction would be to convert higher elementary schools into middle schools. These members desired that higher elementary schools should be discontinued as such and converted into middle schools. On the other hand, it was argued that the higher elementary course should aim at preparing pupils for practical life and not for higher education and that it is desirable in view of the question of employment and on other educational grounds, to divert boys away from and not towards secondary education. It was, however, resolved tentatively by a majority of 9 to 8, that all higher elementary schools should be converted into middle schools. It was afterwards learnt that the transformation of higher elementary schools to middle schools would necessitate the employment of more qualified teachers not only in classes above Standard V but also the restaffing of all classes from the lowest so as to bring these into line with the preparatory classes of middle schools and that this, with the provision of better accommodation and equipment, would involve a total net expenditure of approximately Rs. 3 lakhs. Therefore the Committee cancelled the tentative resolution.

3. Some members were of opinion that the question of cost did not fall within the purview of the Committee, this being a question for the decision of Government. They argued, further, that the essential advantages accruing from the conversion proposed were commensurate with the estimated cost Rs. 3 lakhs. The Committee after full consideration resolved by 8 to 6 to abide by its decision to cancel the tentative resolution, thus leaving the relation between higher elementary and middle schools unaltered.

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4. The Committee then passed to the consideration of the first term of reference. They first discussed the middle stage. The Committee were of opinion that the aim of the middle stage should be to equip pupils with a general secondary education within limits complete in itself, so that boys might, at the end of this stage, proceed to a vocation or to a practical training designed to fit them for a vocation. The end of Form IV is, in practice, to end of this general educational course; the work done in Form IV is merely a continuation of the general education given in Form III. It is only in Form V that the pupil bifurcates from the general educational course to the study of special subjects. It was agreed, therefore, that Form IV belonged more naturally to the middle than to the high school stage and the Committee accordingly resolved that—

Resolution I. The middle school stage should include Form IV provided that this is financially possible.

5. The Committee next decided that nothing should be done to extend the duration of the secondary school course. They therefore resolved that—

Resolution II. The high school stage should consist of Forms V and VI.

6. Coming to the elementary stage, the Committee considered the position of elementary schools and the preparatory classes of secondary schools. It was the opinion of some members that in practice no real difference existed between the instruction given in Standards I to V of elementary schools and that imparted in I to V of secondary schools. On the other hand it was argued that the aims of the two were different, the elementary school leading directly to practical life while the lower classes of secondary schools were merely preparatory to secondary education. As illustration of this difference it was pointed out that English is taught in one or more of the lower classes of secondary schools but not usually in elementary schools and that the instruction imparted in the lower classes of secondary schools was of a higher quality than that given in the corresponding standards of elementary schools. The difference between elementary schools in urban and in rural areas was also mentioned as relevant to a consideration of this subject. It was, however, resolved by a majority of 8 to 5—

Resolution III. It is desirable that there should be a common course of instruction for all pupils, whether in rural or in urban areas, up to and including the present Fifth Standard.

7. In connexion with the question of grading, the general opinion was that the higher stage of secondary education suffered from the presence of pupils who were unsuited to receive a high school education and who should, with profit to themselves, be diverted from the secondary school at an earlier stage. The most appropriate point for this diversion would be at the end of the pupil's general education course, that is, at the end of Form IV. Accordingly they resolved that—

Resolution IV. At the end of Form IV there should be a Public Examination with four papers, namely, in English, Mathematics, Mother-tongue and General knowledge.

It was agreed that this should not be a Presidency Examination controlled from outside but a district one conducted in situ by those in actual contact with the work of the schools. It is the recommendation of the Committee that a pupil should be admitted to Form V only when he has passed this Public Examination.

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8. Coming next to the third term of reference the Committee considered the middle and high school stages separately. It was resolved that—

Resolution V. The middle school course should be cultural and practical.

The cultural side needs no comment. The Committee gave separate consideration to the practical side and resolved that—

Resolution VI. Some form of manual training should be made compulsory in all middle schools.

Further resolutions bearing on this stage are as follows :—

Resolution VII. Nature study developing into Elementary Science should be compulsory up to the end of the middle stage.

(a) Gardening should be one form of practical training contemplated in the manual training to be introduced in the middle school.

(b) In order that the aim of (a) may be rendered possible, there should be attached, where possible, to every elementary and middle school a garden sufficiently large to give occupation to every pupil.

(c) Teachers in elementary and middle schools may be given short courses of instruction in gardening and horticulture.

(d) In urban areas, where much land may not be available for gardening purposes, a demonstration garden alone need be insisted on and a simple course in one or two cottage industries of the locality may be given.

(e) Resolved that recommendation be made to Government to secure for each school the extent of land necessary for carrying out part (a) of this resolution.

Having considered these separate items of middle school instruction, the Committee resolved that—

Resolution IX. The curriculum in the middle stage shall be—
Compulsory :

- (1) Mother-tongue.
- (2) English.
- (3) Elementary Mathematics.
- (4) Geography of the World (Outline) and India (Special).
- (5) History of India and England and Civics.
- (6) Nature study developing in Elementary Science.
- (7) Drawing.
- (8) Physical training and Hygiene.
- (9) Manual training, e.g.,—

(a) Wood work; (b) Metal work; (c) Gardening; (d) Weaving.

Provision might also be made for giving instruction in a classical language or an additional vernacular.

At present a pupil in the middle stage is free to select a classical language as alternative to a vernacular language. It was the view of the majority of the Committee that the study of the mother-tongue should be obligatory in the middle stage. Hence its inclusion in the above curriculum as

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a compulsory subject. Under the terms of Resolution IX a classical language or a second vernacular may be provided in the curriculum of the middle stage but as an additional subject and not as alternative to the mother-tongue.

9. Passing to the consideration of the high school stage, the Committee defined the nature of the course covering this stage as follows:—

The high school course should be complete in itself and also of such a character as to make it possible for a pupil to advance to higher education whether of a general kind or of a technical nature.

Resolution X.

As in the middle stage, the Committee then considered the question of practical instruction. This may take two forms, viz., manual training and vocational training. In the following resolutions the Committee expressed the view that, while manual training should be compulsory in the high school stage, vocational training might be left as an optional activity.

Resolution XI. Some form of manual training should be made compulsory in the high school stage.

Resolution XII. Practical instruction in the high school stage may take the form of vocational training.

A list of subjects was then framed which might suitably be taught as forms of vocational training.

Resolution XIII. The vocational side may include the following subjects:—

- (1) Weaving.
- (2) Agriculture.
- (3) Smithy.
- (4) Leather work.
- (5) Shorthand and typewriting.
- (6) Bookbinding.
- (7) Book-keeping, commercial correspondence and banking.
- (8) Carpentry.
- (9) Tailoring.
- (10) Sericulture.

With these resolutions in mind, the Committee then proceeded to frame a curriculum for the high school stage and resolved that—

Resolution XIV. The curriculum in the high school stage shall be—

- (1) English.
- (2) Second language.
- (3) Elementary Mathematics.
- (4) Geography.
- (5) History of India and England.
- (6) Elementary Science.
- (7) Physical training and Hygiene.
- (8) Manual training, e.g.,—
 - (a) Woodwork.
 - (b) Metal work.
 - (c) Bookbinding.
 - (d) Rattan work.
 - (e) Gardening.

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(9) & (10) Two additional subjects from the following:—

(a) An advanced study of a language (vernaculars, classical or foreign).

- (b) Algebra and Geometry.
- (c) Practical Mathematics.
- (d) Trigonometry.
- (e) Physics.
- (f) Chemistry.
- (g) Botany.
- (h) Physiology and Hygiene.
- (i) Music.
- (j) Shorthand and Typewriting.
- (k) Commercial Practice and Geography.
- (l) Précis writing and Business correspondence.
- (m) Carpentry and cabinet making.
- (n) Smithy.
- (o) Workshop and fitter's work.
- (p) Printing and Binding.
- (q) Weaving.
- (r) Agriculture.
- (s) Economics.
- (t) History of India and England.
- (u) Geography.
- (v) History of the British Empire and connected Geography.
- (w) Any other subject that may be approved by competent

authority.

It was recognized that this curriculum would involve the following changes in the S.S.L.C. course:—(a) The inclusion of manual training as a compulsory subject in accordance with Resolution XII; (b) the inclusion of certain forms of vocational training as optional subjects; (c) the abolition of group B in the S.S.L.C. scheme and the transfer of the subjects in this group to a more substantive position in the curriculum.

It was felt that pupils would never give these subjects the attention they deserve so long as they remain in the B group of the S.S.L.C. scheme.

10. As regards the medium of instruction, the Committee accepted the position taken up by the Venkataratnam Committee on Secondary and University education, viz.,—

That while instruction and examination through the medium of the vernacular in Forms IV to VI should be the ultimate ideal, liberty be given to managers of schools to choose either English or the vernacular as the medium of instruction and examination, subject to the recommendation that approximately one-half of the time devoted to instruction should be given to teaching through English and the other half through the vernacular and that the examination papers of the S.S.L.C. Public examination in other than language subjects to be set in English and certain specified vernacular languages.

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11. With a view to emphasizing particularly the need for sound and systematic physical training in both the middle and high school stages, the Committee resolved that—

Suitably graded physical training should be compulsory
Resolution XVI. for all students unless specially exempted on medical grounds.

This Committee urges the necessity for the acquisition of playgrounds as close to schools as possible with a view to giving greater facilities for physical training.

12. It will be seen from Resolutions V, VI, VIII, XII and XIV that the Committee do not contemplate at present "the classification of the middle and high school stages according as they prepare pupils for practical or for higher or collegiate education." They would also prefer to leave "the question of specialization in the higher classes" as in the present S.S.L.C. scheme. To provide adequately for the training of the secondary school pupil for practical life the Committee resolved that—

Technical schools to teach special subjects should be
Resolution XVII. established in convenient centres under the control of the Agricultural or Industrial department.

In this connexion, the points in the secondary school course at which the pupil should leave school to take up special subjects in the technical schools need not be stated. These points would appear to be the ends of the IV and VI Forms. At each of these points the pupil has received a secondary education within limits complete in itself. The Committee therefore recommend that the subjects taught in the technical schools proposed to be established should be of two grades, one suited to boys who have passed through the high school stage and the other appropriate to those who are qualified to enter the V Form after the examination suggested in Resolution IV.

Given the existence of such special subjects and schools, the controlling authorities should make known the educational attainments necessary for youths desiring to enter them. Thus, agricultural schools might give preference to boys who have received in the secondary school a more than ordinary grounding in Nature Study, Botany, Chemistry, Carpentry and Smithy work. Secondary schools would then be in a position to determine how far the instruction imparted in them should be preparatory to training in special institutions compatible with the preservation of the general liberal character of secondary education. For example, (i) Elementary Science in the middle and high school stages might include more Botany and Chemistry than it otherwise would; (2) the question of parallel courses in secondary schools or parallel schools might be considered; (3) new optional subjects, e.g., Agriculture, Chemistry and new groups of existing optional subjects might have to be formed. But, until it is known what kinds of special training are to be given in technical schools, it is not possible for the Committee to determine how far secondary schools should prepare for this special training or to make any recommendation for the revision of curricula. Thus, it appears neither practicable nor desirable to classify the middle and high school stages according as they prepare pupils for practical life or for higher or collegiate education. The possibility is that when a sufficient number of special schools have been provided giving instruction in all forms of vocational training suitable and appropriate to boys who have passed through

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the high school stage, vocational training within the secondary school will become superfluous. Meanwhile the Committee recommend that till special schools of the type desired are established, vocational training may continue to be given in the ordinary schools.

It is relevant to mention here that some members of the Committee were strongly of opinion that vocational training worth the name could not, in any case, be imparted in the ordinary secondary schools, while others held that the vocational training now provided in many schools was a step in the right direction and that, in the absence of special vocational schools, it should continue to be provided.

[Term of reference (4).]

13. The Committee next considered the relation between recognition and aid. At present recognition was almost automatically followed by aid, since the former vests in the Director. Government might be committed without their knowledge to large additional expenditure. The question was considered whether any distinction could be made between recognition and aid, e.g., whether 'the financial stability of a school' might be deleted as a condition of recognition and imposed as a condition of aid. The Committee, however, came to the conclusion that conditions in this Presidency do not permit of any differentiation between recognition and aid. They are, however, of opinion that the financial stability of a school should receive stricter scrutiny in future in connexion with the question of recognition and that the carrying out of the suggestions of the District Educational Officer in the Inspection Report as accepted by the Director of Public Instruction should be a condition of the continuance of recognition and aid.

14. The Committee were of opinion that the prospects of teachers especially in aided secondary schools should be improved and hence resolved that—

(a) One condition of recognition shall be the
Resolution XVIII. acceptance by the management of a minimum pay for each grade of teachers.

(b) The minimum pay may be different for different areas.

(c) It is desirable for the Educational department to consult the District Secondary Education Boards concerned before fixing the minimum pay for each area.

[Term of reference (5).]

15. It is hardly possible to give to any degree of approximation the financial implication of the Committee's recommendations beyond that pertaining to the addition of a Fourth Form to the existing middle schools. The approximate cost of the scheme involved in this recommendation will be, excluding accommodation which cannot be reckoned, Rs 1,20,000. The whole of this cost may not have to be met from public funds.

16 The Committee make no recommendations as regards the administrative implications, e.g., revision of the S.S.L.C. scheme and of syllabuses and time-tables, re-grouping of subjects, etc., but they realize that these would all have to be considered if Government accepted the recommendations of the Committee.

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List of resolutions financially passed by the Secondary Education Reorganisation Committee.

I. The middle school stage should include Form IV provided that this is financially possible.

II. The high school stage should consist of Forms V and VI.

III. It is desirable that there should be a common course of instruction for all pupils whether in rural or in urban areas up to and including the present V Standard.

IV. At the end of Form IV there should be a Public Examination with four papers, viz., English, Mathematics, Mother-tongue and General knowledge. The papers must be set by a central authority in Madras but arrangements for the conduct of the examination and valuation of papers should be made in each district separately.

V. The middle school course should be cultural and practical. Practical subjects in middle schools shall be taught as forms of manual training and not as forms of vocational training.

VI. Some form of manual training should be made compulsory in all middle schools.

VII. Nature Study developing into Elementary Science should be compulsory up to the end of the middle stage.

VIII (a) Gardening should be one form of practical training contemplated in the manual training to be introduced in the middle school.

(b) In order that the aim of (a) may be rendered possible there should be attached, where possible, to every elementary and middle school a garden sufficiently large to give occupation to every pupil.

(c) Teachers in elementary and middle schools may be given short courses of instruction in gardening and horticulture.

(d) In urban areas where much land may not be available for gardening purposes, a demonstration garden alone need be insisted on and a simple course in one or two cottage industries of the locality may be given.

(e) Resolved that recommendation be made to Government to secure for each school the extent of land necessary for carrying out of part (a) of this resolution.

IX. The curriculam in the middle school stage will be—

Compulsory—

- (1) Mother-tongue.
- (2) English.
- (3) Elementary Mathematics.
- (4) Geography of the World (outline) and India (Special).
- (5) History of India and England and Civics
- (6) Nature Study developing into Elementary Science.
- (7) Drawing.
- (8) Physical training and Hygiene.
- (9) Manual training, e.g.,—
 - (a) Wood work.
 - (b) Metal work.
 - (c) Gardening.
 - (d) Weaving.

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Provision might also be made for giving instruction in a classical language or an additional vernacular.

X. The high school course should be complete in itself and also of such a character as to make it possible for a pupil to advance to higher education whether of a general character or of a technical nature.

XI. Some form of manual training should be compulsory in the high school stage.

XII. Practical instruction in the high school stage may take the form of vocational training.

XIII. The vocational side may include the following subjects:—

- (1) Weaving.
- (2) Agriculture.
- (3) Smithy.
- (4) Leather work.
- (5) Shorthand and Typewriting.
- (6) Book-binding.
- (7) Book-keeping, Commercial Correspondence and Banking.
- (8) Carpentry.
- (9) Tailoring.
- (10) Sericulture.

XIV. The curriculam in the high school stage shall be—

- (1) English.
- (2) Second language
- (3) Elementary Mathematics.
- (4) Geography.
- (5) History of India and History of England.
- (6) Elementary Science.
- (7) Physical training and Hygiene.
- (8) Manual training, e.g.,—
 - (a) Wood work,
 - (b) Metal work.
 - (c) Weaving
 - (d) Book-binding,
 - (e) Rattan work.
 - (f) Gardening.

(9) & (10) Two additional subjects from the following:—

(a) An advanced study of a language (vernacular, classical or foreign).

- (b) Algebra and Geometry.
- (c) Practical Mathematics.
- (d) Trigonometry.
- (e) Physics.
- (f) Chemistry.
- (g) Botany.
- (h) Physiology and Hygiene.
- (i) Music
- (j) Shorthand and Typewriting.
- (k) Commercial Practice and Geography.
- (l) Precise-writing and Business Correspondence.
- (m) Carpentry and Cabinet making.

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- (n) Smithy.
- (o) Workshop and fitter's work.
- (p) Printing and Book-binding.
- (q) Weaving.
- (r) Agriculture.
- (s) Economics.
- (t) History of India and England.
- (u) Geography.
- (v) History of the British Empire with connected Geography.
- (w) Any other subjects that may be approved by competent authority.

XV. That while instruction and examination through the medium of the vernacular in Forms IV to VI should be the ultimate ideal, liberty be given to managers of schools to choose either English or the vernacular as the medium of instruction subject to the recommendation that approximately one-half of the time devoted to instruction should be given to teaching through English and the other half through the vernacular, and that the examination papers of the Secondary School Public Examination in other than language subjects be set in English and certain specified vernacular languages.

XVI. Suitably graded physical training should be compulsory for all students unless specially exempted on medical grounds.

This Committee urges the necessity for the acquisition of play-grounds as close to schools as possible with a view to giving greater facilities for physical training.

XVII. Technical schools to teach special subjects should be established in convenient centres under the control of the Agricultural or the Industries department.

XVIII. (a) One condition of recognition shall be the acceptance by the management of a minimum pay for each grade of teachers.

(b) The minimum pay fixed may be different for different areas.

(c) It is desirable for the Educational department to consult the District Secondary Education Boards concerned before fixing the minimum pay for each area.

NOTES OF DISSENT.

Dissenting note by R. D. Anstead, M.A., C.I.E., Director of Agriculture, Madras, agreed to by Mr. H. F. Saunders also.

The object of education should be to fit children physically, mentally, and morally to become good citizens. At the same time, it should fit them to take their places as workers in the sphere in which they have to pass their lives.

Now the sphere in which most of the rural population of this Presidency have to pass their lives is an agricultural one, and therefore a system of education should be designed to fit the village children to live in harmony with their surroundings, and to think and feel that the call to work comes to them from the land.

Are our schools tending to impart such instruction as is calculated to make boys feel that they would be doing the best service to the country by cultivating the land; that the pursuit of agriculture is a noble profession; that with the adoption of improved methods and with the aid of scientific

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knowledge agriculture can be made a more profitable undertaking; that happiness and contentment are to be found in the country just as much, if not more than, in the towns?

We must not, however, try to teach agriculture as a subject in a village school. Agriculture is a technical subject and can only be taught satisfactorily in a special institution equipped with the most essential requisite,—land to cultivate. Any school which is not equipped in this way and which moreover is not prepared to conduct a farm *at a profit* will fail to teach agriculture, and I maintain that it is impossible for an ordinary school, be it elementary, middle, or high, to do this.

What we *can* do in a school, however, is to give the necessary preparation to the minds of the children; in other words, to train attitude. This can best be done by teaching Nature Study, and this subject should be taught in all village and elementary schools, and possibly in middle schools also.

Nature Study is a method of teaching and learning. The idea is to train children to teach themselves. The teacher's part is to train the child's senses, eye, ear, and hand, to observe the great fundamental truths of nature and to understand their meaning and man's relation to them. Thus a child learns to appreciate his environment and to find a joy in all he sees round him because he understands its meaning. Everything in nature may be and should be included, the air and the seasons, the earth and the rocks, types of vegetation, plant and animal life, insects and birds, and their relation to man and his work and existence. The work must be carried on mainly out of doors and so a school garden will be useful, but it is not absolutely necessary, and it should be realized that this teaching is *not* agriculture or horticulture. In my opinion, other subjects should be correlated round Nature Study. Subjects like Arithmetic and Geography and History can be grouped round the Nature Study lesson and linked up with it.

The special subject of agriculture must be dealt with in special schools, technical schools which should be established in convenient centres and in which the instruction given should be in the vernacular.

The time should come in our system of education when a scholar should realize that he has got to the parting of the ways. A choice of roads should then lie before him, one leading through high school to the university and a professional career, the other through the technical schools to a trade, or to farming, for there would be technical schools teaching other things besides agriculture. It appears to me that if such a system as this were in existence, boys who were not particularly brilliant as scholars would have a chance of learning to make good on the land or in a trade, while only those obviously marked out to do well in a university career and what it leads to would go on to the high school and university and we should reduce the number of those who take a university training and do away with that pathetic sight which every Convocation presents, hundreds and hundreds of B.A.'s passing out into a world which has no place for them, with no assets but their degrees, many of them, most of them, fated to pick up a living as clerks on starvation wages. Our educational system is at present tending to produce a race of discontented citizens and the object of education with which I began this note is being lost sight of.

At exactly what points this choice of career should be given to a boy, at what standard the parting of the ways should be reached, I am not prepared

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to say definitely, but I feel that it should be somewhere about the IV form and that at this stage he should either go on to a high school or to one of the special technical schools.

I therefore particularly dissent from the inclusion of agriculture among the subjects listed in Resolutions XIII and XIV.

1st March 1927.

RUDOLPH D. ANSTEAD.

Dissenting note by Mr. P. A. Subrahmanya Ayyar.

I dissent from the majority view expressed in Resolution IX of the report regarding the study of Sanskrit and other classical languages. I agree with the Committee in thinking that the vernacular language should be studied as a compulsory subject, but it is need not necessarily mean that Sanskrit should not be taken as an alternative to the vernacular. Under the existing system which admits of this option, boys who take up Sanskrit as an optional language in the middle school stage do study their mother-tongue compulsorily—they read some vernacular prose and poetry and write composition in the vernacular. The only difference between these boys and those who do not take it is that the latter devote some more time to the study of vernacular poetry and vernacular grammar. But both sets of boys are given the necessary grounding for the acquisition of a practical command of the vernacular, which is all that is required at this stage. Moreover, it should be remembered that all the non-language subjects are taught through the medium of the vernacular and that except during the ten periods or so a week devoted to the study of English and the three or four periods devoted to the learning of Sanskrit, all the work done at school is entirely in the vernacular.

To provide for the study of Sanskrit as an existing subject will mean subjecting the pupils desirous of learning that language to additional strain and may, in some cases, involve the appointment of additional pandits of the teaching of the vernacular. In these circumstances, it is to be feared that very few managers would provide for instruction in Sanskrit in their schools.

Educational experts are agreed that the capacity for linguistic acquisition is stronger and more pronounced in the earlier years of a young boy's life than in the later. To argue that the study of Sanskrit may be postponed to the IV form stage is to fail to take proper advantage of the facility which human nature provides for the acquisition of Sanskrit by Madras boys.

For some years after the introduction of the S.S.L.C. scheme and prior to the issue of the revised regulations in respect of that scheme, the mother-tongue was a compulsory subject under group A and every candidate had to bring it up for the examination. Sanskrit, of course, was an optional subject under group C. What was the result? The number of boys learning Sanskrit gradually dwindled away, in many schools the place of Sanskrit Pandit was abolished, and cries were heard from various quarters protesting that the study of Sanskrit was not properly encouraged. It was in response to this general feeling of discontent that a conference of the members of the S.S.L.C. Board and certain representative headmasters of high schools was held in 1917 and the revised regulations now in force were adopted. Circular No. 4698 of 1917 which the Director of Public Instruction

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issued to the heads of schools begins thus: "As it has been considered desirable to make additional provision for the study of Sanskrit . . . the Director resolves to modify the scheme as follows: "

If the resolution of the Committee were given effect to in the middle school stage, it would result in the repetition of the state of things that prevailed prior to 1917, and soon we should hear again the cry of Sanskrit in danger—a contingency which we should all try to avert.

There is one other observation I wish to make. The carrying out of the recommendations contained in the report will involve heavy expenditure—initial as well as recurring. Unless the Government is prepared to incur such expenditure out of its own resources, there is absolutely no hope of any attempts being made in schools to effect any reform. The revision of the Grant-in-Aid Code in the direction of making its provisions more liberal and less stringent has long been overdue and unless this is effected secondary education in the province will continue to be weak and inefficient, too literary and too far removed from life to cater for the real needs of the people.

A third matter on which I wish to offer a comment is in respect of privileges to teachers in secondary schools. The unanimously accepted resolution to the effect that one of the conditions of recognition should be that every place in a school should carry a definite minimum salary should be most welcome to all interested in secondary education. But it is a pity that the counterpart to that resolution that the maximum pay of each place should also be fixed was defeated by a majority. It is wrong to assume that because aided schools are not *directly* controlled by Government, Government should not interfere in matters relating to the conditions of service of teachers in those schools. Government is, and ought to be, interested in the efficiency of education and should therefore see to it that all factors militating against the gaining of that end should be removed from educational institutions. One of such factors is certainly the absence of definite rules pertaining to grades of pay and tenure of service to teachers, and in consequence, we often hear of teachers being sent away without adequate notice, of salaries being cut down all on a sudden, and of rules pertaining to casual or sick or privilege leave not being duly observed in aided institutions. Within the last few months several cases have come to my notice of managers of schools having, on the plea of want of funds, effected disastrous cuts in the salaries of teachers in their service.

I most earnestly hope that in passing orders on this report Government would pay due consideration to this legitimate grievance of the teaching profession in the province and see to it that it is redressed. No Government interested in the welfare of the rising generation of the land can afford to forget the maxim often on the lips of a former Minister of Education in England, "A discontented teacher is a social danger."

P. A. SUBRAHMANYA AYYAR.

TRIPPLICATE,

1st December 1926.

Dissenting note by N. Subrahmanyam.

Resolution XV.—The recommendation that approximately one-half of the time devoted to instruction should be given to teaching through the vernacular was made years ago, and so far very little progress has been made.

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While it was first declared that instruction and examination through the vernacular should be the ultimate ideal, it was hoped that it could be realized within ten years. But in practice it is seen that such pious hopes are not powerful enough to change the tradition and people are content to move along the line of least resistance. It is often urged that the slow progress is due to the poverty of the vernaculars and the paucity of suitable text-books, but this is arguing in a circle; for the supply is always proportionate to the demand and no author or publisher will take the risk of new publications for which there is not a sufficiently strong demand. And with regard to the poverty of the vernaculars, it is well to observe with DuBellay that "languages are not born like plants and trees, some naturally feeble and sickly, others healthy and strong and apter to bear the weight of men's conceptions, but all their virtue is generated in the world of choice and men's free will concerning them".

It is time that the problem should be squarely faced and the adoption of the vernaculars as media of instruction should be made obligatory at least in certain specified subjects of the high school course. Optional subjects, the study of which the student is likely to continue at the university through the medium of English, may be left over for the present, but with regard to subjects like Elementary Mathematics, Elementary Science, History and Geography, the vernacular as the medium should be made compulsory. If such a step is not taken, it will be a long long time before anything is achieved in the right direction.

30th November 1926.

N. SUBRAHMANYAN.

I think Resolution XIV should read as follows:—

- (1) English.
- (2) A second language.
- (3) Elementary Mathematics.

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8. *Practical instruction*.—Item 8 should be called practical instruction to include in its scope manual training and vocational training as the latter is permitted wherever possible.

[Rejected by Committee at the last meeting.]

30th November 1926.

N. SUBRAHMANYAN.

Dissenting note by Mr. R. Swaminatha Ayyar.

The object of the recommendation that higher elementary schools should be converted into middle schools was—

- (a) improving efficiency of instruction, general and practical;
- (b) preventing to some extent people migrating to towns;
- (c) helping in rural reconstruction.

The financial implications noted on pages 11 and 12, paragraph 11 of the Report, do certainly require consideration. Another thing to be considered in this connexion is the possible withdrawal of deserving poor pupils from the converted schools on account of the high rates of fees to be levied in them.

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Some satisfactory solution of the difficulty has indeed to be found.

Resolution 9.—List of subjects, *compulsory*.

Mother-tongue.—An easy course here for translation and composition may be made compulsory for all. A classical language as alternative to the mother-tongue must be likewise made compulsory in the middle school stage. In other words, I recommend that the existing arrangement in middle schools for the study of languages may well be continued.

But the Committee recommends that the study of the mother-tongue should be obligatory in the middle school stage and that a classical or an Indian vernacular language may be provided as an additional subject of study. If this recommendation is accepted, I fear Sanskrit will have no place in schools. The manager of no school will provide for the additional teaching and no pupil will take the trouble of learning a second language.

It may be argued on the other side that provision will be made for the study of Sanskrit as alternative to the vernacular in the high school stage and that must be considered enough. My feeling is that two years' study of Sanskrit in a high school will do no good and students will naturally give a wide berth to that subject and prefer to continue their study of the mother-tongue to complete their high school course.

The University authorities are, it is understood, making the study of Sanskrit or a vernacular compulsory for the candidates for the Intermediate and the B.A. examinations, so as to give the languages of the country a position of importance in the University curricula. But the Committee's recommendation, if carried out, would certainly defeat their purpose, since there would be few or no candidates bringing up Sanskrit for the University examinations. Thus one of the most magnificent languages, whose cultural value is universally admitted, will be thrown to the background. Hence my recommendation that Sanskrit or a vernacular be made a compulsory subject of study both in the middle school and the high school stages.

Dissenting note by Mr. S. Roy.

I have signed the report subject to the views expressed in the following dissenting note:—

Vocational education (Resolutions XIII and XIV).—While admitting the claims of vocational education, I fail to see how the ordinary high school with its obvious limitations can make adequate provision for the teaching of a technical subject like Agriculture or Weaving. If it is desired to fit boys to earn their living as skilful and willing farmers or weavers, the best course would be to start special schools where vocational subjects can be taught with advantage. It is doubtful whether the adoption of the scheme will achieve the object we all desire to accomplish. I am opposed to the idea of vocational subjects being made part of the high school course.

Medium of instruction (Resolution XV).—The recommendation of the Committee can hardly be considered satisfactory in view of the persistent demand made for this much needed reform. I suggest that the use of the vernacular be made compulsory after a period of years to be immediately fixed by the department. Let us carry out the reform in a whole-hearted manner.

PARLAKIMEDI,
10th July 1927.

S. Roy.

[27th January 1930]

Dissenting note by Mr. H. Champion.

By a narrow majority the Committee, on educational grounds, favoured the conversion of higher elementary schools into middle schools, and only cancelled their resolution on account of the heavy expenditure such conversion would involve. I dissent from the view that the conversion of higher elementary schools into middle schools would be a sound educational measure. The functions of the higher standards of higher elementary schools and of the corresponding forms of middle schools are fundamentally different: the former exists to complete and round off the elementary education of the boy, the latter to prepare him for the higher studies of the secondary school. This difference should be reflected in the curricula. In general the courses in the higher standards of higher elementary schools should be more closely related to practical life than is the case in middle schools: e.g., civics and the study of local public institutions and the Central Government practical instruction and vocational preparation should occupy a much more prominent place in the curriculum of the higher standards of higher elementary schools than is possible in middle schools; items in the courses of middle schools which are merely preparatory to work in the higher forms of secondary schools—e.g., algebra in Mathematics—should be omitted from the courses of higher elementary schools; more attention should be given to the mother-tongue and less to English in the higher elementary school than in the middle school. Apart from this, surely the need of the present time is not to attract more boys to secondary schools, but to divert them away from secondary schools. Higher elementary education is the one form of general school education above the strictly elementary stage that does not lead directly to secondary education. As such, higher elementary schools should be extended and developed so as to fulfil their true function instead of being allowed to continue as mere imitations of middle schools. They should certainly not be converted into middle schools.

2. To assent to resolution III would mean, among other things, (1) the acceptance of the view that there is no difference between the needs of rural elementary schools and the needs of the preparatory classes of secondary schools; (2) the disappearance of any form of practical instruction from the preparatory classes of secondary schools and from elementary schools, on the ground that it is manifestly impossible to introduce practical instruction in all elementary schools; (3) the disappearance of English from all classes below Form I in secondary schools. Departures from the usual courses of study, whether in elementary or secondary school, should be encouraged and not prohibited. Again, even assuming the educational soundness of the resolution, I submit that it would be sheer futility to prescribe a common course for the preparatory classes of secondary schools taught by trained teachers of the secondary grade and one-teacher rural elementary schools unless that common course were confined to the 3 R's. I dissent from the resolution.

3. I am opposed to the inclusion of courses of vocational training, including shorthand and typewriting, in the list of optional subjects under the S.S.L.C. scheme (resolution XIV). In my opinion, all subjects included in this list should have approximately the same educative value: in other words, the possession of a completed S.S.L.C. should indicate that the holder has reached a certain stage of mental development. It cannot be contended that a pupil who takes, e.g., weaving and smithy work, has reached the same

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stage of mental development as a pupil who takes, e.g., physics and algebra and geometry. If these vocational subjects have any place in the S.S.L.C. scheme it should be a separate and subsidiary place.

4. I do not believe that it is possible for any secondary school subject to have its full value so long as the medium of instruction is English. While I realize the need for proceeding cautiously in the matter, I would modify resolution XV so as to stress the ultimate ideal of the vernacular as the medium of instruction.

5. While I agree with resolution XVII, regarding the establishment of technical schools I do not think that it goes far enough. Agricultural schools, if opened at the present time, would almost undoubtedly fail to attract pupils. The problem here, as I conceive it, is to turn the minds of people from professional and clerical careers to a life on the land. In so far as the high school has a part to play in this task, the problem is as follows. At present people can conceive of only one form of education—an education leading to traditional university courses of study or to clerical occupations, an education which does not lead, either directly or indirectly to outdoor work in general or to work on the land in particular. The problem is to devise a form of education which shall be liberal and cultural to the extent that the existing form of education is liberal and cultural, and which at the same time will attract educated persons to a life on the land. I do not believe that the mere establishment of agricultural schools will have this effect. What is wanted first is a preliminary training which will turn the minds of the pupils to the vocational possibilities of agricultural schools. To give this preliminary training, I believe that the science, practice and business of agriculture should be taught in the schools. This needs explanation. I do not mean that schools should aim at producing finished agriculturists, or that it is possible to include a complete course of agriculture in the curriculum of any grade of school: schools are for general education, and they should abstain from the pretension to qualify their scholars for the detailed tasks of the agriculturist. My suggestion is that in the middle school the boy should receive a course of selected lessons in agriculture appropriate to his physical capacity and mental attainments. In the high school the principle would be the same—a course of selected lessons in agriculture appropriate to the physical and mental capacity of the pupil. In both stages the work should be definitely and organically connected with the vocation of agriculture: i.e., the agriculture taught in schools should, within the limits imposed by the physical and mental capacity of middle and high school pupils, be the kind of agriculture practised by enlightened agriculturists. I would recommend that agricultural schools be opened only after the scheme for teaching practical agriculture in middle and high school has been in operation at least two years.

15th March 1927.

H. CHAMPION.

Order—No. 158, Education, dated 28th January 1929.

In G.O. No. 1922, Education, dated 7th November 1925, the Director of Public Instruction was requested to summon a conference of officials and non-officials for the purpose of discussing certain questions relating to secondary education and to submit its recommendations to Government with his remarks. The Conference met in 1926 and early in 1927 and its proceedings

[27th January 1930]

were submitted to Government by the Director of Public Instruction with his letter R.C. No. 974-D/25, dated 7th April 1927. The Government have given their careful consideration to the following recommendations of the Conference on which orders will now be issued.

2. *Common course of instruction in elementary schools and in primary departments of secondary schools.*—The Conference recommends that there should be a common course of instruction for all pupils whether in rural or in urban areas up to and including the present fifth standard. The Government accept this recommendation. The Director of Public Instruction is requested to take steps for the introduction of a common course of study for the two classes of institutions—standards I to V of elementary schools and classes I to V of secondary schools.

3. *Relation between higher elementary and middle schools.*—The Government agree with the Conference and the Director that higher elementary schools should not be converted into middle schools but should be kept distinct. They consider that attempts should be made to make the course of study in higher elementary schools really distinct from that in middle schools so that it may be suited to the class of pupils who will attend them. The Director of Public Instruction is requested to take the necessary steps to give effect to this decision.

4. *Course of study in middle schools.*—The Government are in general agreement with the recommendations made by the Conference in resolutions Nos. V to IX. They, however, consider that option should be allowed as at present to pupils to take Sanskrit in place of the vernacular in the middle school stage.

The Conference recommends that teachers in elementary and middle schools may be given short courses of instruction in gardening and horticulture. The Government desire that a beginning should be made in this direction as early as possible. The Director is requested to submit detailed proposals in this regard.

5. *Relation between recognition and aid.*—The Conference suggest that the financial stability of a school should receive stricter scrutiny in connexion with the question of recognition and that the carrying out of the suggestions of the District Educational Officer in the inspection report as accepted by the Director should be a condition of the continuance of recognition and aid. These suggestions may be considered by the Director.

6. Separate orders will be issued on the other recommendations of the Conference.

(By order of the Government, Ministry of Education and Local Self-Government)

J. VENKATANARAYANA,
Secretary to Government.

To the Director of Public Instruction.

[27th January 1930]

(2)

G.O. No. 1636, Education, dated 3rd August 1929.

READ—the following papers—

I

G.O. No. 427, Educational, dated 21st July 1909.

II

Letter from the Director of Public Instruction, to the Secretary to Government, Law and Education Department, dated 11th June 1929, No. R.C. 1251-E/29.

Order—No. 1636, Education, dated 3rd August 1929.

The revised scheme for the award of Secondary School-leaving Certificates submitted by the Director of Public Instruction is approved. The annexed notification will be published in the *Fort St. George Gazette*.

(By order of the Government, Ministry of Education and Local Self-Government)

J. VENKATANARAYANA,
Secretary to Government.

To the Director of Public Instruction.
" Commissioner for Government Examinations.
" Registrar, University of Madras.
" " Andhra University.
" " Annamalai University.
" Superintendent, Government Press (for publication of notification).
" Public Department.

NOTIFICATION.

Revised scheme for the award of Secondary School-Leaving Certificates.

I. The following revised scheme for the award of Secondary School-leaving Certificates is published for general information.

II. *To whom awarded.*—These certificates may be awarded on the completion of their school course to boys or girls who—

- (1) have attended one or more recognized secondary schools from at least the fourth form upwards, and
- (2) have attended each of the fourth, fifth and sixth forms either for not less than 60 per cent of the number of working days in each term and for not less than 120 working days in each school year, or for not less than 150 working days in each school year.

III. (1) *By whom awarded.*—The certificates shall be awarded by a Board consisting of the Director of Public Instruction as President, five officers of the Government Educational Service and eight non-official members who should be preferably persons actually engaged in teaching in colleges, headmasters of high schools or educationalists. Of the official members, three shall be appointed on nomination by the Syndicate of the Madras University and one on nomination by the Syndicate of the Andhra University. Of the non-official members, three shall be appointed on nomination by the Syndicate of the Madras University, and two on nomination by the Syndicate of the Andhra University.

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(2) The members of the Board shall be appointed for a period of three years and shall be eligible for re-appointment.

(3) The Secretary to the Commissioner for Government Examinations shall be Secretary to the Board.

(4) The Board shall arrange for the award of the certificates in accordance with the provisions of this scheme.

IV. *Scope of certificate.*—The certificate will take into account the school work done by the pupil from the fourth form upwards, and shall also contain the results of a public examination conducted by the Board. It shall show exactly what subjects a pupil has studied and discriminate fairly between one pupil and another as to the benefit he has received from a school course.

The subjects of study will ordinarily include those specified in groups A and B mentioned below and one or more of the subjects specified in Group C:—

A

1. English.
2. One of the following languages:—

Tamil.	Urdu (Hindustani).
Telugu.	Mahratti.
Malayalam.	Sanskrit.
Kanarese.	Persian.
Oriya.	Arabic.

Latin, French (only in the case of pupils whose mother tongue is not a recognized South Indian Vernacular).

3. Elementary Mathematics.
4. Elementary Science.
5. Outlines of History of England and India and Geography.

B

Drawing for Form IV.
Physical Training.
Manual Training (for boys).
Domestic Economy and Sewing (for girls).

C

One of the following languages:—

- | | | |
|-------------------------|--|---|
| (a) Classical ... | { Greek.
Latin.
Hebrew. | { Sanskrit.
Persian.
Arabic. |
| (b) Foreign ... | { French. | { German. |
| (c) Indian vernaculars. | { Tamil.
Telugu.
Malayalam.
Kanarese.
Oriya. | { Urdu (Hindustani).
Mahratti.
Burmese.
Sinhalese.
Hindi. |

NOTE.—The language taken under Group C shall not be the same as that taken under Group A.

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History of England and India.

Geography.

Algebra and Geometry.

Botany.

Physics.

Chemistry.

Music (European).

" (Indian).

Agriculture.

Commercial Practice.

Book-keeping.

Shorthand (English or Vernacular).

Typewriting.

Physiology.

Domestic Science.

Practical Telegraphy.

Applied Art.

Any other subject within the secondary school course.

V. *Preparation of certificate.*—(1) The certificate shall be in the form shown in the appendix to this scheme. Every pupil on entering Form IV shall be provided with a blank certificate to be kept in the custody of the school so long as he remains there, the entries in the certificate for each year being made in due course by the headmaster.

(2) The results of school work done shall be entered against each of the subjects in Groups A and C taught in the school in the form of the number of marks gained out of a maximum of 100 for each subject. In the case of the subjects included in Group B a general remark will be entered in the column provided for the purpose.

(3) The school work of a year in which the pupil is not promoted to a higher form shall not be taken into account; and no term certificate shall be accepted which is not gained in one and the same school.

VI. *The public examination.*—(1) At the end of the course in the sixth form, and by the 5th February at latest, the headmaster shall forward to the Secretary to the Board a list, in the prescribed form, of his pupils who wish to complete their certificates by appearing for the public examination conducted by the Board and who are, in his opinion, competent to appear for that examination.

(2) The name of no pupil shall thus be included whose age then is less than 15 years unless he will complete the age of 15 years on or before the first day of the month in which the examination is to be held. It shall, however, be competent to the Director to relax this rule in the case of girls and to grant exemption for a period not exceeding one year in favour of boys whose applications for exemption are supported by their headmasters, provided the applications are accompanied by certificates of physical fitness from registered medical practitioners.

(3) The fee for admission to the examination shall be Rs. 12 for each candidate and the fees due in respect of all the candidates presented by a school should be remitted into the treasury and the treasury receipt attached to the list referred to in clause (1) above.

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(4) The public examination will include the subjects of Group A and any of the subjects of Group C.

(5) It will be held at such centres and on such dates as may, from time to time, be notified.

(6) The certificates of all pupils presented for the public examination shall be forwarded by the head of the school to the Secretary to the Board as soon as possible after the conclusion of the public examination and in any case before the 1st May following the examination.

(7) The marks obtained out of a maximum of 100 in each subject at this examination will be entered by the Board on the appropriate page of the certificate.

VII. *Award of certificates.*—(1) The certificates thus filled in shall be signed and dated by the Secretary to the Board and returned to the headmaster of each school for delivery to the candidates concerned.

(2) The certificate of a pupil who is not, in the opinion of the headmaster, competent to appear for the public examination shall, if he is leaving the school, be endorsed to that effect over the headmaster's signature on the appropriate page. It shall then be forwarded to the Secretary to the Board for inspection and endorsement and when returned to the headmaster shall be handed to the pupil.

(3) Where evidence is laid before the Director showing that any person to whom a certificate has been or is proposed to be given under the rules has been guilty of what is, in his opinion, a serious offence, the Director may himself cancel or withhold the certificate.

VIII. *Supplementary certificate.*—(1) If a pupil wishes to improve the certificate thus awarded to him, whether in regard to its quality in one or more subjects already brought up or by bringing up additional subjects under Group C, he may go back to the same or any other recognized school and appear at a succeeding examination conducted by the Board in any subject or subjects in which the examination is held.

(2) There shall be no limit to the number of times which a pupil may thus be re-examined; but pupils who have already appeared for the public examination once may appear for subsequent examinations without attending a school.

(3) The fee shall be Rs. 12 for re-examination in a subject or subjects in which a pupil has already been examined by the Board, but a pupil who merely presents additional subjects shall pay a fee of Rs. 3 for each, provided that no pupil shall be called upon to pay more than Rs. 12 on any occasion.

(4) In either case, a further endorsement shall be made on the pupil's original certificate with regard to his progress in a manner similar to that laid down for the entries in the original certificate.

IX. *Subsidiary rules.*—The Board shall be competent to frame such subsidiary rules as it thinks fit for the estimate of school work done, the conduct of the public examination and other matters connected with the award of certificates subject to the provisions of this scheme. Such rules will be notified from time to time by the Director of Public Instruction.

27th January 1930]

X. *Date from which the revised scheme is to take effect.*—The revised scheme shall come into force for Form IV on the 1st June 1929, for Form V on the 1st June 1930 and for Form VI on the 1st June 1931, and the first Public Examination under it shall be held in March 1932.

APPENDIX.

SECONDARY SCHOOL-LEAVING CERTIFICATE (No.)

(Issued under the authority of the Government of Madras.)

Issued by
Station
Date

Signature
Designation

1. Name of the pupil (in full).
2. Nationality, caste or religion.
3. Sex.
4. Date of birth (by the Christian era).
5. Father's name.
6. Personal marks of identification*

(1)
(2)
(3)

(Signature)

Date

Head master
mistress,
School.

7. School or schools attended for the High School course commencing from Form IV with the years and forms:—

Name of school.	Period of study.	Form or forms.
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8. School or schools attended for supplementary courses with the years of study:—

Name of school.	Period of study.
-----------------	------------------

NOTE.—No fractions, decimal or vulgar, should be entered anywhere in this certificate; one-half or a larger fraction should be reckoned one; anything below one-half should be neglected.)

School Record	Form	June 19	to April 19
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* Care should be taken to select only two or three distinctive marks.

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School work.

1. English.
2. Second Language.
3. Elementary Mathematics.
4. Elementary Science.
5. Outlines of History of
England and India
and Geography.

6.
7.
8.
9.

1st term. 2nd term. Total.

10. Number school days ...
11. Number of attendances ...
12. Percentage of attendances ...
13. General remarks on handwriting, drawing, physical and manual training, character and conduct, etc.
14. Signature of p ...
15. Signature of Headmaster (with date).

Percentage of Form average marks.

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Combined Result of School Course and Public Examination.

Name of pupil (in full)

Subjects.	Percentage of marks at school.						Percentage of marks at the public examination.	School average.	Presidency average.
	Form IV.		Form V.		Form VI.				
	Marks.	Form average.	Marks.	Form average.	Marks.	Form average.			
1. English	..	..	..	..					
2. Second Language ()	..								
3. Elementary Mathematics	..								
4. Elementary Science	..	..	..						
5. Outlines of History of England and India and Geography.									
6.									
7.									
8.									
9.									

(Signature of Headmaster)

Date

School.

Date

(Signature)

Secretary to the Board.

[27th January 1930]

Combined Result of Supplementary School Course and Examination.

Name of pupil (in full)

Subjects.	At school.		At the public examination.		
	Percentage of marks.	Form average.	Percentage of marks.	School average.	Presidency average.
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					

(Signature)

Secretary to the Board.

Date

 School.
(Signature of Headmaster),
Date

27th January 1930]

(3)

G.O. No. 1576, Education, dated 29th July 1929.

READ—the following paper :—

Letter from R. G. GRIEVE, Esq., M.A., F.R.O.S., Acting Director of Public Instruction, to the Secretary to Government, Law (Education) Department, dated Madras, the 17th May 1929, R.O. No. 472-E/29.

With reference to G.O. Ms. No. 837, Education, dated 23rd April 1929, and paragraph iv of Government Memorandum No. 934-B/27-1, dated 4th January 1929, regarding the security of tenure of teachers' posts in secondary schools, I have the honour to state as follows.

2. Questions were framed in this office which favoured no particular solution but were designed to elicit opinion, being based largely on the resolutions of various Guilds and Educational Conferences. These were sent to District Educational Officers and through them to managements and associations interested in the matter, and replies have been received from a large number, though not from all who were addressed. As a result, varying and conflicting opinions have been expressed, though the point of view of managements has been less adequately pressed than that of the teachers.

3. It has to be emphasized that while Government have a definite responsibility for the soundness and efficiency of secondary education, it would be as bad in principle as it would be fatal in practice to fetter unduly the freedom of managements or, in any way, to departmentalise aided and recognized secondary schools. It is with this general principle in mind that the replies received have been considered.

4. There is a very decided majority of opinion in favour of some form of agreement between managements and teachers, which should include a reference to probation, scale of pay and vacation pay, leave rules, and notice and termination of service; indeed, such agreements already exist in some cases.

I consider that some form of written agreement which need not necessarily be uniform for the whole Presidency, might be drawn up and might be incorporated in the Madras Educational Rules or in an appendix thereto, and so be made applicable to schools both under private and under public management.

5. As regards probation the maximum period should be two years and teachers retained on the staff except in purely temporary posts and not given proper notice should then be confirmed.

The leave rules of the school should be incorporated in the agreement. There should be provision for casual leave and at the discretion of the managements for a limited amount of leave on medical certificate.

6. As regards scales of pay, representations have been made from time to time, and many of the replies received give expression to a similar desire, that the scales of pay should be standardized. To this I have always been opposed, and I consider that, in schools under private management, managers should be free to fix the scale of pay provided they entertain qualified teachers. Direct interference is not desirable except in so far as the salary of the staff is taken into account in assessing the teaching grant for a school.

In this connexion, however, I may note that the Secondary Education Reorganization Conference recommended not a standard scale of pay, but a minimum pay for each grade. This could vary for different parts of the

[27th January 1930]

Presidency, and if it were not fixed too high, it might be regarded at least as a gesture in their favour by the teachers, without being undue interference with the manager.

The question of vacation pay is stressed in many of the replies; I am of opinion that where there has been a full year's work, i.e., July to March, vacation pay ought to be given in full; for a shorter period, say six months, proportionate vacation salary might be allowed.

7. As regards notice and termination of service in the case of permanent teachers, three months' notice or at least two should be required. I do not think that definite rules can be laid down as regards temporary staff, as there must necessarily be occasional short vacancies, and teachers on the temporary staff may have to be sent away owing to fluctuating strength. Again, the giving of adequate notice must be binding on the teachers also, in order that managers may not be put to difficulty by their teachers going away in the middle of the year without giving proper notice, because they receive more tempting offers elsewhere. In all these matters, the interests of managers have to be considered equally with those of teachers.

8. In regard to dismissal and punishment, arbitration boards have been suggested and an appeal to the Director of Public Instruction whose orders should be final. I am wholly opposed to such boards and to placing in the hands of the Director of Public Instruction the final decision as regards all punishments and dismissals in schools under private management. As a matter of fact, it is more in the case of schools under municipal management that intervention has been necessary; and in the case of such schools a direct appeal to Government against the orders of the appellate Committee of the Council is admissible. Just as Government can intervene in the case of schools under public management, so can the Director of Public Instruction intervene where it is reported to him by the District Educational Officer that an apparent injustice on the part of a management or a case of misconduct on the part of a teacher requires action with reference to the existing provisions in the Madras Educational Rules, e.g., Rules 99 to 101, 154 and 12 (a) and (b).

Order—No. 1578, Education, dated 29th July 1929.

The Government agree with the Director of Public Instruction that there should be a written agreement between the managements of secondary schools and the teachers employed in such schools embodying the terms of engagement of the teachers. They also accept his suggestions as to the matters to be specified in the proposed agreement subject to the following modifications:—

Probation.—The Government consider that the maximum period of probation should be one year.

Notice and termination of service.—Provision should be made for three months' notice on either side for termination of service.

The Director of Public Instruction is requested to submit a draft of the amendments to be made in the Madras Educational Rules and a draft agreement for the approval of Government.

(By order of the Government, Ministry of Education and Local Self-Government)

J VENKATANARAYANA,
Secretary to Government.

To the Director of Public Instruction.

27th January 1930]

APPENDIX V.

[Vide answer to question No. 1282 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 27th January 1930, page 563 supra.]

List of Municipal Councils and District Boards to which ladies have been nominated as members.

I—Municipal Councils.

Anantapur.	Cocanada.	Cannanore.
Tiruvannamalai.	Ellore.	Cochin.
Vellore.	Chirala.	Tellicherry.
Chidambaram.	Guntur.	Coonoor.
Bellary.	Ongole.	Tanjore.
Chingleput.	Mangalore.	Palameottah.
Conjeeveram.	Bezwada.	Karur.
Saidapet.	Nandyal.	Vizagapatam.
Berhampur.	Dindigul.	Vizianagram.
Chicacole.	Kodaikanal.	

II.—District Boards.

North Arcot.	Guntur.	Trichinopoly.
Chingleput.	South Kanara.	Vizagapatam.
Chittoor.	Kistna.	
East Godavari.	Malabar.	

APPENDIX VI.

[Vide answer to question No. 1283 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 27th January 1930, page 568 supra.]

List of Municipal Councils and District Boards to which Europeans and Anglo-Indians have been nominated as members.

Municipal Councils.

Vellore.	Tenali.	Coonoor.
Chidambaram.	Masulipatam.	Ootacamund.
Villupuram.	Nandyal.	Kumbakonam.
Bellary.	Dindigul.	Tanjore.
Saidapet.	Kodaikanal.	Tuticorin.
Coimbatore.	Madura.	Karur.
Erode.	Calicut.	Bindlipatam.
Chicacole.	Cannanore.	Vizagapatam.
Cocanada.	Cochin.	Vizianagram.
Ellore.	Palghat.	
Guntur.	Tellicherry.	

District Boards.

Anantapur.	South Kanara.	Ramnad.
Arcot, South.	Madura.	Salem.
Chingleput.	Malabar.	Vizagapatam.
Guntur.	The Nilgiris.	

[27th January 1930]

APPENDIX VII.

[Vide answer to question No. 1287 asked by Mr. K. V. R. Swami at the meeting of the Legislative Council held on the 27th January 1930, page 569 supra.]

Capital outlay on buildings.

1. Capital outlay since it was started up to end of 1928-29—

	RS.
Main building	6,88,850
Residential quarters	26,130

2. Capital expenditure incurred between the years 1919-20 to 1928-29 is detailed below:—

	Main building.						Residential quarter.		
	Major.			Minor.					
	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.
1919-20 ...	30,935	10	2	3,222	11	0	573	12	0
1920-21 ...	13,214	9	2	10,023	12	11	...	...	...
1921-22 ...	...	...	...	10,659	0	11	375	0	2
1922-23 ...	...	...	...	2,057	0	3	...	...	...
1923-24 ...	10,103	5	0	49	11	0	...	...	...
1924-25 ...	46	13	0	299	10	0	35	6	0
1925-26 ...	...	...	...	4,794	4	0	...	...	...
1926-27 ...	...	...	...	716	1	4	1,403	0	0
1927-28 ...	...	...	...	9,146	8	6	110	0	0
1928-29 ...	...	...	...	4,057	0	5	642	0	0
	54,300	5	4	45,025	12	4	2,939	11	2

Capital outlay on equipment.

	Fittings.		Specimens.	Total.
	RS.	RS.		
1889-1919 ...	77,277	87,329	1,64,606	
1919-20 ...	3,116	611	3,727	
1920-21 ...	2,571	1,216	3,787	
1921-22 ...	2,167	1,631	3,798	
1922-23 ...	2,498	1,309	3,807	
1923-24 ...	9,404	1,133	10,537	
1924-25 ...	13,363	1,162	15,125	
1925-26 ...	4,317	712	5,029	
1926-27 ...	2,941	684	3,625	
1927-28 ...	2,751	914	3,665	
1928-29 ...	2,078	1,618	3,696	
Total ... 1889 to date.	1,23,083	98,319	2,21,402	

Figures are not available for years prior to 1889.

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APPENDIX VIII.

[Vide answer to question No. 1289 asked by Mr. T. Adinarayana Chettiyar at the meeting of the Legislative Council held on the 27th January 1930, page 570 supra.]

District.	Number of panchayat deputy tahsildars.	Number of panchayats.
Vizagapatam	1	8
East Godavari		2
West Godavari		15
Kistna	1	22
Guntur	1	69
Kurnool	1	27
Bellary	3	125
Anantapur	2	113
Cuddapah	2	62
Nellore	3	176
Chingleput	2	78
South Arcot	2	85
Chittoor	2	87
North Arcot	2	95
Salem	1	48
Mettur		1
Trichinopoly	1	43
Coimbatore	1	27
Madura		25
Ramnad		1
Tinnevely		8

[27th January 1930]

APPENDIX IX.

[Vide answer to question No. 1294 asked by Mr. K. V. R. Swami at the meeting of the Legislative Council held on the 27th January 1930, page 53 supra.]

Year.	Olavakkote Mill.		Beypore Mill.		Pollachi, new Top Ship Mill.		Chedleth Mill.		Parappa Mill.	
	Profit or loss.	Amount.	Profit or loss.	Amount.	Profit or loss.	Amount.	Profit or loss.	Amount.	Profit or loss.	Amount.
1925-26	Loss	Rs. 88,695	Profit	Rs. 74,289	Loss	Rs. 26,948	Loss	Rs. 46,925	Profit	Rs. 25,060
1926-27	Do.	1,83,160	Do.	27,375	Do.	41,864	Do.	27,297	Do.	27,540
1927-28	Do.	1,12,023	Do.	39,381	Do.	52,476	Do.	74,222	Do.	27,540
1928-29	Do.	93,412	Do.	36,564	Do.	1,21,288	Do.	74,222	Do.	27,540
Total		4,77,290		1,77,649						£2,190

(a) Though the Chedleth Mill worked for six months in 1926-27, there were no sales during the year.

[27th January 1930]

APPENDIX X.

[Vide answer to question No. 1295 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 27th January 1930, page 574 supra.]

Statement showing the number of women convicted for infanticide and the sentence in each case, and the remission or commutation of the sentence, if any, in each case.

Districts.	Number of women convicted for infanticide during the past five years and the punishment awarded.	Remission or commutation of sentence.
Sessions Judge, Anantapur ..	4-3 L.T.; 1 R.I. for 1 year.	1 L.T. commuted to R.I., 4 years; 1 L.T. commuted to 3 months and 23 days.
.. Arcot, North ..	6-3 L.T., 1 death; 1 R.I., 3 years, 1 S.I., 6 months.	2 L.T. commuted to 7 years R.I.; 1 L.T. commuted R.I., 5 years; 1 death commuted to R.I., 1 year.
.. Arcot, South ..	1-1 L.T. ..	1 commuted to 3 years.
.. Beilary ..	3-3 ..	2 reduced to 2 years' R.I.; 1 S.I., 6 months; 1 pending appeal in High Court.
.. Chingleput ..	1-1 ..	1 acquitted by High Court in appeal.
.. Chittoor ..	Nil ..	..
.. Coimbatore ..	6-2 death; 2 L.T.; 2 years' R.I., 18 months.	1 L.T. commuted to period served; 1 L.T. commuted to 3 years' R.I.
.. Cuddapah ..	Nil ..	..
.. Ganjam ..	4-1 death; 3 L.T. ..	1 death—reversed by High Court.
.. Godavari, East ..	} Nil ..	..
.. Godavari, West ..		..
.. Guntur ..	3-1 R.I., 1 year; 2 S.I., 6 months.	..
.. Kanara, South ..	} Nil ..	..
.. Kistna ..		..
.. Kurnool ..		..
.. Madras ..		..
.. Malabar, North ..		..
.. Malabar, South ..		..
.. Nellore ..		..
.. Ramnad ..	} Nil ..	..
.. Salem ..		..
.. Tanjore, East ..		..
.. Tanjore, West ..		2-3 L.T. .. 1 commuted to 3 years' R.I. and 1-1 year R.I.
.. Tinnevely ..	1-1 L.T. ..	1 commuted to 2 years' R.I.
.. Trichinopoly ..	Nil ..	..
.. Visagapatnam ..	1-1 L.T. and 2 years' R.I. (sentences to run concurrently).	1 commuted to R.I., 10 years.
Agent to the Governor, Ganjam ..	} Nil ..	..
.. Do. Visagapatnam ..		..
Government Agent, Godavari ..	} Nil ..	..
Sessions—High Court (Original Side), Madras ..		3-2 acquitted; 1 L.T. and 6 months' R.I. (sentences to run concurrently). 1 commuted to 3 years' S.I.

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APPENDIX XI.

[Vide item 1 "Papers laid on the table" at page 630 supra]

LOCAL SELF-GOVT. (PUBLIC HEALTH) DEPT.
COMMUNICATION TO THE LEGISLATIVE COUNCIL.

With reference to the answer given to question No. 164 at the meeting of the Legislative Council held on the 9th August 1929, the following list of persons appointed as honorary medical officers to Government medical institutions in the mufassal is laid on the table.

Legislative Council question No. 164 answered on 9th August 1929.

List of persons appointed as honorary medical officers to Government medical institutions in the mufassal.

District.	Name of medical institution.	Name of honorary officer.	Designation of honorary appointment.
Arcot, South	Government headquarters Hospital, Cuddalore.	M.R.Ry. S. Sankararaman Avargal, M.B., B.S.	Honorary Assistant Physician.
Bellary	Government Hospital, Adoni.	M.R.Ry. R. R. Kulgod Avargal, M.B., B.S. (Bom.).	Honorary Assistant Surgeon.
Coimbatore	Headquarter Hospital, Coimbatore.	M.R.Ry. M. Vittal Rao Avargal, M.B., B.S.	Honorary Dental Surgeon.
	Do.	M.R.Ry. R. Sundararajan Avargal, M.B., B.S.	Honorary Assistant Surgeon.
	Government Hospital, Gollichetripalayam.	M.R.Ry. G. K. Venkataraman Avargal, L.M.S.	Do.
	Government Hospital, Polachi.	M.R.Ry. N. A. Venkatachala Ayyar Avargal, M.B., B.S.	Do.
	Government Hospital, Erode.	M.R.Ry. P. S. Sivarama Krishna Ayyar Avargal, L.M.S.	Do.
Godavari, East.	Headquarter Hospital, Coonadu.	Capt. P. V. R. Murti, M.B., B.S. (Edin.), A.I.R.O.	Honorary Physician.
	Government Hospital, Rajahmundry.	M.R.Ry. A. Narasimham Avargal, L.M.S.	Honorary Assistant Surgeon.
Godavari, West.	Headquarters Hospital, Ellore.	M.R.Ry. A. Gopalan Avargal, L.M.S.	Honorary Assistant Surgeon, Out-patient department.
Guntur	Headquarter Hospital, Guntur.	M.R.Ry. A. S. Challapati Rao Avargal, M.B., B.S.	Honorary Assistant Surgeon.
	Government Hospital, Tenali.	M.R.Ry. G. Venkatasubba Rao Avargal, L.M.S.	Do.
Kanara, South.	Headquarter Hospital, Mangalore.	Capt. W. E. Mascarenhas, M.D. (Bom.), D.T.M. (Cal.)	Honorary Physician.
	Women and Children Hospital, Mangalore.	M.R.Ry. M. Shiva Rao Avargal, L.M.S. & S. (Edin.), L.M. (Dub.), L.F.S. (Iras.).	Do.
	Government Hospital, Udupi.	M.R.Ry. U. Sunder Ram Poi Avargal, M.B., B.S.	Honorary Assistant Surgeon.

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District.	Name of medical institution.	Name of honorary officer.	Designation of honorary appointment.
Kistna	Headquarter Hospital, Masulipatam.	M.R.Ry. V. D. Mageswara Rao Avargal, B.A., L.M.S.	Honorary Assistant Surgeon, Ophthalmic department.
	Do.	M.R.Ry. M. Seshacharu Avargal, L.M.S.	Honorary Assistant Surgeon.
Madura	Government Hospital, Bezwad.	M.R.Ry. C. Suryanarayana-murti Garu, M.B., B.S.	Do.
	Headquarter Hospital, Madura.	M.R.Ry. P. N. Ramasubrahmanyan Avargal, B.A., M.B., B.S.	Honorary Orthopaedic Surgeon.
	Do.	M.R.Ry. C. V. Krishnaswami Avargal, M.B., B.S., D.O.M.S. (Lond.), F.R.C.S. (Edin).	Honorary Ophthalmic Surgeon.
	Do.	M.R.Ry. A. Narayana Menon Avargal, M.B., B.S.	Honorary Venereologist.
	Government Hospital, Periyakulam.	M.R.Ry. S. Gopalaswami Avargal, M.B., B.S.	Honorary Assistant Surgeon.
Malabar	Headquarter Hospital, Calicut.	M.R.Ry. V. K. Vaidyer Avargal, L.M.S.	Honorary Dental Surgeon.
	Women and Children Hospital, Calicut.	M.R.Ry. N. Achutan Avargal, M.B., B.S.	Honorary Assistant Surgeon.
Nellore	Headquarter Hospital, Nellore.	M.R.Ry. A. Anantanarayanan Avargal, M.B., B.S.	Do.
Tinnevely	Government Headquarters Hospital, Palamcottah.	M.R.Ry. V. Sankara Subban Avargal, M.B., B.S.	Do.
	Do.	M.R.Ry. R. V. Padmanabhan Avargal, M.B., B.S.	Do.
	Government Hospital, Tuticorin.	M.R.Ry. P. S. Venkataraman Avargal, L.M.S.	Do.

HILTON BROWN,
Secretary to Government.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Tuesday, the 28th January 1930.

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, <i>Kt.</i> , The hon. Khan Bahadur Sir Mahomed.	Muniswami Nayudu, Diwan Bahadur B.
Krishnan Nayar, The hon. Diwan Bahadur Sir M.	Muniswami Pillai, Rao Sahib V. I.
Campbell, C.S.I., C.I.E., C.B.E., V.D., I.C.S., The hon. Mr. A. Y. G.	Muppil Nayar of Kavalappara alias Kumaran Raman, Mr.
Subbarayan, The hon. Dr. P.	Murugappa Chettiyar, Diwan Bahadur A. M. M.
Muthiah Mudaliyar, The hon. Mr. S.	Muthulakshmi Reddi, Dr. (Mrs.). S.
Seturatnam Ayyar, The hon. Mr. M. R.	Nagan Gowda, Mr. R.
Abdul Razaek Sahib Bahadur, Khan Bahadur S. K.	Nanjappa Bahadur, Subadar-Major S. A.
Appavu Chettiyar, Mr. C. D.	Narayanan Chettiyar, Mr. Al. Ar.
Ari Gowder, Mr. H. B.	Natesa Mudaliyar, Rao Bahadur C.
Arogyaswami Mudaliyar, Diwan Bahadur R. N.	Parthasarathi Ayyangar, Mr. C. R.
Arpudaswami Udayar, Mr. S.	Patro, <i>Kt.</i> , Rao Bahadur Sir A. P.
Bhanoji Rao, Mr. A. V.	Premayya, Mr. G. R.
Bheemayya, Mr. J.	Raja of Kallikota.
Chidambaramanatha Mudaliyar, Mr. T. K.	Rajan, Mr. P. T.
Coffey, A. C.I.E., I.C.S., Mr. C. B.	Ramaachandra Padayachi, Mr. K.
Doral Raja, Mr. S. N.	Ramaachandra Reddi, Mr. B.
Elappa Chettiyar, Rao Bahadur S.	Ramamurti, I.C.S., Mr. S. V.
Ethirajulu Nayudu, Diwan Bahadur P. C.	Raman Menon, Mr. K. P.
Foulkes, Mr. R.	Ramjee Rao, Mr. V.
Gangadhara Siva, Mr. M. V.	Ramaswami Ayyar, Mr. U.
Gnanavaram Pillai, Rao Sahib P. J.	Ranganatha Mudaliyar, Mr. A.
Govindan Nayar, Mr. C.	Ratnasabhapatni Mudaliyar, Rao Bahadur C.S.
Gray, C.B.E., I.C.S., Mr. J.	Robertson, Mr. R. J. C.
Hearson, Mr. H. F. P.	Rutherford, C.I.E., I.C.S., Mr. T. G.
Hilton Brown, I.C.S., Mr.	Sahajanandam, Swami A. S.
James, Mr. F. E.	Saldanha, Mr. J. A.
John, Mr. V. Ch.	Sarabha Reddi, Mr. K.
Kesava Pillai, C.I.E., Diwan Bahadur P.	Shetty, Mr. A. B.
Khalif-ul-Jah Sahib Bahadur, Khan Bahadur P.	Siva Raj, Mr. N.
Kumara Raja of Venkatagiri.	Soundara Pandian, Mr. W. P. A.
Kumaraswami Reddiyar, Diwan Bahadur S.	Srinivasa Ayyangar, Mr. T. C.
Kuppuswami, Mr. J.	Srinivasan, Rao Sahib R.
Leach, I.C.S., Mr. A. G.	Subrahmanya Moopansar, Mr. S.
Leech, Mr. A. J.	Subrahmanya Pillai, Mr. Chavadi K.
Maharaja of Pithapuram, C.B.E.	Tajudin Sahib Bahadur, Khan Sahib Syed.
Manikkavelu Nayakar, Mr. M. A.	Tulasiram, Mr. L. K.
Moidoo Sahib Bahadur, Khan Sahib T. M.	Uppi Sahib Bahadur, K.
	Venkiah, Mr. S.
	Watson, I.C.S., Mr. H. A.
	Wood, Mr. C. E.
	Zamindar of Singampatti.

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I

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Depressed Classes

Aided and Government hostels for depressed classes.

* 1306 Q.—Mr. S. VENKIAH: Will the hon. the Home Member be pleased to state—

(a) the hostels maintained by the Government and those aided by Government and meant for the depressed classes;

(b) the strength of each hostel, the amount spent by Government, recurring and non-recurring, and the aid given in the case of aided institutions;

(c) whether any distinction is observed in giving admission into these hostels; and

(d) whether in hostels maintained by the Government or aided by them any difference is maintained between different sections of the depressed classes in the matter of common dining, etc.?

A.—(a) The following hostels are maintained by the Government:—

- (1) Paddison Hostel, Madras.
- (2) Slater Hostel, Perambur.
- (3) Adi-Andhra Hostel, Masulipatam.
- (4) Depressed Classes Hostel, Calicut.

The following hostels receive aid from the Government:—

- (1) Sundracharlu Hostel, Salem.
- (2) Moir Hostel, Chidambaram.

(b)—

	Sanctioned strength.	Expenditure during 1928-29.
Paddison Hostel ..	55	Rs. 11,900
Slater Hostel, Perambur.	60	1,414
Adi-Andhra Hostel, Masulipatam.	50	8,504
	(Increased to 60 in 1929-30.)	
Depressed Classes Hostel, Calicut.	12	1,412
	(Increased to 20 in 1929-30.)	

The Sundracharlu Hostel, Salem, and the Moir Hostel, Chidambaram, each receive a grant-in-aid of Rs. 2,000 a year.

(c) Admission to Government hostels is generally restricted to Hindu members of the depressed classes. No distinction is made between different sections of the depressed classes in the matter of admission into the hostels maintained or aided by Government.

(d) No. In some hostels the different sections sit in separate portions or lines when dining but they all dine together in the same hall.

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Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"May I know if the caste Hindus who have no objection to dine with Panchamas will be admitted into these hostels, if they seek admission?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"These hostels are intended for depressed classes; I do not think it is right that the Government should pass any orders that caste Hindus should be admitted into them."

Mr. C. R. PARTHASARATHI AYYANGAR:—"May I ask whether the rules governing the admission of pupils into these hostels will be placed on the table of the House?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"I do not think it is necessary to place the rules on the table of the House; I have no objection to consider this request."

Diwan Bahadur B. MUNISWAMI NAYUDU:—"May I know the reasons why in the Slater Hostel, Perambur, the expenditure was only Rs. 1,414, whereas in other hostels where the strength was the same, the expenditure was more?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"That hostel was started at the end of last year; the expenditure incurred was only for one or two months."

Legislative

Date of the next general elections to the Legislative Council.

* 1307 Q.—Mr. J. A. SALDANHA: With reference to the recent notification by His Excellency the Governor extending the term of the Council by six months, will the hon. the Home Member be pleased to state whether Government are now in a position to state the date when the next general elections will be held and if so, what it is?

A.—No.

Mr. J. A. SALDANHA:—"This answer was sent on the 23rd instant. May I enquire whether the hon. Member will be pleased to tell us now the probable dates?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"It is not possible for me to do so."

Police

Enquiry into the allegations by Mr. Krishna Kunthu against the police.

* 1308 Q.—Mr. T. ADINARAYANA CHEETIYAR: Will the hon. the Home Member be pleased to state—

(a) whether the enquiry into the allegation of Mr. Krishna Kunthu of Madura has been completed and whether the Government has passed any orders on the same; and

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

A.—(a) & (b) The Government have completed the inquiry and are satisfied that the allegation made by Mr. Krishna Kunthu is unfounded.

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Prosecutions by the Officer in charge of the C division, City Police.

* 1309 Q.—Dr. B. S. MALLAYYA : Will the hon. the Home Member be pleased to state —

(a) when the Officer in charge of the C division, City Police, took charge of that division;

(b) how many night cases have been put up by the police of that division after this officer took charge; and

(c) how many men were prosecuted for similar offence during the year immediately preceding the date on which this officer took charge of the C division?

A.—(a), (b) & (c) The Government have no information, but have called for it.

The hon. the PRESIDENT :—“ Question No. 1310 on the printed paper is that of Mr. K. V. R. Swami. I think he is one of those members whose resignations have been accepted by His Excellency. I wish to know from the hon. Leader of the House the names of members whose resignations have been accepted. I do not think I will be justified in putting the questions of those members who have resigned.”

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—
“ I shall see that a list of the members whose resignations have been accepted is sent to you.”

The hon. the PRESIDENT :—“ What are we to do to-day? Last night I saw in the *Hindu* that elections are to take place in the East Godavari and West Godavari districts on the 6th March. I shall take cognizance of that fact and not call the names of members whose resignations have been accepted.”

* 1310 to 1313 Q.—Not called.

Jails

Treatment of political prisoners in jails.

* 1314 Q.—Mr. S. SATYAMURTI : Will the hon. the Law Member be pleased to state—

(a) whether the Government have been addressed by the Government of India on the question of the treatment of prisoners and especially of political prisoners and on the abolition of racial distinctions in the treatment of prisoners;

(b) if so, when the communication was received by the Government and what action the Government have taken or propose to take thereon;

(c) whether the Local Government propose to take non-official opinion on the matter before they reply to the Government of India;

(d) if so, what the nature of that consultation will be; and

(e) whether the opinion of this House will be taken on that matter; and, if not, why not?

A.—(a) to (d) The Government of India asked the Local Government to re-examine the rules relating to the treatment of under-trial prisoners and to the classification of, and the privileges to be granted to, special class prisoners. The original communication from the Government of India was received about the end

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of August, and a supplemental communication pertaining to the same subject was received about the beginning of October last. The Government, after inviting the opinions of selected officials and non-officials, including visitors to jails and some members of the Legislative Council, made certain recommendations to the Government of India. The reply had to reach the Government of India in time for the Conference on Jail Rules which was held at Delhi on the 9th and 10th of December 1929 under the Chairmanship of the hon. the Home Member with the Government of India, and in which representatives from all Provincial Governments took part.

(e) The Government had before them the views of the members of the Legislative Council on the subject, such views having been expressed in connexion with the resolution regarding the treatment of prisoners, moved by Mr. S. Satyamurti and discussed in the Council on the 30th September 1929.

Mr. J. A. SALDANHA :—“ May I enquire what the proposals made by this Government as to the abolition of distinction on racial grounds are?”

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—“ I may say this much: the proposals are to liberalize the rules considerably. I am sorry that I am not in a position to give further details because they are regarded as particularly confidential, and it is not in the public interest to divulge them now. In the conference that was held at Delhi also it was resolved to treat all the proposals as quite confidential.”

Mr. J. A. SALDANHA :—“ May I enquire whether this Government have no power to arrive at any conclusion on the simple question of the abolition of racial distinctions?”

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—“ As I have stated already, the idea is to liberalize the rules and as far as possible to get rid of the racial distinctions. But the whole matter is treated as an All-India matter and it was resolved by the conference presided over by the Home Member of the Government of India to treat the matter as confidential till final conclusions are arrived at.”

Treatment of under-trial and political prisoners.

* 1315 Q.—Mr. S. SATYAMURTI : Will the hon. the Law Member be pleased to state—

(a) the names of persons and the associations whom the Government have consulted or proposed to consult on the reference to the Government of India by them about the treatment of under-trial and political prisoners;

(b) whether the Government propose to consult the members of the Congress party in the Council;

(c) whether the Government propose to consult political Congressmen in the province; and

(d) whether the Government propose to place their reply to the reference on the table of the House?

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A.—(a) & (c) A list^a containing the names of persons, etc. (official and non-official), consulted by the Government and another containing the names of non-officials whose opinions have so far been obtained and forwarded to Government by District Magistrates and the Commissioner of Police, Madras, are placed on the table.

(b) The hon. Member is referred to the answer to clause (e) of the question No. 1314.

(d) No.

Mr. J. A. SALDANHA :—" May I enquire whether, on the simple point of supplying tea to prisoners—all classes of people drink tea in India—the Government have no power to change the rules in the Jail Manual? Tea is given to European prisoners whether they are on trial or not."

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" I have already given the answer as far as it is possible to do so."

Mr. J. A. SALDANHA :—" May I ask whether interim orders cannot be passed on such matters? "

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

Treatment of political prisoners in jails.

* 1316 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Law Member be pleased to state—

(a) whether the question of special treatment for political prisoners is under the consideration of the Government; and

(b) if the answer to (a) be in the positive what the proposals so far made are?

A.—(a) & (b) The hon. Member is referred to the answer to question No. 1314.

Treatment of political prisoners in jails.

* 1317 Q.—Mr. J. A. SALDANHA: Will the hon. the Law Member be pleased to state—

(a) whether any circular has been received from the Government of India in regard to the treatment of political prisoners 'in prisons';

(b) what steps Government are taking to consult non-official opinion on the subject;

(c) whether racial discrimination is proposed to be removed in the treatment of prisoners; and

(d) if so, what steps Government propose to take to remove such racial discrimination in prisons?

A.—(a) & (b) The hon. Member is referred to the answer to question No. 1314.

(c) & (d) The question is under consideration.

^a Printed as Appendix I on pages 744-748 infra.

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Treatment of political prisoners.

* 1318 Q.—Mr. J. A. SALDANHA: Will the hon. the Law Member be pleased to state what steps Government have taken or are taking to reform the Jail administration in the matter of the better treatment of Indian prisoners and especially Indian political prisoners?

A.—The hon. Member is referred to the answer to question No. 1314.

Correspondence regarding jail reforms.

* 1319 Q.—Mr. P. SIVA RAO: Will the hon. the Law Member be pleased to state—

(a) whether there has been any reference from the Government of India to the Madras Government regarding the jail reforms, especially in the case of under-trial prisoners in jails;

(b) whether the recent report of the Punjab Jail Enquiry Committee has been forwarded to this Government for necessary action; and

(c) what action the Government propose to take in the matter?

A.—(a) & (c) The hon. Member is referred to the answer to question No. 1314.

(b) No.

Application of the suggestions of the Punjab Jail Enquiry Committee to Madras.

* 1320 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Law Member be pleased to state—

(a) whether the Punjab Jail Enquiry Committee report has been received by this Government; and

(b) if so, whether the Madras Government have considered the advisability of adopting the measures therein proposed in so far as they relate to the conditions existing in the jails of the Madras province?

A.—(a) & (b) The hon. Member is referred to the answer to clause (b) of question No. 1319.

* 1321 Q.—Not called.

Assignment of Lands

Assignment of lands to Mrs. Julia Nathaniel.

* 1322 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Member for Revenue be pleased to state whether the report called for in the reply to question No. 569, dated the 27th September 1929, has been received?

A.—Yes; a copy of the report^a is appended.

Mr. A. RANGANATHA MUDALIYAR :—" May I know the reasons why the Board cancelled the assignment made? "

The hon. Mr. A. Y. G. CAMPBELL :—" I must ask for notice."

Mr. A. RANGANATHA MUDALIYAR :—" It is stated in the appendix that the Board has cancelled the assignment."

^a Printed as Appendix II on page 749 infra.

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The hon. Mr. A. Y. G. CAMPBELL:—"They did not give reasons for doing so."

Mr. A. RANGANATHA MUDALIYAR:—"May I know why the Collector cancelled the other assignment?"

The hon. Mr. A. Y. G. CAMPBELL:—"I am not aware of the reasons."

Transfer of certain lands in Odugathur village to ayan for assignment to depressed classes.

* 1323 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that in 1927 certain ryots of Kalluddai, hamlet of Odugathur village in Vellore taluk cleared S. Nos. 490 and 495 of Odugathur village in 1928;

(b) whether one Andar Kavandan alias Chinnapayya Kavandan objected to that clearance and pointed out that their continuance as grazing ground poramboke was absolutely necessary;

(c) whether the Collector of North Arcot has since transferred them to ayan for assignment to members of the depressed classes; and

(d) whether the Collector received a mahazar pointing out the serious inconvenience to the public and to the cattle in the vicinity on account of the transfer?

A.—(a) to (d) A report^a on the subject which has been obtained from the Collector is appended.

Inams

Distribution of tasdikis to minor temples

* 1324 Q.—Mr. A. B. SHETTY: Will the hon. the Member for Revenue be pleased to state whether any difficulty has been experienced by Government now in distributing tasdikis to any minor temples in cases where there are no trustees?

A.—It appears that some such difficulty has been experienced in South Kanara. No such difficulty has been reported from any other district.

Mr. A. B. SHETTY:—"May I know how the difficulties felt in South Kanara are going to be met?"

The hon. Mr. A. Y. G. CAMPBELL:—"We have to wait till the claims are made."

* 1325 to 1328 Q.—Not called.

Land Revenue

Assessment on backyards in Polagudi village.

* 1329 Q.—Mr. K. V. KRISHNASWAMI NAYAKAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that certain trees in the backyard of houses in Polagudi village, Nannilam taluk, Tanjore district, were taxed;

^a Printed as Appendix III on pages 749-750 infra.

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(b) whether the tax levied was for the water drawn from the well; and

(c) whether the Government will be pleased to make an enquiry into the matter and place the report on the Council table?

A.—The Government have made an enquiry and have ascertained that the answers to clauses (a) and (b) are in the negative.

Alleged erection of a compound wall by the Sub-Magistrate of Dusi.

* 1330 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Member for Revenue be pleased to state whether the report called for in answer to question No. 638, dated 30th September 1929, has been received and whether it will be placed on the table of the House?

A.—A copy of the report^a received from the Board of Revenue is laid on the table.

Minor Irrigation

Supply of water to Sadupperi tank in Vellore taluk.

* 1331 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) the supply of the Sadupperi tank in Vellore taluk received each year within the past 15 years after the resettlement; and

(b) whether any recommendation was received by Government from the Board of Revenue in recent years suggesting that the Sadupperi tank may be placed in a lower class than it is at present, on account of its poor supply?

A.—(a) The supply received during the years 1925-26, 1926-27, 1927-28 and 1928-29 was for seven months and ten days, for three months, for twenty-six days and for one month respectively. Information about the supply received during the other years is not available.

(b) The answer is in the negative.

* 1332 Q.—Not called.

Education

Prevention of rivalry and overlapping among various classes of elementary schools.

* 1333 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) how rivalry and overlapping between various classes of elementary schools are being prevented at present; and

(b) whether the Government have laid down any rules or issued any instructions for the guidance of District Educational Councils in this matter?

A.—(a) & (b) The hon. Member is referred to rules 1 and 3 of the rules framed under section 41 (2) of the Madras Elementary Education Act, 1920.

^a Printed as Appendix IV on pages 750-751 infra.

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Steps to save the uneconomic multiplicity of school units.

* 1334 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Government have under consideration any policy of consolidation with a view to save uneconomic multiplicity of school units; and

(b) whether the Government have taken any steps

(i) to discourage the starting of separate schools for different classes and communities, and

(ii) to encourage co-education in primary schools?

A.—(a) Yes. The matter is under investigation by the Director of Public Instruction.

(b) (i) The policy of the Government is to encourage the opening of schools common to all classes and communities as far as possible.

(ii) The matter is under investigation by the Director of Public Instruction.

Mr. A. B. SHETTY:—"With reference to answer (b) may I ask whether the Government are giving effect to this policy and how?"

The hon. Dr. P. SUBBARAYAN:—"It is being done by bringing to the notice of local bodies that this is the policy of the Government and that grants would be stopped unless admission is available to all classes of people."

Mr. N. SIVA RAJ:—"May I know whether the grant was stopped in any case?"

The hon. Dr. P. SUBBARAYAN:—"Not that I am aware of."

Single-teacher schools in this Presidency.

* 1335 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Education and Local Self Government be pleased to state—

(a) the number of single-teacher schools in this Presidency;

(b) whether the Government propose to provide additional teachers in all of them; and

(c) whether the Government have at any time considered the question of starting branch schools with one or two classes in small villages as feeders to central schools?

A.—(a) 28,695.

(b) The Government have been sanctioning grants for the employment of additional teachers in single-teacher schools opened by local bodies and village panchayats with the aid of Provincial funds since the year 1924-25 whenever the strength of the schools justifies the employment of additional teachers. As regards other schools, it is for the management concerned to employ additional teachers in schools which require them and to apply for additional grants when they have done so. Local bodies have been permitted to utilize the proceeds of the

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education tax and the equivalent Government contribution on the employment of additional staff in the schools under their management.

(c) The question is under consideration.

Refresher courses for teachers in training institutions.

* 1336 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Education and Local Self-Government be pleased to state whether refresher courses are provided for teachers in any of the training schools or at the Training College in Saidapet?

A.—No.

Mr. A. B. SHETTY:—"May I ask whether the Government have considered the desirability of having refresher courses?"

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

* 1337 Q.—Not called.

Continuation of the University headquarters at Bezwada.

* 1338 Q.—Mr. P. C. VENKATAPATI RAJU: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Vice-Chancellor of the Andhra University requested the Government to allow the University headquarters to continue at Bezwada for some time;

(b) if so, what were the reasons assigned by him for such a request; and

(c) what was the reply of the Government thereto?

A.—(a) & (b) The Vice-Chancellor communicated to the Government the opinion of the Syndicate that, in view of the undesirability of going into rented buildings unless they be Government buildings, the move of the University to Vizagapatam might be postponed until there were either Government buildings available or the necessary properties acquired.

(c) The Government have expressed their inability to accept the Syndicate's view and have requested the Vice-Chancellor to make proposals for accommodating the University offices temporarily at Vizagapatam till permanent arrangements are made.

Local Boards

Acting Vice-Presidents of the Ganjam District Board.

* 1339 Q.—Sriman BISWANATH DAS Mahasaya: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) the time for which the office of the Vice-President of the Ganjam District Board was vacant in each of the two terms of the District Board of Ganjam, i.e., October 1925 to October 1928, and from October 1928 to 15th December 1929;

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(b) the person or persons who officiated as President-delegate in every year during each of these four years and the period or periods for which each officiated;

(c) the reason why, and the provisions under which, a President-delegate was appointed when the Headquarters Taluk Board President was in office; and

(d) whether the President, Taluk Board, Chatrapur (the Headquarters Taluk Board), is the Assistant Manager of Khallikote Estate?

A.—(a) to (d) Government have no information in the matter but have called for it.

Substitution of premia on life policies for subscriptions to the Provident Fund.

* 1340 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether some municipal councils and local boards approached the Government for permission to substitute premia on policies of life assurance by their employees for subscriptions to the Provident Fund; and

(b) if so, whether the Government granted them the required permission, and if not, the reasons therefor?

A.—(a) Yes. Certain municipal councils did so.

(b) As the proposal involved practical and difficult local bodies were only permitted to allow their employees, at their discretion and subject to certain conditions, to invest any portion of their contributions to the Fund, with or without the bonus payable by the local bodies, in respect of such contributions, in policies of life assurance.

Mr. A. RANGANATHA MUDALIYAR:—“May I know whether the Government have considered how the practical audit difficulties can be met?”

The hon. Dr. P. SUBBARAYAN:—“I must ask for notice.”

Excise

Constitution of Licensing Boards and Excise Advisory Committees in Municipal and Revenue Divisions.

* 1341 Q.—Mr. C. GOPALA MENON: Will the hon. the Minister for Public Health be pleased to state—

(a) the Municipal and Revenue divisions for which Licensing Boards and Excise Advisory Committees have been constituted;

(b) the Municipalities and Revenue divisions where neither Licensing Boards nor Advisory Committees exist;

(c) whether it is proposed to constitute Licensing Boards for all Municipalities and Advisory Committees for all Revenue divisions; and

(d) how many of the existing Licensing Boards and Advisory Committees are presided over (1) by officials, (2) non-officials?

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A.—(a) Excise Licensing Boards have been constituted by Government for the fifteen major municipalities in the Presidency and for the City of Madras and Excise Advisory Committees by the Commissioner of Excise for certain Revenue divisional areas including the minor municipalities situated within them. A list ^a of these Boards and Committees is attached.

(b) A list ^a of the Revenue divisional areas (including the minor municipalities in them) for which Excise Advisory Committees have not been constituted is appended.

(c) The Government have not under consideration any proposal to constitute Excise Licensing Boards for all municipalities. The constitution of Excise Advisory Committees for Revenue divisional areas (including the minor municipalities in them) is within the discretion of the Commissioner of Excise.

(d) Fourteen Excise Licensing Boards and 66 Excise Advisory Committees are presided over by officials and 2 Excise Licensing Boards and 8 Excise Advisory Committees by non-officials. The Excise Advisory Committee, Sivakasi, elects its chairman every time it meets.

Mr. R. NAGAN GOWDA:—“May I enquire what percentage of the members of these Excise Licensing Boards are elected members of taluk boards and municipalities?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“I do not exactly remember the number, but the majority are not officials.”

Mr. R. NAGAN GOWDA:—“May I know whether the members of these Licensing Boards are elected or not?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“Some of them are non-officials; I do not know whether they are elected members or not.”

Mr. R. NAGAN GOWDA:—“May I ask what is the object of nominating to these Advisory Committees, contractors who are interested in toddy sales?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“Both sides should be represented well on the committees.”

Sale of arrack in Sandur depot.

* 1342 Q.—Khan Sahib K. ABDUL HYE SAHIB Bahadur: Will the hon. the Minister for Public Health be pleased to state—

(a) what is the average quantity of arrack sold in the Sandur depot in September 1929; and

(b) whether Government have observed an abnormal increase in the sale of arrack in the Sandur depot in September 1929, and if so, what it was due to?

A.—(a) & (b) The Government have called for the information.

* 1343 and 1344 Q.—Not called.

Public Health

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Water-supply in Chidambaram municipality.

* 1345 Q.—Swami A. S. SAHAJANANDAM: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the water supplied by the Chidambaram municipality was tested in the King Institute at any time before July 1928; if so, what was the opinion of the expert at the King Institute, Guindy;

(b) whether the same water has been tested again at the King Institute since July 1928; and, if so, what was the opinion of the expert; and

(c) what were the quantities of charcoal, kerosene oil, coconut oil and cylinder oil consumed at the municipal pumping station at Chidambaram before and since July 1928?

A.—(a) to (c) The Government have no information and it has been called for.

Rao Sahib V. I. MUNISWAMI PILLAI:—“May I know whether the Government will place the information on the table of the House after it is received?”

The hon. Mr. S. MUTHIAH MUDALIYAR:—“I shall consider the suggestion.”

* 1346 Q.—Not called.

Town-planning

Objection to the construction of certain building in Coonoor.

* 1347 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the Town-Planning Officer, after inspection of the Coonoor Municipality, objected to the construction of any building by H. M. D. Khan Sahib Ismail Siddick, and if so, when;

(b) whether the chairman reported at any time that the objected portion of the building would be removed; and, if so, when he made that report and when the objectionable portion was expected to be removed; and

(c) whether the portion objected to has since been removed; and, if not, the steps taken by the chairman to enforce the removal?

A.—The information has been called for.

Agriculture

Meetings of the Agricultural Advisory Committee.

* 1348 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Development be pleased to state what subjects were discussed at the meeting of the Agricultural Advisory Committee held in October and what conclusions were arrived at thereon?

A.—A copy of the agenda for the meeting of the Agricultural Advisory Committee held in October 1929, together with a copy of the minutes thereon, is placed on the table.

* Printed as Appendix VI on pages 754-768 infra.

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Site for the proposed cattle-breeding station in South Kanara.

* 1349 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Development be pleased to state—

(a) whether the Government have selected any site for the cattle-breeding station they propose to open in South Kanara; and

(b) when they expect to start work?

A.—(a) & (b) The matter is under the consideration of the Director of Agriculture.

Mr. R. NAGAN GOWDA:—“May I know whether the Government are considering any proposals to open any farm for cattle, sheep or poultry, other than the one in South Kanara district?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“I do not think there is any other proposal.”

Mr. A. RANGANATHA MUDALIYAR:—“May I enquire whether cattle-breeding stations are going to be formed with a view to their being economical?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“The Director of Agriculture has been asked to report on the matter. The question is still under consideration.”

Mr. R. NAGAN GOWDA:—“May I ask what kind of farm it is going to be?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“The question has to be considered; the Director has been asked to report.”

Co-operative Societies

Appointment of Deputy Collectors as Deputy Registrars.

* 1350 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Development be pleased to state whether according to the present scheme of re-organization of the department, the appointment of Deputy Collectors as Deputy Registrars in large numbers, in the place of the existing non-Deputy Collector Deputy Registrars is specially insisted upon?

A.—The attention of the hon. Member is invited to paragraph 3 of G.O. No. 1294, Development, dated 30th July 1929, which has been placed at the disposal of the Press.

Appointment of Deputy and Assistant Registrars by the Registrar of Co-operative Societies.

* 1351 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Development be pleased to state—

(a) the number of cases where the Registrar of Co-operative Societies made appointments of Deputy and Assistant Registrars, acting, temporary or otherwise, in anticipation of the sanction of Government, since January 1927;

(b) whether and on how many occasions Government asked the present Registrar not to make appointments in anticipation of Government sanction;

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(c) whether the present Registrar has made appointments himself even after the receipt of the orders referred to in (b);

(d) in how many cases two departmental promotions since January 1927, the appointments or promotions were given effect to by the Registrar subsequent to the receipt by him of the orders of Government; and

(e) what action Government propose to take in the matter?

A.—(a) to (e) Appointments are made in anticipation of sanction in the exigencies of service and the Government do not consider that any public purpose will be served by collecting the information asked for.

Reduction of Mr. Vedachella Ayyar and others from the grade of Assistant Registrars.

* 1352 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Development be pleased to state—

(a) whether Mr. K. Vedachella Ayyar, Mr. C. N. Krishnaswami Ayyar, Mr. A. Cunniah Chetti and Mr. C. Govindaswami Mudaliyar have been reduced from the grade of Assistant Registrar of Co-operative Societies; and

(b) what were the specific charges against them?

A.—(a) Yes.

(b) No specific charges were framed except against Mr. Cunniah Chetti. The Government do not propose to specify the charges as no public purpose is served by such disclosure.

Fisheries

Proposal for a Fisheries Training Institute at Mangalore.

* 1353 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Development be pleased to state—

(a) whether the Government have considered the proposal made by the Director of Fisheries for a Fisheries Training Institute at Mangalore for training teachers for elementary schools and imparting technical instruction in special branches of the fishing industry; and

(b) whether they have come to any; and if so, what decision in this matter?

A.—(a) & (b) In view of the recommendations of the Fisheries Committee that a Fisheries Training Institute in a Kanarese area might be opened in 1939-40, the Government have deferred the consideration of the Director's proposals for the present.

Mr. J. A. SALDANHA :—" May I enquire whether the Government have decided that a Fisheries Training Institute should be opened in South Kanara only in 1939-40 on the recommendation of the Fisheries Committee report ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" We may, if necessary, open it before that."

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II

ACT ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR-GENERAL.

The hon. the PRESIDENT :—" I have to announce that the Madras District Municipalities and Local Boards (Further Amendment) Act, 1929, received the assent of His Excellency the Governor-General on the 28th November 1929".

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

III

A BILL TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920.

* The hon. the PRESIDENT :—" The Council will now resume the debate 11-15 on the amendment of Mr. Hearson to amendment No. 120 of the hon. the a.m. Chief Minister."

Mr. J. A. SALDANHA :—" Mr. President, Sir, I was at first inclined to support this amendment. After refreshing my memory as to the grounds on which the Select Committee came to their decision and as to the fundamental principles which govern the fixing of the rates of income-tax on a graduated basis, I have come to the conclusion that this amendment should not be supported. I shall explain the reasons why I stick to the decision of the Select Committee. It is not merely a question decided by the Select Committee, Sir, but, I think, I am right in saying that the same conclusion had been arrived at by the Government when they brought forward the original Bill. That is why I say it is not a decision of the Select Committee merely but it is a decision confirming the decision of the Government in this matter. From the original Bill we find that the Government have departed from the elementary principles of taxation when they . . ."

" The hon. the PRESIDENT :—" The hon. Member is not in order. I request him to confine himself to the amendment of Mr. Hearson."

Mr. J. A. SALDANHA :—" That is the principle, Sir, for which I stand. Sir, we in the Select Committee—from which myself and Dr. Subbarayan have derived inspiration for the amendment—decided that we should proceed on the principle of the Income-Tax Act . . ."

The hon. the PRESIDENT :—" The only question for the consideration of the Council now is the amendment to substitute ' 250 ' for the figure ' 400 ' and ' 200 ' for the figure ' 280. ' That is the only question for consideration. If the hon. Member refers to any other matter, it will be irrelevant."

Mr. J. A. SALDANHA :—" I only say that we go on the graduated basis, which is the fundamental principle of the Income-Tax Act."

* The hon. the PRESIDENT :—" The hon. Member will kindly resume his seat."

* Mr. C. GOVINDAN NAYAR :—" Sir, I beg to move that in amendment of Mr. Hearson in the list of printed amendments, for the figures ' 250 ' and ' 200 ' in the fourth column substitute the figures ' 275 ' and ' 225 ', respectively. The amendment, Sir, arises this way. Under the proviso to rule 17 (2), the

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rate should be so fixed that the proportion which the tax on any class bears to the minimum income of that class shall in no case be smaller than the proportion which the tax on any lower class bears to the minimum income of such lower class."

Mr. R. NAGAN GOWDA:—"Is he in order, Sir, in referring to the Income-Tax Schedule?"

* The hon. the PRESIDENT:—"The hon. Member will kindly resume his seat."

Mr. C. GOVINDAN NAYAR:—"The proviso runs thus:

'Provided that the proportion which the tax on any class bears to the minimum income of that class shall in no case be smaller than the proportion which the tax on any lower class bears to the minimum income of such lower class.'

"Hence, in fixing the rates for classes I and II, regard must be had to the rate fixed for class III. As regards class III, for a minimum income of Rs. 12,000 the rate is fixed at Rs. 150."

Mr. J. A. SALDANHA:—"May I say, Sir, that I was exactly referring to the same thing?"

* The hon. the PRESIDENT:—"The hon. Member was not at all in order."

* Mr. C. GOVINDAN NAYAR:—"Hence, for a minimum of Rs. 18,000 the rate ought to be Rs. 225 and not Rs. 200. As regards class I, for a minimum income of Rs. 21,000, on the same basis, the rate should be Rs. 275. That is why I have in my amendment suggested that the figures '250' and '200' be substituted by the figures '275' and '225'."

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

* The hon. the PRESIDENT:—"The question is: In the amendment of Mr. Hearson, for the figure '250' substitute the figure '275' and for the figure '200' substitute the figure '225'."

Mr. H. F. P. HEARSON:—"Sir, I accept that amendment."

* The hon. the PRESIDENT:—"I shall now put the amendment of Mr. C. Govindan Nayar to the vote of the House."

The amendment was put to the House and adopted.

* The hon. the PRESIDENT:—"The amended amendment of Mr. Hearson is now for consideration. (After a pause.) I shall now put that amendment to the vote of the House. The question is:

'In rule 16, for the figure "400" substitute the figure "275" and for the figure "280" substitute the figure "225".'

The amendment was adopted.

* Mr. H. F. P. HEARSON:—"Mr. President, Sir, I beg to move that in the amendment No. 120 of the hon. Minister, Rule 17 be omitted. Sir, the object of my amendment is this: I think the hon. Minister who drafted this Bill had in mind the fact that certain classes of business should now be made liable to be taxed under the present Act, while certain others should not be

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made so liable. As the Bill at present stands, the provisions are sufficiently wide and bring in all classes of business, under the category of businesses which are liable to taxation. The hon. Minister has cast his net very wide enough to bring in all classes of business, so that there may be no possibility of such businesses escaping. The House will agree that a company either transacts business or it does not. If it does not, then it should not be taxed, but if it does transact business, it is liable to be taxed, and there are enough provisions in the Bill under which the company cannot escape liability. A company may have an office in a particular place, but may not transact any business at all. It will be easy enough, I think, to find out whether a company does or does not transact any business in that locality. To have simply an office in a particular place does not amount to doing any business. The purpose of my amendment is that a company, when it comes to transact business, always comes under one or the other of the categories mentioned in the Bill, and there is no necessity, therefore, to say here 'a company shall be deemed to have transacted business or exercised a profession . . . if such company has an office'. In course of time, such a provision as this is likely to create hardship. Take the case of any company, Sir, for instance, possessing tea estates. The agent of the company may have his office in a particular municipality, but he may not be doing any business there within the limits of that municipality. The agent may simply be distributing tea-chests for delivery in various parts of the country and according to this provision here, the company will have to pay a tax for having such an office for its agent within that municipality, although there may be no business transacted there. I therefore submit, Sir, that this clause here is unnecessarily redundant and may cause another class of companies to be taxed which does not deserve to be taxed. I therefore move, Sir, that rule 17 may be omitted."

Mr. F. E. James seconded the amendment.

* The hon. Dr. P. SUBBARAYAN:—"Mr. President, Sir, I have considered this question deeply because Mr. Hearson mentioned it to me sometime ago; but I am afraid I am not in a position to accept this amendment. For, this amendment is only a repetition of what is found in the old Act itself. After careful examination, I have been advised by my legal advisers that if this is taken out, there will be a lacuna which cannot be filled by any of the other clauses that come after this. Mr. Hearson pointed out that the other clauses get in all the classes of people we want to get into the net of the rules laid down under schedule IV. But I have been advised by my legal advisers that it will not be the case. On the other hand, I find that several people who are now paying the taxes and who are liable under the rules now framed, will escape."

* Mr. H. F. P. HEARSON:—"On a point of personal explanation, Sir. I did not say that the other clauses contained in amendment No. 120 alone provided for it; I said that the other clauses dealt with by this and the previous amendments do provide for it, and they form part of the net spread by the Minister."

* The hon. Dr. P. SUBBARAYAN:—"Even that point has been carefully considered by Mr. Govindan Nayar and he feels that even the rules under amendment No. 97 would not effect what the House has in mind. We came to this conclusion after very careful consideration. I would therefore urge on Mr. Hearson that there is no danger in accepting this clause, and that he should withdraw his amendment."

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[Mr. R. Nagan Gowda]

That also is not a point that deserves consideration. For this is also taken care of by another section in the schedule. I wish also to state that while the hon. the Mover of the amendment wants that companies should be exempted from this clause, he does not say anything about individuals, who are also included in this clause. I think, both the persons and companies should be treated alike. While the hon. Mover is willing to accept that individuals should be taxed, under this clause, I do not see any valid objection why companies alone should be exempted from the operation of this clause. I, therefore, oppose this amendment."

* Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—" Mr. President, Sir, I also rise to oppose this amendment. Mr. Hearson fears that a forwarding agent who simply takes delivery of the goods which may come from the planting area and sends them to some other place, would also be taxed. I think there is no ground for this apprehension, because under rule 18 (b), it is only on turnover that tax can be levied and the turnover is very well defined. Under this clause the Government have to prescribe the percentage.

"Rule 18 (b) reads:

'18. (b) *Where the amount of the said profits and gains is not ascertainable, or where such company or person is not assessed to income-tax, such percentage as the Local Government may, subject to the approval of the Legislative Council, prescribe, of the turnover of the business transacted in the area of the municipality during the half-year or where this is also unascertainable, during the corresponding half-year of the previous year.*

"From the above it is clear that when goods are merely transported, the question of turnover will not arise, and hence neither the question of getting profits nor income arises in these cases. So, there is no fear of such goods being assessed when they are merely transhipped. If, on the other hand, the amendment of Mr. Robertson is accepted, the municipalities will not be able to levy professional tax from any company. The most vital part, or rather the crux of the whole provision for the levy of profession tax, is this sub-section dealt with in this amending clause. I, therefore, very strongly oppose this amendment."

* The hon. Dr. P. SUBBARAYAN :—" Sir, I have already explained the purpose of this clause and, I think, the apprehensions of hon. Members representing the Planters and the Chamber of Commerce are really unfounded (Mr. F. E. James: Why?). Because, as Mr. Ratnasabhapat Mudaliyar has pointed out, they will be liable to profession tax, only when all the conditions set down in the schedule are satisfied. Further, as pointed out, rule 18 (b) will have to be satisfied before they can be taxed, and 18 (b) clearly lays down:

'*Where the amount of the said profits and gains is not ascertainable, or where such company or person is not assessed to income-tax, such percentage as the Local Government may, subject to the approval of the Legislative Council, prescribe, of the turnover of the business transacted in the area of the municipality during the half-year or where this is also unascertainable, during the corresponding half-year of the previous year.*

* Mr. F. E. JAMES :—" Mr. President, the hon. the Minister seems to be under some misapprehension in regard to this matter. I should like to clear his doubts as far as possible."

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—" On a point of order, Sir. Mr. James having seconded the amendment just now, cannot make a speech."

* The hon. the PRESIDENT :—" The seconder can simply second the amendment and reserve his speech."

* Mr. F. E. JAMES :—" Under the whole system of taxation as provided for in this Bill, a company can be taxed (a) if it gets an income on its income and (b) if it has no income, on its business turnover. I would therefore like to ask the Minister whether it is his intention to tax a company which has no profits and no business turnover. Thus, a particular branch of a company which does neither, will have to pay a tax in one municipality, while the company itself will have to pay tax in another municipality. I should like to ask the Minister this particular question. I see the difficulty in regard to 'a person exercising a profession or calling'. I would therefore suggest that if the words 'company or' and the words 'transacted business or' be omitted from this rule, the case both of the companies and of individual persons will be met. I do not know, Sir, whether I am in order in suggesting this amendment, having seconded the original amendment of my friend here. May I move this amendment?"

The hon. the PRESIDENT :—" No."

11-30 a.m. Mr. R. J. C. ROBERTSON :—" Mr. President, I beg to move the following amendment :—

'In the proposed rule 17, omit the words "company or" and the words "transacted business or".'

Mr. A. J. LEECH :—" I second the amendment, Sir."

* The hon. the PRESIDENT :—" I think the better course would be for Mr. Hearson to withdraw his amendment or he may have the vote of the House on his amendment, and then Mr. Robertson will be able to move his amendment, because it is an amendment to the rule itself."

* Mr. H. F. P. HEARSON :—" I beg leave of the House to withdraw my amendment, Sir."

The amendment was by leave of the House withdrawn.

The amendment of Mr. Robertson was then taken into consideration.

* Mr. R. NAGAN GOWDA :—" Mr. President, Sir, I rise to oppose this amendment, because in his speech, Mr. James stated that in cases where the company does not transact business, he wanted to know whether the Government would be levying the tax. That, I think, is answered by a further rule in this same clause, wherein it is stated that where a company or person transacts business partly in the area of a municipality and partly outside such area or in any other municipality, the tax that the company will have to pay in the two municipalities, will be ascertained proportionately regarding the business and the tax would be levied accordingly.

"Then, the other point that was raised was whether a company would be taxed if it did not transact any business whatsoever, but only stationed in the municipal area an agent to look after the transhipment of the goods,

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"So, only when the turnover is ascertained or when the companies' income-tax is ascertained, they will be liable to such tax. I do not, therefore, think that the fears entertained by the hon. Members are really well-founded. As far as I can understand, rule 17, as pointed out by Mr. Ratnasabhapati Mudaliyar, is really necessary to bring in this question of profession tax."

* The hon. the PRESIDENT :—" I now put the amendment of Mr. Robertson to the vote of the House :

' In the amendment of the hon. the Chief Minister in rule 17 omit the words " company or " and " transacted business or " ' .

The amendment was negatived.

* The hon. the PRESIDENT :—" I shall now put the amendment of the hon. the Chief Minister, as amended, to the vote of the House. "

The motion was put to the House and adopted.

Clause 151, as amended, was put, passed and added to the Bill.

Clauses 152 to 171.

Clauses 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170 and 171 were put, passed and added to the Bill.

Clause 172.

Clause 172, with Appendices A, B and C, were put, passed and added to the Bill.

Clause 173.

Clause 173 was put, passed and added to the Bill.

Clause 174.

* The hon. Dr. P. SUBBARAYAN :—" Sir, I move that in sub-clause (ix) of Schedule VII—

' In column (2) of the item relating to section 174-A (1) for the word " plying " the word " using " be substituted, and after the words " without licence " the words " or contrary to licence " be inserted. '

" This amendment brings the clause into line with the Bill as originally introduced and also with what has been agreed to in the Local Boards Bill. "

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

The amendment was then put to the House and adopted.

* The hon. Dr. P. SUBBARAYAN :—" Mr. President, I move—

To omit the entry relating to section 248 in sub-clause (xiii).

" This is consequential on the amendment that has been carried already. "

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

The amendment was put to the House and adopted.

Clause 174, as amended, was then put to the House, passed and added to Bill.

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Clause 175.

* The hon. Dr. P. SUBBARAYAN :—" Sir, I move that—

' In Schedule VIII, sub-clause (ii), for the words in column (2) of the item relating to section 174-A, the words " Using a motor vehicle for hire or a motor lorry without licence or contrary to licence " be substituted. '

" This is in consequence of the amendment that has already been carried in respect of clause 174. "

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

The amendment was put and adopted.

* The hon. Dr. P. SUBBARAYAN :—" Mr. President, I move that in sub-clause (v) the entry relating to section 248 be omitted.

" This is consequential on the amendment that has already been accepted. "

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

The amendment was put and adopted.

Clause 175 as amended was put, passed and added to the Bill.

Clause 176.

* Diwan Bahadur B. MUNISWAMI NAYUDU :—" Sir, I move that clause 176 be omitted. I think that until the new Bill exempting motor vehicles from taxation is introduced, this provision is not necessary. So, I am for the omission of this clause. "

Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" I second it, Sir. "

The amendment was put and adopted.

Clauses 177 and 178.

Clauses 177 and 178 were put, passed and added to the Bill.

Clause 4.

Clause 4 was then taken up.

* The hon. Dr. P. SUBBARAYAN :—" I move—

' For sub-clause (i) of section 3 in clause 4 substitute the following sub-clause, namely :—

" 4. (i) clause (1) shall be re-numbered as clause (I-B) and the following clauses shall be inserted as clauses (1) and (1-A), respectively :—

(1) ' Adi-Dravida ' means any person professing the Hindu religion and belonging to any of the following communities, namely, the Paraiyans, Pallans, Valluvans, Malus, Madigas, Chakkiliyans, Tottiyans, Cherumans and Holeyas, or to any other community that may be prescribed ;

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(1-A) 'Anglo-Indian' means any person not being a European who is—

- (i) of European descent in the male line, or
- (ii) of mixed Asiatic and non-Asiatic descent whose father, grandfather or more remote ancestor in the male line was born in the Continent of Europe, Canada, Newfoundland, Australia, New Zealand, the Union of South Africa or the United States of America."

"Sir, the first part of the amendment refers to Adi-Dravidas and this is intended to bring it into line with the rule now in existence with regard to these communities in the Legislative Council rules. The term 'Anglo-Indian' has already been defined in view of the reservation of seats for these communities. So, I commend this for the acceptance of the House."

* The hon. Mr. M. R. SETURATNAM AYYAR :—"I second the amendment."

* The hon. the PRESIDENT :—"Mr. R. Srinivasan wants to introduce certain words. He may move his amendment as an amendment to that of the hon. the Chief Minister."

Rao Sahib R. SRINIVASAN :—"Mr. President, Sir, I beg to move that the following be inserted as sub-clause (1), and that the other sub-clauses be re-numbered :

(1) "Adi-Dravida" means any person professing any form of Hindu religion and belonging to any one of the communities hereunder mentioned :

- (1) Paraiyans, (2) Pallans, (3) Valluvars, (4) Malas, (5) Madigas, (6) Chakkiliyans, (7) Tottiyans, (8) Cherumans, and (9) Holeyas or to any other community professing any form of Hindu religion that may be prescribed."

Rao Sahib V. I. MUNISWAMI PILLAI :—"I second it."

11-45 a.m. * The hon. Dr. P. SUBBARAYAN :—"Mr. President, Sir, I submit that this amendment should not be accepted, in view of the fact that there is provision in my amendment to cover all the cases contemplated by this motion. The words 'any person professing the Hindu religion,' and the words 'or to any other community that may be prescribed' sufficiently provide for the cases comprised in this motion."

The amendment of Rao Sahib R. Srinivasan was by leave withdrawn.

* Mr. S. ARPUDASWAMI UDAYAR :—"Mr. President, Sir, I beg to oppose the motion of the hon. the Chief Minister. First of all the words in the old Act, 'Adi-Dravidas or Adi-Andhras' are sufficiently clear. Secondly, Sir, the motion speaks of persons professing Hindu religion. I submit those words are no longer necessary, for there is no possibility or any chance of Christian depressed classes not being enrolled in the electoral rolls. All these depressed classes are found in the electoral rolls of the special Christian constituency. At least there was some ground for such an insertion in the old Act, when nominations were resorted to. Now nominations have been abolished, and we have reservation of seats, and surely none from the Christian depressed classes will ever find a place in the ward or circle reserved for

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Adi-Dravida. Therefore I do not see any reason why this definition should be favoured by the hon. the Chief Minister. Thirdly, Sir, the old definition is sufficiently clear. Now, in the proposed definition, we have got Malas and Madigas under the class Adi-Dravidas; but as a matter of fact they are Adi-Andhras; and therefore this definition is not even correct. For these reasons I oppose this motion."

The amendment of the hon. the Chief Minister was put to vote and adopted.

* Mr. F. E. JAMES :—"Mr. President, I beg to move that in sub-clause (vi) the following be added as 12-C :—

"12-C. "Machinery" includes all structures, whether masonry or otherwise, without which the principal machinery cannot be operated, including those put up for safety in operating machines."

"Now, Sir, the object of my motion is to exclude from assessment all structures whether masonry or otherwise, though forming part of the building, without which though forming part of the building the principal machinery cannot be operated, including those put up for safety. I shall give a small illustration. Suppose there is a machinery erected in a building, then that portion of the building on which the machinery stands should be excluded in assessing the value of the building for purposes of taxation; for when you are not taking the value of the machinery into consideration, then that part of the building on which the machinery stands also should not be included in calculating the value of the building for purposes of assessment. For this reason I hope the House will accept the definition."

Mr. A. J. LEECH :—"I second it."

* Mr. R. NAGAN GOWDA :—"Sir, I oppose this motion for the reason that the hon. Mover said that the definition of 'machinery' will include all the building that is connected with the machinery. I can easily understand him if he had said . . ."

* Mr. F. E. JAMES :—"Mr. President, on a matter of personal explanation, I never said that all the building connected with the machinery should be excluded. What I said was that part of the structure that is essential for the erection and operation of the machinery should be excluded."

Mr. R. NAGAN GOWDA :—"Mr. President, the explanation now offered by Mr. James is not contained in the amendment as it is now before the House. The amendment covers the house or the building covering the machinery. I can understand it if the definition refers to the small structures connected with the machinery. But the definition as given by the present motion will include the whole building, and therefore I oppose the motion."

* The hon. Dr. P. SUBBARAYAN :—"Mr. President, there is some difficulty exercising the minds of hon. Members of the House. The Act provides that that part of the building which is directly connected with the machinery should be excluded for purposes of assessment. There is a building erected in which the machinery is fixed, so as to form part and parcel of the building, and that is exempted from assessment. There are other cases, like the turntable in a railway station, which are not excluded. And I do not think it is

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the intention of Mr. James to exempt such cases from assessment. But in view of the difficulty of understanding what it really means, I hope there will be no harm in accepting Mr. James' motion if it is slightly altered."

* Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"Sir, I oppose this motion. Mr. James includes under the definition of 'machinery' all structures without which the principal machinery cannot be operated. If he had stopped with that there would have been no objection. But it goes further and says 'those structures put up for safety in operating machines.' This includes the concrete foundations for the machinery, the land or rather the site on which the machinery stands and also the roof erected to cover the machinery. Then what remains to be assessed will be the four walls. Even these walls cannot be taxed if any part of the machinery is made to rest on them. Thus what the amendment purports to do is to exempt the whole building. So I oppose the motion, as it proposes in effect to do away with taxation on mill buildings."

* Diwan Bahadur B. MUNISWAMI NAYUDU:—"Mr. President, I oppose this motion. Tax is being calculated on the value of the house plus the value of the machinery. Now what is contemplated by this motion is to exclude not only the value of the machinery; but also the ground on which it stands, i.e., the concrete foundation, the basement, nay, every inch of the area occupied by or connected with the machinery. Then what remains? Only the four walls. Now for purposes of taxation all movable property is excluded, and a rate is fixed on the rental of the building. But according to this motion we have to exclude the whole building. So I must oppose this motion."

* Mr. K. P. RAMAN MENON:—"I am constrained to oppose this motion. I take it it is the intention of Mr. James to see that all new machinery introduced are exempted from taxation. Now it is these new machinery that add to the rental value of a building. For example, take a weaving factory. It was originally used for housing purposes. Now when the weaving factory is run, machinery will be erected, and, due to that the rental value of the building will increase. So according to Mr. James' definition the whole factory will have to be excluded from assessment. So unless Mr. James modifies his motion, I cannot support him."

Diwan Bahadur B. MUNISWAMI NAYUDU:—"May I move that this amendment be taken up a little later?"

The hon. the PRESIDENT:—"We are now in the finishing stage, and when are we to take it up?"

The motion was put to vote and negatived.

Clause 4 as amended was put, passed and added to the Bill.

Preamble.

The preamble was put, passed and added to the Bill.

12 con. * The hon. Dr. P. SUBBARAYAN:—"Mr. President, I now move, Sir, that the Bill be passed into law."

Diwan Bahadur B. MUNISWAMI NAYUDU:—"I object."

The objection prevailed and the consideration of the motion was adjourned.



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IV

A BILL TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920.

* The hon. Dr. P. SUBBARAYAN:—"Mr. President, I now present the report* of the Select Committee on the Bill to amend the Madras Local Boards Act and move that it be taken into consideration."

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

* The hon. the PRESIDENT:—"The question is that the Bill to amend the Madras Local Boards Act, 1920 (Bill No. 13 of 1929) be taken into consideration. I have received notice of two amendments to this, one from Mr. Arogyaswami Mudaliyar to postpone the consideration of it and the other from Mr. Dorai Raja to circulate the Bill."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"Mr. President, I move, Sir, that the consideration of this Bill be postponed. My reasons for this motion are briefly as follows:—I do not deny that the Bill in some ways contains features that might appeal to members of this House. I refer in particular to the clause to abolish nominations. But, Sir, we are now at the far end of the life of this Council and it will be a considerable time, even if the Bill is now rushed through, before it is brought into operation. The electoral rolls will have to be prepared for the various constituencies and surely, Sir, I do not think that the Act could be brought into operation before the next Council meets. The Bill is one which in its details is a measure of a very far-reaching kind which concerns the entire population of the Presidency. Unlike the other Bill that we just passed which concerns the municipalities, this Bill, Sir, affects every aspect of life of the population of this Presidency. It affects, for instance, the whole scheme of elementary education; it concerns public health; it concerns communications; it is concerned with the various features of taxation. I need not go on with further enumeration of the various aspects of the Bill to prove how far-reaching is the measure that is now sought to be brought forward before this House. And, as I said, Sir, we are now at the far end of the life of this Council, and I think it will be admitted that a measure of this far-reaching importance should not be rushed through at the present stage when we are almost on the point of dissolution. And besides, Sir, at present, we are for good or for bad reasons deprived of the presence of a large section of the members of this House. These members, had they been present, would have been in a position to contribute valuable suggestions to improve the Bill in various ways. I think, Sir, in the Assembly, the President, under similar circumstances, postponed the consideration of Bills because he thought that, under the circumstances that I referred to, the measure in question could not have been subjected to that detailed consideration that its importance demanded. I think, Sir, it will be admitted that had that large section of this House which is now not present here been present, there would have been much greater chance of the objectionable features of this Bill being eliminated on account of the criticisms which we would have received from them. I think, Sir, for these reasons, it is desirable in the interests of the country that the consideration of this Bill should be postponed for the present."

Mr. R. FOULKES:—"Sir, I second the motion. I hope the House will consider this measure not as a party measure. The Bill is of first class importance. I hope therefore that the House will treat it as a national measure."

* Printed separately.

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* Mr. K. P. RAMAN MENON :—" I shall follow Mr. Foulkes and treating it as a non-party measure, oppose the motion of Mr. Arogyaswami Mudaliyar. I am afraid that my hon. Friend, Mr. Arogyaswami Mudaliyar, has forgotten the fact that a large amount of money has been spent on the select committee. Looking at the report of the select committee, I find that they sat for twelve days and 46 members formed the select committee (voices: 52). Now, 52 members sitting in select committee for twelve days means an expenditure of about Rs. 5,000 or 6,000. And also, as a matter of fact, there is the travelling allowance to be paid to all these members many of whom come from distant parts of the Presidency. Add to that the daily allowance of the members and a sum of somewhere between 12 to 15 thousand rupees has been spent upon this matter. If Mr. Arogyaswami Mudaliyar felt that a Bill like this should not be brought into the Council at the far end of the Council, it was time enough for him to have objected when the select committee was constituted and then have avoided this useless expenditure on this Bill. I regret, Sir, that he did not do this but has put forward his reasons for the postponement of the Bill at the time when it is proposed to consider and pass it.

" Then again, another point which has been urged by Mr. Arogyaswami Mudaliyar is that we are almost at the point of dissolution here. So far as this Council is concerned, is that any reason for our not doing our legitimate business? Of course, all Houses have been formed and then dissolved. Does it mean that for about six months prior to the dissolution we come here to Madras for the simple pleasure of being in Madras? We must be doing business and we must attend to the business whatever be the time of the life of the Council. We must devote our best energies to the transaction of the business that comes up before the Council. I do not think that a man has a right to shirk the duty whether it be at the beginning or at the end of the term of a particular body.

" Then again, my hon. Friend, Mr. Arogyaswami Mudaliyar, regretted the fact that a very large body of men are absent from this House. No doubt, I share that regret keenly with him but is that a reason again to postpone the consideration of the Bill? Of course, I do not blame them for their conscientious objections. If they are not alive to the sense of their responsibility in dealing by their electorate with reference to the Bills that come before the Council, are we to abdicate our functions? We have got our own duty and even if it be the rump of the Council that existed we must do our duty according to our light, bestow, if possible, greater attention upon the Bill and see that the Bill is taken into consideration. If, as a matter of fact, the consideration of this Bill is postponed, so much money is absolutely thrown away and it is really aggravating the position of the poor tax-payer who has to pay and find all the money. I submit therefore, Sir, that the motion should not be accepted."

Mr. T. C. SRINIVASA AYYANGAR :—" I am sorry that my hon. Friend Mr. Raman Menon took a drastic view and based his arguments on financial considerations. The amendment of this Act has been under contemplation for a long time when the effective opposition was in the Council. Time after time it has been asked what has become of this Bill. When a Bill was produced last year, it contained very many provisions, some of them useful and some of them deserving further consideration. A second time a Bill was produced which contained alterations of a drastic character. The

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select committee has introduced further alterations. The question is of fundamental importance and in the opinion of the Leader of this group, Mr. Arogyaswami Mudaliyar, the Bill is one of first-class importance. Is there any other piece of legislation which would equally affect a large portion of this Presidency as this Bill would? The land will be affected, companies, professions, sanitation, elementary education, etc., will all be affected. And now in addition to the unions, taluk boards and district boards, you have got also the village panchayats now brought within the scope of this Bill. Now what is the machinery by which these units are to be created or recreated or altered? I therefore think the question is one of much importance. What the motion proposes is that the consideration of the Bill be postponed. There is no danger of the money being wasted, for, the Council can again meet after the budget session to pass this. In the meantime, the public will have time to consider and any discussions and further alterations that might be made will be of great value in passing the enactment as they will certainly eliminate any defects in the Bill and it will certainly be all the better for the improvement. The adjournment motion is not to drop the Bill. I do not think that there is anything objectionable in the motion that is now before the Council."

* Rao Sahib V. I. MUNISWAMI PILLAI :—" Sir, I rise to oppose the motion. One of the reasons put forward by Mr. Arogyaswami Mudaliyar, a Nationalist, is that a large section of the House is absent and therefore the Bill should not be taken up now. Sir, the select committee consisting of more than 52 members representative of all the parties have considered the Bill for a very long time and I do not think there is any cause for complaint in that direction. As the hon. member Mr. Raman Menon has particularly pointed out, much money has been wasted over this question and I do not think that we can postpone the consideration of this Bill with advantage. I therefore oppose the motion."

Mr. M. V. GANGADHARA SIVA :—" Mr. President, I rise to oppose the motion. It is a wonder to me, Sir, that the consideration of this Bill should be proposed to be postponed against the interests of the public. Actually Mr. President, almost the whole of the Council sat in the select committee to consider the Bill. It is no use saying that a certain section of the House is absent for the present. We must consider what amount of public money has been spent upon this Bill. When such is the case, I request the hon. Member Mr. Arogyaswami Mudaliyar to see that this motion is dropped."

* Khan Bahadur P. KHALIF-UL-LAH SAHIB Bahadur :—" Sir, I beg to 12-15
associate myself with those speakers who have opposed the motion. Sir, this p.m.
is not a piece of new legislation. We are amending an old Act which has been working in the country for the last ten years and which has been found to contain practical difficulties. The Bill has been before the public for a long time and it cannot be said with any show of reason that the public had not sufficient time to consider its provisions. Therefore, Sir, want of time to consider its provisions cannot be put forth as a reason for postponing the measure.

" Another reason for postponement urged by the hon. Mover was that a large section of the House is absent. I beg to submit that the party which is now absent was a party to refer the Bill to the select committee and its

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views and opinions were fully heard in the Select Committee. So, on that ground also the Bill need not be postponed. For these reasons I oppose the motion for adjourning the consideration of this Bill."

* Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" Mr. President, Sir, the hon. Member Mr. Arogyaswami Mudaliyar's motion for adjournment of this Bill would perhaps have had a better reception if he did not base it on the argument that an important section of this House was absent and therefore could not take part in the discussion of this Bill. If they are absent nobody else is responsible for that result except themselves. Further, Sir, the charge has been already made against those hon. Members who are now functioning as an Opposition that they have become weak and demoralized. This is a most unjustifiable attack and, if we do accept the hon. Member's motion, I do submit, Sir, that it will be nothing short of a confession of the charge that has been made against us. The Opposition has been functioning quite honestly and straightforwardly and perhaps more effectively than it could have done if the other section of the House which is absent to-day was present. I submit therefore, Sir, that on that ground, if on no other, this motion must be rejected by the House.

" Sir, even on the merits of the motion, I do not see what advantage is to be gained by postponing the consideration of this Bill till about April as the hon. Member from Ramnad suggested. Wisdom is not going to dawn on the hon. Members of this House during the few weeks that remain between now and the 1st of April. The Select Committee which sat on this Bill was a very large and quite a representative body. It has had a number of sittings at which the sections of the amending Bill were subjected to the closest possible scrutiny. I am not quite enamoured of certain provisions that have been made in the Bill and I should very much like to see that they are not there; but if they are there, it is not because that those sections have not received adequate consideration, but because the majority in the Select Committee came to that conclusion quite deliberately. Well, I hope, Sir, that they will soon find the folly of their conclusions and that within the next six months during which the Act will be in force, the next Ministry will bring in an amending Bill. But I may say that the Bill has received the utmost consideration possible at the hands of the Select Committee and if experience shows that some of the provisions which are there are not right, the only possible course left would be to amend this Act. I therefore submit, Sir, that there is no reason for the adjournment of this measure especially because the motion for postponement is based on the ground that a certain section of the House is absent. We are not in the least responsible for that absence."

Mr. J. A. SALDANHA :—" Mr. President, Sir, if there was one Member who should desire to postpone the consideration of this measure it should have been myself, because I am left alone here without my friends. But I think, in justice to this House and in justice to this country, I must oppose this motion. I am quite unconvinced by the arguments advanced by my hon. Friend the Leader of the Nationalist party and his supporters. I shall not repeat all the arguments that have been adduced in opposition to this motion. But one thing struck me and it is this: that there are several objectionable features in the Bill. Assuming that there are objectionable features, we need not despair. We have got ample time before us to remove those objectionable features. I do not know if we are bound by any limitation of

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time. But I would urge that in considering a Bill of such vast importance, we should have ample time. This Bill has been before the public for several years in some shape or form. At the time of the introduction of the measure there was a dilatory motion moved and it was defeated on the ground that the Bill had been before the public for a sufficiently long time. The House decided not to put off this measure. As was stated, the Select Committee sat on this Bill for several days and considered the Bill in detail although hurriedly. We can now remove what defects there are. Therefore I consider it is simply wasting public money to put off this piece of legislation. As has been pointed out already, if this is postponed now, it will be an indefinite postponement. Of course if the Leader of the House will tell us that we shall have a meeting at Ootacamund in the cooler regions which I welcome, I think we can agree to this motion. Normally, there is no other opportunity for passing this Bill than this. I do not know, therefore, how my hon. Friend got the inspiration that we can take up this Bill before the dissolution of this Council. Seeing that the chances are that there will not be another sitting of this Council for the consideration of this measure, let us not disappoint the public. I am sure that if we go to the country after opposing this measure the electorate will not be satisfied. They will ask us why we did not take up this Bill which has been held up for a long time. So, let us go on with the Bill from which the reactionary provisions have been deleted. Let us go forth to the country with something at least. We have done with the nominations and we can improve the Bill further if we consider it. Therefore let us go on with the Bill. For these reasons I oppose the motion."

Diwan Bahadur P. KESAVA PILLAI :—" I move that the question be now put."

* The hon. the PRESIDENT :—" The question is that the question be now put."

The closure motion was put and adopted.

The motion for the postponement of the consideration of the Bill was then put and negatived.

The motion that the Bill be taken up for consideration was next put and adopted.

* The hon. Dr. P. SUBBARAYAN :—" Sir, with your permission, I move that the consideration of clauses 1, 2 and 3 be postponed till after the consideration of the other clauses of the Bill."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The motion was put and adopted and the consideration of clauses 1, 2 and 3 was accordingly postponed.

Clause 4.

* The hon. Dr. P. SUBBARAYAN :—" Sir, I move—

'For sub-section (2) of section 4 substitute the following sub-section, namely :—

"(2) (a) The Local Government may, by notification,—

(i) subdivide a revenue taluk and declare that each of such subdivisions shall constitute a taluk for the purposes of this Act; or

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- (ii) group together two or more neighbouring revenue taluks in the same district and declare that such group shall constitute a taluk for the purposes of this Act.

The notification shall in either case specify the name of the taluk.

- (b) The Local Government may, by notification,—

- (i) exclude from any taluk constituted under sub-clause (i) of clause (a) any area comprised therein and declare that such area shall constitute a taluk for the purposes of this Act; or
- (ii) include in any taluk constituted under the said sub-clause (i) any area in the vicinity thereof and comprised in the same revenue taluk; or
- (iii) exclude from any taluk constituted under sub-clause (ii) of clause (a) any revenue taluk comprised therein; or
- (iv) include in any taluk constituted under the said sub-clause (ii) any revenue taluk in the vicinity thereof; or
- (v) cancel any notification issued under clause (a); or
- (vi) alter the name of any taluk as notified under clause (a).

- (c) Before issuing a notification under clause (a) or clause (b), the Local Government shall give the taluk board or boards which will be affected by the issue of such notification a reasonable opportunity for showing cause against the proposal and shall consider the explanations and objections, if any, of such taluk board or boards.

- (d) Every notification issued under clause (a) or sub-clause (i) or (iv) of clause (b) shall contain a statement of the reasons therefor and be laid on the table of the Legislative Council."

"Mr. President, as I explained in the Select Committee itself, there are certain taluks in the Presidency deriving a large income and in those taluks there may be numerous panchayats to be managed. In such cases it would be much better if the board concerned which will be the supervising authority over the panchayats has a smaller area for its supervision. I know that hon. Members opposite are afraid that this might lead to Government using their power of subdivision of taluks for party purposes. I can assure them that that will not be the case because under the provisions of this Act there is no power left to Government to nominate persons to the reconstituted taluk boards. The only thing they can do is to appoint a special officer to conduct elections to the subdivided taluk boards and it is only elected members who will afterwards form the taluk boards as provided for in this Act. So, the danger apprehended by the hon. Members opposite that this might lead to these taluk boards being made use of for party purposes does not really exist. The only reason why this power is taken is that there will

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be taluks with large incomes fit to be divided into two taluk boards. These may be divided into two in order to foster the growth of panchayats. If these taluk boards had a very large area to manage, it would be less easy to foster the growth of panchayats as in the case of the Tanjore district and the deltaic districts in Northern Circars. That is the only reason why I commend this motion for the acceptance of the House."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I second the amendment."

Diwan Bahadur S. KUMARASWAMI REDDIYAR :—"Sir, the clause provides 12-30
Before issuing a notification under clause (a) or clause (b) the Local Gov- p.m.
ernment shall give the taluk board or boards which will be affected by the issue of such notification a reasonable opportunity for showing cause against the proposal and shall consider the explanations and objections, if any, of such taluk board or boards'. In that clause we desire that certain words should be added. The amendment that I move to clause 4 (2) (c) is this: 'After the word "shall" in line 2 of clause 4 (2) (c), insert the words "consult the district board and also"'. If this amendment is accepted, the clause will read 'Before issuing a notification under clause (a) or clause (b) the Local Government shall consult the district board and also give the taluk board or boards which will be affected by the issue of such notification a reasonable opportunity for showing cause against the proposal and shall consider the explanations and objections, if any, of such taluk board or boards.'

"Sir, there will be several taluk boards in a particular district and all that the sub-clause provides is that the taluk board which is going to be affected should be given an opportunity to make representations with regard to this question before the notification is issued. The object of my amendment is that the district board also may be consulted so that the district board which will know the condition of affairs in the whole taluk may be in a position to offer its opinion before any action under clause (c) is taken. There is nothing which is inconsistent with the provision as it is. This will only give the Government an opportunity of having the opinion of the district board which will certainly be of some value as the district board is the co-ordinating authority for all the local boards in the district."

Rao Bahadur C.S. RATNASABHAPATI MUDALIYAR :—"I second it."

* The hon. the PRESIDENT :—"The question is in the amendment of the hon. the Chief Minister, in clause (c) after the word 'shall' insert the words 'consult the district board and also'."

* Diwan Bahadur B. MUNISWAMI NAYUDU :—"Sir, if the amendment of the hon. the Chief Minister is defeated, will it be open to the mover of this amendment, my hon. Friend Mr. Kumaraswami Reddiyar, to move his amendment to the original clause itself?"

* The hon. the PRESIDENT :—"I shall solve that conundrum when the occasion arises."

* The hon. Dr. P. SUBBARAYAN :—"I have no objection to accept the amendment."

* Mr. A. RANGANATHA MUDALIYAR :—"What I am not able to see is this: the hon. Minister's amendment is an amendment of the section."

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I want to know whether the amendment of Mr. Kumaraswami Reddiyar is an amendment of the original section, or an amendment to the amendment of the hon. the Chief Minister?

* The hon. the PRESIDENT:—"It has been moved as an amendment to the amendment of the hon. the Chief Minister and it is that that has been moved now."

* Mr. A. RANGANATHA MUDALIYAR:—"I think, Sir, I must oppose the amendment we are now making."

* The hon. the PRESIDENT:—"The hon. Member must speak on both the amendments. The amendment of the hon. the Chief Minister and that of Mr. Kumaraswami Reddiyar are for the discussion of the House."

* Mr. A. RANGANATHA MUDALIYAR:—"My arguments will apply to both in a way. Sir, we are entering a new stage of things in which very many changes have been introduced. I should like that the Government should consider how far they are able to work the entire machinery of local self-government and where they should stop. At present we know there are very many taluks which consist of two revenue taluks or a group of such taluks. By this Act we are making it a normal condition that each taluk should be a taluk board area. In this way we shall have an enormous number of taluk boards and, as if that is not enough, Government want to take the power of dividing each taluk and splitting it into two or more taluk boards. I think it is a responsibility which my hon. Friend the Chief Minister will consider twice before he takes. He said that it is not likely that he will abuse the power vested in him. By 'he' he meant, I suppose, the Minister for the time being. Well, we have had enough of experience in these matters and my hon. Friend must remember what an enormous pressure was brought to bear on him or his predecessors by the local boards or their presidents and how he or others before him yielded to such pressure. He said he would not be able to make nominations to the new boards. But that is only making it a little less worse than it might have been. I do not like that any loophole should be left for the exercise of undesirable pressure on persons in power and thereby placing them in awkward and embarrassing situations which are bound to arise whether the favours asked are granted or rejected. I therefore strongly appeal to the hon. Minister not to insist on this amendment, but to withdraw it. If really we feel later that there are cases here and there where the taluks have to be split and reconstituted into new taluks, then we may consider this question. After all, we are not having the last word on this subject as Mr. Kumaraswami Reddiyar said, and when we have an amending Bill it will be time enough to consider these amendments."

* Diwan Bahadur B. MUNISWAMI NAYUDU:—"I also oppose this amendment. My own feeling in the matter is that each revenue taluk board should be kept intact and separate and the feelings of the people of that taluk should be respected. It should not be open for the Government to cut a taluk board into two and thereby make the people feel that they are separate. It is absolutely necessary that there should be a taluk board for each taluk or for a group of taluks and not a taluk board for half or one-fourth or three-fourths of a taluk board area. On that main single ground I would oppose the amendment. I would also appeal to the hon. the Minister to take note of the fact that this amendment Bill was considered as a Bill which all parties have agreed not to treat as a party question. We all agree

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to co-operate with the Minister in getting it through the Council. This question was thoroughly discussed in the Select Committee and an agreement was come to that the hon. the Minister should, as far as possible, keep up to the recommendations of the Select Committee. I must thank him for the spirit he has displayed in getting the District Municipalities Bill passed in the Council and I do hope that he will exhibit the same spirit of conciliation with regard to this Bill also."

* The hon. Dr. P. SUBBARAYAN:—"In view of what has fallen from my hon. Friends from Bellary and Chittoor, viz., that I should not press my own will and especially in view of the fact that an appeal has been made to other Members that it should not be done, I withdraw this amendment."

Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I also beg to withdraw my amendment."

The amendments were by leave withdrawn.

* The hon. Dr. P. SUBBARAYAN:—"I beg to move that
'the proviso to sub-section (1) of section 5 be omitted.'

"As I said already in the Select Committee, it would not be possible to start a panchayat in every village whose population is 1,000 and above. This proviso was newly introduced in the Select Committee. When I say this, it does not mean that we are not in favour of constitution of panchayats in all villages. What is intended to bring about by this amendment is that there should be no compulsory constitution of panchayats but they should be constituted after some experience is gained by the people by establishing panchayats themselves and working them."

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I second it."

* The hon. the PRESIDENT:—"The question is that the proviso to sub-section (1) of section 5 be omitted."

* Rao Bahadur Sir A. P. PATRO:—"Sir, I oppose the amendment. This question was fully discussed in the Select Committee and it was carried by a very large majority. It was pointed out that panchayats should be placed on a different footing from that of the taluk and the district boards. By a majority it was decided in the Select Committee that these panchayats should come into this Bill. In order that the panchayat system may grow and develop, it is necessary that they should be treated as a separate entity. Without a certain number of population a panchayat will not grow and will not thrive. It may be that in certain areas the population basis may not be necessary. But in the case of village organizations where there is real life and a life for the future development of India, it is necessary that we should develop that life. How best can we do it? If they need any special help, we must render it. If Government say that they would require a special officer to help them in carrying on their programme, that would be a different matter. But for Government to say that they will take away the panchayats started under a separate Panchayat Act for the supervision of which they appointed a special officer is not comprehensible. Government have no reason to say that they will not accept the principle of having a population basis in the Local Boards Bill. With regard to these panchayats that have already been started under the Panchayats Act, it is found that they are working very well and are discharging their duties very satisfactorily."

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The Government in their annual review of the administration reports on the working of these panchayats have commented very well on the working of these panchayats. These panchayats have been taking one responsibility after another and when they are just learning to practise the art of self-government and self-administration, it is very undesirable that Government should take away this system of starting panchayats compulsorily. I cannot see how any Government with any conscience can say that there will not be compulsory system of starting panchayats for the purpose of training in self-government. If you stand for the development of democratic spirit in the villages, if you really think that these shibboleths of which you talked so nicely yesterday that the future administration of India should not be entrusted to the non-officials, this amendment should be rejected. After all, natural life must begin at the bottom and the basis of natural edifice must be strong.

"The village organization must be strong enough to grow and to bear the burden and responsibilities of higher life. You do not give sufficient opportunities for the panchayats to learn and to train themselves. You want that an edifice should be built upon these panchayats, and I say that the foundation should be well laid; otherwise the edifice will totter and tumble down. It seems to me that it is very unfortunate that this move has been made by the Government, of taking away the panchayats from the provisions of a special Act and bringing them under this Bill. The provisions made in this Bill for the development of panchayats are very meagre and the panchayats will never grow at all under the system proposed in the Bill."

* The hon. the PRESIDENT :—"I am not able to see how the speech of the hon. Member is relevant to the motion before the House. The question is whether panchayats should be constituted in every village compulsorily or not."

* Rao Bahadur Sir A. P. PATRO :—"You must remember that the panchayats have to grow and develop."

The hon. the PRESIDENT :—"The hon. Member will have to take some other opportunity to discuss that point."

* Rao Bahadur Sir A. P. PATRO :—"I am taking this opportunity to show that, without compulsion, panchayats will not grow. We know that there are factions in some villages. Unless compulsion is introduced, panchayats would not grow in a healthy atmosphere. If you simply ask people to constitute panchayats and to carry on the administration, they will never do it effectively. What is our experience with regard to the analogous system of co-operative movement in this Presidency? It was practically forced upon the people. As one who has had experience of the working of the co-operative movement in rural areas and small towns, I may say that we had actually to bring people together and persuade them to form themselves into a society to be registered. Otherwise the co-operative movement would not have grown into a mighty tree in Southern India from small beginnings. If local self-government is to improve, it must begin from the village; if civic life is not developed in the villages, where is the opportunity for it to develop in other areas? It must grow higher and higher from village life. Even though we are Members of this Council, we have to go back to our rural

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areas or villages; it is from them that we derive our power. The source from which you derive your power must be strong and healthy. It will be strong only if you persuade people to combine themselves and to learn to administer their own affairs properly and efficiently. Therefore it seems to me that, if there is no compulsion, the panchayat system will not work well. Therefore the whole panchayat system should be scrapped from this Bill."

* Mr. A. RANGANATHA MCDALIYAR :—"Sir, I join in the appeal made by my hon. Friend Sir Patro to the hon. Minister to withdraw his amendment. If I understood the hon. Minister rightly, he is really very keen on the formation of panchayats on as large a scale as possible. He was saying that the panchayats would grow in such large numbers that even one taluk would be too big an area to administer these panchayats properly and that the time might come when a taluk might have to be divided into two divisions for the efficient administration of the panchayats under them. One step in that direction will be to make a small beginning somewhere and carry it on systematically. We may fix that a village with a population of 1,000 people may be the limit. Some people say that we may fix a population of 2,000. There are districts and districts. For example, take my district—I am speaking subject to correction; out of 900 and odd villages, there are only 77 or 80 villages with over a population of 1,000. One thousand is not too small a number at all for the panchayats to be established and for their serving as an example to other villages. Otherwise the movement will have a slow growth. I think a beginning has to be made; let us make it in big villages where the population is large and let us watch the progress. I think that this provision should be retained in the Bill. There is some fear in the minds of some Members that, if a population of 1,000 is fixed as the limit, a revenue village consisting of 2 or 3 hamlets with a population of 1,000 each will be subdivided and that each hamlet would be constituted into a panchayat, thereby leading to bifurcation or trifurcation of a revenue village. Such a contingency is not contemplated by the Bill. Each revenue village will constitute itself into a single panchayat even though its population may be over 1,000. There is no danger of a revenue village being split up into different panchayats. I would therefore ask the hon. Minister to see his way to withdraw his amendment which, I think, is unnecessary."

* Mr. K. P. RAMAN MENON :—"Sir, I agree with Sir Patro in thinking that real compulsion will have to be exercised at the outset. Unless there is provision in the law which will make it incumbent upon a particular revenue village being composed into a panchayat it will not be possible to build up the last structure of self-government from the lowest possible basis. About 50 or 60 years ago it was a common thing in our parts for people of particular villages to have co-ordinated action. I know the absence of such co-ordinate action for the last 50 or 60 years was a great handicap to us when the last Mappilla Rebellion broke out. I remember old people saying that if such a rebellion had broken out 60 or 70 years ago, people in the villages would have been able to suppress it by their co-ordinate action. The strengthening of central authority has destroyed this scope for co-ordinate action and it is high time that we provide for co-ordinate action by villages and make it incumbent on every village with more than a population of 1,000 forming itself into a panchayat and having some business to do with regard to the various items which concern its well-being. I fully agree with my hon. Friend, Sir Patro."

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* Mr. T. G. RUTHERFORD :—" Mr. President, Sir, I think it incumbent on me to support the hon. the Minister in his proposed amendment. It is my unfortunate experience that some of the panchayats constituted in the early days of the constitution of panchayats have not been functioning well. I found, on going through the records, that a good many of these panchayats were practically compulsorily constituted, by a few leading members of the village—educated members working together with an honorary organizer who was himself enthusiastic for compulsorily forming panchayats but without enquiring really the general feeling of the villagers. Practically every one of these panchayats has been a failure. Either they lasted for about six months and then no meetings were held or they broke up owing to factions. If the panchayats were guaranteed some income by the Government, I would have myself been in favour of it, because I agree the time has come when we must try and get these villagers to work together. If you cannot guarantee them an income I do not see any point in making it compulsory. You do not give the panchayats anything more than three pies land cess which, I should think, to the great majority of panchayats will really be of no use. If they are constituted voluntarily, there would be some inducement for them to do some work. Panchayats, if they are constituted compulsorily, will fritter away their resources like the compulsory unions, on clerks and establishment.

"You have got to face facts. There are many villages which are raising monies for charitable purposes, for temple purposes, etc. It is only after one village has seen that another village gets the benefit of Government grant for works such as water-supply and roads that that village thinks it worth while to make a little extra sacrifice. The villagers say 'We are already subscribing for these customary purposes fairly good sums and we are taxed land tax and other cesses; anything further should come from the Government, i.e., from outside.' They have not in many villages got to the state of realizing that most of this taxation is utilized for rural purposes and that they are benefited indirectly. Direct Government help is gradually spreading to the villages throughout the Presidency but till they are directly helped it is very difficult to get them to agree to pay something more than their mamool payments regularly in some villages and in other places on special occasions. If you make the formation of panchayats compulsory, I fear very much that you will get plenty of panchayats which will not function at all, and which will be failures. Having constituted it compulsorily, you cannot even abolish it if the proposed statutory injunction stands."

Rao Bahadur Sir A. P. PATRO :—"It will take time to grow. You must give the panchayats money also."

* Mr. T. G. RUTHERFORD :—"When you come to hard facts, they want money. It will have to be paid from the general revenues. At present for the small number of panchayats we have, we are spending about 10 or 12 lakhs. If formation of panchayats is made compulsory, a sum of Rs. 40 lakhs will have to be paid to them; it is a matter of finance.

"One more remark. One gentleman from Malabar said that there was panchayat movement in Malabar in the old days. I do not know Malabar myself. I know of one panchayat there with which we struggled for three years to get it going. In the end I had to give it up. I am told by people who know Malabar, that there are not compact revenue villages in Malabar as there are in the East Coast and South; there are scattered houses and it

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is almost impossible to get them together for communal interests. If you are going to have panchayats compulsorily for such villages having a thousand inhabitants, I am wondering how they are going to work."

* Mr. R. NAGAN GOWDA :—" Mr. President, Sir, I rise to support the 1 p.m. opposition voiced by Sir Patro. I can realize the difficulties that exist in the villages which have been categorically enumerated by Mr. Rutherford. But still, Sir, as one that has attempted to form a few panchayats, I feel that panchayats in any considerable numbers cannot be started for a long time to come unless there is some sort of compulsion or other. How to make the panchayats that are organized by compulsion to work is a problem I admit; but yet, I will state that a considerable number of them will work. The reason is that in the villages in the countryside, far removed from trunk roads or even second class roads, there is no organization whatsoever to deal with some of the primary necessities of village life. I know there are informal village panchayats to take care of such things as car festivals in every village, but yet even such sanitary necessities as latrines for women in the villages are not provided for. In the first place, there is no one to put the idea into the heads of the people, and in the second place, there is no organization which can easily take this into its hands and work it out. Mr. Rutherford was saying that they would not function; but I think even with the little nucleus of a village fund provided by the quarter of an anna from the land cess, I think the panchayats will start working. Their necessities in the villages are a great many and urgent. The idea that this fund is likely to be frittered away probably will not hold good in general. So far, wherever panchayats are functioning, not much money has been spent on establishment. If I am permitted, I would like to draw the attention of the House to the working of the panchayats in Mysore where they have started panchayats in almost every village, and the reports that I have been hearing from the people on the border of my district of Bellary have been quite encouraging. People are saying that quite a lot of work, such as the removal of prickly-pear which is invading almost every village in my district at least, has been done by the panchayats and in places where water scarcity has been felt badly and, in places where there are no road communications whatsoever, the panchayats have been able to do some substantial work. I do not know if I am too optimistic, but I must state that the work that has been done in Mysore could also be carried on by us in this Presidency. I therefore oppose the amendment of the hon. the Chief Minister."

* Mr. C. H. PARTHASARATHI AYYANGAR :—" Mr. President, Sir, I remember some time ago Mr. Ranganatha Mudaliyar issued a pamphlet showing how one or two village panchayats were working in Bellary district and an account was also published as to how they were able to manage their affairs in a very satisfactory way, how quarrels were decided, how disputes were settled, how caste disputes and others relating to property, etc., were disposed of—I forget the exact name of the village—how they were able to get over their difficulties and how they were able to meet together and come to satisfactory conclusions affecting village life. My Friend Mr. Nagan Gowda also pointed out and Sir Ramaswami Ayyar has written a book once showing how in Mysore the Government have so arranged matters that the people were called upon to do some business themselves contributing an amount equal to that spent by the people on the work that

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they turned out, especially for the removal of lantana and rubbish from the village. There, the Government called upon the people to do some public work and after valuing the work that was so done, granted an equal sum as grant, which was utilized by the village for the benefit of the village. If we carefully look at it with our eyes open, we would see that the ancient spirit is still alive and that it can be revived very soon. Sir, many of us know the famous extract from the report of Sir Thomas Munroe to the Court of Directors on the system of administration here, at the time the British Government wanted to take charge of the Madras Presidency from the East India Company. You will find, Sir, stated in that illustrative and illuminating extract that the village republic is a most common feature in India. He makes also certain statements there from which you will find that every village had its own temples, its own schools, its own playgrounds, its own places of amusement, etc. The village republic was the chief and vital point by which the spirit of ancient India was kept up till the British people came. After the British came, they destroyed it, and now we have to go back. You can very easily find out why the village republic was destroyed. When the village republic was destroyed, ignorance quite naturally took its place; when the village self-Government was destroyed, the village prosperity came to an end. The prosperity of the villagers was at its height when the village republic was functioning properly. Therefore, there are very good reasons why we should now go back to the original state when the village can once more be a republic, with the spirit of unity and co-operation in attending to the wants of the village again revived. Sir, there are so many striking ways in which the present Ministry could help us in reviving the village life. It is not merely by passing this Act or by making the village panchayat compulsory that we can revive the work and the life of the Indian village. Those who are responsible for the endowments may make the village temple once more a living factor. The inams which have been confiscated by the Government may again be restored to the holders of those inams and the people directed to perform the village puja and general service. There is also the village doctor, the village schoolmaster and others. Their services may all be revived. So many training schools which are now training students for their avocations may profitably be made to train people for village life, as village doctors, village priests, etc. So, it is not by passing an Act that we can make the village republic function again. There are several more pieces of legislation to be brought into force before making the village republic function properly by reviving the village temple, the village playground and the other village activities. Mr. Ranganatha Mudaliyar has given notice of a Bill to amend the Madras Hereditary Village Offices Act which will have the effect to a certain extent of carrying out this purpose. So, the hon. the Chief Minister can help us in passing such pieces of legislation; and for such a purpose, it is necessary that the village panchayats should be compulsorily organized everywhere. The Revenue Inspector, the headman and the village karnam must all be trained to look upon the village as their own and not as representatives of the Collector who does not care whether the village is or is not unified once more, as it was 150 years ago, or even 50 years ago. Sir, some time ago, I conducted, as a vakil, a case in a court where a man sued another saying that, according to the new Survey Act, a patta had been given in his name and therefore the other villager ought not to prevent him from getting possession of his land. The defence raised, Sir, was—I think it was a *Pasungarai* village—that no man in the village

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could claim a plot of land as his own. The villagers cultivated the land by turns according to the ancient mamul and therefore they said the Government should not grant patta to anybody for any land liable to be claimed as private property. That was the defence and the whole case collapsed, of course. But you will see that the idea that the lands in the village were not any individual's property is still alive. You can kill the village, but you cannot kill the genius of the Indian people. That genius to-day remains in the village. It is essentially democratic; it is essentially one which works for the village first and next only for the individual. Already this sort of life has been getting out of the village and there is disintegration. It must once more be revived, and every attempt should be made by all the different officials and non-officials to combine together and place the whole thing on a sure and sound foundation. Therefore, Sir, this elementary step is absolutely essential, and I support the opposition of Sir Patro."

MR. T. C. SRINIVASA AYYANGAR:—"Mr. President, Sir, I do not possess any faith in the compulsory organization of the panchayats. After I listened to my hon. Friends here and to Mr. Rutherford, I agree with the conclusions which have been put forward before the House by Mr. Rutherford. My Friend Mr. Parthasarathi Ayyangar seems to be living in a land which has begun to gradually pass away for the last fifty years and more. He thought of the temple, the village priests, the village teacher and all other persons to whom the innocent village folk of the ancient days looked up for guidance. There was harmony no doubt in those days, but there are men nowadays who want to pull down the temples and make them something else. One of my hon. Friends here was saying that for the purpose of reviving this ancient spirit, the Brahmans may go back to the temples, but as it is, the Brahmans have not got any control over them. I feel, that the days which in the opinion of my friend were favourable for the formation of the village panchayats, have passed; we want now instead of the authority of the village leaders, the authority of the law. I know of a few panchayats in all parts of the country where faction has come to stay, and this is a new factor which did not exist heretofore. In selecting villages for this purpose, capable officers who know the people will have to go to those villages, create these panchayats and see that they are worked successfully, so that they may be examples to the adjacent or neighbouring villages. And gentlemen like my Friend Mr. Parthasarathi Ayyangar—and many more, an army of them—will have to go and preach all these things there. In those circumstances, Sir, to introduce panchayats by compulsion would be to court failure and to create huge chaos."

The hon. the PRESIDENT:—"I now put the amendment of the hon. the Chief Minister to the vote of the House. 1-15 p.m.

"The question is to omit the proviso to sub-section (1) of section 5."

The motion was declared carried.

Rao Bahadur Sir A. P. PATRO demanded a poll and the House divided thus:—

Ayes.

- | | |
|---|--------------------------------|
| 1. The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur. | 5. The hon. Dr. P. Subbarayan. |
| 2. " Mr. A. Y. G. Campbell. | 6. Mr. Hilton Brown. |
| 3. " Mr. M. K. Seturatnam Ayyar. | 7. Mr. H. A. Watson. |
| 4. " Mr. S. Muthiah Mudaliyar. | 8. Mr. A. G. Leach. |
| | 9. Mr. J. Gray. |

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Ayes—cont.

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| 10. Mr. S. V. Ramamurti. | 29. Mr. T. K. Chidambaranatha Mudaliyar. |
| 11. Mr. O. B. Cotterell. | 30. Rao Bahadur S. Ellappa Chettiyar. |
| 12. Mr. V. Ch. John. | 31. Diwan Bahadur P. O. Ethirajulu Nayudu. |
| 13. Mr. M. A. Manikkavelu Nayakar. | 32. Khan Bahadur S. K. Abdul Rasack Sahib Bahadur. |
| 14. Khan Sahib Sayeed Tajudin Sahib Bahadur. | 33. Mr. T. C. Srinivasa Ayyangar. |
| 15. Rao Sahib R. Srinivasan. | 34. Mr. K. Sarabha Reddi. |
| 16. Mr. A. B. Shetty. | 35. Mr. K. Chavadi Subrahmanyam Pillai. |
| 17. Mr. J. Bheemayya. | 36. Mr. B. Ramaabandura Reddi. |
| 18. Rao Sahib P. J. Gnanavaram Pillai. | 37. Rao Bahadur O. S. Ratnasabhapati Mudaliyar. |
| 19. Zamindar of Singampatti. | 38. Mr. S. Arpudaswami Udayar. |
| 20. Mr. J. Kuppuswami. | 39. Raja of Kallikota. |
| 21. Subadar-Major S. A. Nanjappa Bahadur. | 40. Mr. S. N. Dorai Raja. |
| 22. Mr. N. Siva Raj. | 41. Mr. U. Ramaswami Ayyar. |
| 23. Mr. M. V. Gangadara Siva. | 42. Mr. K. Ramachandra Padayachi. |
| 24. Mr. S. Subrahmanya Moopanam. | 43. Swami A. S. Sabajanandam. |
| 25. Mr. C. Govindan Nayar. | 44. Mr. G. R. Premayya. |
| 26. Mr. T. G. Rutherford. | 45. Mr. V. Ramjee Rao. |
| 27. Rao Bahadur C. Natesa Mudaliyar. | |
| 28. Diwan Bahadur S. Kumaraswami Reddiyar. | |

Noes.

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|--------------------------------------|--------------------------------------|
| 1. Mr. H. B. Ari Gowder. | 6. Mr. K. P. Raman Menon. |
| 2. Mr. R. Foulkes. | 7. Mr. B. Nagan Gowda. |
| 3. Rao Sahib V. I. Muniswami Pillai. | 8. Mr. C. R. Parthasarathi Ayyangar. |
| 4. Rao Bahadur Sir A. P. Patro. | 9. Mr. J. A. Saldanha. |
| 5. Mr. A. Ranganatha Mudaliyar. | 10. Mr. K. Uppi Sahib. |

Neutral.

1. Diwan Bahadur B. Muniswami Nayudu.

Ayes 45. Noes 10. Neutral 1.

The motion was adopted.

* Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" Sir, I move—

"in sub-section 5 (3) in line 2, after the word "shall" insert the words "consult the taluk board within whose area the panchayat or panchayats lie and also".

"Sir, the reason which I urged for the amendment in the previous clause applies here also, viz., that it would be useful to consult taluk boards so that there may be a co-ordination of all the proposals within the district. When a number of panchayats are affected, the taluk boards will be in a position to see how these various proposals will affect the area of the taluk board as a whole. After all, it is only consultation and they are not bound by the views expressed by the taluk boards. I would, therefore, submit that there is no harm in having a provision like the one I have proposed."

Rao Bahadur O. S. RATNASABHAPATI MUDALIYAR :—" I second it, Sir."

* The hon. Dr. P. SUBBARAYAN :—" I would like to point out to my hon. Friend Diwan Bahadur Kumaraswami Reddiyar that the reasons which he gave do not now exist, because the question of consulting the district boards

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has been withdrawn. Besides, Sir, there is also a feeling that the village panchayats should not be bound too much on the consultation of the various bodies. I hope, therefore, the hon. Member will see his way, especially as the question of the compulsory constitution of the panchayats has been given up, to withdraw his amendment."

The amendment was by leave of the House withdrawn.

Clause 4 as amended was put, passed and added to the Bill.

Clause 5.

* The hon. the PRESIDENT :—" Mr. Nagan Gowda has given notice of an amendment to omit the words 'for each district, a district board' in sub-section (1) of section 6. I think his object is that there should be no district board. I think that it is not relevant to the Bill as introduced or to the Bill as amended. There was an instruction by the House to the Select Committee but that instruction is not for the consideration of the House, as the instruction was dropped by the Select Committee. His amendment is, therefore, out of order."

Clauses 5 and 6 were put, passed and added to the Bill.

Clause 7.

* Mr. A. B. SHETTY :—" Sir, I move that

"For section 8, the following may be substituted :—

"8. (1) The president of every taluk board in the district shall ex-officio be a member of the district board.

(2) The other members of the district board and the members of the taluk boards and of the panchayats shall be elected in the manner laid down in Chapter IV."

"Sir, the existing Act provides for taluk board presidents to be ex-officio members of district boards. The Bill introduced by the hon. the Chief Minister provided for up to one-fourth of the number of seats fixed for the district board, to be filled by election from circle boards and for two members from panchayats. The Bill as amended by the Select Committee provides for no representation of taluk boards on district boards. All the seats in district boards are to be filled by direct election. The control exercised by the district board over taluk boards has no doubt been minimised to a great extent by the changes effected by the Select Committee, but I believe the district boards and taluk boards will not hereafter also be independent of each other. And so long as the district board continues to exercise control over taluk boards and the taluk boards continue to depend for some thing or other on the district board, it is desirable that men connected with taluk boards should have representation on the district board. And who can better represent these boards than their own presidents? The taluk board president, who has intimate knowledge of the needs of his taluk and experience of the working of the board and its administration, will be a very useful person on the district board. He will help the district board to co-ordinate the work of taluk boards and he will be able to speak with authority on matters connected with his own taluk. If all the seats in the district board are filled by direct election, the chances are that quite inexperienced men who have no experience of local bodies may get into district boards and they will not be able really to contribute to the deliberations of the district board. Thus there is every chance of the district board

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becoming an infant class of raw recruits. The argument that the taluk board presidents, if they are really competent and worthy, can get into these boards by direct election, sounds plausible but in actual practice, I believe very few of the presidents of taluk boards will care to face the ordeal of one more election. First, they have to seek election to the taluk board, then they have to seek election as presidents of taluk boards and once more to face another election will really mean too much for any man.

"Again, it may be stated that if you give seats for the presidents of taluk boards as ex-officio members, the number of seats to be filled by direct election will be reduced and that the circle from which each member has to be elected will have to be larger in area. I do not think that the area of a circle will really become unwieldy by giving a few seats to be filled by presidents of taluk boards as ex-officio members. Take, for instance, a district containing six taluks where the district board consists of 36 members. If six seats in such a district board are set apart for six presidents of taluk boards, there still remain 30 seats to be filled up by direct election and dividing a district into 30 or 36 circles will not make very much difference in the size of the electorate. So, no disadvantage will really result from allowing a few seats to be filled by presidents of taluk boards as ex-officio members. On the other hand, the district board has very much to gain by having in it presidents of taluk boards who can speak with experience and authority on matters connected with their taluks. I therefore hope this amendment will be given due consideration by this House."

Mr. M. V. GANGADHARA SIVA :—"I second the amendment, Sir."

The amendment was put and negatived.

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

Mr. M. V. GANGADHARA SIVA :—"Mr. President, Sir, I beg to move

in section 8 as amended by the Select Committee add the following at the end of sentence :—

"Of whom one at least shall be an Adi-Dravida."

"Sir, the clause in the Bill, as it stands, is a dangerous one or rather it is an obstacle to the Adi-Dravidas getting into the local board for the simple reason that the matter is entirely under the discretion of the taluk board and the Local Government. I should not be construed as suggesting that Government will do mischief; but what I mean is that people in the local board area will try to see that no depressed class member gets into the taluk board. Under the present system of nomination, in every municipality we are having at least one seat for the depressed classes."

* The hon. the PRESIDENT :—"May I draw the attention of the hon. Member to the fact that we have now passed on to the Local Boards Bill, from the District Municipalities Bill?"

Mr. M. V. GANGADHARA SIVA :—"What I want to submit is that now we have no nomination and no reservation, the chances are that we will not be able to get into the taluk board. Under these circumstances, I request the hon. the Chief Minister and the Members of this House to see that my amendment is carried."

* Rao Sahib V. I. MUNISWAMI PILLAI :—"Sir, in seconding this amendment of my hon. Friend, Mr. Gangadhara Siva, I wish to point out the uncertainty that has been caused by the provision in the Bill before the

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House, as regards the representation of the Adi-Dravidas in local boards. In order to make at least one seat secure for them this amendment has been brought forward, and so I whole-heartedly support the motion."

* The hon. Dr. P. SUBBARAYAN :—"Mr. President, Sir, I have already explained in the case of the District Municipalities Bill that the intention of Government is not to reserve seats for any particular community, and that if after giving reservation of seats to communities according to their importance and population, there are other cases which warrant such reservation, for such cases I have put this clause. Under the circumstances, I cannot accept the motion."

The motion was put to vote and negatived.

* Mr. S. ARPUDASWAMI UDAYAR :—"Sir, I beg to move that

'In sub-section (1) for the words "In any district board the Local Government may, in their discretion, by notification from time to time, reserve seats for" substitute the words "The Local Government shall, in the case of a district board, reserve by notification published in the prescribed manner such number of seats as they may from time to time determine for".'

"Sir, the reason urged by the hon. the Chief Minister in connexion with this matter, some time ago, was that the wording has been purposely changed to make this reservation optional. In the case of district boards where we have more than 36, and sometimes even more than 40 members, there will be no difficulty for reserving seats for these six communities. And even with regard to the argument that the seats are to be reserved according to the strength and influence of the respective minority communities, no such difficulty as was anticipated in the case of municipalities will arise in the case of district boards, at the rate of one or two seats for the whole district. So, for these reasons at least, in the case of district boards I request the hon. the Chief Minister not to change the wording of the original Government Bill."

Mr. J. A. SALDANHA :—"I second it."

The motion was put to vote and negatived.

* Rao Sahib R. SRINIVASAN :—"Sir, I beg to move that

'For "sub-section 1 of section 9", substitute the following :—

"(1) In any district board, the Local Government shall in their discretion, by notification, from time to time, reserve seats for—(a) Hindus, (b) Muslims, (c) Indian Christians, (d) Adi-Dravidas, (e) Europeans, (f) Anglo-Indians and (g) Women, and determine the equal number of such seats to each community."

"In moving this amendment, I wish to explain my object. The interest the people take in local administration depends upon the caste, creed and religion in which they are born. The condition of a community in wealth and education may be fluctuating. But once it gained its numerical strength, it can never go down unless converted to other community or religion. For Indians are a prolific race. In Southern India the caste Hindus are large in number. To adjust the difference, the number of members in each community, representing on a council, should be equal, without paying any heed to numerical strength, wealth and education. Otherwise, caste Hindus, who are numerically large, wealthy and educated will predominate the

[Mr. R. Srinivasan]

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minority communities for generations together. The reservation of the number of seats may be so adjusted as to be equal to all communities until the minority communities are fairly advanced in their economic and educational conditions. Such an arrangement will soon bring an equilibrium in a council of any local board institution, and the communal predominance or difference will soon disappear. The majority of the kind stated above should climb down to uplift the minorities.

"Sir, in this country so much is being talked of about Dominion Status and equal partnership. Here is an offer for equal partnership with various communities. We say, 'give a chance to all the communities'. And I dare say that unless this is given, it will always be the case that the minorities will never, never flourish. Then again, in this Bill it has been so provided that the majorities will always occupy three-fourths of the seats in the local boards. When such is the case, where is the chance for the minorities? To obviate all these, I have come forward with this motion and I hope it will command the acceptance of the House."

* Rao Sahib V. I. MUNISWAMI PILLAI:—"I second it, and in doing so, I wish to say that it is only fair that equal representation should be given to Hindus, Muslims, Indian Christians, Adi-Dravidas, Europeans, Anglo-Indians and women."

The motion was put to vote and negatived.

2-45
p.m.

* Mr. R. NAGAN GOWDA:—"Sir, I move that

'For "9 (d) Europeans", the words "9 (d) Europeans and Anglo-Indians or" be substituted and "(f)" be re-lettered as "(e)".'

"In doing this, Sir, I wish to put before the House the important consideration that the seats reserved, as it is, in a district board form only one-fourth of the sanctioned strength of the board. By that definite fixing of the proportion of the reserved seats to the unreserved, the number of members in the reserved seats is strictly restricted. Here, in this section, as it is proposed by the Select Committee, six communities including women have been chosen for whom the seats are reserved. Sir, by doing so, some of the communities that ought to be represented go without representation in some districts. Europeans and Anglo-Indians form rather a very meagre part though it will be admitted as an important part of a district. The interests of these two communities are almost identical. There is hardly any diversity between their interests and I think that any representation by either an European or an Anglo-Indian will be just as good as that of the Anglo-Indian or the European. Therefore, Sir, in making this reservation, I move that both these communities be represented either by one or by the other."

* Mr. K. P. RAMAN MENON:—"I beg to second the motion moved by my Friend Mr. Nagan Gowda. I may add one reason as to why I second this proposition. As a matter of fact, in so far as the district boards are concerned, they are the representatives mostly not of municipal areas but of places outside municipalities and my experience is that there are very few Anglo-Indians, if at all there are any, in the districts outside municipal areas. On the other hand, with reference to Europeans, there are European planters, at any rate, in my district where the planting interest is very important. Similarly in other districts because of the paucity of Anglo-Indians outside the municipal areas there will be no necessity to have a separate member for Anglo-Indians. I therefore second the motion."

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*The hon. Dr. P. SUBBARAYAN:—"I am afraid I cannot accept the motion, because I do feel that the interests of the two communities are not identical as the hon. Member made it out. As I have myself stated at the meeting of the Select Committee, I do not see why we should not make this distinction. I do feel that these communities represent interests which are not identical."

* Mr. J. A. SALDANHA:—"I have been from the beginning opposed to such distinctions of communities. Originally we began with three different sections, Hindus, Christians and Muhammadans; but now we have additional communities Europeans and Anglo-Indians. Sections have been added to the communal list. It is a wonder how all these different sections are to be satisfied. Europeans and Anglo-Indians put together do not number more than 7,000 and about one-half of them are Anglo-Indians. There are few districts in which there are more than about 100 Anglo-Indians. There are two districts, Trichinopoly and Chingleput, which have a number of Anglo-Indians and Europeans. It is difficult to see how their interests are not identical. Anglo-Indian means any person not being a European, who is of European descent in the male line. So he must be a European in the male line or he must be a man of European descent on both sides. They are practically children born of Europeans and their interests so far as race is concerned are quite identical. There are certain interests of Europeans as such. They are both commercial and industrial interests. Those interests could well be represented by Chambers of Commerce or industries or professions. A large number, I may point out, of Anglo-Indians are employed in European firms or in railways or in other concerns of Europeans in which Europeans have a large vested interest. I say, therefore, that a European or an Anglo-Indian, if elected, will represent the interests of both. They are of no numerical importance. Whatever their influence in wealth and other things might be, they can be represented by a European or an Anglo-Indian. My view, Sir, is as I have already urged, that there should be no multiplication of communities. Of course, without any reservation of seats, I think the interests of Europeans are very well served. Where they have vested interests, they have always been elected and found their way somehow or other. If they stand for election to the municipal council, I am sure, they are always received with open arms. Such a thing as representation of interests from the communal point of view should be condemned. I, for one, stand for no communal representation. I think it is only an evil. Therefore, Sir, I am strongly in favour of the amendment brought forward by my friend."

* Mr. A. RANGANATHA MUDALIYAR:—"In supporting the amendment, Sir, I wish to say that it does not do harm to the interests of either of the communities. On the other hand, it is positively of benefit to both the communities. As stated by the hon. Minister, it is not obligatory on the Government to find a representative for every single community mentioned here. Nor does it bind them to restrict representation only to not more than one member for each community. They may give two or more representatives to such of the communities as the Government consider deserve more representation. It is very likely that, in many districts, there may be both Europeans and Anglo-Indians, and numerically so strong as to demand representation for both; but they are not likely to be both as strong and important as to deserve each a separate representation. Now in a district where

[Mr. A. Ranganatha Mudaliyar] [28th January 1930]

there are both Europeans and Anglo-Indians but only the Europeans are numerically so strong as to deserve representation and not the Anglo-Indians, the Government would nominate a person to represent the European interests by virtue of the fact that the Europeans and the Anglo-Indians are divided into two communities, and so you appoint one man to represent the European interests. Naturally, he will feel that he has more to look after the European interests than those of the Anglo-Indian interests. If, on the other hand, you throw Europeans and Anglo-Indians together and give them a representative, I think he would take it as his duty that he should watch the interests of both the communities. Sir, supposing both the communities are so strong as to deserve each a representative, there is nothing to prevent the Government to give them two representatives. So, you will please see, Sir, that by the amendment of Mr. Nagan Gowda neither of the communities stands to lose, but on the other hand, I expect in many cases they will immensely gain by a representative who will naturally look after their common interests."

The motion was put and declared lost.

8 p.m. Mr. Nagan Gowda demanded a poll and the House divided thus:—

Ayes.

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| 1. Mr. R. Foulkes. | 5. Mr. C. R. Parthasarathi Ayyangar. |
| 2. Mr. A. Ranganatha Mudaliyar. | 6. Mr. J. A. Saldanha. |
| 3. Mr. K. P. Raman Menon. | 7. Mr. L. K. Tulawiram. |
| 4. Mr. R. Nagan Gowda. | 8. Mr. K. Uppi Sahib. |

Noes.

- | | |
|---|--|
| 1. The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur. | 27. Mr. T. G. Rutherford. |
| 2. The hon. Mr. A. Y. G. Campbell. | 28. Diwan Bahadur B. Muniswami Nayudu. |
| 3. Mr. M. R. Seturathnam Ayyar. | 29. Rao Bahadur Sir A. P. Patro. |
| 4. Mr. S. Muthiah Mudaliyar. | 30. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 5. Dr. P. Subbarayan. | 31. Mr. T. K. Chidambaramatha Mulaliyar. |
| 6. Dr. (Mrs.) Muthalakhami Reddi. | 32. Rao Bahadur S. Ellappa Chettiyar. |
| 7. Mr. Hilton Brown. | 33. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 8. Mr. H. A. Watson. | 34. Khan Bahadur S. K. Abdul Razaak Sahib Bahadur. |
| 9. Mr. A. G. Leach. | 35. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 10. Mr. J. Gray. | 36. Mr. K. Sarabha Reddi. |
| 11. Mr. S. V. Ramamurti. | 37. Mr. K. Chavadi Subrahmanya Pillai. |
| 12. Mr. C. B. Cotterell. | 38. Mr. S. Arpudaswami Udayar. |
| 13. Mr. M. A. Manikkavelu Nayakar. | 39. Raja of Kallikota. |
| 14. Khan Sahib Syed Tajjudin Sahib Bahadur. | 40. Mr. C. E. Wood. |
| 15. Rao Sahib B. Srinivasan. | 41. Mr. F. E. James. |
| 16. Mr. J. Bheemayya. | 42. Mr. R. J. C. Robertson. |
| 17. Rao Sahib P. J. Gnanavaram Pillai. | 43. Mr. S. N. Dorai Raja. |
| 18. Mr. J. Kuppuswami. | 44. Khan Bahadur P. Khalif-ul-lah Sahib Bahadur. |
| 19. Subadar-Major S. A. Nanjappa Bahadur. | 45. Mr. U. Ramaswami Ayyar. |
| 20. Mr. N. Siva Raj. | 46. Mr. K. Ramachandra Padayachi. |
| 21. Mr. M. V. Gangadhara Siva. | 47. Mr. Swami A. S. Sahajanandam. |
| 22. Rao Sahib V. I. Muniswami Pillai. | 48. Mr. V. Ramjee Rao. |
| 23. Mr. W. P. A. Soundara Pandian. | 49. Mr. V. Ch. John. |
| 24. Mr. S. Subrahmanya Mooppanar. | |
| 25. Mr. S. Venkayya. | |
| 26. Mr. C. Govindan Nayar. | |

Ayes 8. Noes 49.

The motion was negatived.

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* Rao Sahib P. J. GNANAVARAM PILLAI:—"I beg to move that in sub-section 9 (2) after item (c) a new item 'Railway' be added."

"Sir, in pursuance of the recommendations made by the Sanitary Administration Committee, G.O. No. 201, L. & M., dated 22nd January 1924, was passed by the Government of Madras. This Government order recognized the necessity for railways being represented on each of the various local bodies. Railways are probably the largest tax-payers and therefore it is but fair that they should be properly and adequately represented. The presence of such a representative on a district board would be of great advantage to the district board and would be of assistance in dealing with questions connected with railways. I therefore beg to recommend to this hon. House that provision may be made for the reservation of a seat or seats on each of the local bodies. It may be said and that rightly also that in certain places some corporate bodies or individuals pay more taxes than even the railways; but, it should be admitted, that the total aggregate tax paid by the railways is much greater always than that paid by the other corporate bodies or individuals. I therefore request this House to accept my amendment."

Mr. N. SIVA RAJ:—"I second it."

* The hon. Dr. P. SUBBARAYAN:—"Sir, this amendment is similar to the one which Mr. Wood moved to the District Municipalities Bill with regard to the Trades Associations, Chambers of Commerce and so on. He had also given notice of a similar amendment to this Bill, but did not move it. Sir, I think that the representation of Europeans will serve to represent railways and in that sense I do not think railways require any special representation as advocated by the hon. Mover."

The motion was put and negatived.

* Mr. S. ARPUDASWAMI UDAYAR:—"Sir, I beg to move my amendment in the following modified form on account of the language that was adopted in making this provision optional:—

In sub-section (3) of section 9, in line 3, after the word 'Adi-Dravidas' insert the words 'Muslims or Indian Christians'.

"Sir, my reason for moving this amendment is this. In villages we find also Muslims in pretty large numbers especially in those rural areas which afford facilities for the cultivation of betel leaves, etc., for kodikals. As regards Indian Christians, Sir, the chief reason why I wish that seats should be reserved for them is that there are Christian depressed classes in large numbers. These Christian depressed classes are found sometimes in very large numbers in very many villages. In some villages in the Tanjore taluk there are no caste Christians, but Christian depressed classes are found even in those purely Hindu strongholds. Therefore, if seats are not reserved for Indian Christians, all these Christian depressed classes will go without representation. So, chiefly in the interests of the Christian depressed classes I press for the reservation of seats for Indian Christians. Also, Sir, considering the fact that Muslims are found in rural areas in certain villages in large numbers, I request this House to consider their claims also and to have seats reserved for them."

Rao Sahib P. J. GNANAVARAM PILLAI:—"I second it."

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* Rao Sahib R. SRINIVASAN :—" I oppose the amendment. Sir, a Christian is a Christian whether he is a caste Christian or a depressed classes Christian. We have already made provision for Indian Christians and so this amendment is not necessary."

* Mr. K. UPPI SAHIB :—" Sir, I am not for communal electorate at all, but at the same time when I see community after community coming forward claiming representation on a communal basis and communal electorate, I find myself unable to resist the temptation to claim reservation of seats for the community to which I belong even in village panchayat. Sir, I find that the Hindu community has been divided for the purpose of this reservation into so many sub-communities. And again, Sir, seats are being reserved for Anglo-Indians and Europeans whose population is very small in the various local board areas. The hon. the Minister is prepared to agree to all this. When this is the case, I say, as a representative of the Muslim community which is the largest minority community having interests in all parts of the Presidency that we must have a separate electorate, separate representation and separate seats reserved for our interests. Sir, it is very painful to me to have to make this statement on the floor of this House, but when separate representation is the order of the day, I would be failing in my duty to my community if I do not to-day stand up and claim reservation of seats for my community. Sir, if I had seen the back of the mind of the hon. the Chief Minister, I would have tabled amendments to this effect for consideration to-day for separate representation of Mappillas, Ravuttars, Marakkayars, Labbais, Shiyas, Sunnis and so on. There is as much difference between these various sub-sects among the Muslims, as there is between the sub-sects of Hindus and Christians. Under these circumstances, I am forced to support the amendment of my hon. Friend Mr. Arpudaswami Udayar. It is my painful duty to do so. I would appeal to my brethren on this side of the House to support the motion, though the opposition is in reality the supporters of the Ministry."

* Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—" Sir, I wholeheartedly support the amendment moved by my hon. Friend Mr. Arpudaswami Udayar. In most of the panchayat areas, Muhammadans and Indian Christians form a very important minority and unless reservation is given to them there is no hope for the members of these communities finding a seat on the panchayats. If the working of these panchayats is to be a success, the Muhammadans and Christians should have seats reserved for them; otherwise it would create distrust among the members of these important minority communities. Sir, when the Act provides reservation of seats for Europeans and Anglo-Indians on the district boards and taluk boards, I cannot understand the reason for the refusal to reserve seats on panchayats for the members of the Muhammadan and Christian communities. Sir, what taluk boards and district boards are to Europeans and Anglo-Indians, the panchayats are to Muhammadans and Christians. In fact, the argument which applies to them in the case of district and taluk boards applies with even greater force to these two communities in the case of panchayats. I therefore very strongly support the amendment and appeal to Members on the Government side to accept the amendment."

* Mr. A. RANGANATHA MUDALIYAR :—" I wish to remind the House that we are not now dealing with municipal areas or with towns but with comparatively small areas, viz., villages. It is true that in bigger towns you

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have communal differences accentuated to some bitter degree. Happily, Sir, such is not the state in villages. The only people who require protection in villages are the Adi-Dravidas and some reservation should be provided for them. Once you have done that, I think your purpose is served. I request hon. Members to consider this question reasonably and not to import differences of which they are making a capital here and elsewhere. In villages, the people are getting on peacefully. There the Muhammadans and the Hindus are not fighting bitterly as elsewhere. In any election the two communities are working together very well. If they introduce a provision of this sort the fruits of which we are witnessing in the Council where it had been introduced, it will be really retarding the progress of the people in the art of self-government. I quite sympathize with the feelings of my hon. friend as to why he feels so strongly in this matter but that is because of the way in which the Government and the opposition have dealt with a question quite recently. Let that mistake be not committed again, in the case of villagers also."

Mr. J. A. SALDANHA :—" I do not desire to speak on this motion but for the speech of my hon. friend from Bellary. I have to make one or two observations on that. It is true that there were no rivalries in olden days in villages. But recently there has been a good deal of anti-communal feeling between the Christians on the one hand and the Muhammadans on the other. So far as the Christian community is concerned—I cannot speak of Adi-Dravidas—there is a good deal of feeling against them and they are in a lurch in their elections, even if they are powerful against a combination of all classes of Hindus. It is not correct to say that the Christians in villages are provided facilities for their advancement. I know that Adi-Dravidas are placed in a somewhat disadvantageous position in the villages, but their position is being improved much better than the condition of the Muhammadans and Indian Christians because the caste Hindus are afraid that the Adi-Dravidas have got their representatives in the Legislative Council, and their interests are safeguarded in so many other ways by the Government. That is not the case with other communities. In fact in olden days these Christians had the support of missionaries but that is not the case now. I am against communal representation but as you have provided representation for Adi-Dravidas and the position of the Muhammadans and Indian Christians being similar to that of the Adi-Dravidas I would urge that this amendment should be accepted. If the hon. Member from Coimbatore had analyzed these facts fully, he would have found that this problem is not such an easy one. I hope the hon. Minister will give a proper consideration to these points and arrive at a proper solution."

* Khan Bahadur P. KHALIF-UL-LAH SAHIB Bahadur :—" I beg to support the amendment of my hon. Friend Mr. Arpudaswami Udayar. I do so for the reason that the Christian Adi-Dravidas are the most unfortunate of the whole lot. So far as my knowledge of their conditions goes, they are not being recognized either by their kindred Adi-Dravidas belonging to the Hindu religion nor are they recognized by their Christian brethren. The Christian Adi-Dravidas suffer absolute non-representation. It behoves us therefore to insert the word ' Christian ' so that the Adi-Dravida Christians may have a voice in the village panchayat. As for the objection raised by my hon. Friend Mr. Srinivasan, it has already been answered by my hon. Friend Mr. Saldanha and therefore it does not hold good. As for the

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Muslims, the village panchayat is a representative institution and it is very necessary that all communities should find representation there. As such, I beg to say that both the Christians and the Muslims do need the special representation that is contemplated in my hon. Friend Mr. Arpudaswami Udayar's amendment. So I heartily support his amendment."

Mr. M. V. GANGHADARA SIVA :—"I rise to oppose the amendment. If this amendment is accepted it would be a dangerous disaster against the interests of the Adi-Dravidas. Taking our community though the Christians belong to our religion, we are attacked by them and also by other communities simply because our Hindu brethren neglected us in the past. In every respect the other foreign religious institutions took advantage of this fact, and converted many of our people to their religions, so much so, we are minimised in number also. There is also this fact, viz., that the Christians are treated better than us in society and are given higher places in the society. I do not say that Christians are doing us harm and it is really the Christians that brought us forward to some extent. But owing to the opportunity given to us by the hon. the Chief Minister in this Bill and also owing to changed political conditions, we can independently fight against others in open field, and gain our rights. I also think that Muhammadans and Christians are well off in every respect, in finance, in civilization and in every other thing. So I oppose this amendment."

* The hon. Dr. P. SUBBARAYAN :—"This question of reservation of seats for the two communities, viz., Indian Christians and Muslims was carefully considered in the select committee and the select committee felt and I agreed with them that at least in villages Muslims and Indian Christians who are not so poor nor so depressed as Adi-Dravidas should learn to live with their Hindu brethren and come in by the general electorate. It will be seen that in the existing Village Panchayat Act there is no provision for any kind of communal representation. The representation is provided therein to all communities and they are to come by means of general electorate. I think therefore there is no special necessity for providing reservation for Indian Christians in a village which is a small unit. It is a place where communities live together. I would not have provided for the representation of Adi-Dravidas had it not been for their depressed state. I am sure in their case all members will understand that, owing to their depressed state which in the majority of caste Hindus have committed against them—even Christians and Muhammadans have committed this against them—all the communities, viz., the Muhammadans, the Christians and all others can walk in the temple streets, while on the other hand these poor unfortunate Adi-Dravida people are not allowed to walk, or even enter the street at all. That is the only reason why we feel that there ought to be representation by reservation for Adi-Dravidas, so that the majority communities may understand that the former are individuals in the ordinary order of things. That is the only reason why seats are reserved for Adi-Dravidas. I do not think the same reason exists in villages in the case of Muhammadans or Christians. If in a particular village the majority communities are Christians or Muhammadans, I may assure the House from my experience of the villages that they can very well get their representation through the general electorate. I therefore appeal to the hon. Member to withdraw his amendment."

8-30 p.m. The amendment was put and declared lost.

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A poll was demanded and the House divided thus :—

Ayes.

- | | |
|---|---|
| 1. Rao Sahib P. J. Gnanavaram Pillai. | 7. Mr. S. Arpudaswami Udayar. |
| 2. Diwan Bahadur P. C. Kthirajulu Nayudu. | 8. Khan Bahadur P. Khalif-ul-lah Sahib Bahadur. |
| 3. Khan Bahadur S. K. Abdul Kaseck Sahib Bahadur. | 9. Mr. K. Ramachandra Padayachi. |
| 4. The Kumara Raja of Venkatagiri. | 10. " G. R. Premayya. |
| 5. Mr. B. Ramachandra Reddi. | 11. " J. A. Saldanha. |
| 6. Rao Bahadur C. S. Ratnasabhapati Mudaliyar. | 12. " K. Uppi Sahib. |

Noes.

- | | |
|---|---|
| 1. The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur. | 22. Rao Sahib V. I. Muniawami Pillai. |
| 2. " Mr. A. Y. G. Campbell. | 23. Mr. S. Subramanya Mooppanar. |
| 3. " Mr. M. R. Seturathnam Ayyar. | 24. Mr. S. Venkayya. |
| 4. " Mr. S. Muthiah Mudaliyar. | 25. Mr. C. Govindan Nayar. |
| 5. " Dr. P. Subbarayan. | 26. Mr. T. G. Rutherford. |
| 6. Dr. (Mrs.) Muthulakshmi Reddi. | 27. Diwan Bahadur B. Muniawami Nayudu. |
| 7. Mr. H. A. Watson. | 28. Rao Bahadur C. Natesa Mudaliyar. |
| 8. Mr. A. G. Leach. | 29. Mr. A. Ranganatha Mudaliyar. |
| 9. Mr. J. Gray. | 30. Diwan Bahadur S. Kumaraswami Reddiyar. |
| 10. Mr. S. V. Ramamurti. | 31. Mr. T. K. Chidambaramatha Mudaliyar. |
| 11. Mr. C. B. Coitlerell. | 32. Rao Bahadur S. Ellappa Chettiyar. |
| 12. Mr. M. A. Manikkavelu Nayakar. | 33. Mr. K. P. Raman Menon. |
| 13. Rao Sahib R. Srinivasan. | 34. Mr. R. Nagan Gowda. |
| 14. Mr. H. B. Ari Gowder. | 35. Mr. C. R. Parthasarathi Ayyangar. |
| 15. Mr. A. S. Shetty. | 36. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 16. Mr. J. Bheemayya. | 37. Mr. K. Sarabha Reddi. |
| 17. Mr. Muppi Nayar of Kavalappara. | 38. Mr. Chavadi K. Subramaniam Pillai. |
| 18. Mr. J. Kuppaswami. | 39. Swami A. S. Sabajenandam. |
| 19. Subadar-Major S. A. Nanjappa Bahadur. | 40. Mr. V. Ramjee Rao. |
| 20. Mr. K. Krishnan. | |
| 21. Mr. M. V. Gangadhara Siva. | |

Neutral.

- | | |
|---|-----------------------------|
| 1. Khan Sahib Syed Tajudin Sahib Bahadur. | 8. The Raja of Kallikota. |
| 2. Mr. V. Ch. John. | 9. Mr. O. E. Wood. |
| 3. Mr. B. Foulkes. | 10. Mr. F. E. James. |
| 4. Mr. C. D. Appavu Chettiyar. | 11. Mr. A. J. Leach. |
| 5. Mr. W. P. A. Soundara Pandiyan. | 12. Mr. E. J. C. Robertson. |
| 6. Rao Bahadur Sir A. P. Patro. | 13. Mr. S. N. Dorai Raja. |
| 7. Mr. P. T. Rajan. | 14. Mr. L. K. Tulaciram. |

Ayes 12. Noes 40. Neutral 14.

The motion was negatived.

Mr. J. A. SALDANHA :—"Sir, I move the following amendment :—

'In the proposed sub-section (4) to section 9, for the word "one-fourth" substitute the word "one-third".'

"I find, Sir, that an amendment has been given notice of for substituting one half for one-fourth. There are very many minority communities

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which have to be represented on the local bodies. Besides them, women also have to be represented. I request hon. Members to raise the figure 'one-fourth' to 'one-third'. The hon. the Minister will find it very difficult to decide which communities ought to be represented. Every one of these communities—Muslims, Indian Christians, Adi-Dravidas, Women, Europeans, and Anglo-Indians—would like to send their representatives. There will be a large number of deputations, applications, etc., demanding representation for each of these communities. The position then will be worse than it is now when we have nominations. In a small municipality of 16 members, one-fourth of the number will be only four. If the proportion is one-third, then the number of seats to be reserved will be more. In the larger municipalities with 32 members, about 10 members will represent the minority communities. If we have communal representation, let us do justice to all communities. In order to have fair representation of all communities, I urge that the proportion be raised to one-third."

* Rao Sahib R. SRINIVASAN :—"Sir, I second the amendment moved by the hon. Member, Mr. Saldanha. It would be better if the proportion of reserved seats be one-half of the total strength of the councils; it must be at least one-third as Mr. Saldanha suggests. In course of time, as people take to general election, this proportion may be reduced to one-fourth or even less than that."

* Mr. K. UPPI SAHIB :—"Sir, I support this motion."

"The number of seats reserved should be one-third the total number of seats. I am glad that seats are to be reserved for Muhammadans. But I say we are getting this reservation at a very high price. Once seats are reserved for particular communities, the chances of the members of these communities being elected by the general constituencies will be very small. If a Muhammadan stands for a general constituency, he will be told by the people: 'why do you want our votes; you can stand for the reserved seat.' If the proportion of reserved seats is only one-fourth, then only six seats will be reserved in the case of local boards having 24 seats. They have to be divided between Muhammadans, Indian Christians, Anglo-Indians, Europeans and Adi-Dravidas, both Hindus and Christians. Where is the chance of two Muhammadans coming in? I think that reservation of seats is worse than nomination of members. I say we are paying a very high price for the reservation of only one seat. Unless the hon. Minister increases the number of reserved seats, I would say as a representative of the Muslim community, that I am not for reservation of seats and that the Muhammadans will take their chances with their brethren in the general electorate. I say, therefore, that reservation of seats is a blow to Muhammadans."

* The hon. Dr. P. SUBBARAYAN :—"Mr. President, Sir, I have already stated in connection with the District Municipalities Bill, that it is not right to accept reservation of more than one-fourth the total number of seats, because even to-day nominations are reserved only for one-fourth of the number of seats available in a particular municipality. Mr. Uppi Sahib said that the Muhammadans would be worse off under the proposed system of reservation than under the present system of nomination. I do not think he is correct, because even under nomination, the minority communities

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cannot be nominated to more than one-fourth of the total number of seats as provided in the Act itself. As some hon. Members have pointed out, nomination does not mean that the nominated member should come from that particular community. Even people belonging to majority communities have been nominated. Under this provision the minority communities will be entitled to one-fourth the number of seats provided for in the Bill. It is but fair that the majority communities should have a major number of seats. If Muhammadans and Christians happen to be in a majority in particular municipal councils as is the case in Vaniyambadi and Vellore, there will be a large number of the representatives of such communities on such councils. I think Mr. Uppi Sahib is wrong in thinking . . ."

* The hon. the PRESIDENT :—"We are now on the Local Boards Bill."

* The hon. Dr. P. SUBBARAYAN :—"Even where the Muslims are not in a majority, the Muslim community will get a fair number of representatives. Under these circumstances, I do not think I can accept the amendment of Mr. Saldanha."

* The hon. the PRESIDENT :—"The question is that in sub-section (4) of section 9, for the word 'one-fourth' the word 'one-third' be substituted." 2- P.

The amendment was negatived.

* Rao Sahib R. SRINIVASAN :—"I move, Sir, that this sub-section (5) be deleted. The last clause in this sub-section says 'if at the last census, such community constituted more than one-half of the total population of the district or taluk.' It may be that so far as the other communities are concerned, they may not come up to a half of the total population; but so far as the depressed classes are concerned, they may even constitute three-fourths of the total population of the district or taluk and they may not on that account be able to secure any reserved seats. I hope, therefore, the hon. the Chief Minister will not refuse to give them representation even in cases where their population exceeds one half of the total population."

Rao Sahib V. I. MUNISWAMI PILLAI :—"I second the amendment, Sir."

* The hon. Dr. P. SUBBARAYAN :—"Sir, I do not think Mr. Srinivasan need have the fears that he has. As far as I know, there is not a single district or taluk board where the Adi-Dravida population is likely to be more than one-half. So, his fears are really unfounded."

* The hon. the PRESIDENT :—"The question is that sub-section (5) of section 9 be omitted."

The amendment was negatived.

* The hon. the PRESIDENT :—"The question is that clause 7 do stand part of the Bill."

Clause 7 was put, passed and added to the Bill.

Clauses 8, 9, 10 and 11.

Clauses 8, 9, 10 and 11 were put to the House, passed and added to the Bill.

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Clause 12.

* Mr. R. NAGAN GOWDA :—" Mr. President, Sir, I move—

'In clause 12, the following be added as new sub-section (1) to section 15 and that the other sub-sections be renumbered :—

" 15. (1) A president of a district board shall be deemed to have vacated his office when he accepts nomination as a candidate for election to the Legislative Council or Assembly."

" Sir, this House will remember that the select committee that considered the Bill to amend the District Municipalities Act had made a provision by which the chairmen of municipalities would be deemed to have vacated their seats as chairmen when they were validly nominated as candidates for Legislative Councils or the Legislative Assembly. Sir, the reason that they must have had for making that provision hold good all the more powerfully in this case. The area that is under the control of a district board president is so very vast, the amount of work that he has to do is so considerable and the finances he has to control is so large that it would be rather very difficult for one who has to carry on the executive functions of the district board to be able to do the duties connected with his membership of the Legislative Council or the Legislative Assembly. The number of days that he will have to be absent from his district while attending the Legislative Council or Assembly meetings will be so great—not to speak of the select committees and other committees for membership of which he might legitimately aspire—that he will not have enough time at his disposal to carry on the work of the district board adequately and well. It might be suggested that the vice-president of a district board might do the work of a district board president. If so, by this motion, Sir I am only suggesting that the vice-president be allowed to become the president. My motion almost amounts to that.

" Again, Sir, I am not saying anything at all here about the influence, due or undue, which a person occupying the position of president of a district board is likely to bring to bear at the time of his election to the Council or the Assembly. Though that argument is not one that ought to be recognized, yet it is one that has to be kept in mind in considering this question. Therefore, Sir, I move that the district board presidents, when they stand as candidates for election to the Legislative Council or the Assembly, should be deemed to have vacated their seats as presidents of district boards."

* Mr. O. R. PARTHASARATHI AYYANGAR :—" Sir, in seconding this amendment, I shall say a few words. There are several presidents of district boards here who know very well the difficulties they are undergoing on account of the long sittings which they have to attend here. I do not mean to say that presidents of district boards have not got the genius enough to carry on any amount of work entrusted to them; but it appears to me that when a person accepts the post of president of a district board, he must make up his mind to initiate new lines of policy, new changes in the administration entrusted to him and try to carry out his duties more efficiently than many others before him have done. If that is to be the object with which every president of a district board approaches his duties, there could not be then so much necessity to complain about the administration of the district boards or even for the introduction of a Bill like this making so many changes in the present Act. What is wanted is a new angle of vision

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from which the president of a district board should approach his duties. There is plenty of work for him to do; for instance, in connexion with the roads in his district, with new roads for connecting the villages in his district, etc. We know that several committees are being formed in district boards for the purpose of finding out how a particular defect is to be remedied, either in the matter of road-making or in the matter of educational institutions which are increasing in number and are under the management of district boards. We hear many complaints about education of the right stamp not being imparted and people not being educated in the proper manner. If the presidents of district boards will take the subject of education alone, they will find that their hands will be full in finding out the various methods by which education might be given to the pupils entrusted to their care. In the matter of imparting religious education, for instance, how many presidents of district boards have thought it worth their while to see that the children who are going to the schools maintained by the district boards are trained in the religion of their forefathers? What attention is being paid to the formation of their character? I do not say that nothing is being done, but I say there is much more to be done. This is not a slur on any president of a district board sitting here; I only mean that a good deal more can be done. They cannot say: 'Oh, it is a question of the Education department, I have nothing to do with it.' They cannot also say that religion is a neutral subject or something like that. There are also a number of other departments to which the presidents of district boards can give immediate attention. Thus, there is plenty of work for them to do, and if only they care to see that the work of the district boards is done more efficiently, they will have their hands full. I can go on, Sir, multiplying instances. This is the time for presidents of district boards to take the initiative in many respects with great advantage to the community at large. As I said, apart from any other considerations, on the question of educational facilities alone, the presidents of district boards will be fully engaged for some time to come; and if all these duties are to be entrusted to the subordinates of the district board for being attended to, surely they will not be efficiently done, at least as efficiently as if the president himself could attend to them. Moreover, the president himself by the way in which he tackles these problems can inspire his subordinates with his zeal and enthusiasm for work and that is the type of men that we want as presidents of district boards. If that is to be done, Sir, I think there is plenty of work for the presidents and they can leave a legacy to their successors of their noble and unselfish work."

* Rao Bahadur Sir A. P. PATRO :—" Mr. President, Sir, after the homily read by the hon. Member from Chittoor, I find myself at sea as to what I should learn from him. I am inclined to sit at his feet and learn words of wisdom; for I feel that I would never be a practical businessman. But apart from that, Sir, the hon. Mover of this amendment has stated that the one great reason in support of it is that if presidents of district boards were to become members of the Legislative Councils or the Assembly, they would deprive the district boards of their usefulness to them and hence they should not be allowed to become members of Legislative Councils or the Assembly, and hence a ban should be placed on the presidents of district boards soon after their nomination has been announced for any particular seat in the Council or the Assembly. On the other hand, Sir, I should think that

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that is a very great qualification; for, the vast experience and knowledge of the presidents of district boards can be utilized with great advantage in the Councils and the Assembly for the purpose of assisting the enactment of not only legislative measures occasionally but also in the every-day work of the Councils and the Assembly. We have ample and notable instances of it here in our own Council. We have got here very respectable and highly qualified persons whose experience is so very invaluable that we should consider it a pity if a ban were to be placed upon them. Local Self-Government is a field for the training of future politicians and administrators. I am sure the hon. Member from Bellary, Mr. Nagan Gowda, if he reconsiders his position in the light of the knowledge and vast experience of these presidents of district boards that are placed at our disposal, while we are discussing these two important Bills, viz., the District Municipalities Amendment Bill and the Local Boards Amendment Bill, then he would not move this amendment.

4 p.m. "Sir, if we consider how far this principle is followed or accepted in other countries, we find, there is hardly any country in the world where men with sufficient experience in non-official bodies are deprived of the right or privilege of serving wider areas than their own districts. I have known friends presidents of county boroughs. For instance, the county borough of Cambridge is a very large county and the president of that county borough is sitting in Parliament. There are other presidents of county councils who are also members of Parliament. They are very useful both to the Parliament and to their constituency. It is advantageous that presidents of district boards should be members of the Assembly and they will not only represent the interests of the boards there, but they represent a wider area of the whole presidency. Hence, Sir, I should have welcomed such a proposal. Instead of encouraging and inspiring courage into the district board presidents to stand for election to the councils, the placing of a ban upon them is really a surprise to me. Sir, I am glad that the hon. the Mover of this amendment has adduced no other reason, except the fact that the presidents of district boards will not have sufficient time to devote themselves for their work in the districts and therefore this restriction should be placed upon them. If he had said of the undue influence they would exercise by being presidents of district boards over the minds of the electorate, and hence they should be deprived of the privilege, etc., I could understand him. But, in this case, the only reason he has adduced is that they would be deprived of their usefulness to their district and therefore they should not be allowed to serve in a wider field of the Government of India. I submit, Sir, the reason that has been adduced in support of this motion is so weak and unacceptable, and, I am sure, the House will reject this motion wholly."

* Mr. J. A. SALDANHA :—"Mr. President, Sir, my hon. Friend Sir Patro's speeches are always provocative of thought or contradiction. In regard to this matter, the very reasons he gives are self-contradictory. His very reasons can be adduced for supporting the amendment. It is not intended by this amendment to prevent gentlemen—or ladies who may hereafter become members of the various boards (Laughter)—to stand for election to the Legislative Councils or the Assembly. What the hon. Mover intends to say is that as soon as the president of a taluk board stands for election to a legislative body, he must cease to be a member of the local board

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concerned and that for very good reasons. Firstly, there is temptation for abuse of the powers which he possesses and there is also the danger of such misuse of such powers. I find that members of local boards have got great powers, especially if he happens to be the president of a local board, his powers are greater and he becomes more of an autocrat. He poses himself that he is bigger than a Collector, because in the case of the Collector, there is some authority to control him, like the Board of Revenue, but according to the present Act the district board president is more an autocrat than the Collector even. So, the danger is the temptation to abuse the powers and he moreover largely influences the electorate if he stands for election to the Legislative Council.

"A member of a local board, especially if he happens to hold the office of president, has got so many multifarious duties that he cannot adequately attend to his functions as a member of a legislative body. Now, Sir, my hon. Friend, Sir Patro, pointed out that if this Bill contains any virtues or merits, it is due to the influence of the presidents of taluk boards and district boards and chairmen of municipalities. But, I say, there are many defects in the Bill, which are due to the influence of the chairmen of municipalities and presidents of taluk boards and district boards who were on the Select Committee, who tried all their influence not to get themselves rid of the powers which they now enjoy. When any amendments were proposed by us, they were thrown out saying that they wanted to consult the district boards and so on. The fact that the Select Committee was impervious to the new ideas was due to the influence of the presidents of taluk boards and local boards who were represented on the committee, because they wanted to perpetuate a system which has been so much abused. Throughout, their experience has been more a deterrent to any improvement being made in this Bill, so that we have, instead of a democratic Bill, a sort of aristocratic Bill. Of course, the hon. Dr. Subbarayan, the Chief Minister, is himself an aristocrat. Surely, therefore, he has yielded to the temptations of his friends. I doubt very much whether he will support this amendment. I therefore want to appeal to this House that the reasons given by my hon. Friend, Sir Patro, can very well be reasons for supporting this amendment. I hope this House will accept the amendment before the House."

* Mr. A. RANGANATHA MUDALIYAR :—"Sir, I have bestowed much attention to what my hon. Friend, Mr. Nagan Gowda, said in moving this amendment. His idea is that the president of a local board should vacate his office even at the time of his nomination. If the House would remember, what was proposed to be done in regard to the municipal councils was that after they were elected to the council, they should be considered to have vacated their office. There is something to be said in favour of it. But, my hon. Friend Dr. Nagan Gowda's proposition is not that. Sir, Dr. Nagan Gowda's main points are: firstly, that the presidents of local boards would use their influence and bring it to bear on the voters at the time of their elections. After all, Sir, we have presidents and presidents. It may be, for the moment, we have more bad presidents than good presidents. But we have also to consider, in this connexion, the question that, if a man is really useful as president of a district board, I do not think that he should be penalized for holding that position and debarred from being useful in a wider field. In England and elsewhere, it has not been uncommon that corporation presidents and people in charge of county councils have made excellent members when they were transferred to Parliament. Such things may also happen here also.

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The other thing is the work they have to do is as president heavy enough and would suffer, if they are also members of the councils. We know the activities of our hon. Friend, Dr. Nagan Gowda, sufficiently well in this Council. And, I may assure the House that his activities elsewhere are not less onerous than they are here. He is the President of the Sale Loan Society in Hospet; he is the President of the Agricultural Society in Hospet; he is the Director of the Central Bank and Secretary of the District Co-operative Federation and a Director of the Supervising Union in Hospet; he is a taluk board member; a member of the Excise Advisory Committee and he is also the Chairman of the Municipal Council in Hospet. But, Sir, though he has so many duties, there is not one among us who wish that he should dissociate himself from any one of those numerous activities with which he is associated, for the simple reason that though he may not be able to devote all his time to each and every one of them. He does far more even within the limited time at his disposal than many another so-called whole-time worker. We therefore do not wish to deprive ourselves of the experience of people such as Dr. Gowda. I would therefore ask Dr. Nagan Gowda to withdraw his amendment." (Hear, hear.)

The amendment was by leave of the House withdrawn.

Clauses 12 to 16.

Clauses 12, 13, 14, 15 and 16 were put, passed and added to the Bill.

Clause 17.

Section 22-A (2).

The hon. Dr. P. SUBBARAYAN :—" Sir, I move

'In line 3, before the word "absent" the word "continuously" be inserted.'

"Sir, this is similar to the amendment which was carried in the District Municipalities Act and is intended to bring it into line with that."

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

The amendment was put and adopted.

* Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" Sir, I move the following amendment :—

'In section 22 (A) (2) for sub-sections (b) and (c) and the portion following substitute the following :—

(b) in the case of a taluk board, any member thereof appointed for that purpose by the President, District Board; and

(c) in the case of a Panchayat, any member thereof appointed for that purpose by the President, Taluk Board, shall convene a meeting for the election of a president; and until a new president or vice-president is elected and assumes office or the vice-president returns to jurisdiction or recovers from his incapacity, as the case may be, the said collector or member shall exercise the functions of the president."

"Sir, this amendment seeks to bring the Bill substantially into line with the Bill originally introduced by the Government. In the original Government Bill, the provision made was that 'in the case of a vacancy of a district board presidentship and the absence or incapacity of the vice-president, any officer appointed by the Local Government shall function for

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[Mr. S. Kumaraswami Reddiyar]

the time being and discharge the duties of a president'. In the case of a taluk board, the same provision as I am now seeking to introduce had been made. That is, any member of a taluk board who is appointed by the president of the district board shall function as president and in the case of a panchayat, any member of the panchayat who is appointed for the purpose by the president of the taluk board. The only difference that I have introduced is that in the case of the district board, instead of the officer appointed by the Local Government, what I want is, that he shall be the collector who will function as the president under the circumstances mentioned in the section. My object in making this small change is that when an occasion arises for an officer, who is neither a president nor a vice-president, to function, if the Local Government is to appoint a substitute, that will necessarily mean delay. Somebody has to report to the Government that such a contingency has arisen and it is only after that the Local Government can appoint a substitute who will function as president and there will be great difficulty in finding out that somebody who will report to the Government, that there is neither the president nor the vice-president. So, in order to obviate the difficulties that may arise, I have suggested that the collector who is the officer on the spot may function as the president and may convene meetings for the election of the president. In the case of taluk boards and panchayats, it is only restoring the provisions of the Bill as it originally stood. I therefore submit that this provision in the Bill, as it was found originally, may be accepted by the House."

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—" I beg to second it."

* The hon. Dr. P. SUBBARAYAN :—" Sir, I have no objection to the amendment as it only brings into line the provision of the Bill with that of the original Bill introduced in the House." 4-15 p.m.

The amendment was put to vote and adopted.

Clause 17 as amended was put, passed and added to the Bill.

Clause 18.

* The RAJA OF KALLIKOTE :—" Mr. President, Sir, I beg to move 'that in clause 18, section 23 (2), in line 3, after the words "those of" the word "transferring" may be inserted.'

"I think this power of transferring should also be reserved by the president of the district board, especially in view of the fact that the president can reserve to himself the power of reducing, removing, promoting and dismissing a servant of the board. Hence I do not see why this power of transferring should not be kept by the president.

"I also move

'that in line 4, between the words "reducing" and "removing" insert the word "suspending".'

"I think this power also is essential to be retained by the president.

"I also move, that in line 6 after the word 'vice-president' add the following :—

'and the president can exercise these functions even if he is absent from jurisdiction.'

"Sir, this amendment is introduced to get over the difficulty, chiefly from the audit point of view, as these people sometimes say that presidents of district boards cannot exercise these functions when they are away from their jurisdiction."

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Rao Bahadur Sir A. P. PATRO :—"I second it."

* The hon. Dr. P. SUBBARAYAN :—"I am afraid, I cannot accept these amendments. I will merely refer to the third amendment, as put on the agenda paper, namely, 'and the President can exercise these functions even if he is absent from jurisdiction.' This is a very curious thing, because, if the President exercises jurisdiction and also the Vice-President and there is some difference of opinion between these two men, this will lead to great conflict. Even in the other cases there is no necessity to take away the power of transferring and suspending from the Vice-President. So I cannot accept the amendments."

The amendments were, by the leave of the House, withdrawn.

* The hon. Dr. P. SUBBARAYAN :—"Sir, I beg to move that in line 4, section 23 (4), the word 'member' be omitted. This motion brings the Bill into line with the District Municipalities Bill as amended by the Select Committee. The clause as it stands is a delegation of executive powers to the Council. The addition of the word 'member' was carried in the Select Committee notwithstanding the opposition from several members. I hope the amendment will be carried."

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

* Mr. A. RANGANATHA MUDALIYAR :—"Sir, I am not able to understand the full significance of the amendment moved by the hon. the Chief Minister. He wants the word 'member' to be omitted. Then the words 'officer or servant of the board' remain. He has no objection to the President of the District Board delegating his executive functions to these people; but he has objection to such delegation to any member of the council."

* The hon. Dr. P. SUBBARAYAN :—"Sir, I said the object of the amendment is to bring the provision of the Bill into line with the District Municipalities Bill."

* Mr. A. RANGANATHA MUDALIYAR :—"His other reason for saying so is, that this power cannot be delegated to a member while there was a Vice-President under him. I ask, Sir, whether the same objection will not hold good to the delegation of power to the officer or servant of the board. I am really unable to understand the amendment of the hon. the Chief Minister. I think it is a matter which requires further consideration, and therefore I wish to oppose it."

* The hon. Dr. P. SUBBARAYAN :—"I withdraw the motion."

The amendment was by leave of the House withdrawn.

Clause 18 was put, passed and added to the Bill.

Clauses 19 to 28.

Clauses 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28 were put, passed and added to the Bill.

Clause 29.

* Mr. R. NAGAN GOWDA :—"Mr. President, I move.

'that in section 36, clause 29, in line 2, for the word "taluk" the word "district" be substituted, that a full stop be placed at the end of line 4, and that all the words in line 5 be omitted.'

"Sir, in asking this House to accept this amendment I wish to give the House an idea as to why the panchayats should be directly controlled only

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by the district board. Sir, before I go to the subject of the advantages that we would have in having the panchayats directly under the control of the district board I will state some of the difficulties that are now being felt in the working of the panchayats, first, in regard to the question of organization and next with regard to the question of estimates for roads, etc., to be carried on within the area. In many of the taluk boards, the presidents are not at all enthusiastic about either the organization or the existence of the panchayats. And this, Sir, for a number of reasons. But I will mention only a few. The chief reason is that the existence of the panchayats devours a great deal of the income of the taluk boards. For as the House may be aware, a good part of the income of the taluk boards is mainly derived from the ferries, markets and choultries that are located in the villages. Now if the panchayats come into existence a great deal of this income will go to the panchayats themselves. The taluk boards do not want to lose this income. Then if the panchayats were to be left in the control of the taluk boards they would not be in a position to finance the agencies that would be required to cope with this work. As it is, the funds of the taluk boards are very meagre. And even the meagre funds available are earmarked for a number of purposes which are quite essential. For this reason the taluk boards do not want to have panchayats.

"This Act further provides for the appointment of a panchayat organizer in the district board area and it is provided that this organizer ought to be in direct connexion with the district board. Now if the panchayats are to be under the control of the taluk boards, the panchayat organizer will have to be under the control of half a dozen or more taluk board presidents. And consequently the efficiency of his work would suffer a great deal.

"As a matter of fact, Sir, under the existing Act of 1920, a move has been taken during the last few months by the Government to decentralize the work of the Inspector-General of Panchayats and the step taken in that respect is to devolve some of the work of the Inspector-General of Panchayats on the Collectors of various districts. Now the Collectors are empowered to be in control of the panchayats, at least those panchayats which are doing considerable amount of good work. Now a natural consequence of this move will be to make the district board presidents take the place of the District Collectors and make them carry on the work that is now carried on by the Collectors. I think, Sir, we can well imagine the district as a unit in the Presidency with the district board president almost taking the place of the Collector. In many of the districts there would not be more than a 100 or 150 panchayats with about a thousand population each. Sir, you can well imagine the idea of the district being a unit in which the village panchayats constituted for all villages consisting of a population of more than a thousand people directly under the control of the district board carry on the work of rural sanitation and other rural amenities without being in any way put to the necessity of going to the provincial Government for any of their necessities. Therefore, Sir, I move that the House may accept this amendment."

Mr. C. R. PARTHASARATHI AYYANGAR :—"I second the amendment."

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

'In line 2, for the word "taluk" substitute the word "district" and place a full stop at the end of line 4, and omit all the words in line 5.'

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* Diwan Bahadur B. MUNISWAMI NAYUDU :—" Sir, I can very well appreciate the difficulty of my friend, Mr. Nagan Gowda, in his anxiety to see that panchayats are entrusted to the district board instead of to the taluk board. His main objection seems to be that taluk boards have not taken interest in the constitution and improvement of panchayats and also that there are cases in which there have been conflicts in the matter of the distribution of finances and adjustment of the share between the taluk board and the panchayat. While we are very anxious that as far as panchayats are constituted, organized and helped to work, it would not be right that the whole of the work is entrusted to one central body like the district board because it has a lot of work of its own and I think it would not be possible for the district board to do all the work connected with panchayats in a large number of villages. I think, Sir, the hon. Minister will bear me out and I am sure Mr. Ranganatha Mudaliyar will also bear me out that there have been cases where the presidents of taluk boards have taken a very keen interest in the panchayats. There is the case of Tiruvottiyur Taluk Board and other taluk boards where presidents have done excellent work. Is it right to take away such opportunities to take such interest? In all such cases, opportunities should be given to the presidents of taluk boards. And I am sure, Sir, that in future if the administration of the presidents of taluk boards be judged by the interest they take in panchayats they will take more interest in the matter of the organization of panchayats than the presidents of district boards.

"After all the special officer who will be entrusted with the work of supervision will discuss with the presidents of the taluk boards and see what should be done in cases in which the president of a taluk board does not take interest.

"I think, Sir, the future of the panchayats lies more in the hands of the people, and presidents of taluk boards who have got a smaller area to look to could visit and advise panchayats and provide the required enthusiasm. These people could substantially help even by a grant from the taluk board funds. For these reasons, I would request Mr. Nagan Gowda not to press the amendment. It will not be possible for the president, district board, to devote all the attention with regard to these panchayats. The Bill as amended by the select committee provides that where presidents of taluk boards do not take interest presidents of district boards could interfere. A small proportion of taluk boards is not possibly in touch with the panchayats. It is not right on this account to take away the power from taluk boards. The taluk boards will have to share the income from markets and other things and they will have to share in the administration of fairs and festivals. It is absolutely necessary that panchayats and taluk boards should work in strict co-operation and I hope to see, Sir, the day when taluk boards will be the agency through which the village panchayats would work."

The motion was put to the vote and negatived.

* The hon. the PRESIDENT :—" The question is that clause 29 shall stand part of the Bill."

The motion was adopted and clause 29 was added to the Bill.

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Clause 30.

* The hon. Dr. P. SUBBARAYAN :—" I move—

'In line 1, section 37-A, for the words "any officer" substitute the words "The district collector or any other officer".'

"This amendment seeks to restore the provisions of the Bill as introduced in the Council except with reference to notice which of course has also been taken off in the District Municipalities Bill."

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

The amendment was by leave of the House withdrawn.

The hon. Dr. P. SUBBARAYAN :—" I move—

'In line 1 in section 37-C for the words "or any officer", substitute the words "the district collector or any other officer".'

"This is in order to restore the powers that were vested in the District Collector in the original Bill so that he could take action when cases of emergency arose."

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

* Diwan Bahadur B. MUNISWAMI NAYUDU :—" Sir, the question was largely discussed in the select committee and there was no objection to the District Collector being the person appointed to supervise. It may be that, in certain cases, other persons may be thought of. Though some times the Government may authorize the District Agent to do this work, it may be that a day will come when we would think of other officers. It was in these circumstances that, in the select committee, it was dropped. I do not think, Sir, that in the District Municipalities Act, we have restored any provision like this. On the other hand it was the District Collector that played the part which under the Local Boards Acts local bodies were playing. I therefore think that the Minister would not press his amendment."

The amendment was by leave withdrawn.

* The hon. the PRESIDENT :—" The question is that clause 30 shall stand part of the Bill."

Clause 30 was passed and added to the Bill.

Clause 31.

* The hon. Dr. P. SUBBARAYAN :—" I move—

'After sub-section (2) of section 38, add the following sub-section, namely :—

"(3) If, in the opinion of the District Collector, immediate action is necessary in the public interests, he may suspend the resolution, order, licence, permission or act, as the case may be, and report to the Local Government, who may thereupon either rescind the Collector's order or, after giving the authority or person concerned a reasonable opportunity of explanation, direct that it continue in force with or without modification permanently or for such period as they think fit."

"This amendment restores the provisions of the Bill except in regard to 'notice' and as I said in regard to the District Municipalities Bill this leaves the discretion to rest in the officer of the locality concerned so that in

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cases where an emergency action has got to be taken, he may be able to take it without any reference or authority but of course it is circumscribed by the fact that a reasonable opportunity will be given to the people whose resolutions have been cancelled and also by the fact that the order passed would become final only if the Local Government confirmed it."

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

* Diwan Bahadur B. MUNISWAMI NAYUDU :—" Sir, a similar provision was discussed in the District Municipalities Bill and I moved an amendment there. I also move a similar amendment here :

'For the words "in the public interests" substitute the words "in any of the cases falling under clause (c) of sub-section (1) (ii) "'

"I do not want to say anything in support of it because we want to give power to the Collector in cases only where there is risk of riots or other disturbances."

The motion was duly seconded.

The hon. Dr. P. SUBBARAYAN :—" I accept the amendment."

4-45 p.m. * Mr. A. RANGANATHA MUDALIYAR :—" Sir, is it the accepted amendment that is now before the House for discussion ?"

* The hon. the PRESIDENT :—" I will now put the amendment of Mr. Muniswami Nayudu to the vote of the House."

"The question is :

'In the amendment of the hon. the Chief Minister for the words "in the public interest" substitute the words "in any of the cases falling under clause (c) of sub-section (1) (ii) "'

The motion was put and carried.

* The hon. the PRESIDENT :—" Now the amendment of the Chief Minister as amended is for the consideration of the House."

* Mr. A. RANGANATHA MUDALIYAR :—" Sir, I think I must object to the amendment as amended even. Sir, you will see that the Collector's authority is invoked with regard to cases where danger to human life, health or safety is apprehended. As has been already stated once before, in all these cases the District Magistrate in his capacity as District Magistrate has power to interfere and the law provides some safeguards for the district boards to have a proper enquiry, a proper defence and a judicial decision. Now, in this section you are taking away all those safeguards. You are giving the same person in his executive capacity as Collector a power which in my opinion he should not be given. We are all pleading for the separation of judicial and executive functions. But here we are sitting in this House trying to vest in the executive officer more judicial powers than he need be entrusted with. I think it is against all the principles which this House has more than once enunciated. Therefore I would ask this House to vote against this amendment."

* Rao Bahadur Sir A. P. PATRO :—" Sir, I regret I am unable to accept what my hon. Friend from Bellary has stated. It seems to me that there is a misunderstanding as to the position of the District Collector now. Though the District Collector has now no power over the president of the local bodies and has been relieved of many other functions, but still I think he is the combining force in the district and an independent factor in the administration of the district. Both as an independent factor and as a combining

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[Sir A. P. Patro]

force of all the conflicting groups, it is necessary that there should be some power vested in the District Collector. The District Collector will have detailed knowledge of the condition of things in the district. He will know men and matters and therefore power should be vested in him to be able to intervene in case of emergency. This motion as amended means that in particular cases where there is need for independent interference this power should be invoked. It seems to me that it is wrong in principle and wrong also from an administrative point of view that the District Collector should not have the power of interference in matters of local administration. I do not wish to suggest that the local administration should still be under the leading strings of the District Collector. The amended Act has divested the Collector of many of these powers and functions. But we find that there is a great necessity that there should be a certain power which could be wielded in times of emergency when there are factions in rural areas. This power the District Collector should retain in order that he may be able to intervene in cases where there are party quarrels and disagreements in the local bodies and prevent deadlocks. The hon. Member from Chittoor has, by his amendment, no doubt, restricted that power. For my part, I would go the whole length of the amendment proposed by the hon. Minister and vest this power in the Collector so that this independent officer may be there to arbitrate between the conflicting elements instead of exercising powers under section 114, Criminal Procedure Code. As we know the social conditions in the districts, it is necessary that there should be this emergency power in an officer who would not identify himself with any of the parties or with the local interests. Considering it from an administrative point of view also, it is very necessary that this power should be vested in the District Collector."

* Mr. O. R. PARTHASARATHI AYYANGAR :—" Sir, the provisions of the Criminal Procedure Code and the general powers vested in the District Magistrate give him plenty of opportunities to take notice of anything untoward happening. (A Voice : Sections 107, 122 and 144.) Sir, the very words of section 144 are quoted in this section and section 133 is also mentioned. So that by copying sections 133 and 144 of the Criminal Procedure Code there is an exhaustive mention made of all possible cases where a District Magistrate may interfere. It is an unfortunate symptom pervading the municipalities that the District Collector is brought into requisition in his capacity as District Collector wherever possible and even in cases of very minor incidents. Apparently people who are responsible for this, cannot think of the administration of the district without thinking in terms of the District Collector also. When are we to be free from the apron strings of the District Collector so that our municipalities may be in a position to order their households in a proper manner? It shows that there is this doubt lurking in the minds of the framers of the Act that they cannot manage their affairs properly. That is a feeling which should not be echoed in this House. We dissociate ourselves from the view that in every possible emergency the District Collector should have a hand in the administration of the local boards and municipalities. It is a very diseased state of imagination which thinks in these terms."

"Now, Sir, the amended section as amended by the amendment of Mr. Muniswami Nayudu does not take the case beyond what is mentioned in sections 133 and 144 of the Criminal Procedure Code. I therefore strongly

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protest against the introduction of this amendment. It goes straight into the teeth of the agitation that we have been making, viz., that the executive should be as far as possible separated from the judiciary."

* Mr. K. P. RAMAN MENON:—"Sir, I join with Mr. Ranganatha Mudaliyar and Mr. C. R. Parthasarathi Ayyangar in opposing the motion which has been moved by the hon. the Chief Minister. The matter was discussed at some length in connexion with a similar amendment to the District Municipalities Act and, although the vote of the House was against it, I do not think we should lose all hope of success this time. The position is this. As the Bill emerged from the Select Committee, this power of suspension, etc., was vested in the Local Government whereas what is now sought to be done is to go back to the original Bill and make this power vest in the District Magistrate. I fail to see why the amendment which was tabled and adopted by the select committee should be given the go-by now and the original position restored. Further, Sir, in these days of rapid communication and quick transmission of information, how is it in any way a practical impossibility to work the provision as introduced by the select committee? If as a matter of fact there is any particular danger arising out of any particular act of a district board, the Government has the whole machinery of posts and telegraph at their disposal. The District Collector can at least get orders from the Government and the Collector can do what he thinks fit under the circumstances."

"Then again, Sir, as has been pointed out, there is the final authority vested in the District Magistrate as such under the Criminal Procedure Code to interfere in cases of emergency. When he has authority to do that, why should he be given further authority as District Collector to poke his nose into the affairs of the district board? I fail to see any reason for that authority being given to him when in another capacity, in his capacity as District Magistrate, he can interfere. After all, the attempt has all along been to make local boards independent of the District Collector or District Magistrate. If these attempts are to fructify, and, if, as a matter of fact, you are to allow them to have some sense of responsibility, you must give them responsibility and cut away the leading strings in which they have been there all these years. Otherwise there is no use in saying there is local self-government, there are district boards and taluk boards functioning properly. If this amendment is accepted these local bodies will become practically another department of the District Collector acting under this thumb and subject to his control in every detail. I therefore strongly support the position taken up by Mr. Ranganatha Mudaliyar."

* Mr. K. UPPI SAHIB:—"Mr. President, after hearing the hon. the Chief Minister yesterday and after hearing the speech he delivered in support of his amendment now before the House, I am afraid I am led to think that all his sympathies and all his wishes for India becoming a self-governing country and for India getting provincial autonomy for the provinces are merely lip-deep. Sir, what is this amendment going to effect? It is going to take away what little sense of responsibility and initiative the local bodies hitherto had. If we accept this amendment, local self-government in this province will become a farce. It will place the administration of the local bodies under the thumb of the Collector, under the thumb of one man. This will perpetuate despotism and nothing short of it. It will then be the despotie rule of the District Collector. Every resolution passed, every proposal

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[Mr. K. Uppi Sahib]

made and every suggestion by the local bodies will be liable to suspension by the word of command of one single man. Is this not despotism? Is this not autocracy that is being introduced in the administration of local bodies—our self-governing units? Is it in keeping with his desire for self-government for India? Is it in keeping with his desire for dominion status for India? He does not like to give to our local bodies what he wishes others to give him. Is this Bill an advance on the old Act? Certainly not. It is going to perpetuate and introduce a new autocratic rule or despotic rule. This will give the go-by to democracy. If this provision is made, part of the law, it will strangle democracy. What is the sort of Government we will have when democracy is introduced by one door and autocracy is introduced by the other. What is the sort of Government we are going to have in this country, I do not know, under these circumstances. How are the democratic institutions going to grow in the face of an amendment of this kind? The Chief Minister wants to reduce our Government to the ancient system of despotic rule. What will be the result if we accept this amendment? Surely the small vestige of responsible government that we have will disappear.

"Sir, my hon. Friend Sir Patro says that the Collector is the man who is responsible for the peace of the country. May I tell him that we have given the Collector sufficient weapons to preserve the peace of the country? When he finds friction and when he finds that the peace of the country has to be preserved, he can use the weapons the Government have given him."

* The hon. the PRESIDENT:—"The hon. Member will continue his speech to-morrow. The House will now adjourn and re-assemble at 11 a.m. to-morrow."

V

PAPER LAID ON THE TABLE OF THE HOUSE.

G.O. No. 3434 I., dated 25th November 1929, passing orders on the report of the committee appointed in G.O. No. 1244 I., dated 7th June 1927.

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

[28th January 1930]

APPENDIX I.

[Vide answer to question No. 1315 asked by Mr. S. Satyamurti at the meeting of the Legislative Council held on the 28th January 1930, page 650 supra.]

Officials, etc., to whom reference was made on the subject of the treatment of under-trial and special division prisoners.

Officials.

The Inspector-General of Prisons.
The Inspector-General of Police.
The Commissioner of Police.
All District Magistrates.
The Surgeon-General.
The Chief Presidency Magistrate.
The hon. the Chief Justice, High Court.

Non-officials.

The Secretary, Discharged Prisoners' Aid Society, Madras.
M.R.Ry. Diwan Bahadur G. Narayanaswami Chetti Garu.
" Rao Sahib P. Kadirvelu Nayanar Avargal, Secretary, Discharged Prisoners' Aid Branch Society, Vellore.
" Rao Bahadur Nelliappa Pillai Avargal, Secretary, Discharged Prisoners' Aid Branch Society, Tinnevely.

Members of Legislative Council.

M.R.Ry. Rao Bahadur Sir A. P. Patro, Kt.
" Rao Bahadur B. Muniswami Nayudu Garu.
" P. T. Rajan Avargal.
" Diwan Bahadur P. Kesava Pillai Avargal, C.I.E.
" S. Arpudaswami Udayar Avargal.
F. E. James, Esq.
M.R.Ry. A. Ranganatha Mudaliyar Avargal.
" Diwan Bahadur S. Kumaraswami Reddiyar Avargal.
" P. C. Venkatapati Raju Garu.
Khan Bahadur Khalif-ul-lah Sahib Bahadur.
M.R.Ry. K. P. Raman Menon Avargal.

List of non-officials whose replies were obtained and forwarded to Government by District Magistrates and the Commissioner of Police, Madras.

Anantapur.

1. M.R.Ry. Diwan Bahadur P. Kesava Pillai Avargal, M.L.C., C.I.E.
2. " G. Venkatasubba Ayyar Avargal.
3. " K. Venkatappa Garu.
4. " C. Obi Reddi Garu.

East Godavari.

1. M.R.Ry. Rao Sahib A. Rama Rao Pantulu Garu, B.A., B.L.
2. " P. Govinda Rao Nayudu Garu, B.A., B.L.
3. " S. Kameswara Rao Garu, B.A., B.L.
4. " Diwan Bahadur D. Seshagiri Rao Garu.
5. " Jupudya Seshagiri Rao Garu.

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West Godavari.

Nil.

South Arcot.

1. M.R.Ry. T. A. Sundaram Avargal, B.A., L.T.
2. Khan Bahadur V. G. Muhammad Khan Sahib Bahadur.
3. M.R.Ry. M. G. Parthasarathi Mudaliyar Avargal.
4. " K. M. Duraiswami Reddiyar Avargal.
5. " C. V. Srinivasachariyar Avargal, B.A., B.L.
6. " R. Srinivasa Ayyangar Avargal, M.L.C.
7. " S. Govindaswami Chetti Avargal.
8. Muhammad Ibrahim Sahib Maricar Sahib Bahadur.
9. M.R.Ry. P. R. Ramaswami Mudaliyar Avargal.

Guntur.

1. M.R.Ry. J. Venkataratnam Pantulu Garu.
2. " Kosarazu Ramayya Chowdari Garu.

Malabar.

1. M.R.Ry. B. S. Tripurantaka Mudaliyar Avargal.
2. " Rao Bahadur M. C. Krishna Varma Raja.
3. T. P. Kunhamad Sahib Bahadur.
4. M.R.Ry. S. Sankara Ayyar Avargal, B.A., B.L.
5. " Rao Sahib P. Govinda Panikkar Avargal, B.A., LL.B.
6. " Rao Sahib N. N. Rama Ayyar Avargal, B.A., B.L.
7. " K. N. Subba Rao Avargal.

Kistna.

1. Rev. Father J. Calderaro.
2. M.R.Ry. G. V. Appa Rao Pantulu Garu.
3. " G. Seetharama Rao Garu.
4. " G. Lakshmana Rao Pantulu Garu, B.A.
5. Dr. S. J. Eapen.

Chittoor.

M.R.Ry. V. Ramaswami Ayyar Avargal, M.A.

Nellore.

M.R.Ry. Rao Sahib A. Govinda Reddi Garu.

Chingleput.

M.R.Ry. P. Rangaswami Ayyangar Avargal.
" V. Vijayaraghavachariyar Avargal.

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Madura.

1. M.R.Ry. P. V. Subrahmaniya Ayyar Avargal, M.A.
2. " T. V. Rangaswami Ayyar Avargal.
3. " Rao Sahib P. S. Nallaswami Nayudu Garu.
4. " S. S. N. L. Lakshmanan Chettiyar Avargal.
5. " R. Narasimha Ayyangar Avargal.
6. Khan Sahib N. K. P. P. Ravuttar.
7. Rev. S. Munch, S.J.
8. Rev. M. S. Thiruthuvathasan.
9. Rev. Father M. Santappan, S.J.
10. M.R.Ry. L. Kumaramuthuvenkidathiri Nayakar Avargal.
11. " N. R. Seshayya Avargal.
12. K. Esuff Ravuttar Sahib Bahadur.

Coimbatore.

1. Muhammad Peer Sahib Bahadur.
2. M.R.Ry. P. N. Krishnaswami Ayyangar Avargal, B.A., B.L.
3. " C. S. Venkatachariyar Avargal.
4. " K. R. Asu Ganapathi Ayyar Avargal.
5. " F. B. Selvanayakam, B.A.
6. Dr. T. A. Raja.
7. M.R.Ry. P. N. Krishnaswami Ayyangar Avargal.
8. " B. A. Padmanabha Ayyar Avargal.

North Arcot.

1. M.R.Ry. T. R. Kuppa Reddiyar Avargal.
2. " K. S. Gopala Ayyar Avargal, B.A.
3. " E. M. Jesudason, B.A., L.T.
4. V. M. Muhammad Ghouse Sahib Bahadur.
5. D. Abdul Rahman Sahib Bahadur.
6. M.R.Ry. S. Satchithananda Sastri Avargal, B.A.
7. Rev. C. Sundaram, B.A., L.T.
8. M.R.Ry. W. Markanda Chetti Avargal.
9. Syed Abdul Ali Sahib Bahadur.
10. M.R.Ry. P. Nilakanta Ayyar Avargal.
11. Khan Bahadur Jahi Moulvi Ziyauddin Muhammad Sahib Bahadur
12. K. P. Santosh.
13. Mrs. Meshach Peter.
14. Dr. T. S. Devadasan.
15. Dr. R. P. Nathaniel.

Ramnad.

1. M.R.Ry. R. Narasimha Ayyangar Avargal.
2. " A. Ugrapandiam Pillai Avargal.

South Kanara.

1. M.R.Ry. N. Lakshman Rao Avargal.
2. Janab H. Hoosain Sahib Bahadur.
3. M.R.Ry. Rao Sahib J. J. Fernandez.
4. " Rao Sahib N. Venkata Rao Avargal.
5. Mrs. M. S. Sreshta.
6. Mr. M. Kundera.

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Kurnool.

1. M.R.Ry. D. Subba Rao Garu.
2. " M. Chowdeswara Rao Garu, B.A.
3. Umirulumra Sahib Bahadur.
4. M.R.Ry. R. Hanumantha Reddi Garu.
5. " K. Busmva Chetti Garu.

Trichinopoly.

1. M.R.Ry. N. Ramaswami Ayyar Avargal, B.A., B.L.

Cuddapah.

Nil.

Tinnevely.

1. M.R.Ry. H. N. Thirumalaiswami Ayyar Avargal, B.A.
2. Sadhu Ganapati Pantulu, B.A., B.L.
3. M.R.Ry. K. S. Ponnuswami Pillai Avargal.
4. " T. S. Subbarama Sastri Avargal, B.A.
5. Rev. S. I. Balasundaram.
6. Dr. R. John Pillai.
7. M.R.Ry. K. V. Anantanarayana Ayyar Avargal.

Salem.

1. M.R.Ry. S. Aswatha Ayyar Avargal.
2. " Rao Sahib V. Srinivasa Rao Avargal.
3. " B. Narasimha Raju Avargal.
4. " T. Rama Rao Avargal.
5. M. Syed Khan Sahib Bahadur.
6. M.R.Ry. B. Thomas Avargal, M.A.
7. " K. R. Muthuswami Chettiyar Avargal.
8. " D. P. Cheenakrishna Chettiyar Avargal.
9. " V. N. Chellam Ayyangar Avargal.
10. Mr. T. C. Witney.
11. M.R.Ry. R. M. Savor, B.A.
12. " B. A. R. Kandaswami Chettiyar Avargal.
13. S. K. I. Abdul Rahiman Sahib Bahadur.

The Nilgiris.

- Khan Sahib S. Ismail Sait Sahib Bahadur.
 Khan Sahib Kasim Abdulla Sahib Bahadur.
 Major C. B. Morisse, I.M.D.
 A. K. Oosman Sait Sahib Bahadur.

Visagapatam.

- M.R.Ry. Appala Narasiah Nayudu Garu.
 " Y. K. J. Arryalu Garu.
 " Rao Sahib S. Ranga Rao Nayudu.
 Rev. Friedrich Huebner.
 Zamindar of Belgaum.
 Mr. Walter Elliot.

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Bellary.

M.R.Ry. K. Balappa Garu.
 Mr. E. D. Martin.
 M.R.Ry. Rao Sahib V. K. Chetti Garu.
 Rev. H. Sumitray.
 M.R.Ry. A. D. Tandava Mudaliyar Avargal.
 „ M. Venkataswami Garu.
 „ B. Thammi Reddi Garu.
 „ D. Krishnamacharlu Garu.
 „ I. Veeramalappa Garu.
 „ J. Rudriah Chetti Garu.
 „ S. K. Bhimasena Rao Garu.
 „ J. Pappiah Chetti Garu.
 Dr. N. Ramunni.
 Janab Abdul Nali Sahib Bahadur.
 „ D. Mohadeen Sahib Bahadur.

Tanjore.

M.R.Ry. K. S. Santhana Krishnan Avargal.
 „ S. Krishnamurti Rao Avargal.
 Rev. D. A. Samuel, B.A., L.T.
 Dr. A. Mahammad Ghouse Maracair Sahib Bahadur.
 M.R.Ry. M. K. Ramanatha Ayyar Avargal.
 „ G. Venkatarama Ayyar Avargal.
 „ N. Andiappa Mudaliyar Avargal.
 „ A. S. Kalyanasundara Sastri Avargal.

Ganjam.

M.R.Ry. S. B. Rath Garu.
 „ W. V. B. Ramalingam Garu.
 „ Rao Sahib N. Ramamurti Nayudu Garu, B.A.

Madras.

M.R.Ry. A. Manika Mudaliyar Avargal.
 „ G. Janikiram Chetti Garu.
 Khan Bahadur Mir Mushruddin Sahib Bahadur.
 M.R.Ry. Rao Sahib P. Ranganatham Chettiyar.
 „ Rao Bahadur G. Kothandaramanjulu Nayudu Garu.
 „ Diwan Bahadur G. Narayanaswami Chetti Garu.
 Mrs. K. M. Leach.
 „ Alamelumangathayarammal.

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APPENDIX II.

[Vide answer to question No. 1322 asked by Mr. T. Adinarayana Chettiyar at the meeting of the Legislative Council held on the 28th January 1930, page 681 supra.]

Board's Report.

The following assignments were made by M.R.Ry. Gnanaprakasam to Mrs. Julia Nathaniel, wife of the Vice-President, District Board:—

Taluk.	Village.	Survey number.	Extent.	Date of assignment.
			ACS.	
Gudiyattam ..	Ammundi ..	644/3	3.53 (dry).	2nd February 1927.
Do. ..	Do. ..	653	6.33 „	29th January 1928.
Do. ..	Vikramachi ..	175	0.72 (wet)	30th April 1928.

The Board has issued orders to the Collector to cancel the above grants.

2. An extent of 2.01 acres in S. No. 52/3 of Bomminayakkanpalayam village, Gudiyattam taluk, was assigned to B. T. Ebenzar, Dr. Nathaniel's late compounder. This grant was cancelled by the Collector himself.

APPENDIX III.

[Vide answer to question No. 1323 asked by Mr. T. Adinarayana Chettiyar at the meeting of the Legislative Council held on the 28th January 1930, page 682 supra.]

Letter from the Collector of North Arcot, dated 28th September 1929.

[Assignment—Land—Vellore taluk—Odugathur village—
 S. Nos. 490 and 495/1.]

S. Nos. 490 and 495 of Odugathur village, Vellore taluk, measuring 66.23 acres and 175.60 acres were classed as 'unassessed' (hill and jungle respectively) at resettlement. In connexion with certain illicit fellings of trees in these lands, the Tahsildar reported that the villagers evidently with the object of bringing the land under cultivation cleared the ground of thorny bushes and small trees. The Tahsildar further reported that there were two parties in the village, one anxious to have the fields for cultivation and the other anxious to have them reserved for grazing purposes. Thereupon my predecessor ordered that both these fields should be transferred to assessed waste and reserved for assignment to Adi-Dravidas and the transfer was accordingly effected by the Revenue Divisional Officer. Two mahazar petitions from caste Hindus and from some members of the depressed classes, objecting to the transfer of these lands to 'assessed waste' and praying for their reservation as 'grazing ground' were dismissed by my predecessor.

2. These fields were never set apart as grazing grounds. They are full of trees and scrub growth.

3. The cattle in the village graze in Odugathur and Kilkothur panchayat forests and in the Arasampattu reserve. Thus, ample facilities for grazing exist in these areas, which lie adjacent to the block in which the

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lands in question are situated. These lands were not registered as 'grazing ground poramboke' even at the original settlement (but were classed as hill and jungle porambokes) and there is no reason why they should be reserved as such now, especially when there is large demand for them for cultivation purposes. Two Revenue Divisional Officers inspected these lands and found them fit for cultivation.

APPENDIX IV.

[Vide answer to question No. 1330 asked by Mr. T. Adinarayana Chettiyar at the meeting of the Legislative Council held on the 28th January 1930, page 683 supra.]

Proceedings of the Board of Revenue (Land Revenue and Settlement),
Rout. No. 7849, dated 13th November 1929.

The Board submits a draft reply to the undermentioned questions raised in the Legislative Council:—

(1) *Whether the Deputy Tahsildar of Dusi had a compound wall erected round his office with the help of the village menials of the villages surrounding Dusi?*

The Deputy Tahsildar had not erected any compound wall, but merely put up a mud ridge and planted aloes on it, so as to prevent the office from being infested by bad characters and stray cattle from the village.

The services of some of the village menials were utilized for the purpose,
(2) & (3) *Whether the menials were paid for such service and if so from what funds the payment was met?*

No payment was made to the menials as they volunteered to do the work.

2. A copy of the Deputy Tahsildar's report on the subject is enclosed. The Collector reports that he is satisfied that the Deputy Tahsildar's account of the matter is correct.

As the Deputy Tahsildar had the fence erected with a view to safeguard the interests of Government, the Board is of opinion that his action is justifiable.

Letter from the Deputy Tahsildar, Dusi, dated 14th October 1929,
L. Dis. No. 1227/29.

[Public servants—Deputy Tahsildar's office—Dusi—Erection of a compound wall with the aid of the village menials—Legislative Council—Report.]

I beg to submit that I have not erected a compound wall round about my office. In fact the office has no compound wall, and in its absence, the stray cattle from the village, and certain bad characters of this place, were freely resorting to this office, to the annoyance of the staff. For the safety of office, and to avoid these men from constantly coming in, I put up a mud ridge, about 1½ feet in height round about the office, and planted aloes on it, as this was the fit season for the above plantation. I have done no other work than the one referred to above.

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2. It is a fact that I asked the village officers of six or seven adjoining villages to co-operate with me in the above work, if possible, by sparing the services of some of their menials, as this was an off season for them, with practically no work in the villages. In response to my request, some of the village officers voluntarily sent a few menials, but their co-operation was only lukewarm. The work, which did not take beyond three or four days at the most, had therefore mostly to be attended to by the willing co-operation and zeal of this office peons. During this period I was on three days' casual leave to get my family, and I understand that about 10 or 12 village menials came up daily, for three days, between the hours of 9 a.m. and 2 p.m. and worked for about three or four hours in connexion with the above work. I submit that I have not paid the menials anything.

3. I was actuated to take up this work from the point of view of protection of Government interest, and I did not extract the above work under force. I assure the authorities and the benign Government that I had absolutely no intention of harassing the village menials staff to secure my own private ends. As the putting up of the above mud ridge, was done by taking a broad view of things and with the best of my intentions to make the office secure, and as the offer of the menials was voluntary, I very respectfully submit that the Government will be pleased to excuse my shortcomings if any in the above matter.

MUHAMMAD ELIAS KHAN,
Deputy Tahsildar.

Letter from the Collector of North Arcot, dated 9th November 1929,
L. Dis. No. 14723/29.

[Public servants—(North Arcot) Deputy Tahsildar, Dusi—Erection of a compound wall—Legislative Council question—Board's Reference Nos. D. 3343/29-2, dated 2nd November 1929, D. 3343/29-3, dated 7th November 1929.]

I am satisfied that the Deputy Tahsildar's account is correct.

APPENDIX V.

[Vide answer to question No. 1341 asked by Mr. C. Gopala Menon at the meeting of the Legislative Council held on the 28th January 1930, page 687 supra.]

(i)

A

List of major municipalities for which Excise Licensing Boards have been constituted.

Cocanada.
Rajahmundry.
Madras City.
Conjeeveram.
Vellore.

Cuddalore.
Kumbakonam.
Negapatam.
Tanjore.
Trichinopoly.

Madura.
Tinnevely.
Coimbatore.
Salem.
Mangalore.
Calicut.

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B

List of the districts and Revenue divisions where Excise Advisory Committees have been formed.

Districts and Revenue divisional areas.	Districts and Revenue divisional areas.
Ganjam—	Chingleput—
Chioacole.	Chingleput excluding Conjeeveram municipality.
Berhampur.	Tiruvallur.
Vizagapatam—	Saidapet.
Narasapatam including Gudem taluk.	Chittoor—
Vizianagram.	Chittoor.
Vizagapatam.	North Arcot—
East Godavari—	Vellore excluding Vellore municipality.
Cocanada excluding Cocanada municipality.	Tiruvannamalai.
Peddapur.	Cheyar.
Rajahmundry excluding Rajahmundry municipality.	Ranipet.
West Godavari—	Tiruppattur.
Bhimavaram.	South Arcot—
Narasapur.	Tindivanam.
Ellore.	Tirukkoyilur.
Kistna—	Cuddalore.
All Revenue divisions (four).	Tanjore—
Guntur—	Negapatam excluding Negapatam municipality.
Ongole.	Kumbakonam excluding Kumbakonam municipality.
Tenali.	Mayavaram.
Guntur.	Mannargudi.
Narasaraopet.	Pattukkottai.
Nellore—	Trichinopoly—
Kavali.	Karur.
Gudur.	Musiri.
Atmakur.	Madura—
Kandukur.	Dindigul.
Cuddapah—	Ramnad—
Jammalamadugu.	Sivakasi.
Rayachoti.	Tinnevely—
Rajampet.	Tinnevely excluding Tinnevely municipality.
Cuddapah.	Tuticorin.
Anantapur—	Koilpatti.
Gooty.	Shermadevi.
Penukonda.	Coimbatore—
Anantapur.	Coimbatore excluding Coimbatore municipality.
Bellary—	Erode.
Hospet.	Gobichettipalayam.
Bellary.	Pollachi.
Kurnool—	
Kurnool.	
Nandyal.	

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Districts and Revenue divisional areas.	Districts and Revenue divisional areas.
Salem—	South Kanara—cont.
Hosur.	Coondapoor.
Dharmapuri.	Pattur.
Salem excluding Salem municipality.	Malabar—
Sankari.	Tellicherry.
Namakkal.	Calicut excluding Calicut municipality.
South Kanara—	Malappuram.
Mangalore excluding Mangalore municipality.	Palghat.

(ii)

Revenue divisional areas including minor municipalities for which Excise Advisory Committees have not been constituted.

Districts and Revenue divisional areas.	Districts and Revenue divisional areas.
Ganjam—	South Arcot—
Ghumsur.	Chidambaram.
Chatrapur.	Tanjore—
Balliguda.	Tanjore.
Vizagapatam—	Trichinopoly—
Parvatipuram	Trichinopoly.
Koraput.	Ariyalur.
East Godavari—	Madura—
Bhadrachalam.	Usilampatti.
Polavaram.	Melur.
West Godavari—	Ramnad—
Nidadavole.	Ramnad.
Nellore—	Devakottai.
Nellore.	Coimbatore—
Anantapur—	Kollegal.
Dharmavaram.	Nilgiris—
Bellary—	Ootacamund.
Adoni.	Coonoor.
Kurnool—	Malabar—
Dhone.	Cochin.
Markapur.	
Chittoor—	
Chendragiri.	
Madanapalle.	

NOTE.—There are Excise Licensing Boards for the Tanjore, Trichinopoly and Madura municipalities

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APPENDIX VI.

[Vide answer to question No. 1348 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 28th January 1930, page 688 supra.]

AGENDA FOR THE MEETING OF THE AGRICULTURAL
ADVISORY COMMITTEE TO BE HELD ON THE 21st
OCTOBER 1929 AND SUCCEEDING DAYS AT THE
SECRETARIAT, FORT ST. GEORGE, MADRAS.

I.—AGRICULTURAL IMPROVEMENT.

(1) Chapter IV of the Royal Commission Report—
Recommendation 81.

81. There is no evidence that the interests of the cultivator are being sacrificed to the interests of sport, but the practice in regard to the grant of permits to shoot destructive animals in reserved forests should be reviewed.

(Paragraph 116 at pages 121—122 of report.)

II.—ANIMAL HUSBANDRY.

(2) Chapter VII of the Royal Commission Report—
Recommendation 8.

8. Four cardinal points in a policy of improvement must be—

- (a) attention to all matters that would tend to decrease the number of bullocks required for cultivation;
- (b) an effort to secure better treatment for dry cows and cows in calf;
- (c) a reduction in the number of plough cattle; and
- (d) an increase in the efficiency of plough cattle.

(Paragraphs 170—173 at pages 192—196 of report.)

(3) Chapter VII of the Royal Commission Report—
Recommendations 18 and 19.

18. The possibilities of silage are great. There are, however, practical difficulties in persuading the cultivator to adopt it. The immediate policy should be to concentrate on efforts to get the cultivator to make silage for his cows and young stock from recognized fodders and inferior grasses which experiments have proved suitable.

19. Propaganda to promote the making of silage should only be conducted by those who have practical experience.

(Paragraph 186 at pages 206—208 of report.)

Shooting
licences.Improve-
ment of live-
stock policy.

Silage.

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Cultivation
of leguminous
fodder.(4) Chapter VII of the Royal Commission Report—
Recommendation 25.

25. The cultivation of leguminous fodder crops should be encouraged by the remission of the charge for water from Government sources of irrigation or by the grant of concession rates. The grant of such concessions should be conditional on its being accompanied by active propaganda. All areas in which concession is given should be kept under regular examination.

(Paragraph 187 at pages 209—211 of report.)

Ghee-
control.(5) Chapter VII of the Royal Commission Report—
Recommendation 43.

43. Action on lines similar to those adopted in regard to butter in Great Britain is required to protect producers of ghee.

(Paragraph 201 at pages 230—234 of report.)

III.—DISEASES OF LIVESTOCK AND THEIR CONTROL.

(6) Chapter IX of the Royal Commission Report—
Recommendations 15 and 17—19.Veterinary
institutions
and subordi-
nates.

15. In all provinces, the aim should be to provide a veterinary hospital with accommodation for in-patients at district headquarters, and, in addition, a number of dispensaries serving subdivisions of the district. The value of dispensaries would be greatly enhanced if two or more veterinary assistants were attached to them, one or more of whom would be free for touring duties.

(Paragraph 248 at pages 295—296 of report.)

17. The control of measures for treating and preventing the spread of contagious diseases should be regarded as the concern of the provincial Governments; the duty of providing a local veterinary service for treating diseases not scheduled as contagious and for dealing with operations and wounds should, when the necessary arrangements can be made, rest with local bodies.

(Paragraph 249 at pages 296—297 of report.)

18. The present aim should be to provide, on an average, one qualified veterinary surgeon for every district in British India and one veterinary assistant surgeon for each 25,000 cattle.

19. The total number of veterinary surgeons required, including provision for Indian States, would be over 400 and of Veterinary Assistant Surgeons over 7,500.

(Paragraph 250 at pages 298—299 of report.)

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Veterinary
inspectors—
Grade.(7) *Chapter IX of the Royal Commission Report—
Recommendation 31.*

31. The grade of veterinary inspectors where it exists should be abolished when a sufficient number of fully qualified veterinary surgeons is available. Should the prevalence of disease in a province make this course necessary, veterinary assistant surgeons might be employed under district veterinary surgeons as inspectors.

(Paragraph 252 at pages 301—303 of report.)

“Provinciali-
zation” of
Veterinary
department.(8) *Chapter IX of the Royal Commission Report—
Recommendations 32—37.*

32. The complete provincialization of the Veterinary departments is not recommended.

33. The subordinate veterinary services will continue as at present to be mainly employed by local boards.

34. The immediate transfer to local boards of complete control over veterinary assistant surgeons employed by them is not recommended. Progress in the direction of transferring greater responsibility to local bodies in veterinary matters can only be made gradually.

35. When complete transfer is made Government assistance should take the form of a grant-in-aid, preferably on a *pro rata* basis, which would be made on condition that local bodies should look to the provincial veterinary services for advice and inspection and should consult the Director of Veterinary Services in regard to all appointments.

36. In the meantime, local bodies should be consulted in regard to appointments, transfers, promotions, punishments and dismissals of veterinary assistant surgeons.

(Paragraph 252 at pages 301—303 of report.)

37. When complete control over veterinary assistant surgeons has been transferred to local boards, a Veterinary Reserve Corps of selected veterinary assistants should be formed.

(Paragraph 253 at pages 303—304 of report.)

Veterinary
College—
Research.(9) *Chapter IX of the Royal Commission Report—
Recommendation 48.*

48. The Provincial Veterinary College should be the natural centre for research work in the provinces. All senior officers employed in the college should be excepted and encouraged to undertake investigations in their own special spheres.

(Paragraph 261 at page 312 of report.)

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IV.—COMMUNICATIONS AND MARKETING.

Road boards.

(10) *Chapter XI of the Royal Commission Report—
Recommendation 4.*

4. Road boards with functions similar to those which have been entrusted to the Communications Boards in the Punjab and Burma should be constituted in all provinces.

(Paragraph 305 at pages 373—374 of report.)

Subsidiary
communica-
tions(11) *Chapter XI of the Royal Commission Report—
Recommendation 5.*

5. In any ordered programme of road development, special attention should be paid to the subsidiary communications which, from the point of view of the cultivator, are of the greatest importance.

(Paragraph 305 at pages 373—374 of report.)

Aid by
Local Govern-
ment to Local
Boards for
roads.(12) *Chapter XI of the Royal Commission Report—
Recommendations 6 and 7.*

6. Liberal financial assistance should be given by local Governments to local bodies to enable them to discharge their duties towards roads which do not fall within the arterial system.

7. The development of such roads would be facilitated if their construction were financed from loans rather than from current revenue.

(Paragraph 306 at page 374 of report.)

Roads in
areas newly
brought under
irrigation.(13) *Chapter XI of the Royal Commission Report—
Recommendation 8.*

8. The provision of roads in areas which are newly brought under irrigation is the duty of the State.

(Paragraph 306 at page 374 of report.)

Level of
new roads.(14) *Chapter XI of the Royal Commission Report—
Recommendation 12.*

12. No local body should be permitted to embark on any scheme which involves the raising of a road above the level of the surrounding country unless the approval of the provincial Road Board or that of the Local Government has been obtained.

(Paragraph 309 at page 376 of report.)

Road bridges
alongside rail-
way bridges.(15) *Chapter XI of the Royal Commission Report—
Recommendation 13.*

13. The special attention of local authorities should be drawn to the concessions allowed by the railway authorities for the building of road bridges alongside of railway bridges.

(Paragraph 310 at page 376 of report.)

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Transport
of fruit and
milk.

(16) *Chapter XI of the Royal Commission Report—
Recommendation 17.*

17. In the initial stages of the development of traffic in such produce as fruit and milk, it is for the agricultural departments to interpret to the railway authorities the requirements of producers.

(Paragraph 314 at pages 378-379 of report.)

Assistance
by Agricultural
department.

(17) *Chapter XI of the Royal Commission Report—
Recommendations 43-45 and 47.*

43. Help to co-operative sales societies can best be given by agricultural departments in the form of assistance in the grading of produce.

(Paragraph 342 at page 403 of report.)

44. Auction sales by the agricultural departments provide a useful means of securing an adequate premium for the superior quality of a new variety, especially in the earlier stages.

45. Auction sales by the agricultural departments should only be continued until they can be taken over by co-operative societies or by private agencies.

(Paragraph 343 at pages 403-404 of report.)

47. The agricultural departments should experiment with the most suitable form of containers.

(Paragraph 345 at page 407 of report.)

Market sur-
vey.

(18) *Chapter XI of the Royal Commission Report—
Recommendations 49 and 50.*

49. Market surveys are an essential preliminary to the formulation of an effective policy for the improvement of marketing. The lines on which such surveys should be carried out are suggested.

(Paragraph 347 at pages 408-410 of report.)

50. An expert marketing officer should be appointed to the staff of the agricultural departments in all the major provinces.

(Paragraph 348 at pages 410-411 of report.)

V.—THE FINANCE OF AGRICULTURE.

Temporary
alienation of
agricultural
land.

(19) *Chapter XII of the Royal Commission Report—
Recommendations 1, 2, 4 and 5.*

1. No usufructuary mortgage of agricultural land should be permitted unless provision is made for automatic redemption within a fixed period of years, of which twenty should be the maximum.

2. The risk of collusive evasion must be recognized, but education and the development of character are the only specifics against this.

(Paragraph 353 at pages 418-419 of report.)

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Temporary
alienation of
agricultural
land—cont.

4. The question whether legislation in regard to the redemption of mortgages should be enacted in other provinces is commended to the consideration of other local Governments.

(Paragraph 351 at pages 419-420 of report.)

5. The desirability of extending the principle of statutory restriction on the alienation of land can only be measured in the light of local conditions.

(Paragraph 355 at pages 420-422 of report.)

Cultivating
classes—ex-
propriation.

(20) *Chapter XII of the Royal Commission Report—
Recommendation 6.*

6. An enquiry should be made into the extent to which the hereditary cultivating class is being expropriated by those who do not themselves cultivate the land.

(Paragraph 355 at pages 420-422 of report.)

State loans
through land
mortgage
banks.

(21) *Chapter XII of the Royal Commission Report—
Recommendation 10.*

10. Part of the allotment under the Land Improvement Loans Act should be placed at the disposal of land mortgage banks, where these are firmly established, provided that steps are taken to ensure its utilization on objects which fall within the scope of the Act.

(Paragraph 359 at pages 427-428 of report.)

State encour-
agement to
co-operative
movement.

(22) *Chapter XII of the Royal Commission Report—
Recommendation 14.*

14. The greatest hope for the salvation of the rural masses from their crushing burden of debt lies in the growth and spread of a healthy and well-organized co-operative movement and local Governments should, therefore, give that movement all the encouragement possible.

(Paragraph 363 at pages 431-436 of report.)

Usurious
Loans Act.

(23) *Chapter XII of the Royal Commission Report—
Recommendations 16-18.*

16. In all provinces an enquiry should be made into the causes of the failure to utilize the Usurious Loans Act.

17. A special report on the working of the Usurious Loans Act should be included in the annual reports on the administration of civil justice.

18. If the provisions of that Act were fully utilized, this would go far to remove the worst evils of uncontrolled usury.

(Paragraph 365 at pages 438-439 of report.)

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Punjab
Money-
lenders Bill.

(24) *Chapter XII of the Royal Commission Report—
Recommendation 19.*

19. The Punjab Money-lenders Bill and the British Money-lenders Act of 1927 are commended to the consideration of Local Governments.

(Paragraph 366 at pages 439-440 of report.)

Rural in-
debtedness.

(25) *Chapter XII of the Royal Commission Report—
Recommendations 20, 21 and 22.*

20. The case for a simple Rural Insolvency Act should be carefully considered in all provinces.

21. Conciliation bodies might be tried in certain areas.

22. Where the indebtedness of the rural population is very heavy, and it is difficult in insolvency cases to find suitable persons to act as receivers, officials should be appointed for this duty.

(Paragraph 367 at pages 440-441 of report.)

VI.—CO-OPERATION.

Subordinate
staff—
training.

(26) *Chapter XIII of the Royal Commission Report—
Recommendation 18.*

13. The Punjab system of training the staff of the Co-operative department is deserving of imitation elsewhere, as is the Bombay system of requiring auditors to pass an examination in co-operative accountancy.

(Paragraph 377 at pages 455-457 of report.)

Government
aid to
special type
societies.

(27) *Chapter XIII of the Royal Commission Report—
Recommendations 16 and 17.*

16. Government should give liberal assistance in the early stages to the more specialized forms of co-operative activity such as consolidation of holdings, adult education, irrigation and the like.

17. Where expenditure by Government on audit would involve the comparative neglect of education, education should be given preference and the statutory audit should be paid for by societies.

(Paragraph 378 at pages 457-458 of report.)

Concessions
to co-operative
societies.

(28) *Chapter XIII of the Royal Commission Report—
Recommendation 18.*

18. Certain concessions to co-operative societies which are at present given by Government in some provinces are recommended for all provinces.

(Paragraph 378 at pages 457-458 of report.)

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Government
servants and
the co-
operative
movement.

(29) *Chapter XIII of the Royal Commission Report—
Recommendation 20.*

20. Local Governments should impress upon the officers of all departments the importance they themselves attach to a sympathetic attitude towards all phases of co-operative activity.

(Paragraph 380 at pages 459-460 of report.)

Land mort-
gage banks.

(30) *Chapter XIII of the Royal Commission Report—
Recommendations 21 to 29.*

21. The resolution passed by the Conference of Registrars of 1926 in favour of the establishment of land mortgage banks is endorsed.

(Paragraph 381 at pages 460-463 of report.)

22. Land mortgage banks should be established under the provisions of the Co-operative Acts.

(Paragraph 382 at page 463 of report.)

23. The guarantee of interest on the debentures of land mortgage banks is the most suitable form in which assistance to these banks can be given by Government.

24. Government assistance to land mortgage banks in the form of subscription to their debentures is not recommended.

25. Land mortgage banks should provide a suitable agency for the distribution of loans under the Land Improvement Loans Act.

26. The debentures of land mortgage banks, the interest on which is guaranteed by Government, should be added to the list of trustee securities under the Trustees Act.

27. The issue of the debentures of land mortgage banks should be controlled by a central organization.

(Paragraph 383 at pages 463-465 of report.)

28. Land mortgage banks should only be organized after the most careful preliminary enquiry and their constitution and working should be as simple as possible.

29. For some years to come, there should be an official member on the committee of management of each bank.

(Paragraph 384 at pages 465-467 of report.)

Non-credit
co-operative
societies—Im-
portance.

(31) *Chapter XIII of the Royal Commission Report—
Recommendations 31-37.*

31. Outside the credit movement, the main function of the Co-operative departments is to prepare the ground for the advice of the experts.

32. In the propaganda work of other departments preference both of time and attention should always be given to a co-operatively organized body of cultivators rather than to isolated individuals.

(Paragraph 386 at pages 468-470 of report.)

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33. Before a widespread movement for co-operative purchase and sale can come into being, intensive education in the advantages is necessary.

34. It would be in the interest of both the producers and of the large buyers if the latter were to render all the help possible to co-operative sale societies.

35. Preference in the purchase of the requirements of Government departments should be given to co-operative societies, provided that no financial loss to Government is thereby caused.

(Paragraph 387 at pages 470—472 of report.)

36. Substantial progress in non-credit co-operation can only be secured if expert advice is liberally given.

37. Whether such advice should be given by the technical department concerned or by the loan of technical officers to the Co-operative department must depend on the stage of development and the particular form of co-operative activity which it is desired to foster.

(Paragraph 388 at pages 472—473 of report.)

VII.—THE VILLAGE.

Village Medical Aid.

(32) *Chapter XIV of the Royal Commission Report—Recommendation 6.*

6. The principles embodied in the Bombay village medical aid scheme are commended.

(Paragraph 403 at page 486 of report.)

Malaria ...

(33) *Chapter XIV of the Royal Commission Report—Recommendation 9.*

9. Substantial progress in the campaign against malaria can only be achieved by concerted action by the people themselves assisted by guidance and, within limits, by finance from Government.

(Paragraph 411 at pages 490—491 of report.)

Research on human nutrition.

(34) *Chapter XIV of the Royal Commission Report—Recommendation 18.*

18. Local Governments should consider the desirability of undertaking research in problems of human nutrition either in provincial institutes or through individual officers. In both cases, the research should be conducted in collaboration with the Central Institute.

(Paragraph 417 at pages 496—497 of report.)

Rural Welfare—Suggestions for improvement.

(35) *Chapter XIV of the Royal Commission Report—Recommendations 22—25.*

22. Villagers have ample time at their disposal for improving the amenities of their village by co-operative action. Specific directions in which assistance may be given them are the extension of village-sites where these are congested and facilities for providing schools with adequate playing fields.

(Paragraph 421 at page 500 of report.)

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23. For these and other purposes, villages are much in need of leadership. Instruction of village headmen and subordinate revenue officials in the ideals of village improvement might, in some cases, be productive of good results. In other cases, a "guide" for a group of villages trained on the lines adopted in the Gurgaon district of the Punjab would seem to offer the best solution.

(Paragraphs 422 and 423 at pages 500—502 of report.)

24. Valuable lessons are to be drawn from the Gurgaon uplift campaign.

(Paragraph 424 at pages 502—503 of report.)

25. It is important that village and town life should be linked by the efforts of social workers, preferably organized into societies.

(Paragraph 425 at page 503 of report.)

Universities and Rural Development.

(36) *Chapter XIV of the Royal Commission Report—Recommendation 26.*

26. Universities have at once an obligation and a great opportunity to assist in the work of rural development on both its economic and educative sides.

(Paragraph 426 at pages 503—504 of report.)

Bureau of Economic Enquiry.

(37) *Chapter XIV of the Royal Commission Report—Recommendation 27.*

27. The establishment of a Bureau of Rural Economic Research in each of the provinces on lines similar to those on which the Board of Economic Enquiry in the Punjab has been established would prove of value.

(Paragraph 427 at pages 504—505 of report.)

(The subject was discussed at the meeting held in September 1929 and it was decided that a note should be prepared on the working of the Board of Economic Enquiry in the Punjab. A note on the subject will be placed before the Committee.)

"The efforts of Government to promote rural welfare would be greatly assisted by the appointment of a well-qualified statistical officer to provincial headquarters to whom would be entrusted the duty of studying all aspects of the economic and social progress of the province."

(Paragraph 538 at page 618 of report.)

Rural community movement in the Punjab.

(38) *Chapter XIV of the Royal Commission Report—Recommendations 28—30.*

28. The rural community movement in the Punjab combines the advantages of both the official and the private type of organization.

29. The rural community movement will gain in power for good if it develops a woman's side of its activities.

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30. In particular, the establishment of a women's institute in a village would supply a centre for educational and non-co-operative activities and might remove the obstacles to the employment of women teachers in village schools.

(Paragraph 429 at pages 505-506 of report.)

VIII.—STATISTICS.

Minor
Forests divi-
sion—Sepa-
rate statistics.

(39) *Chapter XVIII of the Royal Commission Report—
Recommendation 6.*

6. In the forest reports, statistics for the proposed new Minor Forests division should be shown separately; the areas actually under timber should be given and public and private ownership distinguished.

(Paragraph 525 at pages 601-604 of report.)

Classifica-
tion of un-
cultivated
land.

(40) *Chapter XVIII of the Royal Commission Report—
Recommendation 9.*

9. The classification of uncultivated lands into culturable waste and not available for cultivation requires examination.

(Paragraph 526 at pages 604-605 of report.)

Areas under
mixed crops.

(41) *Chapter XVIII of the Royal Commission Report—
Recommendation 11.*

11. The correctness of the formulæ used in arriving at the areas under mixed crops should be tested from time to time by actual field trials of the main types of mixtures found in a district.

(Paragraph 527 at pages 605-606 of report.)

Yield of crops.

(42) *Chapter XVIII of the Royal Commission Report—
Recommendation 13.*

13. Changes in the figures of standard yield of crops should be made only on data supplied by crop-cutting experiments.

(Paragraph 528 at pages 606-608 of report.)

'Normal
crop'—
Definition.

(43) *Chapter XVIII of the Royal Commission Report—
Recommendation 15.*

15. No attempt should be made to teach the primary reporting authority to form an exact mental picture of a 'normal' crop.

(Paragraph 529 at page 608 of report.)

Vital and
health
statistics.

(44) *Chapter XVIII of the Royal Commission Report—
Recommendations 26-28.*

26. All vital and health statistics should be shown separately for rural and urban areas

27. Vital statistics for rural areas should include particulars of the strength and distribution of the medical and health services, including trained midwives.

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28. There is a wide field of useful work for private individuals and associations in correlating vital statistics and health data with those relating to agricultural and irrigation conditions.

(Paragraph 538 at pages 614-615 of report.)

IX.—THE AGRICULTURAL SERVICES.

Research
workers—
Recruitment.

(45) *Chapter XIX of the Royal Commission Report—
Recommendation 9.*

9. The recruitment of research workers on short term agreements on special terms is not recommended.

(Paragraph 549 at pages 633-635 of report.)

Post-gra-
duate Research
scholarships.

(46) *Chapter XIX of the Royal Commission Report—
Recommendation 10.*

10. A system of post-graduate research scholarships should be instituted, the scheme for which should be administered by a sub-committee of the Council of Agricultural Research.

(Paragraph 549 at pages 633-635 of report.)

Travelling
scholarships.

(47) *Chapter XIX of the Royal Commission Report—
Recommendation 27.*

27. Travelling scholarships should be instituted for graduates or holders of diplomas of agricultural colleges who intend to take up private work.

(Paragraph 559 at pages 641-643 of report.)

X.—MISCELLANEOUS.

Establish-
ment of a
Local Self-
Government
Institute.

(48) *Chapter XX of the Royal Commission Report—
Recommendation 10.*

10. The scheme for the establishment of a Local Self-Government Institute for the Bombay Presidency is commended to the notice of other provincial governments and local self-governing bodies in their provinces.

(Paragraph 576 at pages 663-664 of report.)

XI.—UNEMPLOYMENT COMMITTEE'S REPORT.

Agricultural
Colonization
scheme.

(49) *Chapter IV of the Report.*

To meet the present unemployed situation, that it be a recommendation to Government that small farms of lands at the disposal of Government be made available for middle class educated young men who possess no lands at present on long lease with the option of purchasing them and that loans and other facilities for agricultural purposes be made to such agriculturists for the purpose of developing their holdings.

(Page 27 of report.)

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(50) Agenda for the next meeting—

MINUTES OF THE MEETING OF THE AGRICULTURAL
ADVISORY COMMITTEE HELD AT MADRAS FROM THE
21ST TO THE 23RD OCTOBER 1929. HIS EXCELLENCY
THE GOVERNOR PRESIDED.

PRESENT:

The Hon'ble the Minister for Development.

" Finance Member.

The Director of Agriculture.

" Veterinary Services.

" Industries.

" Fisheries.

" Public Instruction.

" Public Health.

The Registrar of Co-operative Societies.

M.R.By. Rao Sahib V. Krishna Menon Avargal.

" Rao Bahadur K. S. Venkatarama Ayyar Avargal, B.A.

The Secretary to Government, Development Department.

Item (1) in the agenda—Shooting licences.—The matter may be considered.

Item (2)—Improvement of livestock-policy.—Propaganda should be continued in all possible ways.

Item (3)—Silage.—The work should be continued as at present.

Item (4)—Cultivation of leguminous fodder.—The rules should be made better known.

Item (5)—Ghee-control.—Experience may be gained of the working of the Madras Prevention of Adulteration Act, 1918, before further action is taken.

Item (6)—Veterinary institutions and subordinates.—Recorded.

Item (7)—Veterinary Inspectors Grade.—No remarks.

Item (8)—"Provincialization" of Veterinary department.—The system of organization prevailing in this Presidency is satisfactory and should be maintained. The number of veterinary institutions may be increased as fast as funds permit.

Item (9)—Veterinary College—Research.—The principle is accepted.

Item (10)—Road boards.—Recorded.

Item (11)—Subsidiary communications.

Item (12)—Aid by Local Government to Local Boards for roads.

The assistance given by the Government to local bodies has so far been in excess of their powers of expenditure and there is no reason to suppose that the Government will restrict their grants to local boards.

The subject of expenditure by local bodies on rural roads will be pressed on them as far as is compatible with their being self-governing bodies. There is no need for loans for making rural roads as grants for the purpose are not fully spent.

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Item (13)—Roads in areas newly brought under irrigation.—This is being done.

Item (14)—Level of new roads.—The principle should be recognized that a local body which raises a road above the level of the surrounding country should provide sufficient vent-way to the satisfaction of the Government.

Item (15)—Road bridges alongside railway bridges.—The concessions allowed may be examined.

Item (16)—Transport of fruit and milk.—The Postal Department may be asked to consider the charging of concessional rates on postal parcels containing perishable articles.

In regard to recommendation 18 of the Royal Commission in Chapter XI of their report, the Deputy Director of Agriculture who is to work under the Registrar of Co-operative Societies may examine the question of railway rates in the case of each product studied by him.

Item (17)—Assistance by Agricultural department.—The recommendations are accepted except in regard to No. 47 which need not be taken up now.

Item (18)—Market survey.—The work to be now taken in regard to cotton should be done successively in regard to other products.

Item (19)—Temporary alienation of agricultural land.

Item (20)—Cultivating classes—Expropriation. No action is necessary in this Province.

Item (21)—State loans through land mortgage banks.—This need not be done.

Item (22)—State encouragement to co-operative movement.—Recorded.

Item (23)—Usurious Loans Act.—Recorded.

Item (24)—Punjab Money-lenders Bill.—The report of the Banking Enquiry Committee may be awaited.

Item (25)—Rural indebtedness.—No action is needed.

Item (26)—Subordinate staff—Training.—The present system in Madras needs no alteration in these directions.

Item (27)—Government aid to special type societies.—Action is being taken as regards recommendation No. 16. No change is needed as regards recommendation No. 17.

Item (28)—Concessions to co-operative societies.—The proposal of the Townsend Committee that co-operative societies may be exempted from the payment of money order commission on sums remitted through the Post offices as in the Punjab and Bombay may be pressed; so also the proposal for the exemption from income-tax on Government securities.

Item (29)—Government servants and the co-operative movement.—Recorded.

Item (30)—Land mortgage banks.

Item (31)—Non-credit co-operative societies—Importance.—Action is being taken on these lines.

Item (32)—Village medical aid.—Schoolmasters are now trained in first aid and they also distribute quinine. Further action is not necessary.

Item (33)—Malaria.—Action is being taken. The Special Malaria Officer does propaganda work.

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Item (34)—*Research on human nutrition*.—Such research may be assisted (e.g., work done by Lieut.-Colonel McCarrison).

Item (35)—*Rural welfare—Suggestions for improvement*.—Propaganda work may be done in whatever manner is successful (e.g., through co-operative societies, village panchayats, village headmen and schoolmasters).

Item (36)—*Universities and rural development*.—The recommendation may be commended to the universities.

Item (37)—*Bureau of Economic Enquiry*.—A Board of Economic Research is not considered necessary.

Item (38)—*Rural community movement in the Punjab*.—Propaganda is being done for rural improvement. No additional machinery is needed.

Item (39)—*Minor forests division—Separate statistics*.—Minor forests are under the Board of Revenue. The statistics are unnecessary.

Item (40)—*Classification of uncultivated land*.—The existing statistics are adequate.

Item (41)—*Areas under mixed crops*.

Item (42)—*Yield of crops*.—No action is necessary.

Item (43)—*'Normal crop'—Definition*.—Recorded.

Item (44)—*Vital and health statistics*.—No action is necessary.

Item (45)—*Research workers—Recruitment*.

Item (46)—*Post-graduate Research scholarships*.

Item (47)—*Travelling scholarships*.

Item (48)—*Establishment of a Local Self-Government Institute*.—Recorded.

Item (49)—*Agricultural Colonization Scheme*.—Suitable land is hardly available for such a scheme. Individual applications may be dealt with on their merits.

Item (50)—*Agenda for the next meeting*.—Notes may be called for from the concerned departments of the Secretariat on the subjects for the next meeting.

S. V. RAMAMURTI.

APPENDIX VII.

[Vide item under heading V on page 743 supra.]

G.O. No. 3434 I., dated 25th November 1929.

In G.O. No. 1244 I., dated 7th June 1927, the Government, in pursuance of an undertaking given by them in the Legislative Council, appointed a Committee to consider and report on the several irrigation projects in the Ganjam district, by taking up the enquiry in regard to the several projects at the point of difficulty at which they were abandoned or held up, especially when that difficulty was one arising from local causes, such as unwillingness of the ryots to

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bear the required rates, opposition on the part of affected persons and other similar circumstances. The Collector of Ganjam has submitted a report which has been concurred in by two of the members. A separate note by Sir A. P. Patro is appended to the report. The report and its appendices are annexed to these proceedings.

2. Of the various schemes which it considered the Committee has given reasons for rejecting all but four. These four are—

(1) The Jogudi Reservoir project.

(2) The Langulya Anicut project.

(3) The Nagarikatakam channel extension scheme—an alternative to the Vamsadhara project.

(4) The Allipur channel scheme.

3. (1) *The Jogudi Reservoir project*.—This is one of the projects the investigation of which was stopped pending the examination of the Singapur (or Borodapalli) project. The latter has since been abandoned. The Jogudi project was estimated to cost Rs. 2,11,900 in 1905. The tank was to have a bund about a mile and a half long and would submerge 500 acres of land of which 300 were then under cultivation. The cost of land acquisition, which was then put down as Rs. 33,000, is certain to be largely exceeded now. The catchment area was only 17 square miles. The Superintending Engineer doubted the adequacy of the catchment to irrigate 5,000 acres and would apparently have limited the area to about 1,000 acres. The object of this scheme was only to supplement the irrigation of lands already, if precariously, irrigated. There was no expectation of a direct financial return from extension of irrigation. But clause 13 of the Resettlement notification published with G.O. No. 1688, Revenue, dated 23rd May 1910, provides for raising the assessment of lands already registered as wet if the lands are benefited by new irrigation projects and as land to be irrigated by this project is at the tail end of the Rushikulya system it is presumed that the irrigation is at present treated as second class. The Board of Revenue is requested to report whether any and, if so, what increase of revenue could be obtained by raising the class of the irrigation source to first class. The Chief Engineer is requested to revise the project estimate with reference to the current schedule of rates and submit it through the Board of Revenue who will forward it with a report on its revenue aspects.

(2) *The Langulya project*.—The Government consider that this must await the results of gaugings which have been ordered to be taken.

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(3) *The Nagarikalakam channel extension scheme.*—The description of this scheme is obscure. The Collector says that the scheme is in order and may be put in hand. It is not clear to what scheme he refers. The Board of Revenue is requested to report what the scheme referred to by the Collector is. It is presumably not the modified scheme of Mr. Dogra.

(4) *The Allipur channel scheme.*—This is referred to by the Committee as one about which there has been a difference of expert opinion as to the possibility of supply. The scheme was originally estimated to cost Rs. 23,500 and to irrigate 800 acres. The Chief Engineer has ordered gaugings to be taken to determine the supplies available.

4. Several minor schemes are referred to by the Committee including the Talaponka tank. It is proposed to form a separate Tank Restoration Scheme subdivision for Ganjam district during 1930–31 subject to the vote of the Legislative Council. The proposal has been put forward as a Part II Scheme. The investigation and execution of these works will come within the scope of this subdivision.

5. Sir A. P. Patro has stated that the Committee was handicapped for want of expert advice and that a special division should have been placed under the Committee. The Government observe however that the Executive Engineer was a member of the Committee, and that its function was not to investigate schemes on the ground, but to examine the various schemes that have from time to time been put forward and to make recommendations for the investigation of such of them as promised to be fruitful.

6. The Government desire to thank the Committee for its report and for the care with which it has sifted a mass of difficult material.

(By order of the Governor in Council)

A. G. LEACH,
Secretary to Government.

To the Collector of Ganjam.
„ Sir A. P. Patro, Kt., M.L.C.
„ M.R.Ry. Rao Sahib N. Ramamurthi Nayudu Garu, Retired Deputy Collector, Berhampur.
„ the Executive Engineer, Ganjam Division.
„ the Chief Engineer for Irrigation.
„ the Board of Revenue (Land Revenue and Settlement).
„ the Revenue Department.
„ the Secretary, Legislative Council Office (with 175 copies).
Press.

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APPENDICES.

Letter from T. Austin, Esq., I.C.S., Collector of Ganjam, to the Secretary to Government, Public Works and Labour Department, dated Chatrapur, the 30th July 1929, R. Dis. No. 2588/27.

[Committees—(Ganjam)—Irrigation projects—Committee to enquire into and report—Report submitted. Reference.—G.O. No. 1244 I., dated 7th June 1927, of the Public Works and Labour Department.]

Herewith—

(1) Mr. Henderson's report on the work done by the Irrigation Committee;

(2) a list of irrigation sources with a précis of the correspondence relating to each source;

(3) Mr. H. R. Dogra's note about his Vamsadhara scheme;

(4) a statement showing the projects proposed for consideration by Sir A. P. Patro;

(5) a statement of rates of assessment (highest and lowest) in the several Government taluks of the districts of Ganjam, Vizagapatam, East Godavari and Kistna.

2. Messrs. Dogra and Ramamurti Nayudu have agreed to Mr. Henderson's report. A copy of Sir A. P. Patro's note to the report is submitted.

ENCLOSURES

(1)

Letter from the Collector of Ganjam, to the Secretary to Government, Public Works and Labour Department (through the Secretary to the Commissioners of Land Revenue and Settlement), dated Chatrapur, the 10th July 1929, R. Dis. No. 2588/27.

In G.O. No. 1244 I., dated 7th June 1927, the Government appointed a committee to enquire into and report on the various irrigation projects in the Ganjam district which have been previously investigated, but for one reason or another given up. This Committee was constituted in pursuance of an undertaking given by the Government to Sir A. P. Patro in response to his question in the Legislative Council No. 412-B, dated 19th March 1927.

2. The projects eligible for examination were listed, with a précis of the correspondence relating to each derived from the files of the Collector and the Executive Engineer; these lists were sent in advance to the members of the Committee, which was constituted as under:—

(1) The Collector of Ganjam (President and convener).

(2) Sir A. P. Patro, Kt., M.L.C.

(3) Srikan Biswanath Das Mahasayo, M.L.C., who subsequently resigned his membership

(4) M.R.Ry. Rao Sahib N. Ramamurti Nayudu Garu, Retired Deputy Collector.

(5) The Executive Engineer, Ganjam division (Mr. H. R. Dogra).

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3. At the first meeting Sir A. P. Patro was asked to suggest the works which he considered it necessary to discuss; and these the Committee proceeded to discuss in order. Statement III shows these works.

4. Of these Nos. 22, 27 and 30 are Minor Irrigation schemes, of relatively minor importance, which the Committee did not think it necessary to discuss; they have not in any case been finally abandoned.

5. After consideration of the report in G.O. No. 82 I., dated 2nd March 1922, in which the Government abandoned the Mohada Project (No. 13), the Committee agreed that no further consideration of this was required.

6. In G.O. Mis. No. 2760 I., dated 3rd November 1928, the Government sanctioned the improvements to the Koratoli Tampara (No. 2). These proposals therefore require no further consideration by the Committee.

7. The Singapur, or Nimmapalli or Borodapalli Reservoir Project (No. 1) was considered in the first instance by the Committee to be of paramount importance, because of the supplemental projects which appeared to be contemplated on it, i.e., which could derive from it or were not wanted if it were carried out. This project was subsequently abandoned by the Chief Engineer as prohibitively costly. The project is estimated to cost 66½ lakhs and to add approximately only 8,000 acres (or 8 per cent) to the area already protected. Of these 8,000 acres, it must be understood, even as things are, in a favourable season a certain extent is benefited by permission.

8. Sir A. P. Patro, however, desired that the Committee should consider this again, with special reference to the vast expenditure on famines in this district, and to the authorities to which he had been referred in respect of this in answer to his question in the Legislative Council, No. 381, dated 18th March 1927.

9. The authorities referred to were picked up and collated in the Collector's office. From these it would appear generally that the Rushikulya system has fulfilled its protective function, however unremuneratively. Further that the greatest distress has usually occurred in areas which no extension of the system could command.

10. It is necessary to consider the limitations of the system briefly. The catchment areas of the Rushikulya itself and the Mahanadi which joins it below Aska are neither of them extensive; both of these streams originate in the district and the headwaters of each are only about thirty miles from the two main reservoirs at Russellkonda and Surada; so that a local failure of the rains affects the system as much as it does any other form of irrigation in the district, as a rule.

The system has also the natural limitations imposed upon it by the fact that neither of the main reservoirs is at any great height; the eastern part of Ghumsur taluk in fact is part of the catchment area of the Mahanadi and drains into it.

11. Increased storage would probably benefit the existing ayacut as well as providing for the small increase in the area protected; but it would only do so at very great cost, without any prospect of an equivalent return.

12. In a normal season the system works without much complaint or remission, though the land at the tail-end of the last channels is, by the nature of the case, at times less generously supplied. Sir A. P. Patro's argument is that the suggestions of many Engineers for its improvement are in themselves

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evidence of its inadequacy. Of course, if the system could be extended or improved remuneratively, no one could offer the faintest objection. But in practice this seems impossible, partly by reason of the natural features of the country, but chiefly by reason of the very great increase in the cost of constructing engineering works which has taken place, even in the last few years, and the exceptionally low rates of land revenue which are paid in this district.

13. Sir A. P. Patro would consider that as the whole system is protective and not remunerative, the return on the capital expended should not be a prime consideration; but the system at present is estimated not to pay more than 1.23 per cent, a figure which might be reduced appreciably if all overhead charges were debited to the system. Consequently it does not seem practical to the other members of the Committee to recommend to the Government so considerable an extension of an unremunerative enterprise.

14. There is another consideration. It is understood that the question of the amalgamation of the Oriya-speaking tracts of this district, or of some parts of them, with Orissa is one which has not been finally settled but is still in the view of the Royal Commission. While this issue remains *sub judice*, it is hardly possible to recommend that the Madras Government should make so great a commitment in respect of an irrigation system, which chiefly exists for the benefit of a part of the Oriya-speaking tract.

15. The minor projects contingent on the abandoned Singapur Reservoir Project or connected with the Rushikulya system are the following:—

(a) The Jogudi Reservoir Project (No. 4) otherwise known as the Godaka Nala Tank Project.—This was estimated to cost 4 lakhs and to provide for the irrigation of 5,000 acres (G.O. No. 1155 I., dated 23rd November 1905). Now that the Singapur Reservoir Project has been abandoned, this project, which was dropped in view of that possibility, may now be considered on its own merits.

(b) The excavation of the third and fourth distributaries of the main Rushikulya canal.—As there will not now be any increased storage capacity above these distributaries, this project (No. 7) must be abandoned.

(c) The Ballipodoro Reservoir Project (No. 15) was estimated to cost Rs. 2,68,425 and to command 11,000 acres (G.O. No. 1189 I., dated 1st December 1905). This is no longer necessary as the Girisola Channel Project is under execution.

(d) The Allipur channel (No. 3)—This has not been finally abandoned; there has been a professional difference of opinion as to the possibility of the supply and gauging has been ordered and is going on. This scheme was estimated originally to cost Rs. 23,500 and to irrigate about 800 acres with a probable increase in revenue of Rs. 1,500.

16. The Vamsadhara Project (No. 8).—In G.O. No. 122 I., dated 31st March 1920, the further investigation of this project was stopped by Government in view of the very definite and forceful statement of objections made by the Raja of Parlakimedi in that year. The original scheme, as modified and revised by the Executive Engineer in 1912, was condemned by the Chief Engineer as unremunerative. At that time the capital cost was estimated at 90 lakhs. Since then the rates for labour have increased by 50 per cent, and the rates for cartage by 66 per cent as the Executive Engineer pointed out. Even if this increase were ignored, which it cannot be in practice, the scheme requires a sum of 4½ lakhs in increased revenue to pay even 5 per cent on

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the capital cost. For this Rs. 15 an acre would have to be paid on the area from which increased revenue is expected, viz., 30,000 acres of which 8,000 are zamindari. If the existing wet ayacutdars would pay Rs. 2 an acre in addition to what is now being paid, this contribution would only yield 1.16 lakhs, leaving 3.34 lakhs to be contributed by new irrigation. In the face of these figures the Committee agreed that it was impossible to suggest the revival of this scheme.

17. The Executive Engineer then put before the Committee a modified and more restricted scheme of his own. This would involve the construction of an anicut at Kommanapalli, much lower down the Vamsadhara; and might command the proposed extension of the Nagarikatakam channel (No. 9), under which new irrigation would have to pay Rs. 3-8-0 an acre in any case. The cost of this lesser scheme would be roughly 12 lakhs and the Executive Engineer considered that it would be remunerative if the existing ayacutdars would pay Rs. 2-8-0 an acre more than they are doing at present in consideration of the improved quality of the irrigation.

18. The scheme was put before the Committee in detail with large scale maps, and considered. The Committee thought it worth while to try and see what response would be made by the existing ayacutdars to the suggestion. Consequently the Executive Engineer prepared a concise memorandum of the advantages of the scheme which was given the widest publicity among those affected. The response, however, to this notice was so disappointing that the Committee, after considering in detail the figures of the area affected and of the possible increased revenue, came to the conclusion that nothing further could be recommended in respect of this modified scheme for the utilization of the water of the Vamsadhara. The defect in the scheme is that it could only at best command a very small area of new irrigation. The improvement in the regularization and control of the supply did not apparently appeal to the existing ayacutdars to such an extent that the necessary increase of revenue could be anticipated.

19. *The Langulya Anicut Project* (No. 17).—This scheme was not approved of in G.O. No. 367 I., dated 30th July 1925, as the net revenue on the proposed expenditure of nearly 6 lakhs would, on the most favourable basis, give a return of less than 4 per cent. There were also difficulties in the way of supplying the existing non-Government channels and objections from the aghaharamdars, the Raja of Bobbili, etc. In 1926 the Board of Revenue called for a report on the feasibility of constructing an anicut at the head of the Dusi and Wadada channels, which irrigate Government land in the Chicacole taluk. This project is deferred, but not finally given up, until more definite information of the possible supply is obtained from gauge-readings. The Nagavali-Langulya is largely absorbed in the Palkonda taluk and the Bobbili estate of the Vizagapatam district; and it is impossible to anticipate the supply likely to be available. Meanwhile the head of the Wadada channel has been improved. The improvement of the head of the Dusi channel, under investigation when the Committee last met, has now been ordered to be kept in abeyance until the results of the gauging are known and the main scheme is investigated.

20. The Committee, however, desires to commend this scheme for the favourable attention of the Government if the result of the gauge-readings is satisfactory; the extent to which water will be available for second-crop cultivation is a very important factor.

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21. *The Nagarikatakam channel extension* (No. 9).—This scheme is in order and could be put in hand after revision of the estimates with reference to modern prices if the ryots are willing to pay enhanced rates—roughly estimated at Rs. 6-4-0 an acre—in addition to the dry rate on the area which would be commanded by the extension (2,400 acres approximately). This project would also require the consent of the Raja of Parlakimedi, as the head of the channel lies in that estate.

22. *The Amilakudia tank* (No. 21).—This was condemned and abandoned on technical grounds, the unsuitability of the soil.

23. *The Talaponka tank* (M.I. No. 34).—This is still under consideration.

24. To sum up, the position may be considered in respect of the three main rivers—

(a) The Rushikulya system is by the nature of things capable of only a very small expansion and that nowadays at a cost which must be considered prohibitive, in view of the paltry return which is all that is to be expected.

(b) No method of extending or improving the area irrigated under the Vamsadhara at a reasonable price or with a prospect of a return commensurate with the outlay has yet been discovered. It certainly seems as if it ought to be possible to make more use of this source; it has a large catchment area in the Agency of this district, and the damage which it does to its banks near its mouth suggests that a great deal of its possibilities are wasted. But it arrives in the district from the adjacent Jeypore zamindari, and for the greater part of its course in this district it flows through zamindaris and aghaharams.

(c) The Langulya forms the southern boundary of the district for a short distance and is only concerned with the Dusi and Wadada channels. Here it is hoped that a scheme may be found practicable for the extent that can be commanded.

25. From the foregoing it will be clear that the chief obstacle in the way of the construction or extensive improvement of irrigation works in the Ganjam district is the present high capital cost of such works contrasted with the relatively low rates of assessment paid.

(2)

STATEMENT I.

1. *Singapuram or Nimmapalli or Boradapalli Reservoir* (Aska taluk).—In 1905 the Government ordered the stoppage of further investigation of the Jogudi project, a minor one, until the larger projects, "Godahallow," "Boradapalli," etc., had been undertaken. This Boradapalli project is otherwise known as "Singapur" Reservoir Project. The Executive Engineer in 1924 called for the values of the sites to be taken up for the reservoir. The values were furnished. The Public Works Department enquired what would be the loss of revenue by the acquisition of Government land and the loss of peshkash by the acquisition of land in the Dharakote zamindari. The Public Works Department were informed that the figures have not been worked out and, if they want figures, plans, etc., should be furnished. The Public Works Department have not yet furnished plans, etc.

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2. *Koratoli Tampara (Chatrapur taluk).*—At the instance of the ryots under the ayacut of the Koratoli Tampara and its channels the Public Works Department authorities and the Collector proposed to make arrangements to stop the submersion of wet lands. The Collector has called for proposals for acquisition of lands. The land plans, etc., are still awaited from the Public Works Department. The subject has been under correspondence since 1919.

3. *Allipur channel scheme (Aska taluk).*—The scheme is to excavate a river channel from the Mahanadi (river) left margin about two miles to the north of Aska with a sluice at its head. The Public Works Department asked for Collector's opinion on the scheme. The Collector said it was desirable to carry it out if the Government would be content with a return of 5 per cent.

The Executive Engineer was also informed that the ryots of Allipur were willing to pay their share of korambu charges. Detailed investigation has been ordered and the Superintending Engineer's report is awaited.

4. *Jogudi Reservoir Project (Berhampur taluk).*—This project (otherwise known as Godaka Nala tank project) was for the formation of a tank across the Godaka Nala near Jogudi village at a distance of four miles north-west of the Golantra Railway Station and for the utilization of the water to supplement the supply to lands on both the sides of the nala which depend on the Rushikulya project.

The Superintending Engineer remarked that the irrigation under the Rushikulya project was generally extending and that lands even at the lowest reaches of the project were supplied with water though not as efficiently as could be desired. He further remarked that the proposals for supplementing the supply to the Rushikulya project were to make the best possible use of the sites for large reservoirs and then to build such other smaller ones as were found necessary; when the large reservoir at Godahallow or Boradapalli was built, the Jogudi project might be unnecessary. The Chief Engineer, thereupon, recommended that further investigation of the scheme should be stopped and Government approved.

5. *Mahendratana North and South Reservoir Projects (Sompeta taluk).*—These projects were intended to form two reservoirs across the two branches of the Mahendratana, one about a mile and a half to the north-west and the other three miles to the south-west of Pottangi, for irrigating the lands of Jalandra and Mandasa estates. The investigation of the projects was ordered to be abandoned as the Raja of Vizianagram (owner of the Jalandra estate) was not prepared to consider the proposal and the zamindar of Mandasa was not in a position to carry out the project even if it were beneficial to his estate.

6. *Tintoly Project (Kudala taluk).*—The proposal was for the formation of a reservoir by damming the Donai river in the Atagada estate. The zamindar was not willing to find the money and the Board of Revenue recommended the abandonment of the project. The Government ordered accordingly.

7. *Excavation of Nos. 3 and 4 distributaries of the Rushikulya canal.*—In his notes on the famine-relief operations in 1920, the Collector asked the Executive Engineer to report on the project.

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The Executive Engineer stated that the present storage in the Rushikulya system was the barest minimum, that it was inadvisable to extend Nos. 3 and 4 distributaries until the two following proposals to increase the storage capacity of the Rushikulya system were accepted:—

(a) To divert a portion of the flow of the Rushikulya river into the Surada reservoir;

(b) To form a supplementary reservoir at Mohada.

The Executive Engineer also stated that, until and unless either of these projects was carried out, it was not possible to supply water to the two distributaries, that, as the zamindar first refused to take water, the canal area was extended otherwise and that it would not be fair to this estate to take away such extensions of their canal supply for the sake of Nos. 3 and 4 distributaries.

The Mohada Reservoir project was abandoned and the Executive Engineer asked the Collector to inform him

(i) whether the zamindar of Serugada was entitled to any free water under the two distributaries and, if so, to what extent, and

(ii) whether the zamindar was willing to part with the land required for distribution free of compensation and, if not, what the average rates were for wet and dry lands in the villages through which the distributaries would be excavated. The Divisional Officer was asked to furnish the information. The Executive Engineer was furnished with the information required by him and was told that the zamindar and the ryots did not agree to part with their lands free of cost.

8. *Vamsadhara project (Parlakimedi taluk).*—This consists of the construction of an anicut across the river at Gotta village, in Parlakimedi estate, and the excavation of main channels on the left and right banks of the river up to Sailada to the right and Narasannapeta to the left, and the letting of water from the main channels into the existing channels from a place as near as possible to their existing head sluices. The cost of the project was estimated to be seventy lakhs of rupees and the Revenue return three lakhs. Some ryots, proprietors and inamdars were not willing to pay the enhanced water-rates. The Raja of Parlakimedi, in reply to a reference made to him as to his willingness to pay enhanced water-rates in respect of the temple mokhasa of Annupuram irrigated by the project, strongly objected on the ground that the river at Gotta was his property. The Government in March 1920, ordered that the further investigation of the project, even as a protective work, should be deferred for the present. At the same time they ordered the Superintending Engineer to submit a preliminary report on the scheme for the extension of the Nagarikatakam channel.

9. *Nagarikatakam channel extension (Chicacole and Parlakimedi taluks).*—The existing Nagarikatakam channel is the first Government channel that takes off from the left side of the Vamsadhara river. It was proposed to widen the existing channel for 5 miles 2 furlongs. This is the chief improvement and there are other improvements included in the scheme. The Raja of Parlakimedi was asked to give his consent to this minor project. He stated that he had no objection to the proposed extension provided it would not derogate in any way from his right as an upper riparian owner to utilize the water of the Vamsadhara higher up for the benefit of his estate at any time.

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There was some confidential correspondence in 1923-24, to the effect that the proprietors of Devidi and Urlam and the Agraharamdars of Lukulam had no objection to the proposed extension if it did not cause diminution of supply to their lands.

10. *Hamsarilly Sagaram tank project (Sompeta taluk).*—This scheme was to provide for restoring and improving the old ruined tank, "Hamsarilly Sagaram", formed across the Sunnamuddi Gedda, near the village of the same name, at a distance of two miles to the south-west of Mandasakota, for irrigating lands on both sides of the stream. The Government ordered the scheme to be abandoned as the zamindar of the Mandasa estate expressed his inability to undertake the project either as an ordinary or as a famine-relief work.

11. *Gopalapuram tank project (Tekkali taluk).*—The proposal was to form a tank across a jungle stream, known as Varahalagedda, near Gopalapuram village in Tarla zamindari. This was proposed by the Superintending Engineer on special duty. As the zamindar of Tarla was not inclined to take it up at his own cost, either as ordinary or as famine-relief work, even though it would benefit a vast acreage of wet lands in his zamindari, the Board recommended the abandonment of the project. The Government agreed.

12. *Govindapur Reservoir project (or Bahuda river project).*—(1) This project provides for the formation of a reservoir across the Bahuda river, either (1) near the village of Govindapur of the Bodokimedi zamindari, at 11 miles 4 furlongs on the Ichchhapuram-Aska road, to irrigate Government lands on both sides of the river, including an extent of 4,000 acres of saltish swamp near Surla village (which would be reclaimed) or (2) near the village of Siripur in the same zamindari, about five miles to the west of Govindapur, to irrigate a smaller extent partly Government and partly zamindari. The Bahuda has been irrigating about 6,400 acres by means of nine branch channels. These channels had open heads and no anicuts across the main stream to divert water into them. The river itself is of small length and its basin is hilly; it is therefore subjected often to sudden and severe floods of short duration which cause considerable damage to the lands. The proposed reservoir would impound the flood waters and utilize the storage both to facilitate present irrigation and also to extend irrigation to 8,500 acres more of Government waste land and 500 acres of zamindari. The project was estimated to yield a return of 4.3 per cent on the capital outlay.

(2) The Chief Engineer reported that the Zamindar of Bodokimedi objected to the formation of a reservoir near Govindapur as he would lose a certain amount of land and would receive no corresponding benefit from the reservoir. The Superintending Engineer thought that the site selected near Siripur was not worth considering as most of the land commanded by this project could also be commanded by the Rushikulya project. He therefore recommended the Govindapur Reservoir project for consideration, the most important part of which consisted in the reclamation of the Surla swamp.

The Special Superintending Engineer considered that the project was worth undertaking because a portion of the project would be famine protective and the experiment of reclaiming Surla swamp was worth carrying out as an object lesson. He added that, if both the Godohollow and Boradapalli reservoirs were formed, it would probably be unnecessary to construct the Govindapur reservoir, but that, should the Boradapalli reservoir prove

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impracticable, the project would be necessary; he suggested therefore that estimates for the project should be prepared but not sent up for sanction until the question of Boradapalli reservoir was settled.

The Chief Engineer recommended that, in the interests of irrigation, the reservoir at Govindapur was well worth further investigation, that the detailed investigation of the reservoir be sanctioned in spite of the objections of the Zamindar of Bodokimedi, and that estimates and plans be kept back till definite orders on the Boradapalli reservoir project were passed.

The Government approved the recommendations of the Chief Engineer.

13. *Mohada Project (Berhampur taluk).*—It was proposed to supplement irrigation to the Rushikulya canal-fed lands. The Executive Engineer, Projects division, reported that the soil was not suitable for raising a bund to the requisite height without danger to the Ichchhapuram channel and that, owing to bad soil, the cost of the project would be prohibitive. The Government ordered the project to be abandoned.

14. *Godahado Reservoir Project (Chatrapur taluk).*—This was intended to develop the Rushikulya system. The Executive Engineer on special duty reported that, in a year of low flow, the discharge of the river was very considerably less than that of the Rushikulya river and proposed to shelve the Godahado project for the time and to concentrate on the project for storage on the Rushikulya river. The Chief Engineer for Irrigation recommended that the project might be abandoned. The Government abandoned the project; but it will be taken up for reconsideration in case the Rushikulya river project is found to be not feasible.

15. *Gounzu Tampara Project (Berhampur taluk).*—This consists of two parts, viz., (1) reclamation and drainage of the Tampara, (2) irrigation of the existing ayacut under the system and of the reclaimed extent under the Tampara by extending the existing channels of the Rushikulya system. The first part of the project has been taken up and report was asked for in 1923 about the financial aspect. The percentage of revenue return was reported to be 4.44 and the difficulties to be encountered by the Government, in case only the first part of the project were to be carried out without any hope of taking up the second part in the near future, were enumerated. Mr. Todd, the then Collector, pointed out that, if the scheme stopped at the first stage and Rushikulya water were not to be supplied, it would be more than useless as a famine protective measure as it would encourage the growing of rainfed paddy, and the first crop would suffer in a bad year. The project is postponed till a definite addition is made to the Rushikulya system storage.

Legislative Council Proceedings, page 1290 of the Book No. 14.

16. *Mollada Tampara Project (Chatrapur taluk).*—This is in the Biridi estate. The cost of the project was estimated at Rs. 67,890. The Government sanctioned it as a famine-relief work. In 1908 (famine year) a special report was submitted to the Board on the financial aspect of the project. The then Collector (Mr. Partridge) recommended that it might be undertaken, though it was never likely to yield more than one per cent interest on the outlay. He said it was the only large irrigation work which could be undertaken as famine-relief work in the locality. The Executive Engineer reported, in 1912, that the project was chiefly beneficial to the Biridi estate. The Collector asked the Raja of Bobbili whether he would pay the cost of

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the work. The Raja called for detailed information about the project. He was not given the particulars required by him, but a report was made to the Board that it should be abandoned even as a famine-relief work. The Board called for a further report on the extent of the proposed ayacut under the project and it was furnished. The Government in G.O. No. 341 I., dated 13th June 1913, abandoned the project even as a famine-relief work.

After some correspondence (1914 to 1921), the Raja, in 1921, wrote that the project was not of much benefit to the Biridi estate, and that the idea of undertaking the work had been abandoned by him: this was reported to the Government.

17. *Anicut across the Langulya*.—The Wadada Channel Committee proposed the construction of an anicut across the Langulya at Guthavilli village and stated that the majority of the ryots would consent to pay enhanced rate of Re. 1 per acre for 20 years. Consent statements for about 50 per cent of the total area were taken and the fact reported to the Superintending Engineer in 1923. As the proposed anicut would affect the existing supply to the following non-Government channels, the Executive Engineer proposed a conference to be held by the Collector, the Superintending Engineer, the Executive Engineer and the persons concerned to decide what was to be done in the case of the channels:—

- (a) Kenthali channel,
- (b) Koragam channel,
- (c) Garimilla Kottavalsa channel and
- (d) Masalia batti.

The Superintending Engineer reported to the Chief Engineer for Irrigation in 1923 that the proposed conference might be deferred till the Irrigation Bill was passed. After the Bill was passed, the Superintending Engineer reopened the question and called for a report on the financial aspect. Report on the financial aspect was made to the Superintending Engineer with Collector's D. Dis. No. 7512-24, dated 18th April 1925. The Government in the Public Works Department considered the reports and remarks of the Chief Engineer for Irrigation and the Board of Revenue and were not pleased to approve of the scheme considering that the net revenue on the proposed expenditure of nearly six lakhs would, on the most favourable basis, be less than 4 per cent.

In 1926, the Board of Revenue called for report about the additional extent on which second crop could be raised under the Dusi and Wadada channels if one anicut were constructed at their head, and as to whether the ryots under the channels would be willing to pay an additional charge of Rs. 1-8-0 an acre in perpetuity in case the project were executed. Report was submitted to the effect that about 3,750 acres would be under second crop paddy cultivation and that the ryots appeared to be quite willing to pay Rs. 1-8-0 an acre extra. Again the Government called for report on the following points:—

- (a) The possibility of an agreement with the Agraharamdars and the Raja of Bobbili, whose interests would be affected by the proposed scheme;
- (b) the extent of remissions granted during the last ten years on account of scarcity of water;

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(c) the maximum additional rate which the ayacutdars were prepared to pay;

(d) the extent to which the irrigation under the system had been prejudiced by the construction of an anicut at Polavaram by the Raja of Bobbili.

The following information was gathered on these four points:—

(a) It is useless to approach the Raja and the inamdars until the Public Works Department work out details.

(b) Remissions granted were —

Rs. 46-4-0 in fasli 1326.

Rs. 26-15-0 in fasli 1329.

Rs. 1,643-7-0 in fasli 1330.

Rs. 3,282-8-0 in fasli 1333.

Rs. 43-8-0 in fasli 1335.

(c) Rs. 1-8-0 extra.

(d) No anicut was constructed by the Raja of Bobbili across the river. The correspondence on the scheme is at this stage.

18. *Ballibhadra Reservoir Project (Ghumsur taluk)*.—This project was intended to supplement the supply of the Rushikulya system. The idea was to form a reservoir near Ballibhadra, Ghumsur taluk, with a supply channel from the Bhaguva river to store flood water. The Chief Engineer recommended the abandonment of the scheme and that, when large reservoirs were built, the smaller ones to supplement the Rushikulya irrigation might be considered. The Government agreed.

19. *Bahuda Reservoir Project, Govindapur village (Ichchhapuram taluk)*.—This includes the drainage of Surla swamp in order to bring an area of 3,500 acres into the ayacut of the project. It was originally intended to supplement the supply to the Rushikulya system. This was dropped for the following reasons:—

- (a) It would lead to the extensive submergence round the Surla swamp.
- (b) The soil of Surla swamp is saline and the greater part would not be fit for cultivation.
- (c) The scheme was not likely to yield a return of much over 2 per cent on the capital outlay.

20. *Bhaguva Reservoir Project (Ghumsur taluk)*.—It was proposed to construct a reservoir by raising an earthen bund across the Bhaguva river, Koradabadi village, Buguda mutta. A report on the financial aspect was called for. The percentage of revenue return was found to be very low, i.e., less than 2 per cent. Mr. Wood reported that the work was not justified as a protective work. The Government abandoned the project.

21. *Amalakudia Tank Project (Tekkali taluk)*.—This project was for the formation of a tank across the Bendigedda river near the village Amalakudia, for the irrigation of lands in the Tekkali estate. The scheme was proposed by the Ganjam Investigation Party but the Government ordered it to be abandoned as the Superintending Engineer condemned it on account of the badness of the soil.

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22. *Boripodoro Reservoir in Vishnuchakram Forest Reserve (Ghumsur taluk).*—An enhanced rate of Rs. 3-8-0 an acre was fixed to make the scheme remunerative. As the ryots to be benefited were unwilling to pay the rate, it was dropped and the ryots were so informed.
23. *Ondharia Nala Reservoir, Haripur (Ghumsur taluk).*—The scheme is pending with the Executive Engineer for the preparation of plans and estimates.
24. *New tank in S. No. 63 of Dungapalli (Ghumsur taluk).*—The scheme was dropped as the Executive Engineer reported that it was not feasible.
25. *New tank in S. No. 267 of Korichili village (Ghumsur taluk).*—The new tank will also improve water-supply to the ayacut lands under the 'Razu tank,' an existing irrigation source. The scheme was found to be remunerative if the ryots would pay assessment at Rs. 3-8-0 per acre on both the ayacuts under the Razu tank and those irrigable by the new tank. The ryots were unwilling to pay the rate and the scheme was dropped.
26. *New tank in S. Nos. 39 and 298, etc., Mottabadi (Ghumsur taluk).*—The scheme was dropped as it was found to be not remunerative and as the ryots were not in favour of it.
27. *Bozrokota Nala Reservoir (Ghumsur taluk).*—The scheme was reckoned to be remunerative if the ryots would pay an enhanced rate of Rs. 4 an acre. The ryots consented to pay this rate. The estimates and plans prepared by the Minor Irrigation Overseer were sent to the Executive Engineer for the preparation of a revised estimate according to the Public Works Department rates. By revision the estimate amount rose from Rs. 5,335 to Rs. 9,100 and the Public Works Department expressed the opinion that the reservoir could irrigate 122 acres and not the full irrigable area of 200 acres for a full crop period of five months. The enhanced rate has therefore been fixed at Rs. 5 in order to make it remunerative and the Revenue Divisional Officer was asked recently to report whether the ryots were willing to pay it. The report is awaited.
28. *New tank in S. No. 704 of Suromoni (Ghumsur taluk).*—The ryots applied for the work. The late Minor Irrigation Supervisor reported that the work would improve the water-supply to the existing ayacuts under Boro-nala and Bhogiri Bondho but that there would be no extension of irrigation. The ryots were informed that, unless they contributed very largely, the Government could not consider the scheme.
29. *New tank across Birikota Nala, Birikota village (Ghumsur taluk).*—The channel is an irrigation source with an ayacut of 168.63 acres. The ryots applied for the construction of the tank to improve the water-supply to the ayacut lands. The late Minor Irrigation Supervisor investigated the scheme and reported that the cost of construction and maintenance would be prohibitive. It was therefore dropped as non-remunerative.
30. *Pendura nala—Dam—Construction—Buguda village (Ghumsur taluk).*—This is a minor irrigation source for Buguda and Gollamundala villages. It is proposed to construct a dam. The Executive Engineer sent a general investigation report, according to which the total cost of the scheme would be about Rs. 16,000 and the net income about Rs. 1,525. The scheme has therefore been considered to be remunerative. But the Executive Engineer

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- doubted whether the nala could irrigate the additional ayacut of 458 acres and advised that floods should be watched by fixing a gauge at the site of the dam in the bed of the nala and observing the gauge readings for two monsoon seasons at least. The gauges have been fixed very recently. Further action on this scheme will be taken up after two years (i.e., in 1929).
31. *Construction of an anicut across Bonagedda (Chicacole taluk) (Nellimetta, hamlet of Dusi village).*—There had been a dam in the nala. It was washed away. In the resettlement, the ayacut lands were allowed baling wet remission. The ryots requested that the dam might be reconstructed and the baling wet remission cancelled; they promised to pay Rs. 500 towards the cost of the work as it would stop the recurring expenditure incurred by them in raising temporary earthen dams. As correspondence went on the work was found to be beneficial to Singpur Agraharam in Vizagapatam district. They were asked to contribute and paid Rs. 227 and odd; the Nellimetta ryots paid Rs. 500. The work was first found to be remunerative. The Board sanctioned it and entrusted the work to the Public Works Department for execution. The Public Works Department finally revised the estimate, according to the current Public Works Department schedule rates, and as a consequence the estimate amount has risen from Rs. 3,300 to Rs. 5,250 and the scheme has turned out to be non-remunerative. The ryots pleaded inability to pay the increased contributions fixed by the Collector and the scheme was therefore dropped.
32. *Ruined tank in S. No. 521, Chamunda village (Ghumsur taluk).*—Some ryots applied for the restoration of the tank. Those whose lands are in the bed of the tank made a strong protest against the proposal. The late Minor Irrigation Overseer investigated the scheme, reported the ayacut to be about 200 acres and that 25 acres of patta lands would be liable to submersion and would have to be acquired. The Revenue Divisional Officer did not recommend the work and stated that the outturn might not justify its construction as ordinary work. The proposal was dropped.
33. *Kalabhute Nala—Dam—Construction—Golia village (Ghumsur taluk).*—This nala is a Public Works Department irrigation source of Golia village (Ghumsur taluk). To improve the water-supply a dam was to be constructed. The Executive Engineer reported that the construction of a dam would result in damage to the ayacut lands. This project will have to be dropped.
34. *Talaponka new tank—Construction—Ghumsur taluk (S. Nos. 85, and 145 of Talaponka village).*—The ryots applied for it. The Executive Engineer investigated it, and reported that the cost of the work was Rs. 3,500 and the capacity of the tank would be 169 acres against 80 acres available for irrigation. He did not recommend its execution for want of sufficient ayacut under it. The Collector (Mr. Bracken) dropped the proposal. The ryots have now renewed their request that the scheme should be taken up. The Revenue Divisional Officer was asked to furnish fieldwar particulars of the irrigable area so that it might be possible to know at what flat rate of assessment the scheme would be remunerative; he has recently sent the particulars.
35. *New tank in S. No. 131-1—Construction—Bhalyagotcha hamlet—Suromoni village (Aska taluk).*—The Executive Engineer investigated the scheme, intimated that the cost of the work was approximately Rs. 5,500 and stated that the irrigation capacity of the reservoir was 150 acres including the

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existing ayacuts under the existing irrigation channels, viz., Jhoro and Hogiri nalas to be bunded up. The ryots consented to pay half the cost of the work; but still the scheme proved to be non-remunerative. The Collector's orders are being obtained to fix an enhanced rate of assessment so as to make the scheme remunerative and to report whether the ryots of two-thirds ayacut are willing to pay it.

36. *Chenchara Nala Storage Tank—Construction (Berhampur taluk)—Dengabhadra village.*—This is a minor irrigation source with an ayacut of 54 acres. The Sub-Collector, on the ryots' application, proposed the construction of a reservoir in S. No. 398 of the village to store the water of the nala which would otherwise run to waste. The Executive Engineer reported that the site was unsuitable for forming a reservoir, that it would not command any new ayacut, but simply improve the water-supply to the existing ayacut and that the annual capacity of the tank would be just sufficient for 28 acres. He considered that a tank of suitable size could not be constructed without land acquisition and that, if a tank of suitable size were to be constructed, the work would be highly unproductive and non-remunerative even though the rate of assessment were to be enhanced from Rs. 3-8-0 to Rs. 4-8-0 per acre; the outlay would be Rs. 4,500. There seems to be no use considering the scheme further.

37. *Bona Nala—Palakattu village (Aska taluk)—Tank formation.*—The cost of the work was reported to be Rs. 6 000 and the revenue return Rs. 180. As the scheme was unsound and non-remunerative, the Chief Engineer for Irrigation recommended that it should be abandoned. His proposal was approved by the Government.

38. *Anicut across Baiballi Reserve Nala, in Chintapalli village (Ghumsur taluk).*—The scheme was abandoned owing to the small return anticipated.

Other works are mentioned in the Dis. file and of these (1) item 21 was executed, as will be seen from Dis. No. 244/Cor./17, dated 21st January 1917.

(2) Damo Rama nala of Bodokodanda village in Ghumsur taluk is a major irrigation source and it was repaired by the Public Works Department. Jollikumma tank in Dhanuja is also a Public Works Department source and repairs were done to it. Bodo Hodia nala also is a Public Works Department source; as it was stated that necessary investigation was made, the repairs to it may have been done by the Public Works Department.

Baiballi nala anicut (item 33 and scheme 1), which is in Baiballi village, was ordered not to be undertaken. It is a minor irrigation source for Baiballi and Doho villages. At present there is correspondence going on about the construction of a surplus weir (otherwise a masonry dam) in Korada nala wherefrom the Baiballi nala starts.

Report with a sketch is due from the Revenue Divisional Officer, Ghumsur.

For Manubudhya nala of Dengabadi a reservoir was constructed in the last famine of 1920 and the work was transferred to the Public Works Department list with reference to Board's orders in B.P. Mis. No. 1166, dated 19th May 1924.

28th July 1929.

T. AUSTIN,
Collector.

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(3)

* STATEMENT II.

Demi-official from H. R. DOGRA, Esq., Executive Engineer, Ganjam division, to C. A. HENDERSON, Esq., I.C.S., Collector of Ganjam, dated Berhampur, the 8th November 1927.

Vamsadhara project (a) had to be abandoned on account of the very strong protest from the Raja of Parlakimedi and the Committee has already agreed in its first meeting that in view of the previous correspondence which has already passed between the Raja and the Government it is not possible to improve the situation and overcome the objections raised by the Raja. Nothing more is therefore proposed to be done towards the execution of this project.

This project was for extending the irrigation from the river (Vamsadhara) to 30,000 acres in addition to the existing ayacut of about 45,000 acres. But as this cannot be carried out as said above the additional area of 30,000 acres cannot therefore be brought under wet cultivation.

My proposal to construct an anicut in the Government limits is not an alternate scheme to the one mentioned above for the mere fact that an anicut ten miles lower down the river cannot possibly command the same additional ayacut of 30,000 acres. It is only to improve the existing condition of irrigation of the present ayacut of 45,000 acres under the Vamsadhara river and of 15,000 acres under the Langulia river which are at present fed from various channels taking off from different points of these two rivers on their downward course to sea. The bed of the river at the point where I proposed to build the anicut in the Government limits is nearly 50 feet to 60 feet below the bed where the original anicut was proposed. Hence the difficulty of commanding any appreciable extent of additional ayacut from the lower anicut. The extension which I expect under the lower anicut will not be more than 3,000 acres altogether which is very small.

It will therefore have to depend entirely on the willingness of the ayacutdars who are already getting the Vamsadhara water to pay enhanced water-rate to make my scheme financially successful.

The Committee has therefore to obtain the consent of these ayacutdars to pay enhanced water-rate. I think I made this fairly clear in the last meeting of the Committee at Tilaru.

The figures on which I based my scheme are that if the present ayacut of nearly 60,000 acres under Vamsadhara and Langulia rivers would bring in an additional revenue of Rs. 60,000 per year at the rate of Rs. 1 extra per acre for the better facilities of irrigation and thereby for better crop that would be raised on these lands if the anicut proposed by me is constructed, there would be ample justification for the Government to spend an amount of Rs. 12,00,000 (twelve lakhs) which is roughly the cost of my proposal, provided no new canals are dug for the extension of irrigation.

But in the last meeting of the Committee at Tilaru I got the impression that the owners of the lands which are already being irrigated from

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Vamsadhara river are not willing to pay anything extra and that only such men whose lands are at present classed 'dry' or 'rainfed' are ready to pay the enhanced rate if river water is given to them. If my impression is correct this has changed the whole aspect of my scheme because for making this scheme financially successful under these circumstances, I will have to depend only on the extension of ayacut, possibilities for which are limited to only 3,000 acres.

This scheme also will have to be given up if the ayacutdars of 60,000 acres refuse to pay enhanced water-rate as the contribution will have to be voluntary in view of the difficulty of revising the existing water-rate of first-class water sources before the next settlement as expressed by you in the last meeting. It is no use, therefore, my wasting time over this scheme if I have no assurance from the ayacutdars of their voluntary willingness to pay Re. 1 extra per acre per year for the additional facilities and timely water-supply that they will get by the construction of this anicut.

(4)

STATEMENT III

showing the projects proposed for consideration by Sir A. P. Patro.

Number of the project from statement No. I.	Name of the project.
1	The Singipur or Nimmapalli or Borodapalli project.
17	Anicut across the Langulia.
8	The Vamsadhara project.
9	The Nagarikatakam channel extension.
18	Ballipodora reservoir project.
3	Allipur channel.
27	Bojrokota nala reservoir.
30	Pendura nala dam construction.
21	Amalakudia tank.
34	Talaponka tank.
2	Koratoli Tampara.
13	Mohada project.

(5)

STATEMENT IV.

Rates of assessment (highest and lowest) in the several Government taluks of the districts of the Northern Circars (excepting Guntur).

Name of district and name of taluk.	Wet rate of assessment.					
	Highest.			Lowest.		
	RS.	A.	P.	RS.	A.	P.
Ganjam—						
Chicacole	7	0	0	1	9	0
Berhampur	6	8	0	1	4	0
Ghumsur	6	8	0	1	4	0
Aska	6	8	0	1	4	0

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Rates of assessment (highest and lowest) in the several Government taluks of the districts of the Northern Circars (excepting Guntur)—cont.

Name of district and name of taluk.	Wet rate of assessment.					
	Highest.			Lowest.		
	RS.	A.	P.	RS.	A.	P.
Vizagapatam—						
Golugonda	9	8	0	2	0	0
Sarvasidhi	9	8	0	2	0	0
Palakonda	9	8	0	2	0	0
Rates for compounded double crop.						
Golugonda	12	11	0	2	5	0
Sarvasidhi	12	11	0	2	5	0
Palakonda	12	11	0	2	5	0
Permanent double crop land.						
Golugonda	14	4	0	6	5	0
Palakonda	14	4	0	6	5	0
East Godavari—						
Ocanada	12	0	0	2	4	0
Peddapur	12	0	0	1	10	0
Ramachandrapur	12	0	0	2	0	0
Amalapur	12	0	0	3	8	0
Rajahmundry	8	8	0	1	10	0
Rajole	12	0	0	3	8	0
Kistna—						
Narsapur	12	0	0	3	0	0
Bhimavaram	9	0	0	3	0	0
Tanuku	10	0	0	2	0	0
Nandigama	7	8	0	2	8	0
Gudivada	10	0	0	3	8	0
Ellore	9	0	0	1	10	0
Yernagudem	9	0	0	1	10	0
Bandar	8	0	0	4	0	0
Divi	8	0	0	4	0	0

(6)

Rao Bahadur Sir A. P. Patro's note to the Report.

In reply to your demi-official, dated 13th July, which was received here on the 17th, enclosing a draft report to the Government on the work done by the Irrigation Committee, and requesting to propose any amendments or additions, I am to say that I have not much to add with reference to the draft in so far as it records the general conclusions of the majority of members. I append this note to the report. I am sure you will agree with me that we were handicapped very much in the matter of investigation of the important

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questions for want of expert advice. Apart from the opinions of Public Works Department officers hitherto recorded, we could not have greater assistance in forming our opinions on the schemes. We should have had the assistance of a special officer under a special division. Government have, I understand, agreed to do in the case of Trichinopoly district. It seems to me, I am open to correction, that the policy of Government has been to favour the most favoured districts in the Presidency. The Mettur scheme has been devised to supplement existing irrigation and to bring in a dry taluk under irrigation in Tanjore, the ryots have not yet accepted the new rates; the Kattalai and other schemes are now worked out for the benefit of Trichinopoly.

Ganjam has been subject to periodical scarcity and famine and in one year 1917, there was an expenditure of about 47 lakhs of rupees under 'Famine'. It is significant that the area affected was the Ghumsur division, northern parts of the district from which paddy is exported to Berhampur market. Moreover, there is incessant demand for extension of canal and supply of water. It is doubtful to state that the existing supply never failed nor is it correct to add that there is no demand for water in season. There is thus a strong case for supplementing the existing source of irrigation. It is noteworthy that schemes for supplementing the existing Rushikulya system have been investigated, details have been worked by special Engineers and district officers for the last fifteen years. The system is worked under 'protective' policy, and in order to save large expenditure on 'famines' and 'scarcity', it is highly desirable that as a protective work, the existing reservoirs should be supplemented by constructing new and additional one. For this purpose, a special officer will have to be deputed for examination and investigation in detail, of all the proposals made before and to advise new schemes, if necessary.

The second matter I would emphasize is that the revenue forecast in regard to Vamsadhara project was not properly made. A Special Deputy Tahsildar who could visit villages and explain the proposal to ryots at different centres, would have been able to help us with more accurate information. I am constrained to say that in this matter of collecting revenue information the Committee had not the necessary facility. The Tahsildar of Chicacole, a busy officer, could not be expected to carry on this work in addition to his own duties. There is vast area which could be brought under irrigation. The ryots have been clamouring for the same. We made no attempt to discuss the difficulties with the Raja of Parlakimedi. This difficulty could be overcome by recognizing his right as a riparian owner entitled to a certain proportion of supply. A full-time officer is absolutely necessary to investigate this proposal also along with others.

As regards Langulya ancient scheme, it is futile to wait for the completion of gauges which will take half a dozen years more. With due respect to Public Works Department, I must confess to a sense of disappointment at the attitude taken by the department. One of the Superintending Engineers recommended the scheme and even an amount was allotted by Government for beginning the work. There is no doubt as to the volume of water available to supplement existing irrigation and to bring in new area under second crop. The ryots agree to pay enhanced rate of assessment even Rs. 2 over the existing rates. The most important feature of the Langulya scheme is generally forgotten that it is part of the Ganjam minor rivers scheme. It is a work of an improvement and is not a new scheme. The expenditure

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under the Ganjam Minor Rivers scheme should be taken as a whole together with the revenue accruing under the system as a whole. It is not correct to isolate this work apart from the whole of the minor rivers scheme. This work must be treated as an improvement to the existing source of supply. The ryots are willing to pay excess rates. The Committee, at one of its sittings, resolved to place this view of the matter before the Government for favourable consideration. I would, therefore, urge that a Special Officer should at once be appointed with a subdivision to work out the details and commence the works.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR
OF MADRAS.

Wednesday, the 29th January 1930.

The Council 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 Mahomed.	Manikkavelu Nayakar, Mr. M. A.
Krishnan Nayar, <i>Kt.</i> , The hon. Diwan Bahadur Sir M.	Muniswami Nayudu, Diwan Bahadur B.
Campbell, C.S.I., C.I.E., C.B.E., V.D., I.C.S., The hon. Mr. A. Y. G.	Muniswami Pillai, Rao Sahib V. I.
Subbarayan, The hon. Dr. P.	Muppil Nayar of Kavalappara.
Muthiah Mudaliyar, The hon. Mr. S.	Muthulakshmi Reddi, Dr. (Mrs.) S.
Seturatnam Ayyar, The hon. Mr. M. R.	Nagan Gowda, Mr. B.
Abdul Razaq Sahib Bahadur, Khan Bahadur S. K.	Nanjappa Bahadur, Subadar-Major S. A.
Appavu Chettiyar, Mr. C. D.	Narayanan Chettiyar, Mr. A. I. Ar.
Ari Gowder, Mr. H. B.	Natesa Mudaliyar, Rao Bahadur C.
Arogyaswami Mudaliyar, Diwan Bahadur R. N.	Parthasarathi Ayyangar, Mr. C. R.
Arpudaswami Udayar, Mr. S.	Patro, <i>Kt.</i> , Rao Bahadur Sir A. P.
Bhanoji Rao, Mr. A. V.	Raja of Kallikota.
Bheemayya, Mr. J.	Rajan, Mr. P. T.
Chidambaranatha Mudaliyar, Mr. T. K.	Ramachandra Reddi, Mr. B.
Cotterell, C.I.E., I.C.S., Mr. C. B.	Ramamurti, I.C.S., Mr. S. V.
Dorai Raja, Mr. S. N.	Raman Menon, Mr. K. P.
Ellappa Chettiyar, Rao Bahadur S.	Ramjee Rao, Mr. V.
Ethirajulu Nayudu, Diwan Bahadur P. C.	Ranganatha Mudaliyar, Mr. A.
Gnanavaram Pillai, Rao Sahib P. J.	Ratnasabhapati Mudaliyar, Rao Bahadur C. S.
Gray, C.B.E., I.C.S., Mr. J.	Robertson, Mr. R. J. C.
Govindan Nayar, Mr. C.	Rutherford, C.I.E., I.C.S., Mr. T. G.
Hearson, Mr. H. F. P.	Sahajanandam, Swami A. S.
Hilton Brown, I.C.S., Mr.	Saldanha, Mr. J. A.
James, Mr. F. E.	Sarabha Reddi, Mr. K.
John, Mr. V. Ch.	Shetty, Mr. A. B.
Kesava Pillai, C.I.E., Diwan Bahadur P.	Siva Raj, Mr. N.
Khadir Mohidin Sahib Bahadur, Muhammad.	Soundara Pandian, Mr. W. P. A.
Khalif-ul-Jah Sahib Bahadur, Khan Bahadur P.	Srinivasan, Rao Sahib R.
Kumara Raja of Venkatagiri.	Subrahmanya Moopanar, Mr. S.
Ruppuswami, Mr. J.	Subrahmanya Pillai, Chavadi K.
Leach, I.C.S., Mr. A. G.	Tejudin Sahib Bahadur, Khan Sahib Syed.
Leach, Mr. A. J.	Uppi Sahib Bahadur, K.
Maharaja of Pithapuram, C.B.E.	Vanavudaiya Gounder, Mr. S. V.
	Venkiah, Mr. S.
	Watson, I.C.S., Mr. H. A.
	Wood, Mr. C. E.
	Zamindar of Singampatti.

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I

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Agriculture

Demonstration of flue-curing of tobacco in Guntur district.

* 1355 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Minister for Development be pleased to state—

(a) whether the Government have made any arrangement to demonstrate the value of flue-curing of tobacco to the ryots in the Guntur district;

(b) whether they have examined the question of demonstrating the "re-ordering" and "drying" processes after "bulking" is completed; and

(c) whether the Government have ascertained the minimum cost of a model "flue-curing" plant including "re-ordering" and "drying" machines and what it is?

A.—(a) No

(b) This line of work has not yet been taken up by the Agricultural department.

(c) No.

Industries

Development of the handloom industry.

* 1356 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Minister for Development be pleased to state—

(a) whether any new steps have been taken within the last one year by the Director of Industries to tone up the handloom industry and put it on a stronger commercial basis; and

(b) whether he will be pleased to place on the table of the House the reports of the Director of Industries districtwar in regard to the state of the textile industries in the districts that he visited?

A.—(a) One of the new steps taken was the demonstration of modern methods of dyeing in important centres like Ellore, Masulipatam, Jammalamadugu, Dharmavaram, Salem, Erode, Vriddhachalam, Berhampur, Vizianagram, Anakapalle, Payakaraopeta, Nellore and Kalahasti. Proposals are also under consideration for the employment of a Research Engineer with a view to the evolution of suitable machines to improve the various processes employed in weaving. Other proposals taken up and which it is proposed to place before the Textile Advisory Committee are the following:—

(1) Introduction of a hire-purchase system for the sale of comparatively costly textile appliances, or in the alternative, loan of such appliances to select co-operative societies in the first instance;

(2) Prescription of a standard strength test, etc., for Indian mill yarns made available to the handloom weavers;

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(3) Reduction of railway transport charges for yarns and handloom cloths;

(4) Introduction of fiscal and other measures necessary to protect the textile cottage industries from mill competition;

(5) Development in the trade of Madras handkerchiefs; and

(6) Establishment of special weaving schools, and increase in the number of peripatetic weaving parties.

(b) Copies of the Director's inspection reports^a are placed on the table.

Future working of the Leather Trades Institute.

* 1357 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Development be pleased to state—

(a) why the Government have issued orders that no new students should be admitted for training in the Leather Trades Institute; and

(b) whether the Government have decided anything regarding the future of this Institute?

A.—(a) The Government decided to close the instructional side of the Institute as it failed to attract sufficient number of students to justify the expenditure involved in its maintenance.

(b) The Government have decided to continue the Institute for research and for giving practical advice and guidance to tanners.

Visit of the peripatetic weaving parties to South Kanara.

* 1358 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Development be pleased to state whether peripatetic parties of weavers and dyers have ever visited South Kanara and, if so, when?

A.—A peripatetic weaving party which was stationed at Malabar with Cannanore as headquarters visited Kasaragod, Nileshwar, Udipi and Mangalore in the South Kanara district during the years 1924–25 and demonstrated the working of the fly-shuttle slays, double-box slays and lever dobbies. The Weaving Superintendent in charge of the above party visited Mangalore also during March 1926 and June 1927 for setting up a wooden sizing machine and for making automatic winding arrangements for the beamer of the sizing machine supplied to Messrs. Machadoss & Sons, Mangalore. The dyeing party has so far not visited the district.

Mr. A. B. SHETTY:—"May I know whether the peripatetic weaving party stationed in Malabar continues there still and, if so, why it has not visited Mangalore at any time after 1921–25?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"I will enquire into the matter."

^a Printed as Appendix I on pages 862–871 infra.

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Medical

Appointment of a lady medical officer for the Government Hospital, Namakkal.

* 1859 Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the Government are aware that the female population of Namakkal is put to great hardship on account of the absence of a lady medical officer in the hospital at Namakkal; and

(b) what steps the Government have taken or propose to take for providing the hospital at Namakkal with a lady apothecary?

A.—(a) & (b) The Surgeon General has recommended that a lady sub-assistant surgeon should be appointed to the Government Hospital, Namakkal. The proposal is under the consideration of the Government in connexion with the budget estimates for 1980-81.

Prevalence of leprosy in Shirva village.

* 1860 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Public Health be pleased to state—

(a) whether Government have received any petition from some inhabitants of Shirva in Udipi taluk, South Kanara district, about the prevalence of leprosy in that village; and

(b) what action has been taken thereon?

A.—(a) & (b) Yes. The residents of Shirva wished a dispensary to be opened in the village for leprosy treatment. The question is engaging the attention of the Government.

Prevalence of leprosy in South Kanara.

* 1361 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the District Medical Officer, South Kanara, or any agency has brought to the notice of Government the high percentage of cases of leprosy in several villages in South Kanara and, if so, in what villages; and

(b) what steps have been taken and are being taken to combat the spread of leprosy in those villages?

A.—(a) & (b) No representation regarding the prevalence of leprosy in South Kanara has been brought to the notice of Government by the District Medical Officer. The District Advancement Association, South Kanara, however, pointed out the existence of a number of cases of leprosy in Mangalore in an address presented to the hon. Minister for Public Health. The question is engaging the attention of the Government.

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Public Health

Removing overgrowths of forests and low jungle in South Kanara to mitigate malaria.

* 1362 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the Director of Public Health has drawn the attention of Government to the necessity of removing overgrowths of forests and low jungle in the vicinity of forests in Puttur taluk (South Kanara) for the mitigation of malaria there; and

(b) whether the Government propose to take any action in this matter?

A.—(a) In his report on malaria survey in Puttur taluk which the Director of Public Health forwarded to Government, the Special Malaria Officer recommended deforestation for a distance of at least two furlongs from the outskirts of every village.

(b) The ryots of South Kanara enjoy the special privilege of clearing undergrowth up to half a mile from holdings in all except coastal reserves and up to two hundred yards in the coastal reserves. It is not necessary to take any further action in the matter.

Mr. A. B. SHETTY:—"May I know whether the Government are aware that the ryots have not found it possible to clear off undergrowths in the vicinity of their villages?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"The Government are not aware of it."

Mr. A. B. SHETTY:—"May I know whether the Government propose to carry out deforestation in accordance with the recommendations of the Special Malaria Officer?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"The recommendations of the Special Malaria Officer have to be carried out by the local boards concerned. The question whether the local boards are to be financially helped by the Government is yet under consideration."

Free distribution of quinine to check malaria.

* 1363 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the experiment of free distribution of quinine has been found successful in reducing the incidence of malaria;

(b) whether the Government propose to give more grants for the purpose of free distribution of quinine next year; and

(c) whether the Government have decided to reduce the price of quinine and, if so, by how much?

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- A.—(a) The scheme has not been working for a sufficiently long period to enable Government to judge whether it has been a success.
 (b) Government propose to provide for the continuance of the scheme during 1930-31 in the areas in which it is now in force.
 (c) The question of reducing the sale price of quinine is under the consideration of Government.

Special Malaria department to be placed on permanent footing.

* 1364 Q.—Mr. A. B. SHERRY: Will the hon. the Minister for Public Health be pleased to state whether the Government have decided to place the organization of the Special Malaria Officer and his staff on a permanent footing?

A.—The question is under consideration in connexion with the Budget Estimates for 1930-31.

Education

The question of compelling children to complete their primary course.

* 1365 Q.—Mr. A. B. SHERRY: Will the hon. the Minister for Education and Local Self-Government be pleased to state whether the Government have at any time examined the question of compelling children who commence the primary course to continue their studies till they complete it?

A.—Yes. The Government are of opinion that the only effective method of compelling children in elementary schools to remain at school till they complete their elementary education is the introduction of compulsory elementary education, and they are at present considering the question of inserting in the draft Elementary Education Bill now under consideration a clause empowering them to compel district committees to submit proposals for the introduction of compulsory elementary education.

Local Boards

Completion of the road from Tandrapet to Perumkolathur.

* 1366 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state whether the report called for from the President, District Board, North Arcot, in answer to question No. 634, dated 30th September 1929, has since been received and will be placed on the table of this House?

A.—The report^a of the President, District Board, North Arcot, since received is placed on the table.

Levy of entertainment tax on collections at Guindy races.

* 1367 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether any entertainment tax is levied by any local authority on payments and collections made at the horse races at Guindy;

^a Printed as Appendix II on page 871 infra

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(b) whether any applications were made to the Government by any local authority or authorities for extending the operation of the Act to the Guindy races or for power to levy entertainment tax from persons visiting the races;

(c) what action was taken on such applications and if the Government refused such applications, the reasons therefor;

(d) whether the Government have made an estimate approximately of the amount of entertainment tax that could be collected under the operation of the Act in connexion with the Guindy races;

(e) if so, what the amount approximately would be;

(f) whether Government were advised to bring legislation to enable them to levy the entertainment tax themselves in connexion with the Guindy races; and

(g) why the Government do not introduce legislation for that purpose?

A.—(a) No.

(b) Yes.

(c) Government decided to postpone the question.

(d) Yes.

(e) Roughly Rs. 10,000.

(f) No.

(g) No special legislation is necessary.

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“With reference to the answer given in clause (c), may I know whether the Government will be pleased to expedite the sanction for the introduction of entertainment tax as delay would cause loss to the municipality?”

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

Court of Wards and Zamindars

Collection of arrears outstanding in the Sivaganga estate.

* 1369 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) the amount of arrears outstanding in the Sivaganga estate at the beginning of fasli 1338;

(b) the number of cases of distraint of movables made for arrears in fasli 1338, i.e., 1st July 1928 to 30th June 1929;

(c) the number of cases of distraint of standing crops in fasli 1338;

(d) the number of criminal prosecutions for removal of distrained crops sanctioned by the Estate Collector in 1929;

(e) the number of criminal cases which ended in the conviction of the ryots;

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(f) the number of criminal cases in which the ryots were defended by pleaders and the number of these cases which ended in conviction; and

(g) the number of cases in which convictions by the Subordinate Magistrates were upheld in appeal?

A.—(a) The hon. Member is referred to the answer given to clause (b) of question No. 395 on 14th August 1929.

(b) 3,393.

(c) to (g) The Government have called for the information.

Cases of distrains of movables in Sivaganga estate.

* 1370 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to call for and place on the table a statement showing the number of cases of distrains of movables effected in the Sivaganga estate in faslis 1333 to 1337?

A.—The Government have called for the information.

Expenditure on litigation in the Sivaganga estate.

* 1371 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to call for and lay on the table of the House a statement showing the expenses incurred by the Sivaganga estate for one year, namely, November 1928 to October 1929 under the following heads:—

(a) the value of court-fee stamps purchased by the estate for proceedings under Act I of 1908 such as distrains, land attachment notices, summary suits and prosecutions for removal of distrained crops;

(b) the fee earned by the estate pleaders in conducting proceedings under the Act on behalf of the estate;

(c) travelling allowance earned by the estate pleaders; and

(d) travelling allowance earned by the estate staff for conducting proceedings under the Act against ryots?

A.—(a) to (d) The Government have called for the information.

Summary suits in the Sivaganga estate.

* 1372 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state the number of summary suits pending at the beginning of fasli 1339 in the Sivaganga estate?

A.—The Government have called for the information.

Uncultivated wet lands in Sivaganga estate.

* 1373 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state whether it is a fact that 30 per cent of the wet area in the Sivaganga estate remains uncultivated and, if so, why?

A.—The Government have not the information and have called for it.

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Irrigation

Progress of the Honnahalla project.

* 1374 Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Member for Revenue be pleased to state at what stage the consideration by Government of the Honnahalla project is and when the same will be completed?

A.—A copy of G.O. No. 3214 I., dated 7th November 1929, is placed on the table. A petition since received urging a reconsideration of these orders has been referred to the Chief Engineer (Irrigation) for remarks.

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"In view of the backwardness of the area, will the Government be pleased to favourably consider the petition?"

The hon. Mr. A. Y. G. CAMPBELL:—"I cannot say what the Government will do until we receive the Chief Engineer's report."

Progress of the Siruvani and Uduthorahalla schemes.

* 1375 Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Member for Revenue be pleased to state how long the gaugings of the Siruvani scheme and Uduthorahalla scheme have been going on and when the same will be completed?

A.—

Siruvani scheme.

The gaugings were begun in November 1927 and were to be continued for two years. The Chief Engineer's report on the results of the gaugings is awaited.

Uduthorahalla scheme.

The gaugings were begun in April 1927 and are to be continued for three years.

Minor Irrigation

Failure of crops in certain parts of Bellary taluk.

* 1376 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state the total extent of the registered double-crop ayacut under the spring channels of Chaganur and Rupanagudi villages of Bellary taluk, Bellary district, on which no second crop was sown for one, two and three years respectively between faslis 1334 and 1338?

A.—The appended statement^a shows the total extent of the lands transferred at resettlement from compounded wet to registered double crop wet under the spring channels in Chaganur and Rupanagudi villages and the extent cultivated with two crops in each of the five faslis 1334 to 1338. More detailed information on the subject is not available.

^a Printed as Appendix III on page 872 infra.

^b Printed as Appendix IV on page 872 infra.

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Mr. A. RANGANATHA MUDALIYAR :—" May I know what the total extent is that is involved in the concession granted by the Government for having their double crop wet rate compounded at $1\frac{1}{2}$ instead of at $1\frac{1}{3}$ the wet rate ? "

The hon. Mr. A. Y. G. CAMPBELL :—" I cannot give the information at once but I will call for it."

Revenue Establishments

Suspension of subordinate officials.

* 1377 Q.—Mr. C. S. GOVINDARAJA MUDALIYAR : Will the hon. the Member for Revenue be pleased to state—

(a) whether the declared policy of Government in paragraph 14 of Board's Standing Order No. 183 that suspension as a form of punishment is objectionable and should as far as possible be avoided and some other penalty such as reduction in grade should be imposed, is intended only in respect of Revenue subordinates or whether that policy is also applicable to other departments of Government; and

(b) if so, in what rules or regulations the above policy is embodied in regard to other departments of Government ?

A.—(a) The Board's Standing Orders are intended for the guidance of officers of the Revenue Department. The policy underlying the order referred to has been expressly declared to be applicable also to the Police, Forest, Agriculture, Public Health and Jails Departments.

(b) *Police*.—Police Order No. 230, Volume I.

Forest.—Rule 24 of Appendix 3 of Volume II of the Madras Forest Department and Account Code.

Agriculture.—Paragraph 9 on page 4 of Agricultural Departmental Manual.

Public Health.—Paragraph 56, Public Health Code—Part I—Administration.

Jails.—Rule 119 of the Madras Jail Manual.

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(d) whether the Government have consulted the Secretary of State for India in Council or of their legal advisers on the question as to whether the introduction of such a communal principle is not calculated to adversely affect the vested rights of those already in the judicial service; and

(e) if so, what the nature of their opinion is; and, if not, why not ?

A.—The Government are at present unable to give any indication of their views on the subject.

Recruitment of Sub-Judges.

* 1379 Q.—Mr. J. A. SALDANHA : Will the hon. the Law Member be pleased to state—

(a) the number of vacancies or new appointments of Sub-Judges for which Government have decided to find men either by promotion from the grade of District Munsifs or by direct recruitment from the Bar;

(b) how many appointments will be made or vacancies of Sub-Judges filled in by direct recruitment, or by promotion in the near future; and

(c) whether the communal principle will be applied in making the appointments ?

A.—(a) & (b) The attention of the hon. Member is invited to the answer to question No. 1140-A.

(c) The attention of the hon. Member is invited to the answer to question No. 1378.

The difference in the duration of the summer recess allowed to Munsif Courts and Sub-Courts and District Courts.

* 1380 Q.—Mr. A. B. SHETTY : Will the hon. the Law Member be pleased to state—

(a) the reasons why Munsifs' Courts are allowed a summer recess of only six weeks while Sub-Courts and District Courts have it for two months; and

(b) whether the Government have recently considered the desirability of giving all these courts the same period of vacation ?

A.—(a) Under section 30 of the Madras Civil Courts Act, 1870, the power to fix the period of recess of District Courts, Sub-Courts and District Munsif's Courts vests in the High Court. The Government are not aware of the reasons for allowing only six weeks' recess for District Munsifs.

(b) No.

Mr. A. B. SHETTY :—" May I know whether the Government will be pleased to draw the attention of the High Court to the difference they are making in fixing the period of recess for Munsifs' Courts on the one hand and Sub-Courts and District Courts on the other ? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" I am afraid that the Government are unable to do any such thing. The High Court has been doing like that for more than half a century and there is no reason why Government should interfere with it now."

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Emigration*Revival of labour recruitment from Jeypore Agency.*

* 1381 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that the recruitment of labour from the Jeypore Agency which was prohibited some time back has now been revived;

(b) whether Government have received any representations from the people of this area protesting against such labour recruitment; and

(c) what action the Government intend taking thereon?

A.—(a) The recruitment of labour from the Jeypore Agency was prohibited at one time but was revived in 1928.

(b) Yes.

(c) None. The Government have taken the view that they are not prepared to deny to the inhabitants of any part of the Agency the right of emigrating to other parts of India, for the purpose of bettering their condition, which is enjoyed by the people of the rest of the Presidency.

Labour*Progress of the Nayadi Colony in Malabar.*

* 1382 Q.—Mr. A. B. SHETTY: Will the hon. the Home Member be pleased to state—

(a) the amount spent since 1st April 1929 on the construction and maintenance of the Nayadi Colony in Malabar;

(b) the number of families settled and the total number of inmates in the colony;

(c) what the nature of work in which the colonists are engaged is;

(d) whether the Government have ascertained whether more families desire to settle down in the colony;

(e) whether proposals for increasing the accommodation and constructing a school-house and quarters for the Resident Worker have been received from the Commissioner of Labour;

(f) whether the Government have made any efforts to study the causes for the decaying condition of the Nayadis; and

(g) whether the Government propose to take any steps for their uplift?

A.—(a) Rs. 1,149-12-4 up to the end of October 1929.

(b) Number of families settled—5.

Number of inmates—34.

(c) The colonists are engaged chiefly in cultivating lands. They have already raised Tapioca crops in more than 8½ acres of dry land. Vegetable cultivation is being started.

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(d) Some more families were willing to settle in the colony, but it has not been considered desirable to extend it until the results show that the scheme will be a success.

(e) A school building is being constructed, but the construction of quarters for the warden has not been proceeded with as only a part-time warden is employed at present.

(f) & (g) The colony was started as a result of the enquiries made with a view to uplift the condition of the Nayadis and is intended as a step towards their uplift.

General*Alleged rough handling of the public by the Police during the Viceroy's visit to Madura.*

* 1383 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Home Member be pleased to state—

(a) whether the Government are aware that the Madura Police roughly handled several members of the general public on the occasion of the Viceroy's visit to that place on 10th December 1929;

(b) whether the khadi-wearing students were specially marked out by the police for assault;

(c) if so, (i) what was the occasion for brutal assaults on the public and (ii) whether the crowd was armed with deadly weapons or were otherwise dangerous; and

(d) whether any persons were kept in police lock-up until after the departure of the Viceroy from Madura and, if so, for what reasons?

A.—(a) A procession of about 50 men carrying black flags and a banner inscribed "Viceroy go back" attempted to create a hostile demonstration near the entrance to the Madura temple at the time of the Viceroy's visit and the Police, in the interests of law and order, were obliged to drive them back.

(b) So far as Government are aware there were no students in the procession.

(c) (i) Government have no reason to suppose that more force was used than was necessary to achieve the object indicated in the answer to (a) supra.

(c) (ii) & (d) The Government have no information.

Police*Alleged practice of concocting false cases by the Police.*

* 1384 Q.—Dr. B. S. MALLAYYA: Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that the Police of the C-2 Police station charged four persons recently under section 75 of the City Police Act for drunken and disorderly behaviour;

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(b) whether in throwing out the case as false, the Magistrate who tried the case (Mr. Padmanabha Nayudu) passed strictures on the practice of concocting false cases to satisfy the orders of the superior Police officers that night cases should be brought in; and

(c) what action have the Government taken to stop such concoctions?

A.—(a) Yes.

(b) The trial of the case was delayed for over two months by adjournments. Meantime the two non-official prosecution witnesses were gained over and deposed against the prosecution. The Honorary Magistrate who tried the case believed their evidence, disbelieved the Police witnesses without giving reasons and accused the latter of concocting the case. Subsequent enquiry by the Assistant Commissioner of Police has revealed that the two non-official witnesses had been in the charge and under the protection of the accused for some time before they gave evidence.

(c) After full enquiry, the Commissioner of Police is satisfied that the case was not a concoction. The Government do not therefore propose to take any action.

UNSTARRED QUESTIONS

Fisheries

Working of the trawler "Lady Goschen".

1385 Q.—Mr. F. E. JAMES: Will the hon. the Minister for Development be pleased to state how many days in the year ending 30th June 1929 the trawler "Lady Goschen" was engaged in

- (a) Deep sea fishing and research,
- (b) Pearl fishery,
- (c) Repairs, and
- (d) Towing salt schooners, and return journey, or was idle?

A.—(a) Fifty-nine days.

(b) Nil.

(c) Eighty days.

(d) Return journeys 40 days, idle time 147 days, and towing of salt schooners nil.

Public Works

Steps taken to prevent casualties in the Courtallam waterfalls.

1386 Q.—Mr. DANIEL THOMAS: Will the hon. the Minister for Development be pleased to state—

(a) whether it is a fact that the works which have been started for the prevention of casualties in the Courtallam waterfalls and for the greater convenience of the public, are still incomplete; and

(b) whether the Government will be pleased to expedite the carrying out of the works?

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A.—(a) & (b) The Courtallam Waterfalls Association has constructed a bathing platform and some other works out of funds raised by private subscriptions. The Chief Engineer has submitted an estimate for further work. The estimate is under the consideration of Government.

Irrigation

Progress of the Tungabhadra Project.

1387 Q.—Diwan Bahadur P. KESAVA PILLAI: Will the hon. the Member for Revenue be pleased to state whether the special staff appointed by the Government to report on the Tungabhadra Project has made any progress and if so, whether he will be pleased to lay on the table a statement of the progress made?

A.—The hon. Member's attention is invited to the answer to clauses (a) and (b) of question No. 1043 answered on 20th January 1930.

Loans

Loans to ryots for digging and repairing of wells in Madakasira taluk.

1388 Q.—Diwan Bahadur P. KESAVA PILLAI: Will the hon. the Member for Revenue be pleased to state whether in view of the continuous failure of monsoons and the consequent failure of the irrigation wells, especially in the Madakasira taluk of the Anantapur district, the Government have ever been pleased to extend the concession loans to the ryots for well-digging and well-repairing: and if so, in what years?

A.—The revised loan rules introduced in 1898 do not provide for any special concession in respect of loans for digging or repairing wells.

Police

Alleged misconduct of the Sub-Inspector of Hindupur.

1389 Q.—Diwan Bahadur P. KESAVA PILLAI: Will the hon. the Home Member be pleased to state—

(a) whether the report of the Inspector-General of Police said to have been called for in answer to question No. 866 answered on 9th October 1929 with reference to the conduct of Police Sub-Inspector of Hindupur, B. Ramachandra Rao, has been received; and

(b) if so, whether the matter has been finally disposed of and if so, how?

A.—(a) & (b) Yes; the Inspector-General was asked to dispose of the matter in the exercise of his powers. It is understood that the services of the Sub-Inspector have since been dispensed with.

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

II

A BILL TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920.

The hon. the PRESIDENT:—"The Council will now resume discussion on the Local Boards Bill."

* Mr. K. UPPI SAHIB Bahadur:—"I would submit to the House that this provision is reactionary. What has the amendment to the amendment of the hon. the Minister done? It does not make much difference in effect. My hon. Friend, Sir Patro, said that the amendment as amended by Mr. Muniswami Nayudu restricts the powers of the Collector. What does the amendment say? It says, 'If in the opinion of the District Collector immediate action is necessary, etc., he may suspend the resolution, order, licence, permission, etc.,' Sir, a local board is not an school debating society. All the resolutions of it have to be executed. The Collector can interpret it in his own way and can say that in his opinion a resolution or an order or a licence is against public interests. After a local board has passed a resolution or an order, the Collector can stop that resolution or the order being executed. So, the Collector is the authority to judge and the Government will usually support him. His decisions might have been more often arrived at ex parte."

11-15
a.m.

"There is no provision in the Bill which will enable local bodies to place their case for passing the resolution. It is stated that, if the Collector suspends the resolution, the local body can plead its case before the Local Government. A man from the West Coast has to come all the way to Madras to plead his case before the Government. If the amendment is accepted, it will stand in the way of democratic institutions developing. It will certainly stunt the growth of the small plant of democracy. If the Government is so anxious about the peace of the country, why not give this power to the village munsifs also. The present Local Boards Act has been in force only for a period of nine years. My knowledge of the working of the Act is this; for the first three years very many people did not take much interest in the administration of local bodies. From the year 1923 people began to take interest. Then factions arose in rural areas, among political parties. This rivalry among parties make them go about the country and teach the voters what Local Self-Government means, what their rights are and what the functions of local bodies are. Thus, these factions were useful in giving political education to peasants. Unless we allow local bodies to have their own way, how are they going to grow healthily. Therefore I say that this amendment should be rejected by the House."

* Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"Mr. President, Sir, I support the amendment of the hon. the Chief Minister as amended by Mr. Kumaraswami Reddiyar. The Local Government may suspend or cancel any resolution of any local board or prohibit the doing of any act which is about to be done or being done, under three contingencies, viz., (1) when such resolution or order has not been legally passed, (2) when such resolution, order, licence, permission or act is in excess of the powers conferred by this Act and (3) when the execution of such resolution or order is likely to cause danger to human life, health or safety or is likely to lead to a riot or an affray. The provision as passed by the Select Committee would give an opportunity to the local body concerned to explain their position only under two contingencies,

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firstly, when any resolution has not been legally passed and secondly, when such a resolution is in excess of the powers conferred upon them. Sub-clause (2) of clause 88 empowers the Local Government to get the explanation of the concerned local body. But in cases where the execution of any resolution is likely to cause danger to human life, health or safety, under the provisions as passed by the select committee, the Board will not be given any opportunity for explaining their conduct. If the amendment is not carried, any order of suspension or prohibition passed by the Government will stand absolute, the board not getting any opportunity for explaining their position. If this amendment is rejected by this House, local bodies will be in a helpless position. To do justice to the local bodies I want this amendment to be passed by the House. Otherwise local bodies will not get any opportunity of explaining their case. (A voice:—Suppose the District Magistrate exercises this power.) When the District Magistrate suspends any resolution, he has to report to the Government and the Government, after consulting the local body concerned, may either confirm the order or set it aside. But for this amendment local bodies will not be entitled to get such an opportunity. It will be left entirely to the discretion of the Government; by this amendment the Government will necessarily have to get the explanation of the local body concerned."

* Mr. R. NAGAN GOWDA:—"I rise to oppose the amendment, Sir. When a similar amendment was brought to the District Municipalities Bill, it was stated very vehemently that the District Magistrate had all the powers necessary to stop giving effect to any resolution or order which is likely to cause danger to human life, health or safety or is likely to lead to a riot. It was also suggested there that the District Collector might be given the power to see that such a resolution is not brought into force, by passing an executive order. The hon. Member, Mr. Kumaraswami Reddiyar, while speaking on that motion, stated that he would prefer the Collector ordering the suspension of an order or resolution, to the matter being placed before a court of law under the Criminal Procedure Code. The former, he said, was more dignified than the latter. I, for one, do not see how it could be so. I cannot think that a resolution passed by a district board at one of its meetings could be of such a frivolous nature as to be set aside by the order of an executive officer. I think that, if any mistake or wrong is committed by a resolution of a district board or by any act of the president of the board, they must be prepared to take the consequences of their action. I am rather surprised to find that some of the hon. Members who are connected with these local bodies should say that these powers may be vested in the Collector in preference to the District Magistrate. Is it because they think that an order issued by the Collector can be set aside by appeals to the higher authorities in charge of local self-Government, and that if action is taken under the Criminal Procedure Code and if the case is taken to the notice of the District Magistrate, the district board or its president can get out of it only if they are right and if they prove that they are right? Otherwise, they will have to pay penalty. Probably it is because of this that they are against this procedure? But, Sir, what I think is that they should be as careful as possible in passing resolutions and issuing orders. Instead of doing that, to agree to have these powers given to the Collector to confirm or set aside an order or resolution passed by a local body, is a very humiliating thing to do. Therefore, Sir, I oppose the amendment."

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The hon. the PRESIDENT :—"The question is—

'After sub-section (2) of section 38 in clause 31, add the following sub-section, namely :—

(3) *If, in the opinion of the district collector, immediate action is necessary in any of the cases falling under clause (c) of sub-section (1) (ii), he may suspend the resolution, order, licence, permission or act, as the case may be, and report to the Local Government, who may thereupon either rescind the collector's order or, after giving the authority or person concerned a reasonable opportunity of explanation, direct that it continue in force with or without modification permanently or for such period as they think fit.*"

The amendment was declared carried.

A poll was demanded and the House divided as follows :—

Ayes.

11-30 a.m.	1 The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur.	20. Rao Sahib V. I. Muniswami Pillai.
	2. " Diwan Bahadur Sir M. Krishnan Nayar.	21. Subadar-Major S. A. Nanjappa Bahadur.
	3. " Mr. A. Y. G. Campbell.	22. Mr. C. Govindan Nayar.
	4. " Mr. M. R. Seturatnam Ayyar.	23. Diwan Bahadur B. Muniswami Nayudu.
	5. " Mr. S. Muthiah Mudaliyar.	24. " P. C. Ethirajulu Nayudu.
	6. " Dr. P. Subbarayan.	25. Khan Bahadur S. K. Abdul Razaak Sahib Bahadur.
	7. Mr. H. A. Watson.	26. Mr. K. Sarabha Reddi.
	8. " A. G. Leach.	27. The Kumararaja of Venkatagiri.
	9. " J. Gray.	28. Mr. A. V. Bhanoji Rao.
	10. " S. V. Ramamurti.	29. " B. Ramachandra Reddi.
	11. " C. B. Cotterell.	30. Rao Bahadur C. S. Ratnasabhapati Mudaliyar.
	12. " V. Ch. John.	31. The Raja of Kallikota.
	13. " M. A. Manikkavelu Nayakar	32. Mr. S. Arpudaswami Udayar.
	14. Khan Sahib Syed Tajudin Sahib Bahadur.	33. " C. E. Wood.
	15. Rao Sahib R. Srinivasan.	34. " F. E. James.
	16. Mr. A. B. Shetty.	35. " R. J. C. Robertson.
	17. Rao Sahib P. J. Gnanavaram Pillai.	36. Khan Bahadur P. Khalif-ul-lah Sahib Bahadur.
	18. The Muppil Nayar of Kavalappara.	
	19. The Zamindar of Singampatti.	

Noes.

1. Mr. A. Ranganatha Mudaliyar.	4. Mr. R. Nagan Gowda.
2. Diwan Bahadur R. N. Arogyaswami Mudaliyar.	5. Mr. C. R. Parthasarathi Ayyangar.
3. Mr. K. P. Raman Menon.	6. " J. A. Saldanha.
	7. " K. Uppi Sahib.

Ayes 36. Noes 7.

The amendment was adopted.

Clause 31, as amended, was put, passed and added to the Bill.

Clauses 32 to 37.

Clauses 32, 33, 34, 35, 36 and 37 were put, passed and added to the Bill.

Clause 38.

The hon. Dr. P. SUBBARAYAN :—"Mr. President, Sir, I move the amendment No. 38 standing in my name, which runs thus—

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[Dr. P. Subbarayan]

'For clause 38, substitute the following clause, namely :—

"38. *After section 45 of the said Act, the following sections shall be inserted, namely :—*

'45-A. (1) *For all or any of the reasons specified in sub-section (1) of section 45, the Local Government may, by notification published in the prescribed manner, instead of dissolving a local board and reconstituting it, supersede it for a specified period not exceeding two years :*

Provided that the Local Government shall not supersede a portion only of the local board.

(2) *Before publishing a notification under sub-section (1), the Local Government shall follow the procedure laid down in sub-section (1-A) of section 45.*

(3) *The supersession of a local board shall, if no other date and time are fixed in the said notification, take effect from noon on the date of publication thereof and thereupon all the members of the local board including its president and vice-president shall forthwith be deemed to have vacated their offices.*

(4) *On or before the expiry of the period of supersession notified under sub-section (1), the Local Government may, by notification, publish in the prescribed manner and for reasons to be stated therein, postpone the reconstitution of the local board for a further period not exceeding six months or notwithstanding anything contained in this Act, exclude the area of the local board from the operation of this Act or abolish the local board, after cancelling the notification if any issued under section 4 or 5.*

(5) *The provisions of sub-section (3) of section 45 shall apply, so far as may be, in regard to the exercise and discharge during the period of supersession of a local board under sub-section (1) or (4), of all or any of the powers and duties of the local board and its president.*

(6) *The Local Government may reconstitute the local board before the expiry of the period notified under sub-section (1) or (4).*

(7) *The term of office of the elected members of the reconstituted local board or of the members elected in their places at casual vacancies shall expire at the end of three years if it is reconstituted on the first day of November in any year and in other cases at the end of three years from the first day of November immediately preceding the date of its reconstitution.*

'45-B. *When a local board is dissolved or superseded under section 45 or section 45-A, the Local Government until the date of reconstitution and the reconstituted board thereafter, shall be entitled to all its assets and be subject to all its liabilities as on the date of the dissolution or supersession and on the date of the reconstitution respectively."*

[Dr. P. Subbarayan]

[29th January 1930]

"Sir, there is such a provision in the District Municipalities Act and with the panchayats also coming in under the new Act, I think such a provision will be essential for the proper carrying out of the affairs of these bodies because there are cases in which even after dissolution and reconstitution we find that such bodies are not able to work properly. Hence, I move this amendment."

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

Diwan Bahadur B. MUNISWAMI NAYUDU :—"I move, Sir, that 'in section 45-A (1), the words 'two years' be substituted by the words 'one year'.'"

Mr. A. RANGANATHA MUDALIYAR :—"I second it, Sir."

The hon. Dr. P. SUBBARAYAN :—"I have no objection to accept this amendment, Sir."

The amendment was put to the House and adopted.

* Diwan Bahadur B. MUNISWAMI NAYUDU :—"Sir, the power to supersede a local board for a period and carry on the administration during that period by a special officer was for the first time tried to be introduced in the Local Boards Act by the amending Bill that was introduced. The select committee however rejected it, and the hon. Minister now wants to take the same power by this amendment. I think, so far as the district and taluk boards are concerned, there is absolutely no necessity for a power of this sort. The local boards have been in existence now for nearly forty years and no such power was found absolutely necessary. But as the hon. Minister observed, panchayats are being brought into scope of this Bill and it may be that because of their small area, a trouble may arise, deadlock may be created and when elections are held, the same members may be restored, and the work of the panchayats may consequently suffer. In such cases, I think this power of supersession analogous to that given under the District Municipalities Bill may be agreed to. But in the case of the taluk and district boards, there is no such necessity at all. I therefore move the following amendment standing in my name :—

"In the proposed section 45-A (1), for the words "Local Board" wherever they occur substitute the word "panchayat" and in the proposed section 45-B, for the words "when a local board is dissolved or superseded under section 45 or section 45-A" substitute the words "when a local board is dissolved under section 45 or a panchayat is dissolved under section 45 or superseded under section 45-A"."

Mr. A. RANGANATHA MUDALIYAR :—"I second it."

* The hon. Dr. P. SUBBARAYAN :—"Mr. President, I have no objection to accept this amendment. I have explained when I moved my amendment itself that in the case of these panchayats we wanted this power, but as there is a feeling that we should not have more power than was conceded under the old Act, I do not wish to force my view on this House and I therefore accept this amendment."

The amendment was put and adopted.

The hon. the PRESIDENT :—"I now put the amendment of the hon. the Chief Minister as amended to the vote of the House."

The amended amendment was then put to the House and adopted.

Clause 88 as amended was put, passed and added to the Bill.

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Clause 39.

Clause 39 was put, passed and added to the Bill.

Clause 40.

* Mr. O. E. WOOD :—"Mr. President, Sir, I beg to move

'For the proposed sub-sections (1) to (3) of section 47, substitute the following :—

- "47. (1) For the purposes of election of members to the seats, if any, reserved in a district board for the special representation of women or any of the communities referred to in sub-section (1) of section 9, the Local Government may, after consulting the district board, by a notification, declare the whole district to be a circle or divide the district into two or more circles. Each such circle, hereinafter referred to as a special circle, shall return one member.
- (2) There shall be a separate electoral roll for women and a separate electoral roll for each of the communities for whose special representation seats have been reserved under sub-section (1) of section 9 and only persons whose names are entered in the electoral roll of each special circle shall be entitled to vote at an election to that circle."
- (3) For the purposes of election of members to the non-reserved seats in a district board, the Local Government after consulting the district board may, by notification, divide the district into circles (hereinafter called general circles) and there shall not be more than one member to represent each general circle.
- (4) All the electors of a general circle irrespective of community or sex shall be entitled to vote at an election to that circle."

"Sir, the necessity for amendment to section 47 of the Act arose from the fact that in section 9 (1) provision has been made in the Bill to reserve seats on district boards for minority communities.

"The whole machinery therefore for election to district boards comes up for revision.

"In the old Act of 1920, some provision had been made for minority communities. Whereas the ordinary members of district boards were elected by taluk boards to the extent of not less than three-fourths of the whole, provision had been made for the minorities, in the remaining one-fourth appointed, in that there was direction to the appointing authorities to have due regard to the representation of minorities.

"These appointing authorities were the Local Government in the case of district boards, the president, district board, in the case of taluk boards, and the president, taluk board, in the case of union boards. There was thus some certainty that the minority communities would obtain representation by the best persons, persons whom they really wanted, because the appointing authority would naturally consult the community concerned.

"In the amending Bill, definite provision for reservation of seats for minorities has been made—which is all to the good—but instead of the provision under which there was some certainty of good representation (which was a vital feature), the community is to have its representative thrust upon it by the common electorate of the whole district. It is a miserable outlook for these communities.

[Mr. C. E. Wood]

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"Surely, the minority communities are not going to be put off with an arrangement which places them in a worse position than before. I think they should wake up at once.

"To my mind this makes an absolute farce of the whole suggestion that there is minority representation as there can be no proper representation under such a scheme.

"I hold that if the intention is to give the best possible representation to minority communities this provision completely fails in its object and that minority communities were in a much better position under the old Act.

"Will any hon. Member honestly say he thinks a common electorate will choose men whom they know to be very progressive in matters of communal interests when these common electorates have power to choose men who will be most acceptable to themselves?

"It is no doubt very high souled to imagine that these common electorates will do exactly as they ought to do but we are not dealing with Souls; we are dealing with hard facts.

11-45 a.m. "Now, what did Government recommend in their Memorandum to the Statutory Commission. Let us take their proposals for the Mussalman community and there we have their general trend of thought about minorities. I shall only read a small extract from this Government's recommendation to the Statutory Commission—

'The first question is as to the need for separate electorates. As regards separate Muhammadan representation, theory would say that such separate representation should be abolished, that it is contrary to the true spirit of representative institutions, that Muhammadans should rely on securing political influence by putting up candidates acceptable to a general electorate or by using their voting power to ensure the return of candidates drawn from other communities but acceptable to Muhammadans. But the question confronting us is not one of abstract theory. We have to devise a legislature which will be accepted by all communities as giving them a fair voice in all matters affecting their interests and it will be folly to suppose that the Muhammadan community would accept admission to the electorates but exclusion from the legislature as giving them such a voice, or that they would accept any elected member drawn from other communities as either able to represent their interests or to be trusted to do so where a clash of interests arose. It may be urged that there is no reason why Muhammadans should not be returned from general electorates. It is possible that one or two of them might secure election but that will be merely as hangers on of some political party dominated by Hindu members whose object is not to ensure Muhammadan representation but to use the Muhammadan vote to secure an addition to their own voting strength.'

"They then went on to say:

'The only method by which that can be ensured is through separate electorates.'

"I presume the hon. the Chief Minister subscribed to this memorandum but now he says:—

'We don't want to introduce communal feelings into these "district councils".'

"He would therefore prefer a semblance of minority representation without anything to make it effective. He wants to desert the minorities. This is just sacrifice of minority interests to an abstract theory, against which we are warned in the Government memorandum.

"A pious hope 'We don't want communal feelings to be aroused in the districts' won't prevent their being there. They are there already.

"Mr. Saldhana, speaking yesterday about panchayats told us how these communal feelings are very acute even in the villages and Mr. Uppi Sahib speaking to-day drew a lurid picture of communal feelings in West Coast towns.

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[Mr. C. E. Wood]

"And then we are told 'We do not want communal feelings in the districts'. That reflects merely a pious hope. The communal feelings are there already.

"Is it not better to try and provide something to make communal differences unnecessary than to ignore them?

"Non-official Europeans in India have always stood to protect minority communities and they still stand for this. It is because of the support received from Europeans, both official and non-official, that the minority communities are holding up their heads to-day and making good.

"We want minority communities to be able to stand up for themselves, but we also want to avoid unnecessary friction in doing so.

"Surely minority communities can be trusted to recognize that the best way to obtain what they want in local affairs is to appoint as representatives men of sound and balanced views who will be respected because of their reasonableness and ability to fight their cause in a temperate manner.

"This is the way to avoid communal differences—not by electing the wrong men. That is the way to accentuate communal friction.

"I consider that proper selection to these posts is of paramount importance and it is not fair to thrust upon minority communities representatives who are there just because they are popular with the other side!

"It is a farce to call such representation a reservation of seats for a community.

"Because of this, I have provided separate electorates for minorities and I cannot see how Government can reconcile opposition to such a scheme with their recommendation to the Statutory Commission.

"What is the Statutory Commission going to think of this? They will say 'this Government is asking us to do a thing which it is not prepared to do itself!'

"I have heard no proper explanation as to why separate electorates should not be vouchsafed to district boards and taluk boards if vouchsafed to the Local Government.

"The expression of a pious hope is no argument for the statement that it is not necessary to protect minorities in the local boards. Then why pretend to do so by the provision made?

"I say it is up to the minorities here and now to take alarm at those proposals and prevent this useless scheme of minority representation from being placed on the statute book and copied into the constitution.

"This is not a party question and I ask the hon. the Chief Minister to make it a non-party question and allow each member to vote according to his views.

"I want educating as to why there should be this difference between the treatment of the Local Government and the district boards and I ask hon. Members to try and convince me by sound argument. I have spent many years in the mufassal and I know that communal differences do exist there and it is perfectly ridiculous to say 'we don't want to introduce these differences.'

[Mr. C. E. Wood]

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"I think it is not necessary to explain the various sections in my amendment because they follow the purpose of the amending Bill, except that they are altered slightly to suit the provision which I have made for separate electorates.

"Therefore, I commend my amendment to the acceptance of the House."

Khan Bahadur P. KHALIF-UL-LAH SAHIB Bahadur:—"I second it, Sir."

* Rao Sahib V. I. MUNISWAMI PILLAI:—"Sir, I rise to support the amendment moved by my hon. Friend Mr. Wood. Several arguments were advanced while discussing the District Municipalities Bill. According to the present Act, what happens is this. The district collector after obtaining the opinions of the various revenue divisional officers, finds a suitable man as a representative of the depressed classes to represent them in the district board. In this Bill, there is no certainty of reservation for the minority communities. Even though a member of a particular minority community has to be chosen, there comes the greater disability of having to spend a lot of money and taking his chance at the general election, which I think, from the economic position of the members of the depressed classes, is not advisable at the present moment. Moreover, the district is a wider area and according to the provisions contained in this Bill, a member of the depressed classes or other minority communities has to be chosen from a particular portion of the district. So much so, only that portion of the district will be able to choose their representative and probably that representative may not be the right person to represent the whole district.

"Another reason which I would like to place before this House is that the depressed classes have not so far been able to stand for elections and unless the proper person is chosen as their representative, I do not think their interests will be safeguarded. Sir, the expense that will be involved for a representative of the depressed classes to stand for election to the district board will be enormous and the few people who at present possess a little, will waste their money and thus become paupers in due course if they really intend to stand for election. So, I am strongly of opinion that if a right and proper representative of the depressed classes is to be returned to the district board, it must be by separate electorates. Otherwise, if the provision in this Bill is to be accepted as it is, it will work greater hardship on the depressed classes. So, I strongly support the amendment of my hon. Friend, Mr. Wood."

12 noon.

Swami A. S. SAHAJANANDAM spoke in Tamil in support of the motion; the following is a summary of his speech:—

"Mr. President, Sir, in a general electorate we cannot get anybody to vote for us. For it so happens in the rural areas, that the people generally serve under some rich or well-to-do man and they will give vote only to the candidate recommended by that man. Now under the present Bill nomination has been abolished, and so the only way by which we can enter local boards is by means of separate electorate. For these reasons I support the motion."

* Khan Bahadur P. KHALIF-UL-LAH SAHIB Bahadur:—"Mr. President, Sir, I support the amendment of my hon. Friend, Mr. Wood. My reason is that if communal electorates are introduced, instead of their accentuating communal differences, in fact, in my opinion, they are the only means of solving communal problems. As was pointed out by Swami Sahajanandam, if there

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is to be reservation of one seat for each community the chances are that a real representative will not be returned. When once Government have conceded the principle of reservation of seats they should, I think, go to the logical conclusions of that principle, and give separate electorate, instead of tacking on the minority community to the majority community. For like all half-way measures this also is bound to be fruitful of mischievous results.

"Another reason which has been given in favour of the general electorate is that it will cut at the very root of the difference that now exists between the minority and the majority communities. I beg to submit that this will not serve that purpose. On the contrary reservation of seats in a general electorate will only serve to accentuate the difference. For example, let us take a general electorate with a seat reserved for the Muslims. Then in this case the votes of the Muslims will not at all weigh in the choice of the candidate, as it is an admitted fact that the Muslims are in the minority and the preponderating number of votes necessary for the return of the candidate lies with the majority community. And the majority community will give its vote only to one who will truly and consistently stand by its interests which may often clash with those of the minority community. Very often, therefore, the vote of the majority community will only weigh with the candidate, who will not side with minority community. As such the candidate thus elected will only misrepresent the community in whose interests the seat was reserved. So it is, I say, reservation of seats in a general electorate will only lead to accentuation of communal differences instead of allaying them. For these reasons the amendment now before the House seems to be a reasonable one and ought to be accepted."

* Khan Bahadur S. K. ABDUL RAZACK SAHIB Bahadur:—"Mr. President, I rise to support the amendment of Mr. Wood. Sir, I opposed separate electorate for the seats reserved in the District Municipalities Bill. But I think the rural areas stand on a different footing from the urban. The voters in the urban areas are more literate, more enlightened and more independent and they are not so easily liable to be moved by the dictation and influence, which are usually wielded by one great and important person in rural areas. All the minority votes of a village are therefore liable to be shaped according to the whims and fancies and the political leanings of the chief of the locality, to whom the village voters may be in economic bondage. This will defeat the object of minority representation, and therefore it should be prevented at all costs, as every voter should be free to use his own discretion. For this single reason I support the amendment for separate electorate for minority communities in rural areas."

Mr. S. SUBRAHMANYA MOOPANAR spoke in Tamil and the following is a summary of his speech:—"Mr. President, Sir, what Mr. Muniswami Pillai and Mr. Srinivasan said may be correct. But there are certain grievances to be redressed. Suppose in a minority community there is a family in which there are three sons and four daughters, and there is a family in which there are no children at all. In the former case all the children are married, and that family gets into connexion with seven other families, and so when the head of this family, or any member of it, stands for election, he will see that he gets all the votes enjoyed by the afore-said seven families. Whereas in the case of the family without any children, the head of that family cannot get any vote. Thus there is what is called the tyranny of relationship; and so to avoid this and to see that a member of

[Mr. S. Subrahmanya Moopanar] [29th January 1930]

a minority community gets himself legitimately elected I would advocate general electorate. (Mr. A. Ranganatha Mudaliyar:—Hear, hear.) So I oppose this motion.”

* K. UPPI SAHIB Bahadur:—“Sir, I am really surprised to see Mr. Abdul Razack pleading for separate electorate to-day. Sir, when the District Municipalities Bill was under consideration he pleaded for general electorate, and to-day he advocates for separate electorate. Sir, he is the chairman of a municipality and he has been holding that position in spite of the fact that the voters are mostly Hindus. Again the hon. Member for Trichinopoly with his experience supports separate electorate. Sir, it is a fact that in spite of the fact that his electorate was mostly constituted by Hindus he was returned thrice successively for a number of years as Chairman, Trichinopoly Municipality, and he was holding it for a fairly long period. Do not these two examples show that with separate electorate minority communities can get adequate representation? Now let us see what will be the effect if we are to accept Mr. Wood's amendment. We will have to divide the whole district into three or four circles, and distribute the one member to each circle to be elected by the community for which seat is reserved from among them. Thus the hope held out to such communities is they can stand for general seats also. In the nature of things it is too much for a community, which has reserved seats, to ask other communities to give their votes to its candidate. Europeans and Anglo-Indians not only do not lose anything by separate electorate because they are infinitesimally small in number, but they gain by this arrangement. But a big minority community like Muslims stands to lose. Take, for instance, Malabar. The Muslim population of Malabar is about one-third of the total population of the district. There are now about fifteen or eighteen members on the board. Now if seats are reserved and separate electorate is given to Muslims they will have to lose much. According to the amendment the number allotted to Muslims may be one-third if given according to the proportion of the population. But I doubt whether it can be done, as there are about six communities for which seats are reserved. Then according to the proposal under discussion the district will have to be divided into ten or twelve circles, each circle having to elect one member. All that we will get by this will be ten or twelve seats where we have eighteen in all. I do not think we have any chance of success through general electorate when we have separate electorate also. One common and almost stale argument brought against general electorate is that the member elected by a general electorate will be more pro-Hindu, than pro-Muslim. In a by-election this may be possible. But in a general election, when seats are contested for, in triangular, or quadrangular manner, I cannot imagine how a community which has got a large number of solid votes can be ignored. Each candidate and his supporters will come and ask us. We can bargain with them. I appeal to my Muslim friends not to try to burn the house in order to kill a rat. The thing we are all anxious to get, namely, freedom, is worth the price we are asked to pay. Let us have general electorate for the unity of the nation.

“I believe, why Europeans are so very particular about separate electorates is that they do not like the idea of canvassing votes among Indian voters. They think it beneath their dignity. Now, if they want to avoid canvassing among Indian voters, they can do it very well, because, they have got a reserved seat. They can agree among themselves and choose a man to be their representative in any local board. It is not fair on their part, in order to avoid canvassing among Indians, to undermine the unity of Indians.

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* Khan Bahadur P. KHALIF-UL-LAH SAHIB Bahadur:—“On a matter of explanation, Sir. My hon. Friend was asking whether I remembered that, in a general electorate and in a three-cornered or four-cornered fight, the Hindu community will not give . . .” 12-15 p.m.

* The hon. the PRESIDENT:—“Order, order. What is the personal explanation there? I am not able to understand.”

* Khan Bahadur P. KHALIF-UL-LAH SAHIB Bahadur:—“I want to explain, Sir.”

* The hon. the PRESIDENT:—“The hon. Member has no right to make a speech again.”

* Mr. N. SIVA RAJ:—“I thank you, Sir, for giving me an opportunity to express once more my views on this question of separate electorates. The amendment now brought forward is more or less identical with that brought forward in connexion with the District Municipalities Bill. Sir, in supporting this motion, I wish to state that nobody is more anxious than I am to-day that this unfortunate distinction that exists between the so-called depressed classes and the other communities should cease. I am one of those who are anxiously awaiting the day when all these communities shall be willing of their own accord to set aside all differences and join together to form one nation. Till that time comes—I welcome that day and sooner it comes the better—I feel as strongly as ever I did that the opportunity for exercising our franchise in a separate electorate ought not to be denied to us and especially when the further advantage of contesting in the general election is provided for us in this amendment. Sir, it is possible that the Government with the help of certain of the non-official members of this House who hold the other view may vote down this amendment and thereby express their disapproval of the views that we hold at the present moment. I do not think that it will be right on their part and I put to them not to exercise their franchise with callousness, shut down discussion upon this question and vote down this amendment. It is due to them to vote with us inasmuch as we are asking for it only as a temporary measure and not as a permanent feature of the elections in this country. I, therefore, have great pleasure in according my support to this motion and, in doing so, I once more appeal to the non-official members to sympathise with our views and vote with us.”

* Rao Bahadur Sir A. P. PATRO:—“I have spoken already on a similar question moved by hon. Friend Mr. Wood on the last occasion and it is no doubt an uncomfortable position for me to discuss again on the merits of the problem of protection of minorities. It is admitted on all sides that in the Indian society, as it is now constituted, there exist strong communal feelings among the various communities. We have been hearing of communal antagonism in the country from all parts of this House. So let us face facts as they are and not be guided by shibboleths or by the political catchwords expressed by any section of politicians of this country. We have this solid fact, namely, that there is communal cancer as they call it, that there is communal poison as it is sometimes called, there is communal gangrene, whatever name you may use. There is the admission that there is a strong communal feeling existing in society at present. As it is constituted it is a grave political situation in this country.

“The question therefore for us is to consider what is the remedy for this gangrene or for this poison, what solution has been placed before

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the country to allay the fears and doubts of those communities that do feel they are placed under great disability on account of their being in the minority? That is the real problem that we have to face. Call it by whatever name and cry it down however much, still there is the situation which we have to face and which we have to solve as practical business men. I said on the last occasion that Mr. Wood has rendered a great service in bringing up this question, and again I repeat my high appreciation of the services rendered by him to the country in bringing this question most prominently at this juncture. Because, at this juncture, we are hearing, from all sides, of impending constitutional changes. We have heard a great many forecasts as to what our future is going to be. Therefore, the warning has come from a business quarter. What is the solution, and what is the remedy for the present state of things? Can you wipe out the differences by merely declaiming and saying: 'It does not matter what differences there are; in the interests of nationalism, in the interests of higher ideals, all our differences should be forgotten; the minorities who are struggling for their rights should be prevailed upon to bury themselves so that the majority may come into power.' We have heard the other day that a great protagonist of religious or social organization—the Hindu Maha Sabha—stating 'Oh, do not take up this communal question; first let us think about what we are going to get from the British, then all things will get themselves adjusted.' If you look from the practical point of view, what happens? If you go to the elector, you find a sentiment existing in society that the particular community man must vote for a particular man. I would ask of those persons that have come through the electorates what has been the kind of feeling that is created among the electors. We know it; communal feeling is roused and it is the communal candidate who gets the vote. That being the case, how can you ignore the conditions of things in society? I appeal to you to treat it dispassionately; do not fear that you may become unpopular if you do not go in a line with these people who cry loud that communalism must disappear. But how is it going to disappear if you take up such an attitude of haughtiness towards the minority communities? Take the minority communities with you; make them agree to your demands. Then, of course, you are strong enough to fight unitedly. The problem presented to you is not merely to get on by ignoring the problem, but you can succeed only by recognizing and providing proper remedies. For my part, I would like to see the differences eliminated, but as a practical man I must satisfy the desires and aspirations of the minority communities for a time to take them with me. Give them temporarily such adequate protection possible so that you may take them with you in the long run. Convince them that you are just and fair and equitable towards them, convince them that you feel equally with them and support their interest, give them the necessary safeguards and after a period of time they will themselves be convinced that this protection is no longer necessary. I feel therefore, Sir, that a temporary protection of the rights of the minorities will be the best means of carrying on the work that we have begun, namely, the building up of national unity. These are not high phrases. If you want to build up an edifice, you want the co-operation of all persons—architects, masons and labourers. If you leave out the labourers, how can you have it done by yourself, however clever you may be? We are in the position of architects. We are in the position of men working out plans and schemes, but the men who actually raise the edifice are the masons, the workmen and labourers. Now, why do you leave the labourer—the depressed classes—behind

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for building up the edifice? Sir, the problem of the minorities is the problem of the country to-day. The minority communities will be the real helpers in the building of our national edifice. Therefore, Sir, temporarily at least, it is necessary that we should recognize the position of the minority communities and give them necessary protection. Remove all suspicion from them. We have heard our friends speaking for the depressed classes and the Muslims; we have heard the Europeans speaking in order to show their feelings in the matter. They all feel suspicious of the power of the majority communities. So long such suspicion exists in our society, can you have a united nation; how is it possible to build up the national edifice? So, in order to create confidence in them, we ought to be prepared to make sacrifices. A feeling of give-and-take should subsist. The minorities must be made to feel that we are to help them and not to dominate over them. Until that feeling is created, I am sorry that we can never have that union. However much we may try to agitate on the platform for unity, or write in the Press, there is the solid fact that there can be no true union whatever unless all the parts of the body politic join together, unless the majority communities are prepared to give the minorities necessary protection; and so let us give them the necessary safeguards and take them with us in building the national edifice." 12-30 p.m.

* Diwan Bahadur B. MUNISWAMI NAYUDU :—" Mr. President, coming as I do after my hon. Friend, Sir Patro, I have to speak with some amount of diffidence. Sir, I thought that after the vote that was taken in the District Municipalities Bill on this question it would not be reagitated on this Bill also. My hon. Friend, Mr. Wood, said that there was no force in the arguments put forward against the communal electorate. I might only say one or two things with regard to this matter. If the communal electorate were to solve the communal problem, I should be the first to vote for it. If it will ensure that the minorities will have the best possible representation, I shall welcome it. But I am sure that the very objections and the apprehensions of the minority community will prevail to a greater extent under a system of separate electorates than when they come into the general constituencies. I think those objections will exist in a more aggravated form in a communal electorate of this sort. I am only trying to repeat what I said the other day in a more concrete form. Sir, so far as the number of seats is concerned, we are told that one-fourth will be reserved for minority communities. When nominations were made, we have seen in actual working that these communities did not get nominated to the extent they wished; but most of the seats went to non-depressed class and non-Muslim members who were made to represent them. But in the Bill we have made a substantial provision that members belonging to these communities alone shall represent them in the reserved seats. To that extent there is a chance of their representation by their own communities, and there is the assurance that at least to the extent of one-fourth the number of seats they will be so represented. One argument might be put forward with regard to district boards that there are six communities to be represented and that therefore the number of members of each community might be much less. At the same time, it must be observed that the strength of the district board is much more than the taluk board or the panchayat. Taking the number at, say, 40, one-fourth of this number or ten seats will be assured to them, so that every one of those six communities would have a chance of representation, and thus they will have better representation than they are enjoying to-day. Now, again, while a certain minimum is reserved for them,

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they are also entitled in places where they are a majority community or where there is a competent candidate of that community coming forward, to contest the seats in the general constituencies.

"The next thing I would point out is this. The provision in the Bill is that the whole district board or taluk board should be divided into a number of wards or circles and that for each circle, in the case of reserved seats, there should be two or more seats, so that one may be reserved for a particular community and the others may be contested by all. The effect of it would be this: if you assume at least 16 circles, say, in a taluk board, there will be 16 seats and there will be 16 polling officers, and the votes will be taken in 16 places. So that the efforts of the candidate contesting the reserved seat will be confined to one circle. But, if you accept the amendment, supposing there is one seat reserved for Muhammadans, then it will be that the Muhammadan candidate will have to canvass in all the 16 circles, while the Hindu candidate for the non-reserved seat will confine himself to canvassing in one circle. We have the case of the Legislative Council and the Legislative Assembly elections taking place on the same day now. While the Legislative Council candidates have to canvass even the five-rupee voters, the Assembly candidate has to go to a smaller number of voters only. Similarly, the depressed class candidate or the Muslim candidate will have to arrange for agents in 16 circles and will thus be put to a lot of expenditure which the ordinary Hindu candidate for the general constituency would not be put to. But it may be said that the number of voters would be less in a separate electorate. Is it in their interests then that even those small number of voters should be scattered over a larger area over which the candidate has to make arrangements for canvassing votes? Under the joint electorate, when a Hindu candidate and a minority class candidate are standing for a particular circle, the Hindu candidate will find it to his interest to help the candidate standing for the reserved seat. Under a separate electorate, the candidate will be helpless. So I feel that the depressed class candidate or any poor candidate representing the minority communities contesting for a reserved seat should not be exposed to the risk of making arrangements on such a large scale over a large area. There is also the danger that the Hindu candidate can manipulate the votes when the constituency for the reserved seat is spread over a wide area. That is the difficulty I feel.

"Secondly, I want to point out this. It is said that a depressed class man standing for a reserved seat has to canvass over the whole area and he may not be allowed to enter the Brahman streets. How could he do his canvassing? Much influence will be brought to bear on the voters of the Hindu candidate supporting him. If you admit that many of these depressed classes by themselves are not influential, are not literate and are not wealthy, there will be very little chance for that candidate to go forward. The result will be that over a larger area you would have the chance of a Hindu candidate exercising more influence in respect of a depressed class candidate. Considering all these things, I think in the interests of the minority communities themselves for whom seats are reserved it would be better to adopt the method provided for in the Bill, and the result will be much more satisfactory. I am sure there will be no fear at all of any particular community being represented much more than it should be. Because the influence that will be brought to bear will be confined to a small compact area

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with the result that the candidate will gain the confidence of the electorate if it is not spread over a large scattered area. For these reasons, I oppose the motion."

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"Mr. President, I entirely agree with the remarks made by my hon. Friend, Mr. Muniswami Nayudu, and I do not propose to repeat the arguments that I urged the other day in discussing the District Municipalities Bill. But I would like to-day to present the pros and cons of the two alternatives that we have got to consider. There is on the one hand the separate electorate under which the man who wishes to stand will have his name on the electoral roll of that particular community without getting votes from other communities or being able to stand in the general electorate. On the other hand, the proposal in the Bill, which to-day is sought to be amended by Mr. Wood, is that you have reservation of seats for these minority communities, by which you give the privilege to the members of these communities not merely to vote for their own community man but also the privilege to vote in the general electorate and also the privilege to stand in the general electorate without restriction. While a certain number of seats is reserved for minority communities, they have also the right to compete for other seats as well. Now, this is the aspect of the question, that I wish particularly to place before the Council: do the minority communities stand to gain by the device of separate electorates or by the special device of the reservation of seats and the privilege of standing and voting in a general electorate? I represent, Sir, in this Council a minority community, and I can say from my own experience as to what actually happens. For, as I said the other day, we have got to remember that under the device of separate electorates we are not going to convert the minority representation into a majority representation. The minority must remain a minority, and if it has to gain anything or if it wants anything to be done, it will be only by actually joining with the majority representatives. That is a fact that seems to me many speakers who preceded me have not taken note of. They have talked as if this device of separate representation is going to be the salvation of those minorities. I do not see how it is going to turn out to be their salvation at all. Because, as I said, minorities must remain minorities. Take the case of the Legislative Council. There are five Christian Members here, each of whom belongs to a different political party. Even if we join, we cannot carry any measure here on account of our voting strength. Besides, as I said, we are divided among three parties. What is it we can do here, Christians as Christians? We can do absolutely nothing, and, if we expect to do anything at all, it is entirely on account of the influence that we are able to exercise on other community members. That is a point which was entirely missed by the speakers. In comparing the advantages to these minority communities of the two alternative methods, I have absolutely no doubt that the device provided in the Bill by which the minority communities will be brought into close contact with the general electorate is certainly the best in the interests of the minority communities themselves. That is a point that I wish to particularly emphasise. Because, as my hon. Friend, Mr. Muniswami Nayudu said, it provides the minority candidates with an opportunity of working with others and of being able to influence in many ways the decisions on matters which are being discussed in legislative chambers and other bodies. For securing the votes of the members of the minority communities, the members of the other

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communities will have to go about and seek their help. So that, Sir, as I explained the other day, this system will be of great benefit to the minority communities. They gain tremendously. We see the way in which the representatives of the Indian Christian community have to seek the help of the members of the majority community to carry any measure beneficial to the members of their community. It is only with the goodwill of the majority community that anything can be done for the minority communities. I therefore have the greatest pleasure in joining those who have already spoken on this side of the House and in opposing Mr. Wood's amendment."

* Rao Sahib R. SRINIVASAN:—"Sir, the members of the community to which I belong are afraid to join a general electorate. They say that they would be forced to vote for certain persons and if they did not, there would be trouble. That is their experience. Further, Sir, many of them have told me that if they were to stand for a general constituency they would have to spend large sums of money and that they would become paupers in the end. Therefore let there be no force upon the community. Moreover, we have not got the money that would be necessary for election expenses. There may be 600 voters for a district board and 1,000 voters for a taluk board. Where is the money to come from for wooing all these voters? If we have separate electorate, there will not be much difficulty although in our case the difficulty will be greater than that in the case of the Muhammadan and European electorates.

"Sir, I may point to another difficulty that will face us if we are denied separate electorates. First of all we will have no chance of getting elected. This is a minor point when we consider the question of the annoyance that will be caused to us if we do not vote for a particular influential man in the manner he wants us to. The next day on which the voter incurs his displeasure, this big landlord will file a civil suit against him and engage a lawyer spending some Rs. 50 or so. The case will not be heard before a number of adjournments are made and this will add to the difficulties of the poor voter. Considering all these things, I request the House not to force the minority communities to join a common electoral roll."

Diwan Bahadur P. KESAVA PILLAI:—"Sir, I should like to say only one word. By the inclusion of depressed classes in the general electorate, they are better served and I think they are morally and spiritually benefited. I have seen most of these high-class Hindus, Brahmans and other people, going to their houses and begging for votes. That would disappear if these minorities are given a separate electorate. I think it is for their good that these people have that influence in their hands, because all these people who are contesting will go to their houses and beg for their votes. This will not be the case if the depressed classes are given separate electorate. They will remain depressed classes and the higher classes will remain higher classes if separate electorates are given."

Dr. (Mrs.) S. MUTHULAKSHMI REDDI:—"Mr. President, Sir, I would not have risen to speak had it not been for the fact that Mr. Wood observed that he was not convinced by the arguments I advanced the other day to delete the reference to women. I rise to support the original clause.

"Now, women have got a better chance of being returned by the joint electorate than by the separate electorate because India is different in many respect from the Western countries. We have been getting many reforms

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reform or reform in the matter of inheritance rights, our men have been responsible for our uplift so far. Even to-day we have many men both in the Assembly and in this House to advocate our cause and were it not for the co-operation and sympathy which I have received and continue to receive at the hands of my brother councillors, I would not have been able to pilot many of my resolutions and Bills. That is the position of women in India.

"I will now refer to the grant of franchise to women. The motion for the grant of franchise to women was moved soon after the introduction of the Montford reforms by the present Law Member the hon. Diwan Bahadur Sir M. Krishnan Nayar and was accepted unanimously by the Council. Now, had it not been for all these noble efforts of our men in the past and also in the present, I would not have come into this Council. These are the reasons that impel me to oppose this motion. Even to-day, in the districts, there will be very few educated women possessing the vote. Women are mostly conservative and would oppose all reforms, and hence there is no chance of women being returned at elections by these conservative women. As I mentioned the other day, very few women are tax-payers and therefore they do not possess the vote. So, unless adult franchise is given, even women qualified to stand would be rare because the educated women will have no vote and the property qualification is denied to them since they do not inherit property. Widows have no share in their husbands' property and daughters do not inherit their fathers' property. Very few women are wage-earners. The condition of our women, in this respect again, is not the same as that of women in Western countries. There, many of them are free and unmarried and are wage-earners. Consequently they are independent. They have to protect their interests and have to stand in competition with men in all the departments of life. Naturally, the question now arises: why women want reservation of seats if men would look after the women's interests so very well as in the past? Why should they at all sit on these representative bodies? I answered such questions the other day by saying that women are necessary to represent the women's point of view in many of the problems affecting our daily life such as child labour, maternity benefit, rescue work, medical relief and the education of our children regarding hygiene and sanitation of our homes. Their advice and co-operation are necessary in many of these matters. There ought to be also a division of labour. We are not going to compete with men in public offices, but in many of the committees I have been sitting such as temperance committees, health committees, orphanage committees, I have found that women of experience, education and training can give very valuable assistance for the carrying on of the work of these bodies successfully."

* The hon. the PRESIDENT:—"Order, order. The question is not whether women should have representatives or not, but whether women should be represented by a separate electorate or a joint electorate."

Dr. (Mrs.) S. MUTHULAKSHMI REDDI:—"That is what I am answering, Mr. President. The question would naturally arise why women want reservation of seats. We want reservation not because men would be opposed to our interest, but because women's point of view must be represented by women."

* The hon. the PRESIDENT:—"That has been conceded in the Bill."

Dr. (Mrs.) S. MUTHULAKSHMI REDDI:—"The purdah women also possess votes, but unless they have the goodwill of their men, they will not be allowed to exercise their votes. For these reasons I oppose the separate electorate for women."

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* Mr. F. E. JAMES :—“ Mr. President, Sir, I rise to support the proposal of Mr. Wood. If there is anybody in this House to-day who probably feels his position uncomfortable, it is the Chief Minister. (Hear, hear.) I will explain to the House why: The hon. the Chief Minister was one of the signatories to the report which was sent to the Simon Commission by this Government and in that report he lays down very definitely, as the Chief Minister, that separate electorates for these minority communities should be maintained. Now, Sir, the other day he said, while admitting his joint authority of the Report, that one had to begin gradually with joint electorates and that he had begun from the bottom. Therefore he began with municipalities. He now proceeds to go on to joint electorates for the taluk boards. He then goes to district boards. Now, I would like to ask the hon. the Chief Minister a straight question. If he concedes joint electorates to all these local bodies, on what ground then can he oppose joint electorates for the Legislative Council? Is he prepared to go back on his report? If not, he must justify the stand he has taken in that report in regard to the Legislative Council.

“ Now, Sir, I need hardly say, we look forward to the next elections to test the hon. Minister's faith in these general constituencies. Last time he came from the sheltered grove of the landholders' constituency. I expect him this time to come out into the open and to accept a straight fight in a general constituency.

“ Again, Sir, although in this report to which I have referred and of which he is one of the most distinguished authors, he says that he has come to the conclusion that in the new reforms, the official block should be removed as in no self-governing Legislative Council is there an official block, yet he has discovered the use of it and he is using it in getting joint electorates for local bodies in our province. He has discovered, Sir, that after all, sweet are the uses of diarchy. After that great discovery, I would ask him this important question: whether he will agree to treat this question of joint electorate as a non-party question, as one speaker has already suggested. I challenge the hon. Minister to take the official whip off his block and see how the voting will proceed? Does he consider that even the 50 per cent of the serried ranks who gather behind him at the bidding of the division bell would go into the lobby with him if the official whip were taken off? I am prepared to challenge him to do so and to see whether he will have behind him then a majority in favour of joint electorate.

1 p.m. “ I think in a matter like this he should do what he has done in other matters. He should leave the decision to the Members of this House—I mean to the non-official Members of this House and not to those who after their term of office has expired will retire into distinguished obscurity. Now, Sir, Mr. Muniswami Nayudu, I find, supports the principle of joint electorate. I am surprised to find that he as leader of the Justice Party, a party which will not admit Brahmans to its membership, has overthrown the principle of separate electorates and has gone so far as to support the principle of joint electorates. I am sorry that he did not divulge the causes that led him to make such a change of policy in this respect. On the other hand, Sir A. P. Patro supports separate electorates. Who is the real leader of the Justice Party? Mr. Muniswami Nayudu who supports joint electorates or Sir A. P. Patro who supports separate electorates? (Laughter.)

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“ Mr. Muniswami Nayudu raised various administrative difficulties into which I cannot go in great detail. I would only mention two facts. In the first place I would point out that the local Government has the discretion to reserve seats. That point should be very strongly emphasised. It is not likely that the local Government will reserve seats for any community in an area where that community is likely to be returned in large numbers by the general electorate. It is not likely that the local Government will reserve seats for that particular minority community in that area.

“ In the second place Mr. Muniswami Nayudu dealt with the difficulties in having separate electorates because of the large area that would be covered by a separate electorate constituency. I admit there is difficulty, but I think most of these difficulties can be overcome. They are being overcome now, and his objection could be met by having the same returning officers for separate and for joint constituencies.

“ Mr. Arogyaswami Mudaliyar said: ‘ After all, what can minorities do? They are in small numbers.’ He referred to Indian Christians and said what could five members of the Indian Christian community do in this House without the help of the majority? I would reply at once that five members of any minority community, if they are the right men and really represent the community to which they belong, can do a great deal for that community even though they are in a small minority in this House. I would also boldly say that if we place our claims fairly and squarely before the members of this House I have never found the majority unwilling to listen to our appeal. But you must have a fit man whom the community which he represents must trust, and who can adequately represent the point of view of that community. Whatever the majority may say, we who are the minorities distrust the system of joint electorates, but are sure of getting men whom we really trust through the separate electorate. Mr. Arogyaswami Mudaliyar said that these minorities must depend upon the goodwill of the majority. I accept that statement. It is on the basis of that statement I appeal to the majority to give us the chance of retaining this particular method of election. The majorities should not endeavour to forfeit our goodwill by forcing upon us a system of electorate which we do not want. I am quite prepared to admit that there are evils in having separate electorates. But at the same time I maintain there are evils in having joint electorates also. The point I wish to emphasise is this: the majority communities should not force a minority community to accept a particular system of electorate which it does not want. Not only are the minority communities dependent upon the goodwill of the majority communities, but the majority communities are equally dependent upon the goodwill of the minorities. One way in which that goodwill can be secured is by the majority saying ‘ We think that you can safely have the joint electorate; but if you really fear that you will not be able to send your representatives through that method, then as we want you to select the best from your community, as long as you feel that you must have the separate electorate, we have no objection to your having it’. That must be the spirit of the majority communities. Sir, it should be for us to decide what we should have and I venture to say that no more statesmanlike course could be adopted by any majority community in any country than to agree with this view. After all, Sir, the whole trend of modern opinion and modern statesmanship is in the direction of giving the fullest possible autonomy to minority communities. Wherever you go, either to South America or to Central Europe or to

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anywhere else, you will find that to be the modern trend of statecraft. And it is in that way that several nations have recently fallen into line by giving the fullest possible autonomy to their minority communities. It is only in that way that you can secure from the minority community that alert and frank co-operation with the majorities that we all have in view and that is so essential for the furtherance of national development."

* The hon. Dr. P. SUBBARAYAN :—"Sir, I am much obliged to Mr. James for drawing me out in this way. But I am too old a bird and I refuse to be drawn out. I think I need not reply to the question put to me about the Cabinet memorandum, because what has happened in the Cabinet cannot be divulged. As I said, the memorandum of the Madras Government referred to provincial administration and not to local bodies and even when speaking on the District Municipalities Bill I made it clear that this question of general electorates is one that I wish to be tried in the local bodies. I never said 'Municipal Councils' as Mr. James seems to have understood it.

"With regard to the second question of Mr. James as to whether I am willing to give up my comfortable electorate through which I have been sent here, I can assure him that it is not as comfortable as he thinks it is. All electorates are the same and in some ways it is much harder for one to convince a smaller electorate than a large one. That is my answer to his question.

"Leaving out these questions of Mr. James, I would like to ask him only one question and that is this: since when has he become a convert to communal electorates? I remember when Mr. James was in Calcutta he was speaking of joint electorates and he was in favour of having general electorates for all communities. I think those were his idealistic days and all those theories of Mr. James have gone now and he has come to more practical results. But I think practical results are not as practical as Mr. James thinks. I do feel that the majority report of the Indian Central Committee which deliberated on this question has brought out the reasons how these questions of communal electorates came about. I do not want to enter further into those reasons but to refer hon. Members of this House to that particular sentence in the report of the Indian Central Committee. Therefore I do feel that in the case of representation of minorities especially in local bodies we must have representation only by general electorates. I think my hon. Friend the Leader of the Justice Party has made it clear that by joint electorates these minority communities stand to gain rather than to lose. It has been stated that the amendment of Mr. Wood does not take away the right of these minorities to stand for general electorates. That is so on paper. But what will happen if these minority communities are to be represented by separate electorates? The other communities, who would otherwise be helpful to these minority communities, if the latter were to stand for general electorates, would naturally be prone to think, 'Oh, this fellow is getting separate representation and wants to come into our electorate also', and so would be working against the candidate representing a particular community. The candidates of such particular communities will find it impossible to come through general electorates. Mr. Abdul Razack Sahib happens to be the Chairman of the Saidapet Municipality, because there was no communal electorate. If there was one, I am sure he would have been the

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first person to reap the benefits of communal electorates. In these circumstances, though I know that we ought to satisfy our minorities, I think this system of having joint electorates with separate reservation of seats will meet the needs of minorities. It is said that these people do not really represent the community to which they belong, for they come on the votes of the general electorates. I do not think that has been the case, because those people who come into any assembly as representing a particular community, even though they may have been selected by the votes of the general electorate, are considered as Members representing the particular community to which they belong. At least that has been my experience of all local bodies. I therefore oppose the amendment of Mr. Wood."

Mr. C. E. Wood :—"I shall only take a few minutes of the House, because Mr. James has really replied to most of this debate. Two points that I wish to refer are these. It appears that Mr. Uppi Sahib is speaking only for the conditions prevailing in his own district. He says that in places where a large number of Muhammadans is represented on a board, separate representation is of no use. I wish to point out to Mr. Uppi Sahib that in places where there is already a representation of a minority community there is no chance or likelihood of separate representation being granted, because the local Government according to this Bill has discretion to reserve seats. It is not as though in every case Government will reserve. Only when it is absolutely necessary will Government reserve seats and they will determine the number of seats also. Mr. James has replied to my hon. Friends Messrs. Muniwami Nayudu and Arogyaswami Mudaliyar. With regard to the point raised by my old Friend Mr. Kesava Pillai that the social betterment of the depressed classes results because the Brahmans and caste people come into the houses of the former and solicit their votes, I would like to point out to Mr. Kesava Pillai that this will continue even under the amendment. Because my amendment reads thus: 'All the electors of a general circle irrespective of community or sex shall be entitled to vote at an election to that circle.' The caste people will still want the votes of the depressed classes.

"Having removed the fears of Mr. Kesava Pillai, I think he will vote for my amendment. The hon. the Chief Minister's statement that Mr. James supported joint electorates elsewhere is not correct. There is no case I believe in which he has approved of joint electorates for the minorities. 1-15 p.m.

"I ask the hon. the Chief Minister to treat this as a non-party question; I think this is a non-party question and that the House has to vote on non-party lines. If the Government amendment is lost, it should not be regarded as a Government defeat. I say once more that my amendment will give minority communities the best chance possible for electing the best representative they can find. Otherwise the minority communities will not have a fair chance."

* Mr. S. N. DORAI RAJA :—"Mr. President, Sir, I think what my hon. Friend, Mr. Muniwami Nayudu, told us is not quite true. Because, personal experience tells me that the higher caste candidate will ask the lower class candidate to stop away. Everybody is not Arogyaswami Mudaliyar; he has been a Superintending Engineer, an ex-Minister and a popular man. Another Christian would not be as popular as he is. After all is said and done, when you say that separate electorates are absolutely necessary, why

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do you not give them what they want. Supposing I belong to a depressed class community, I would rather be represented by a depressed class man who feels and acts as depressed class men."

* Mr. J. A. SALDANHA :—"Sir, it has been stated that the minority communities want separate electorates. I want to know whether any meetings were held by any of those communities and these meetings insisted upon separate electorates. The Indian Christians met during the Christmas holidays in Lahore and they decided by an overwhelming majority that inasmuch as separate electorates have been a disaster to the Indian Christian community, they were in favour of joint electorates with reservation of seats. My hon. Friends who have supported the motion have always talked of the majority community commandeering a candidate against the votes of the minority community. Have they ever thought of the minority community commandeering the candidates of the majority community? Take for instance, the Catholics in England. They never sought separate electorates. They so cleverly managed to manipulate their votes as to have their wishes fulfilled by the candidates of the majority community. I would ask whether there are separate electorates in free Ireland? They have not. The Protestants there managed well to have their wishes carried out by the candidates of the majority community. We must bear in mind that our communal rights are respected by the Bill as it stands. When Sir Patro was speaking I was wondering whether he was against separate electorates."

"Another point is forgotten; the majority and minority communities are divided into parties and there will be rival candidates among the majority and minority communities. There will be thus mutual rivalry. The majority parties will go to the minority parties and ask for their votes. The minority communities will then insist upon their demands being granted. In this way the minority communities will commandeer the votes of the majority side. I think the amendment of Mr. Wood overlooks these several factors. Will such a proposal be brought forward in European countries? They want to force down our throats this communalism and have separate electorates. Separate electorates have been a disaster to us and will be a disaster from the national and communal points of view."

The hon. the PRESIDENT :—"The question is—

'For the proposed sub-sections (1) to (3) of section 47, substitute the following :—

"47. (1) For the purposes of election of members to the seats, if any, reserved in a district board for the special representation of women or any of the communities referred to in sub-section (1) of section 9, the Local Government may, after consulting the district board, by a notification declare the whole district to be a circle or divide the district into two or more circles. Each such circle, hereinafter referred to as a special circle, shall return one member.

(2) There shall be a separate electoral roll for women and a separate electoral roll for each of the communities for whose special representation seats have been reserved under sub-section (1) of section 9 and only persons whose names are entered in the electoral roll of each special circle shall be entitled to vote at an election to that circle.

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[The hon. the President]

(8) For the purposes of election of members to the non-reserved seats in a district board, the Local Government after consulting the district board may, by notification, divide the district into circles (hereinafter called general circles) and there shall not be more than one member to represent each general circle.

(4) All the electors of a general circle irrespective of community or sex shall be entitled to vote at an election to that circle."

The amendment was put and declared carried.

A poll was demanded and the House divided as follows :—

Ayes.

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| 1. Rao Sahib E. Srinivasan. | 13. Mr. S. Arpudaswami Udayar. |
| 2. Rao Sahib P. J. Gnanavaram Pillai. | 14. Raja of Kallikota. |
| 3. The Muppil Nayar of Kavalappara. | 15. Mr. C. E. Wood. |
| 4. Zamindar of Singampatti. | 16. Mr. F. E. James. |
| 5. Mr. N. Siva Raj. | 17. Mr. H. F. P. Hearson. |
| 6. Rao Sahib V. I. Muniwami Pillai. | 18. Mr. A. J. Leach. |
| 7. Rao Bahadur Sir A. P. Patro. | 19. Mr. R. J. C. Robertson. |
| 8. Mr. P. T. Rajan. | 20. Mr. S. N. Dorai Raja. |
| 9. Rao Bahadur S. Ellappa Chettiar. | 21. Khan Bahadur P. Khalif-ul-lah Sahib Bahadur. |
| 10. Khan Bahadur S. K. Abdul Razaok Sahib Bahadur. | 22. Swami A. S. Sahajanandam. |
| 11. Mr. A. V. Bhanoji Rao. | 23. Mr. V. Ramjee Rao. |
| 12. Rao Bahadur C. S. Ratnasabhapati Mudaliyar. | 24. Maharaja of Pithapuram. |

Noes.

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| 1. The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur. | 20. Mr. A. B. Shetty. |
| 2. " Diwan Bahadur Sir M. Krishnan Nayar. | 21. Mr. J. Bheemayya. |
| 3. " Mr. A. Y. G. Campbell. | 22. Mr. J. Kuppuswami. |
| 4. " Mr. M. R. Saturanam Ayyar. | 23. Subadar-Major S. A. Nanjappa Bahadur. |
| 5. " Mr. S. Muthiah Mudaliyar. | 24. Mr. A. I. Ar. Narayana Chettiar. |
| 6. " Dr. P. Subbarayan. | 25. Mr. S. Subrahmanya Mooparar. |
| 7. Dr. (Mrs.) S. Muthulakshmi Reddi. | 26. Mr. S. V. Vanavudaiya Goundar. |
| 8. Diwan Bahadur P. Kesava Pillai. | 27. Mr. T. G. Rutherford. |
| 9. Mr. Hilton Brown. | 28. Mr. C. Govindan Nayar. |
| 10. Mr. H. A. Watson. | 29. Diwan Bahadur B. Muniwami Nayudu. |
| 11. Mr. A. G. Leach. | 30. " P. C. Ethirajulu Nayudu. |
| 12. Mr. J. Gray. | 31. Mr. B. Ramachandra Reddi. |
| 13. Mr. S. V. Ramamurti. | 32. Mr. A. Ranganatha Mudaliyar. |
| 14. Mr. C. B. Cotterell. | 33. Diwan Bahadur B. N. Arogyaswami Mudaliyar. |
| 15. Mr. V. Ch. John. | 34. Mr. K. P. Raman Menon. |
| 16. Mr. M. A. Manikkavelu Nayakar. | 35. Mr. R. Nagan Gowda. |
| 17. Khan Sahib Syed Tajudin Sahib Bahadur. | 36. Mr. C. R. Parthasarathi Ayyangar. |
| 18. Mr. C. D. Appava Chettiar. | 37. Mr. Chavadi K. Subrahmanya Pillai. |
| 19. Mr. H. B. Ari Gowder. | 38. Mr. J. A. Saldanha. |
| | 39. K. Uppi Sahib Bahadur. |

Neutral.

- | | |
|-------------------------------------|--------------------------------|
| 1. Mr. W. P. A. Soundarapandiyan. | 3. Mr. K. Sarabha Reddi. |
| 2. Rao Bahadur C. Natesa Mudaliyar. | 4. Kumara Raja of Venkatagiri. |

Ayes 24. Noes 39. Neutral 4.

The motion was negatived.

The Council then adjourned for lunch.

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

The hon. Dr. P. SUBBARAYAN :—" I move, Sir, that
'in line 3 of sub-section (4) of section 47, for the word 'shall' the word
'may' be substituted."

"This is only to bring it into line with the District Municipalities Bill."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

* Diwan Bahadur B. MUNISWAMI NAYUDU :—" The word 'shall' here was put in specifically with a purpose, because when there is an alteration with regard to the existing division it was thought that the old state of things should continue, and that the alteration should come into effect only on the date of the next election. If the word 'shall' is converted into 'may', it will mean that the Government will have the power to order that the alteration should come into force at once. It will amount to unsettling the existing division of the board which normally should run to three years. I think, in these circumstances, I should oppose the amendment."

* Mr. A. RANGANATHA MUDALIYAR :—" Sir, in legal circles I suppose they hold that 'may' means 'shall'. If so, there can be no objection to this amendment, if here also the word 'may' conveys the same meaning. But if it does not for the reasons mentioned by my Friend Mr. Muniswami Nayudu, I think it is very necessary that the word 'shall' should continue here."

The hon. Dr. P. SUBBARAYAN :—" Sir, with the permission of the House, I would like to withdraw the amendment."

The amendment was, by leave, withdrawn.

The hon. the PRESIDENT :—" The question is that clause 40 do stand part of the Bill."

Clause 40 was passed and added to the Bill.

Clause 41.

* Rao Sahib R. SRINIVASAN :—" I move, Sir, that the following be substituted for sub-section (3)"

* The hon. the PRESIDENT :—" The question of separate electorates was already voted upon. The hon. Member ought to have introduced an amendment to the amendment of Mr. Wood. If he so desires, I shall take the vote of the House."

Rao Sahib R. SRINIVASAN :—" I shall explain to the House what I want by this amendment, Sir."

The hon. the PRESIDENT :—" I have no objection."

* Rao Sahib R. SRINIVASAN :—" I move, Sir, that for sub-section (3) of section 48, the following be substituted :—

' Election for every seat to a district board reserved for Adi-Dravidas shall be made by all electors of Adi-Dravidas.'

"Sir, among the minority communities, the conditions of the depressed classes are quite different from those of the Muhammadans and Indian Christians. They have many opportunities of meeting together now and then. For instance, all of them meet together once a week in the mosque or in the church, whereas the depressed classes have no chance of meeting together at all. In fact, there is no organization among them. When you

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[Mr. R. Srinivasan]

ask them to take part in the administration of local bodies, when you ask those people who are so ignorant and are living under conditions so down-trodden, to do that for the first time by standing for election from a general electorate, I am afraid it is hopeless for them to get in, as I have already explained to the House on a previous clause. I hope, Sir, the House will sympathetically consider this question of giving them separate electorates."

Rao Sahib V. J. MUNISWAMI PILLAI :—" I second the amendment."

Swami A. S. Sahajanandam made a speech in Tamil supporting the amendment of Mr. Srinivasan.

* Rao Bahadur Dr. C. NATESA MUDALIYAR :—" Sir, I support the amendment moved by Mr. Srinivasan. The case of the Adi-Dravidas should be considered separately from that of the other communities. Of course I would have voted for Mr. Wood's proposition if it had not included women also. Certain communities like Mussalmans and Adi-Dravidas require separate representation. Among them, Adi-Dravidas especially, on account of their illiteracy and economic condition require separate electorates. If an Adi-Dravida representative is elected by a general electorate, it is almost certain that he will not be representing the views of the Adi-Dravidas, but only of the majority community which elects him. With these words, Sir, I support the amendment moved by Mr. Srinivasan."

The hon. the PRESIDENT :—" I now put the amendment to the vote of the House. The question is—

' Substitute the following for sub-section (3) of section 48 : " Election for every seat to a district board reserved for Adi-Dravidas shall be made by all electors of Adi-Dravidas."

The amendment was negatived.

The hon. the PRESIDENT :—" The question is that clause 41 do stand part of the Bill."

Clause 41 was passed and added to the Bill.

Clauses 42 to 44.

Clauses 42, 43 and 44 were put, passed and added to the Bill.

Clause 45.

Mr. S. ARPUDASWAMI UDAYAR :—" Mr. President, Sir, I move

" In section 52 (d), in clause 45 (iii)—

' In line 3, after the word "year" add the words "and possesses one or more of the qualifications described in Schedule III."

"Sir, in rural areas, experience shows that 70 per cent or even 80 per cent of the villagers pay some tax or other. So, I do not think that it is necessary to have adult franchise there. The second reason is that it will be very difficult to prepare electoral rolls for thousands of villages where panchayats will have to be constituted according to the previous provisions of this amending Bill. Apart from the difficulty in the preparation of these rolls, it is not desirable to increase the number of electors by including persons who do not possess any of these qualifications. Even among the minority communities, many are found to satisfy one or more of those qualifications, described in

[Mr. S. Arpudaswami Udayar] [29th January 1930]

Schedule III. Now, that no seats have been reserved for minorities, it will become increasingly difficult for Muslims and Indian Christians to contest any seat in rural areas if my amendment is not accepted. For these reasons I move, Sir, this amendment."

Mr. B. RAMACHANDRA REDDI :—"I second the amendment, Sir."

* Rao Sahib V. I. MUNISWAMI PILLAI :—"Sir, I rise to oppose the amendment moved by my hon. Friend Mr. Arpudaswami Udayar. Residential qualification as provided in the Bill will work a great hardship. And on many occasions these depressed classes, though they may have vested interests in the villages, they have to go out and reside in the quarters of their landlords and if residential and other qualification, are linked together it will mean hardships to members of the depressed classes. I therefore oppose the amendment of my hon. Friend Mr. Arpudaswami Udayar."

* Mr. A. RANGANATHA MUDALIYAR :—"Sir, I oppose the amendment. My hon. Friend Mr. Arpudaswami Udayar wants, in addition to the residential qualification prescribed in the draft Bill, property qualification also. Sir, some provision of this sort was sought to be introduced—and I suppose successfully introduced—in the Municipal Act. We are now dealing with village panchayats and even as regards these panchayats, my hon. Friend wants to introduce property qualifications also for one to exercise his vote. That, I submit, will work great hardship. Now, Sir, the village people are well conversant with the affairs of the village which are likely to come up for discussion before a village panchayat. Whether they pay taxes or not, the conveniences or inconveniences of the village affect very materially the people who live in the village and more especially on those who are living in 'cheris', most of whom may not have property qualifications. What is it that my hon. Friend Mr. Muniswami Pillai wants to have done? He says that all those who are living in the village—most of whom are poor and may not have property qualifications—shall not take part in the elections and should be deprived of that franchise, which alone can ensure proper and best representation of that community on the panchayat. I ask him whether he has considered all the aspects of the question. Probably if he sees all the implications of this amendment, he will withdraw his opposition."

"Then, Sir, I take it that in the panchayats which may be constituted hereafter there may be often cases where people are not asked to pay a money tax, but to contribute to the working of the panchayats in the administration of the village in a thousand other ways. They may provide manual labour and it may be possible to assess it and keep a record thereof. I, therefore, submit, that, looked at from any point of view, this insisting on an additional property qualification in the case of those who exercise their vote in regard to village panchayats, will work considerable hardship. I would therefore respectfully ask the people concerned, to see the *pros* and *cons* of this and withdraw this amendment."

* The hon. Dr. P. SUBBARAYAN :—"Mr. President, Sir, I support this amendment of Mr. Udayar. The hon. Member from Bellary says there is in existence adult franchise to-day. It is really not adult franchise that is in existence in the Village Panchayat Act. In the first place, after one has reached the age of 25 years, he can exercise his vote and in the second place there is no preparation of electoral rolls under the Village Panchayat Act. We have received several complaints from villagers in regard to the procedure

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of election of these panchayat members. What happens is the Revenue officer goes to the village and collects some people, and they gather together and elect the panchayatdars. The complaint is that very often the panchayat is elected by people who go there and the members of the panchayat are the people who go to the place where these elections are held. And, if there are 10 members to be elected to a particular panchayat, 10 people gather together and they naturally elect themselves. It is a misnomer to talk of adult franchise even under the existing Panchayat Act . . ."

* Mr. A. RANGANATHA MUDALIYAR :—"On a point of personal explanation, Sir. I do not think I ever made any reference to that at all."

The hon. Dr. P. SUBBARAYAN :—"I understood the hon. Member to refer to that."

The hon. the PRESIDENT :—"I request hon. Members to address the Chair, while the Council is going on."

The hon. Dr. P. SUBBARAYAN :—"I beg your pardon, Sir. In the second place, I think that the franchise that is now adopted is not really such a franchise as to exclude the average villager. What will happen is, it will get into the electorate the major portion of the village population as it only prescribes payment of any tax. It does not mean that this is the old franchise by which members to the taluk board are elected now. That is not the case under the present Bill. Therefore, I do not think, there will be any harm in accepting the amendment of Mr. Arpudaswami Udayar."

* Mr. R. NAGAN GOWDA :—"Sir, on a similar motion which came before the House for consideration in respect of the District Municipalities Bill, I stated that there are a great number of people in the villages who do not pay any tax whatsoever. The working men, for instance, in the villages and even in towns have very little property and they do not pay either house tax or any kind of profession tax. Even in the Municipal Act, there is provision to exempt them from the payment of tax. Now, Sir, if the payment of any kind of tax is made a qualification for nomination as candidates to these boards, that will keep off a very large number of people who form the very essential part of the society and would exclude all the workmen and labourers. As I said, on the previous occasion, these are people who can never hope to become owners of any kind of property in the existing economic system of this country and yet their presence and representation on these panchayats is absolutely necessary. Therefore, Mr. President, I oppose this amendment."

Mr. C. R. PARTHASARATHI AYYANGAR :—"Sir, I believe, there is an impression in the minds of some of our Friends that the qualification that is now prescribed for the village for panchayat elections must be applied also to taluk boards and district boards and that the preparation of the electoral roll will become an unwieldy business. Now, if we dissociate our minds from the fact that it is not the same electoral roll that must serve as the basis for all the three electoral areas, then our ideas will become classified. It is only in the case of village panchayat elections that we should insist upon every one voting at the elections. If we have a system of graded franchise, then the number of people who have to vote for the taluk board and district board elections will be proportionately less and it will depend upon the amount of experience they have got in the administration of the village panchayats. Now, as we are considering the question of election to the village panchayats only, it is necessary that there must be training given to every one residing in the

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village as to the nature of the vote that he exercises and the responsibility attaching to a vote can best be understood only by men living within a limited area like a village. It is easy to educate the villager and he can be made to understand what exactly he is doing and he will also know that in giving his vote he exercises his choice discriminately. Therefore, Sir, you will find that it is absolutely necessary that in the villages, every one should have an opportunity of knowing what he has to do and what will be in the interests of the village. It will not only be a sort of training ground for the person who votes, but for the person who is himself a candidate. There will be a mutual responsibility by which both the educator and the educated can identify themselves and see that the village is put on a sound basis. Therefore, I heartily support my hon. Friend, Mr. Nagan Gowda."

The hon. the PRESIDENT :—"I now put the amendment to the vote of the House. The question is :

'In line 3, after the word "year", add the words "and possesses one or more of the qualifications described in Schedule III".'

The amendment was declared lost.

A poll was demanded and the House divided thus—

Ayes.

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|---|---|
| 1. The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur. | 19. Rao Sahib P. J. Gnanavaran Pillai. |
| 2. " Diwan Bahadur Sir M. Krishnan Nayar. | 20. Mr. J. Kuppuswami. |
| 3. " Mr. A. Y. G. Campbell. | 21. Subadar-Major S. A. Nanjappa Bahadur. |
| 4. " Mr. M. R. Seturatnam Ayyar. | 22. Mr. S. Subrahmanya Mooppanar |
| 5. " Mr. S. Muthiah Mudaliyar. | 23. Mr. S. Venkiah. |
| 6. " Dr. P. Subbarayan. | 24. Mr. T. G. Rutherford. |
| 7. Mr. Hilton Brown. | 25. Diwan Bahadur B. Muniswami Nayudu. |
| 8. Mr. H. A. Watson. | 26. Rao Bahadur Sir A. P. Patro. |
| 9. Mr. A. G. Leach. | 27. Dr. C. Natesa Mudaliyar. |
| 10. Mr. J. Gray. | 28. Mr. T. K. Chidambaramatha Mudaliyar. |
| 11. Mr. S. V. Ramamurti. | 29. Rao Bahadur S. Ellappa Chettiyar. |
| 12. Mr. C. B. Cotterell. | 30. Mr. K. Sarabha Reddi. |
| 13. Mr. V. Ch. John. | 31. Mr. B. Ramachandra Reddi. |
| 14. Mr. M. A. Manikkavelu Nayakar. | 32. Rao Bahadur C. S. Ratnasabhapati Mudaliyar. |
| 15. Khan Sahib Syed Tajudin Sahib Bahadur. | 33. Mr. S. Arpudaswami Udayar. |
| 16. Rao Sahib R. Srinivasan. | 34. Mr. C. E. Wood. |
| 17. Mr. A. B. Shetty. | 35. Mr. F. E. James. |
| 18. Mr. J. Bheemayya. | 36. Mr. S. N. Dorai Raja. |

Noes.

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| 1. Mr. H. B. Ari Gowder. | 6. Mr. C. R. Parthasarathi Ayyangar. |
| 2. Rao Bahadur V. I. Muniswami Pillai. | 7. Mr. Chavadi K. Subrahmanya Pillai. |
| 3. Mr. A. Ranganatha Mudaliyar. | 8. Swami A. S. Sahajanandam. |
| 4. Mr. K. P. Raman Menon. | 9. Mr. V. Ramjee Rao. |
| 5. Mr. B. Nagan Gowda. | |

Ayes 36. Noes 9.

The amendment was adopted.

* The hon. the PRESIDENT :—"Mr. Nagan Gowda has given notice of an amendment regarding the method of voting. It is not relevant to this clause. He should give notice under clause 169 of the Bill which refers to section 199 of the Act."

Mr. NAGAN GOWDA :—"Will this amendment be taken up when the House comes to deal with that clause?"

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* The hon. the PRESIDENT :—"The hon. Member will have to take pains to give notice of a new amendment to that section."

Clause 45 as amended was put, passed and added to the Bill.

Clause 46.

Clause 46 was put, passed and added to the Bill.

Clause 47.

* Diwan Bahadur B. MUNISWAMI NAYUDU :—"Mr. President, I move that for section 54 (2) and the explanation thereunder substitute—

'(2) No officer of Government other than a village headman and no honorary magistrate exercising jurisdiction therein shall be qualified for election as a member of a local board :

Provided that this prohibition shall not apply to the holder of any office which does not involve both of the following incidents, namely, that the incumbent

- (a) is a whole-time servant of the Government, and*
(b) is remunerated either by salary or fees.

Provided further that if any question arises either before or after an election whether any person is or is not disqualified under this sub-section, the question shall be referred to the Local Government whose decision shall be final.'

"Sir, this amendment is in accord with the amendment we carried with regard to the District Municipalities Bill, except for the fact that here we have got the word 'village headman' and there the word 'village officer'. So I hope this will be accepted by the House."

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—"I second it."

* Mr. A. RANGANATHA MUDALIYAR :—"Sir, I would have been glad if the amendment had been more restricted than it is at present. The amendment is meant for removing the disability of the village officers from contesting for places on local bodies. We know, Sir, that till now, so far as the village headman is concerned, he had the right to contest in local board elections; whereas his colleague and compeer the karnam had not. And I am glad that so far as these people are concerned they have been placed on the same footing. And I may also add that this is in pursuance of the common wishes of both the headman and karnam. I know as a matter of fact in one of the conferences held recently in my district a resolution was passed unanimously stating that as regards the rights enjoyed by the headmen and karnam no invidious distinction should be made. I also agree that no honorary magistrate who has jurisdiction over a local board area should be permitted to take part in the administration of that board's affairs. So far I agree. The amendment proceeds further and offers facilities to other people like public prosecutors, official assignees, provided they do not have both these disqualifications, namely, they are not whole-time servants and are not remunerated by salary or fees. I submit that so far as these people are concerned they should be disqualified from contesting the taluk board and district board elections if they labour under either of the disadvantages. Except for this provision I support the rest of the amendment."

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* Rao Sahib V. I. MUNISWAMI PILLAI:—"Sir, I rise to oppose the amendment of Diwan Bahadur B. Muniswami Nayudu. The only thing that stands in our way of accepting this amendment is the inclusion of the village headman in the electoral roll, whether he receives any salary or fee or not still be commands a great influence. Already when he has no place in the local boards he is putting all sorts of hindrances in our way; and when he is given a place in the district board, our position will be still worse. For if there is any person who manoeuvres elections in rural areas it is he. And therefore I hope it will be agreed that we should be unhampered in matters of election. So in order to prevent the return of candidates who are in the good graces of the village headman to the taluk and district boards, I very strongly oppose this motion."

Mr. K. SARABHA REDDI:—"Sir, I don't know wherefrom Mr. Muniswami Pillai comes, from a town or from a village? For I see he has thoroughly misunderstood the village headman. The privileges enjoyed by the village headman date from the days when the local boards came into existence for the first time. The interest of the villagers and that of the village headman is identically the same. If he does any harm to the villagers he would be doing harm to himself. For like other village people he also owns lands, and pays taxes. Besides that from time immemorial it has been the custom to consider the village headman as the father of the village (hear, hear) and the head of the village administration. For do we not approach him almost every day to put forward our grievances? When there is a forest grievance the people blame him, and ask him to see that that grievance is removed. Thus he is the man of the people and the man of the Government. And therefore he is the right man to represent the people. And that is why since the day when the local boards came into existence the villagers have thought it fit to exclude him from the category of officers, and I do not know what made the Select Committee to include him in the cadre of salaried officers. I rather consider it as a blunder. And so in the interests of the people and of local board administration I appeal to the House to see that this amendment is carried."

* The hon. Dr. P. SUBBARAYAN:—"I have no objection to the amendment since it brings the present Bill into line with the District Municipalities Bill."

The motion was put to vote and adopted.

Clause 47 as amended was put, passed and added to the Bill.

Clause 48.

The hon. Dr. P. SUBBARAYAN:—"Sir, I move—

the following be substituted for sub-clause 48 (i) (a):—

"(a) after the words 'six months' the words 'for any offence other than an offence of a political character or an offence not involving moral delinquency' shall be inserted; and"

"I move this to bring this Bill into line with the District Municipalities Bill."

Diwan Bahadur B. MUNISWAMI NAYUDU:—"I second it."

The motion was put to vote and adopted.

Clause 48 as amended was put, passed and added to the Bill.

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Clause 49.

The hon. the PRESIDENT:—"The question is that clause 49 shall stand part of the Bill." 2-11 p.1

The motion was adopted.

Clauses 50 to 55.

Clauses 50 to 55 (both inclusive) were put, passed and added to the Bill."

Clause 56.

The hon. Dr. P. SUBBARAYAN:—"I move the following amendment:—

'Insert the following as a proviso to new section 67 (2):—

"Provided that no proposal adversely affecting any permanent officer or servant of the local board who has served the board for more than five years shall be considered except at a special meeting convened for the purpose and no such proposal shall be given effect to unless assented to by at least one-half of the members then on the board."

"This amendment is just the same as was carried in the District Municipalities Bill. I believe hon. Members are going to move amendments to amend this amendment."

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I second it."

* Diwan Bahadur B. MUNISWAMI NAYUDU:—"I move, Sir, the following amendment to the amendment of the hon. Dr. P. Subbarayan:—

'For the words "who has served the Board for more than five years", substitute the words "who has been in the permanent service of the local board for more than five years and is drawing a salary of not less than Rs. 50 per mensem."

"A similar amendment has been carried in the District Municipalities Bill. I commend this amendment to the House."

The amendment was duly seconded.

* Mr. A. RANGANATHA MUDALIYAR:—"Sir, I think this amendment is one which would work hardship not only in the case of employees but also in the case of the boards concerned. Sir, the amendment refers to all proposals adversely affecting any officer or servant of a local board in the permanent service of the board for more than five years and drawing Rs. 50 and above. We know, Sir, that a good number of people will come under this category. I suppose, Sir, that even orders like a warning, a censure, a reprimand, a blackmark or anything of that sort adversely affect the officers. Is it contended, Sir, that nothing of the sort can be done by the head of the department unless the board by a special meeting to be convened for the purpose sanctions it? I should like to have a categorical answer to this question. And again, Sir, it has to be assented to at least by one-half of the members then on the board. Mark the words 'then on the board'—not by a majority of the persons present at the meeting but by half the number of members on the board. You may have a great majority at the meeting but it may not be one-half of the number of the board. What is to happen in a case like that? Is the man to go scot-free or is there any other way by which they can overcome this difficulty. I should think, Sir, that the officers also need to be protected better. They should not be left to the caprices and

[Mr. A. Ranganatha Mudaliyar] [29th January 1930]

whims, not of one or two people, but of a large number of people who may be influenced by any consideration whatsoever. I know, Sir, of cases where district board engineers, when that service had not been provincialized, were placed in the most humiliating circumstances by the members of a board. Many members will have one prejudice or another. Their people might not have been favoured by the district engineer. What would happen to that engineer? How can he possibly discharge his duties properly and independently if his tenure of office depends not on the will of the man whose orders he executes but on the caprice of the people who have no responsibility at all. I should therefore, suggest, Sir, that this amendment should be dropped."

The amendment was put and adopted.

The hon. the Chief Minister's amendment, as amended, was put and adopted.

The clause as amended was put, passed and added to the Bill.

Clause 57.

The hon. the PRESIDENT :—" Clause 57 is now for the consideration of the House."

Mr. R. NAGAN GOWDA :—" Mr. President, Sir, I move the following amendment :—

"In sub-section (1) of section 68, in line 2, after the word "sanction" insert the following words: "a post of an executive officer"."

"Then, Sir, the section will be like this . . ."

* Diwan Bahadur B. MUNISWAMI NAYUDU :—" Sir, that was only an instruction to the Select Committee. The Select Committee has not accepted that instruction. It is not open for the hon. Member to move that amendment now. You ruled yesterday that instructions that were not carried out by the Select Committee cannot be moved in the House."

* Mr. A. RANGANATHA MUDALIYAR :—" I am not quite sure whether a ruling was not given yesterday that there can be no discussion relating to a matter about which no instruction had been given to the Select Committee. In this case, the instruction was given to the Select Committee for consideration and rejected, we do not know, Sir, by what proportion of votes. It is not a matter which the Select Committee did not consider at all. I think, Sir, it is open to the House to accept the amendment."

* The hon. the PRESIDENT :—" It is only the Bill as amended by the Select Committee that is for the consideration of the House. Any amendment that is relevant to the provisions of the Bill as amended by the Select Committee will be relevant. This is not relevant to the Bill, as amended by the Select Committee. The Select Committee has refused to carry out the instruction of the House to insert provisions regarding an Executive officer. Those provisions cannot now be inserted. That is the real difficulty and therefore the amendment is not in order."

"The question is that clause 57 shall stand part of the Bill."

The motion was adopted, and clause 57 was added to the Bill.

Clauses 58 to 63.

Clauses 58, 59, 60, 61, 62 and 63 were put, passed, and added to the Bill.

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New Clause 63-A.

* The hon. Dr. P. SUBBARAYAN :—" I move the following amendment, Sir :—

Before clause 64, insert the following clause, namely :—

' Clause 63-A.—Before section 75 of the said Act, the following section shall be inserted, namely :—

" 74-B.—In every district, a land cess being a tax on the annual rent value of lands shall be levied in accordance with the provisions hereinafter contained in this Act "

" The Select Committee has abolished the optional cesses for which provision exists in the present Act and made the levy of land cess at a uniform rate of one anna and a half in the rupee obligatory in all cases. The district boards will hereafter have no discretion in the matter of levying the land cess or fixing the rate at which the cess should be levied. Section 75 (1) (i) of the Bill as amended by the Select Committee runs in the following terms :—

' The district board may determine that any of the following taxes and tolls shall be levied :—

(i) a land cess being a tax on the annual rent value of lands.'

" This implies that the district board has power to determine whether or not a land cess shall be levied. Whatever justification there might have been for a provision of this kind in the existing Act, there is none for retaining it in the Act as proposed to be amended by this Bill. Hence, it is necessary to omit section 75 (1) (i) and provide for the levy of the land cess by a separate section. The above amendment gives effect to these objects and makes the necessary consequential changes in amendments 59 and 60."

* Rao Bahadur Sir A. P. PATRO :—" I am opposed to the clause for the reason that the clause as it stands in the present Act runs in the following terms :—

' The district board may determine that any of the following taxes and tolls shall be levied.'

" Now the hon. Mover takes it for granted that there will be compulsory levy of cesses and that is being disputed. Compulsory levy of one anna and a half is objected to and if that clause is passed, I do not think, Sir, that this clause should be allowed. I therefore move that the consideration of this clause may be postponed till after the consideration of the clause relating to compulsory levy of one anna and a half is finished."

* The hon. the PRESIDENT :—" Therefore does the hon. Member propose the postponement of this clause as well as clauses 64 to 66 till clause 67 is disposed of."

Rao Bahadur Sir A. P. PATRO :—" Yes."

The hon. the PRESIDENT :—" The question is that this amendment of the hon. Minister and clauses 64 to 66 be postponed till clause 67 is disposed of."

The motion was adopted.

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Clause 67.

3-30 P.M. * The MAHARAJA OF PITHAPURAM :—" Mr. President, Sir, I move the amendment standing in my name, viz.—

' To omit clause 67.'

" Sir, land is already very heavily burdened with taxation. On various occasions, several eminent authorities, including that great administrator, the late Sir P. Rajagopala Achariyar, have declared to that effect. Therefore, the land cess which is optional under the existing Act should be allowed to continue to be optional and should not be made compulsory. The district boards can impose this cess if they find that it is absolutely necessary to do so after all other sources of revenue have been exploited. They must also be free to drop the cess if they find a fairer and more equitable source of revenue."

Mr. S. ARPUDASWAMI UDAYAR :—" I second it."

Mr. K. P. RAMAN MENON :—" Sir, it is really a misfortune that this amendment comes from the Maharaja of Pithapuram. Because, without meaning any disparagement to any hon. Members of this Council, I may say that it is extremely unfortunate that those individuals, while they escape the land tax which other people have to pay, now want to escape the payment of the land cess which is levied in connexion with local boards. What are the grounds on which the Maharaja wants an exemption from the land cess? Whether in zamindari or ryotwari areas, a reliable source of income to these boards or even to the Government is the tax from the land. If all other incomes are liable to fluctuation, it is the income from the land, whether cultivated or uncultivated, is not liable to fluctuation. That is an income which is quite certain, and that is an income which ought to be available for the benefit of the Government or the particular board or local authority which wants to use it. I least should have expected this from the Maharaja of Pithapuram whose views with reference to all other matters, as far as I have been able to gather, are very advanced. We hear of the nationalization of land; we hear of the land belonging to the Government. What is Government? Particularly when we speak of the democratic form of government, whether we have already secured such a form of government as some say or whether we are going to secure it hereafter, are we not to concede that the land belongs to the State and not to anyone else? In that view, it is certainly impossible for me to understand how the Maharaja could have been persuaded to make a motion of this nature."

* The RAJA OF KALLIKOTA :—" I have got an amendment, Sir."

The hon. the PRESIDENT :—" Is the hon. Member going to move it? "

The RAJA OF KALLIKOTA :—" No, Sir."

* The hon. the PRESIDENT :—" The hon. Member will note that if this clause is omitted, it means that the compulsory one anna and the optional six pies cess will remain."

The RAJA OF KALLIKOTA :—" Sir, in that case I will not move my amendment, but will support the motion made by my hon. Friend the Maharaja of Pithapuram, and these are my grounds. I think no case has been made out as to why the optional cess of six pies should now be made compulsory. Ample scope was given to the local boards under the Act of 1920 to levy a cess of six pies in the rupee if they wanted to do so. I do not

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see why we should make it compulsory and impose this additional financial burden on the tax-payers much against their wish. If local boards want to expand their activities in the direction of village roads, better sanitation and public health, it is very well open to them to resolve to tax themselves by levying the optional cess. Moreover, yesterday, we have decided that the starting of panchayats should be made optional. When that is the case, I do not see why these three extra pies should be made a compulsory levy.

" As regards the Rural Development Fund, the Select Committee provided that out of the cess three pies should be earmarked for this purpose. Several district boards have now got an accumulation of Railway Cess Fund, which can be utilized for the expansion of village roads and other purposes. If they do this, there is no immediate need for this compulsory levy of this extra tax of three pies. They can utilize this Railway Cess Fund for this purpose and when this is exhausted they can levy the optional cess up to a maximum of three pies if they so desire.

" Again, there is another provision, section 75 (2) (a) which runs thus :—

' A Panchayat may recommend to the Local Government as convenient and suitable to the village any tax, not being tax which may be levied in the village by a district board under sub-section (1) or under section 76, and on such recommendation the Local Government may, by notification, sanction its levy in the village.'

" I think this gives enough opportunity to a panchayat to sanction any conceivable tax and levy it. Land is already taxed to the maximum and it is most undesirable and unfair that the optional cess should be made compulsory. I strongly support the amendment of the Maharaja of Pithapuram."

* Diwan Bahadur B. MUNISWAMI NAYUDU :—" Sir, I think one of the essentials of this Bill, as amended by the Select Committee, is this provision, that land cess should be fixed at one anna six pies, so that it may be made useful also for the panchayat. In the Bill, as drafted by the hon. the Minister, he proposed to retain the one anna six pies tax now imposed between the taluk board and the district board, and wanted also to add another half anna for the panchayat. In the Select Committee, we thought that an additional tax of half anna should not be imposed but that the original one anna six pies, as now proposed in the amended Bill, should be distributed between the district board, the taluk board and the panchayat. We cut down the three-quarter anna the district board was entitled to to half anna and allot the three pies to the Village Development Fund, the object of it being to improve the village conditions, such as, improved means of communications and other improvements for the village, thus enabling the creation of a definite fund for village improvement. Out of the cess, again six pies went to the taluk board, the remaining three pies being earmarked for panchayats where panchayats were formed or to taluk boards who will perform the functions of the panchayats where panchayats were not formed. In the Bill, Sir, we have stated that where panchayats are not formed the taluk boards should do those duties till panchayats are established, so that even though we resolved yesterday not to make the formation of panchayats compulsory, the taluk boards are bound to do those duties. Now, Sir, the taluk boards are now utilizing this money and spending it on various items of village improvement, and they ought not to be deprived of this source of income so long as they

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are carrying on the functions of the panchayats. Now, in the present Act there is nothing like the assignment of income to panchayats themselves. Even though the formation of panchayats is not compulsory, a large number of panchayats will surely come into existence. Then, it is absolutely necessary that one quarter anna of the land-cess should be earmarked for them so that they may be started with sufficient funds to function. If some such arrangement is not made, it will be useless, to think of panchayats being started. I think that district boards and taluk boards should cater mainly to the convenience of the village, and that village must be the foundation of local self-government.

"So far as the district boards are concerned, I think in almost, all districts, except in the case of Ganjam, the tax is already levied, and the cess has already reached one anna six pies. Probably in the Ganjam district to which my hon. Friend the Raja of Kallikota belongs, and perhaps in one or two other districts the tax has not reached that point. If the tax is to be optional it will never be levied because it has only to be handed over to the panchayat, and no panchayats in those circumstances would come into existence. If the taluk board has to do the work which the panchayat should do, that portion which should have gone to the panchayat should be handed over to the taluk board. So, it is absolutely necessary that the Bill should provide for a compulsory levy of one anna six pies. I am glad, Sir, that the other provision for raising the cess by half anna more has been dropped. I am sure the Maharaja of Pithapuram will agree with me in feeling glad that the original proposal which intended to raise the tax to two annas has not been given effect to. This one anna six pies we have to make compulsory because compulsion is the essence of the whole scheme. For these reasons, I appeal to the House not to agree to the amendment but to vote for the provision in the Bill."

* Rao Bahadur Sir A. P. PATRO :—"Mr. President, Sir, I am constrained to disagree with my hon. Friend, Mr. Muniswami Nayudu Garu, whose enthusiasm for the cause of panchayats I very much admire, but whose wisdom in opposing this amendment I cannot at all appreciate. As an administrator he should realize that panchayats should be supported by themselves, by taxes levied in their own areas. This financial adjustment in this Bill is intended mostly for the benefit of the district boards. The district boards want to have their pound of flesh and they do not want to part with any of their powers, and therefore they want large sums of money for carrying on their work. At the same time, they would like to show sympathy for the panchayats, and say, like the miser who will not like to give any portion of his property, that the panchayats should be maintained at the expense of others. My contention is that the distribution of the financial arrangements in the Bill is very vicious. It does not realize the burden that this Bill is casting upon the landholder. The landholder is already heavily burdened with taxes so that it could not justly be said that this half-anna cess should be made compulsory. It was imposed only in eight cases of the district boards in which the landholders were not properly and adequately represented, and thus in those cases the district boards passed resolutions levying the extra three-pies cess, and then again three pies for education, and so on. But, if we examine the burden already laid on the land, I am sure the House will agree that this half anna should not at all be made compulsory. My hon."

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Friend contended that panchayats should be started and that those panchayats must be maintained. You have cast certain responsibilities on the taxpayer, and therefore you expect them to get the money out of them. Whose fault is that? Nobody wanted that these panchayats should be taken away from the special Act under which they were existing and should be introduced into this Bill at all. It is by introducing this vicious principle of taking panchayats away from their legitimate sphere and introducing them into this Bill, the district boards deprive themselves of a certain proportion of their revenue, and therefore you want to make this cess compulsory. It is an arrangement which is not at all fair or sound from the landlords' point of view. I would request the House to consider the position of the landlords at present. In Madras the proportion of land-cess is about 11.01 per cent of the land revenue; in the case of the ryotwari areas it is $6\frac{1}{4}$ per cent; in Bombay the percentage of local fund cess is 5.76; in Burma it is 9.46, in the Central Provinces 6.714, in the United Provinces 10.65 per cent whereas in Madras it is 11.01 per cent.

"Therefore, taking the whole of India, you find that the burden on the land is heavier in our province than in the others. Therefore I submit that this heavy taxation in the form of land-cess is unjust and unfair. Now we have not given the power to panchayats to levy house-taxes. Why have you taken away the power of the panchayats to levy house-tax? I pleaded yesterday that when you take away the principle of compulsory inauguration of panchayats there is no justification whatever for further taxing the land for purposes of the panchayats. Sir, there are many ways in which the Government could go to the help of these panchayats. The history of the levy of this cess is this: In the year 1863 the Road Cess Act was considered. At that time there was no cess at all on the zamindari lands. In the year 1886 when the District Board Cess Act was passed a cess of half anna in the rupee was imposed. This was continued for many years and in 1908 a cess of one anna was imposed. It was contended at that time that there was no necessity to increase the cess at all, but it was pointed out that the district boards were responsible for secondary education, public health and so on. In these matters, Government must contribute from provincial revenues, they should not stipulate that the district boards must levy additional cess from half anna to one anna. Where is the limit to the imposition of liabilities on the land?"

"Sir, it was suggested at the time when the Bill of 1901 was introduced there should be a sur-tax levied on the income-tax with a view to supplement the finances of the local bodies. If you are so very solicitous about the welfare of the panchayats, why not allow the panchayats to levy a sur-tax on income-tax with the sanction of the Governor-General? That will then be a tax which will be distributed on all persons equally according to their taxable capacity. The increase of land-cess is opposed to all canons of sound taxation. It is a flat rate of tax that is levied, a flat rate on land is opposed to all canons of taxation. (Mr. R. Nagan Gowda :—"How?") It is flat rate and therefore it is unequal in its incidence.

"There is a provision in Schedule V, section 7 of Local Boards Act, for contributing a portion of excise revenue. Sir, the provincial contributions have now been released by the Government of India. We are not paying the heavy contributions we had been paying to the Central Government. In the light of that, why should not the Government return to the

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local bodies a portion of the excise revenue derived from those areas? There is a provision in the Act itself, although optional, that the Government should make this payment. When the finances of the local Government are in such a flourishing condition, why should not the Government give effect to this provision and pay a proportion of the excise revenue levied from these areas to the respective panchayats instead of asking them to levy an additional compulsory tax of half an anna? It is said that as popular representatives we are opposed to the continuance of the excise revenue, that it may not continue long and therefore it should not be taken into consideration. But we see that instead of the revenue diminishing it is growing apace. Whatever prohibitionists may say, the excise revenue is increasing. Therefore, so long as there is the excise revenue and so long as it is a provincial source of revenue, the provision made in this Bill should be given effect to. When there are alternative sources open, why should the land alone be compulsorily taxed further?

"My Friend Mr. Muniswami Nayudu always supports ryots and the cultivating tenants on all occasions. He must remember that from their point of view also this levy is unfair. It is urged by those friends who think with him that the ryots are rack-rented and that their lot is economically bad. Where is that sympathy now when he and his friends are supporting an additional cess on the land? As I said, Sir, there are other sources of revenue open and this increase is not at all called for."

* Mr. R. NAGAN GOWDA:—"Mr. President, Sir, I rise to oppose the amendment of the Maharaja of Pithapuram. It is a bit surprising to me that one who was only a couple of days ago moving a resolution and supporting it with all his enthusiasm for the payment of pensions to the old and disabled and for the accommodation of the poor and destitute children should now come forward and propose an amendment which would cut off the only resource left for the successful working of the panchayats which are admitted on all hands to be the nucleus of self-Government in this country. It is, Sir, as I said, very surprising to me. As has been pointed out by Mr. Muniswami Nayudu, this is the only source available to the panchayats. As an argument in support of this amendment it was stated by Sir Patro that the panchayats ought to be able to support themselves with the funds raised in the villages and that the agriculturists and tenants in the villages are heavily burdened with taxation. Yet he stated, that they should be taxed again for the maintenance of the panchayats. I think there he was very inconsistent. Sir, to ask the villagers to maintain themselves by further taxation would be very unjust for this very simple reason that the income of this Government is derived only and mainly from the villages. It is the agriculturists that pay almost all the taxes. This cess of one anna six pies has also to come from the land.

"Sir, there is another point which I think we ought to consider and it is this: that of all the districts in this Presidency there are only a few, I think, which are not now levying compulsorily this half-anna cess. The rest of the Presidency are paying this compulsory tax of one anna and six pies. I do not see why the rest of the Presidency consisting of only few districts should not be brought into line with the major portion of the Presidency and be made to pay the excess tax of half an anna.

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"Again, Sir, the hon. Speaker just preceding me stated that this compulsory tax of half an anna is opposed to all canons of distribution of tax. I for one fail to understand what he meant exactly by that and what his reasons are. He said that it is a flat rate and therefore an unequal incidence of taxation; and in the same breath he was saying that he was opposed to all sur-tax. Sir, if by a flat rate he was meaning that the man that owns two or three acres has to pay at the same rate as the man who owns 200 or 300 acres, it is not to be called by that name.

"Sir, I do not think we can seriously consider the point that he made about doling out some funds from the excise revenue. I think it is the villager who stands to suffer most from this excise revenue and therefore it is a thing which cannot be thought of. For these reasons I oppose the amendment."

* Mr. A. RANGANATHA MUDALIYAR:—"Sir, I am told that there are only two districts in this Presidency where the land-cess is not levied at the rate at which it is levied elsewhere. It is always refreshing to hear our Friend Sir Patro. He stated in the course of his speech that the panchayats if they want to support themselves must find the money themselves. He asked—"Whoever asked them to constitute them into panchayats and if there is no money let him keep quiet; why should you levy this additional six pies?" I should like him to apply the same rule to district boards. If the district boards want to attend to their affairs, let them do so with their own resources; let them not go to Government very often for big doles of money which money, Sir, is admittedly paid more by the people of the rest of the Presidency than by the people of those districts. It would be very interesting, Sir, to see how these two districts have been favoured by the Government so far. When an unfortunate district, poor in its resources, utterly unable to raise any additional money, comes to the Government for help, the answer invariably given is: 'Sir, have you taxed yourself fully? Have you taxed yourself to the utmost limit? Have you levied the education cess? Will you contribute half the cost?' The net result is that this unfortunate district goes without redress to which it is entitled to by all standards of fairplay.

"But if a rich district like Vizagapatam or Ganjam—with due deference to the distinguished representatives coming from those districts—comes and asks for any redress it is at once granted. I do not know if all those principles which are so readily enunciated in the case of poorer districts are observed in the case of richer districts. Here we find that districts which refuse to levy the maximum cess want many things to be done and they are got done, while other districts do not fare quite so well, though they levy the maximum rates. Under communications, Ganjam gets Rs. 6,820 and Rs. 81,604 and Vizagapatam gets Rs. 86,000 and odd. Under education, Ganjam gets Rs. 17,684. Under medical relief, both Ganjam and Vizagapatam get handsome amounts and not satisfied with this, they come for capital grants. Under communications Ganjam gets Rs. 1,70,000, under trunk roads and for second-class roads Rs. 78,905 and for other roads Rs. 89,600. Vizagapatam gets Rs. 1 lakh and odd. My hon. Friend says that with the money they are able to raise they are meeting all their expenditure. I want him to peruse the report published by the Government."

* Rao Bahadur Sir A. P. PATRO:—"It is a report published by the Government and we are not responsible for those figures."

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* Mr. A. RANGANATHA MUDALIYAR :—" Well, if a responsible gentleman like Sir A. P. Patro who held the position of Minister were to say that he is not responsible for the report and that Government write any thing they like in those reports, then God help us. Well, Sir, it is these people already over-benefited who want to be exempted from levying cess in the same scale as others are doing."

* The hon. the PRESIDENT :—" The reports are written by the Secretaries to Government and not by Ministers."

* Mr. A. RANGANATHA MUDALIYAR :—" Sir, I am one of those who think that the man at the top is responsible for the mistakes committed by his subordinates and if he does not accept it, he is not worthy of holding the post which he occupies. You will find, Sir, that these two boards are unable to rely on their resources and constantly go to Government for being given large donations. These donations are largely contributed by the poorer people who are obliged to tax themselves at the maximum rates. I should certainly think that if the richer boards are to fall in a line with others, then the burden on the poorer boards should be lightened."

The hon. Dr. P. SUBBARAYAN :—" I am not willing to accept the amendment of my hon. Friend the Maharaja of Pithapuram though I am like himself landlord and I have every sympathy not to raise the level of taxation. But we must think of the general uplift and the conditions under which they have to live. I know the Maharaja is a large contributor to public charities and has his own responsibility towards the public at large. So I shall be wrong if I lay at his door the charge that he is not willing to contribute to the comfort of the public. But at the same time I would like to point out to him that the Bill as it was submitted to this House contained provisions to enhance the amount of land cess up to As. 2 but in the Select Committee there was a feeling that the tax on land was already too high with which I entirely agreed and that there should be no further taxation on land. So we felt that we should limit ourselves to the tax as contained in the old Act which means As. 1-6, because, though the power of taxation is optional, there is always the power given to local boards to levy additional taxes whenever necessity arises for that purpose. Mr. Ranganatha Mudaliyar, I believe, said that this tax is being levied in almost all the districts. I am afraid I am in a way responsible for this statement of his. There are only 8 districts in this province which levy this cess at the maximum. There are other districts which levy As. 1-3 and there are further some districts which have kept the cess at one anna. One of the districts which have kept up to this level is East Godavari to which my hon. Friend the Maharaja of Pithapuram belongs. Ganjam keeps it at As. 1-3 to which my hon. Friend the Raja of Kallikota belongs. I believe Vizagapatam to which the honoured occupant of the Chair belongs also keeps the cess at As. 1-3. Mr. Ranganatha Mudaliyar also raised at the same time the question that those districts which are not levying the cess are also getting grants. As I have said already the question of grants is only optional. We insist upon this condition, viz., that optional grants will be given only when the maximum cess has been raised. As regards those grants that have been given to the various district boards which my hon. Friend mentioned, I may say that those grants were given because of the liability that was undertaken by

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Government with regard to bridges on trunk roads and also bridges on second-class roads. It so happened that Ganjam had one of the capital works which they had undertaken and that was why a large amount of money was given to that district board. It was not wrongly done as my hon. Friend Sir Patro said. He knows as well as I do that these grants had been made for the construction of various bridges.

"I shall deal later with the question of excise revenue. The whole scheme of the Bill as has now been adopted in sections 67 and 68, it will be seen, depends upon this cess being levied at As. 1-6 because if this compulsory levy of cess at As. 1-6 is taken away the whole scheme by which the cess is divided between the local bodies concerned, the district board, the taluk board and the panchayat, will be upset and we shall have to think of a new proportion to be determined under the Act itself. I do not think, as my hon. Friend the Maharaja of Pithapuram suggested, that we are raising the land cess. We are keeping it as it is. But the question of having increased rates of cess does not at all arise now. When that arises it would be time enough for the Maharaja Sahib and other people to object to such an enhancement. I would point out that we may keep the section as drafted by the Select Committee.

"I would only say a few words, with your permission, Sir, with regard to the question of excise revenue being transferred which my hon. Friend Sir Patro raised. I think when you have at hand the larger question of prohibition—my hon. Friend Sir Patro himself accepted it and a Government Order was issued in his days in 1926, though it was circumscribed by certain conditions and limitation of period—if prohibition is to become an accomplished fact, it is better that this matter is kept in the hands of the Provincial Government rather than in the hands of local bodies. In these circumstances, I would urge that the section be retained as it has been drafted by the Select Committee."

* Mr. B. RAMACHANDRA REDDI :—" I am really surprised at the answer of the hon. the Chief Minister to-day on this motion. He has pointed out that out of 25 districts in the Presidency only eight districts have levied their maximum rate of As. 1-6. That shows that the majority of the districts are not in favour of or perhaps are not able to levy a maximum tax. Perhaps those eight districts include those that are rich and that have large portions of deltaic tracts. But if the same principle is extended to all other districts which are poorer and which are dry tracts and which cannot afford to levy further taxation, I think it will be a disaster to them. Hitherto the Act provided that the land cess should be 1 anna and the additional cess of 6 pies is only optional. Between then and now we have not seen any reason why the Government should think of making it compulsory cess. If a particular district feels that it is rich enough to levy the additional cess also, let it do so.

"Now, Sir, a charge has been laid at the door of many of these district boards that have not raised their optional cess to the maximum limit. But I would ask one question. The hon. the Chief Minister will please tell me why the promise contained in the old Act that a portion of the excise revenue should be contributed to the local boards has not been kept up and why they have not extended any concession whatsoever in this respect. Yet the

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A BILL TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920

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Government now come and tell us that the district boards have not done their duty. I would point out that Government have not done their duty. Apart from this fact, the agriculturists are heavily taxed. It will not be possible and also equitable to tax them much more. There are three kinds of taxes which they have to bear. One is land tax. The other is excise revenue because nearly 70 per cent of this revenue is derived from poor agriculturists. The third kind of tax that is levied is contribution that is either taken or one to be paid by certain villages for communications, water-supply, etc. In these three methods the villagers and the agriculturists are very much taxed and I think it will be burdensome to tax them further. If it is left to the district boards to levy further tax and if it is left to their option, I think there will be an end of the matter. I do not really see why this optional cess should be made compulsory. It has been pointed out by my hon. Friend Mr. Nagan Gowda that the Maharaja of Pithapuram who was in favour of giving pensions from the funds of the local boards should now go back and say that no additional taxation should be imposed. I think, Sir, he is mistaken. My hon. Friend the Maharaja of Pithapuram has not asked to levy any further taxation and thereby utilize any money for the pensions, etc., that he referred to the other day.

"We are now concerned with local boards and they are entitled to spend their money for water-supply, for communications, for education, etc. The resolution which he moved the other day is quite a different one, unconnected with the local boards. Unless a new Act is passed including that also as a legitimate expenditure, that argument of his would be quite out of place. I think, Sir, his interpretation is not quite correct.

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p.m.

"My hon. Friend, Mr. Ranganatha Mudaliyar, made us understand that a large number of districts have already levied the optional cess and number of other districts are capable of levying higher cess than they are at present doing. The hon. the Chief Minister told us that he is in a way responsible for misleading him, that only eight districts have levied the maximum cess and that all other districts have found themselves incapable of levying any further cess. In these circumstances and knowing the deplorable condition of the rural population and society and realizing the responsibilities of this Council I should like to strongly support the amendment of my hon. Friend the Maharaja of Pithapuram. I hope, Sir, that the whole House will join in supporting this amendment so as to allow the cess being levied according to the existing Act."

* Mr. J. A. SALDANHA:—"Sir, after hearing the last speaker I think it is better to lay stress upon the fundamental principles on which this amending Bill is based. As one urging for democracy, I must say that democracy is built upon sacrifice. It is true that land revenue is telling very hardly on the masses, and it is for us to try to reduce the land assessment. To say at the same time that rural grievances and burdens should be relieved is, I think, inconsistent. The villagers are not willing to pay some taxes. Very few people are willing to undergo sacrifices. But the villagers should pay a bit out of their pocket for rural reconstruction.

"The villagers are anxious to have rural reconstruction. At the same time they are not willing to sacrifice and pay some of their income; if so, I think we cannot do all that we ought to do for them. I have been visiting a number of villages and studying their grievances; they always come forward

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[Mr. J. A. Saldanha]

with a lot of grievances; they say they need village roads, want dispensaries, want tanks and so many other things. When we appeal to the hon. Ministers, they always ask 'where is the money.' So, rural reconstruction is going on very slowly for want of money; we must find money somewhere.

"Villagers are willing to spend money on festivals, etc. So also Indian Christians in villages are very ready to spend money on festival occasions, for marriages, etc. When they are asked to pay a little money for rural reconstruction, they always plead want of money. Village patriotism is dying out. I have heard foreigners who visit these villages complaining about the miserable condition of the roads; they think that, owing to want of patriotism, the villagers have allowed the village roads to remain in such a miserable condition. When juktas and other conveyances are upset the villagers enjoy the fun. They are not ashamed that the roads are in such an unfit condition. It requires only a little exertion and a very small amount of money. When they have no sense of self-sacrifice, let us teach self-sacrifice. It is most unfortunate that my hon. Friend, Mr. Rutherford, joined with the hon. Minister in not compelling villages having a certain amount of population having village panchayats. To a certain extent sacrifice must be forced upon the villagers. If taxes are enforced, they will be paid. Let us bear this point in mind and accept the Bill as amended and reject the amendment of the Maharaja of Pithapuram."

* The MAHARAJA OF PITHAPURAM:—"Mr. President, Sir, some hon. Members of the House have misrepresented matters either wilfully or otherwise: I leave it to the House to judge them on their merits. As regards my attitude towards this tax, I would submit that I do not for a moment say 'wipe off all the land cess'. I said that the levy of three pies might be made optional. If any district board thinks that it should be levied, it can levy it at any moment. What I mean is that district boards may levy and collect the cess if they do not find a fairer and more equitable source of revenue. I suggested that other sources of revenue might be exploited. I never meant for a moment that the improvement of the villages should be neglected. I hope the House has understood me aright."

The hon. the PRESIDENT:—"The question is 'omit clause 67'."

The amendment was put and declared lost.

A poll was demanded and the House divided as follows:—

Ayes.

- | | |
|-------------------------------------|-------------------------------|
| 1. Rao Sahib R. Srinivasan. | 6. Mr. B. Ramachandra Reddi. |
| 2. The Muppil Nayar of Kavalappara. | 7. The Raja of Kallikota. |
| 3. Zamindar of Singampatti. | 8. Maharaja of Pithapuram. |
| 4. Rao Bahadur Sir A. P. Patro. | 9. Mr V. Ramjee Rao. |
| 5. The Kumara Raja of Venkatagiri. | 10. Swami A. S. Sabajanandam. |

Noes.

- | | |
|---|----------------------------------|
| 1. The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur. | 7 Mr. Hilton Brown. |
| 2. " Diwan Bahadur Sir M. Krishnan Nayar. | 8. " H. A. Watson. |
| 3. " Mr. A. Y. G. Campbell. | 9. " A. G. Leach. |
| 4. " Mr. M. R. Seturathnam Ayyar. | 10. " J. Gray. |
| 5. " Mr. S. Muthiah Mudaliyar. | 11. " S. V. Ramamurti. |
| 6. " Dr. P. Subbarayan. | 12. " C. B. Cotterell. |
| | 13. " V. Ch. John. |
| | 14. " M. A. Manickavelu Nayakar. |

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Noes—cont.

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| 15. Khan Sahib Syed Tajudin Sahib Bahadur. | 25. Diwan Bahadur B. Muniswami Nayudu. |
| 16. Mr. H. B. Ari Gowder. | 26. Rao Bahadur C. Natesa Mudaliyar. |
| 17. „ A. B. Shetty. | 27. Mr. A. Ranganatha Mudaliyar. |
| 18. „ J. Bheemayya. | 28. „ T. K. Chidambaranatha Mudaliyar. |
| 19. Rao Sahib P. J. Gnanavaram Pillai. | 29. „ B. Nagan Gowda. |
| 20. Mr. J. Kuppuswami. | 30. „ C. R. Parthasarathi Ayyangar. |
| 21. Subadar-Major Nanjappa Bahadur. | 31. „ K. Sarabha Reddi. |
| 22. Rao Sahib V. J. Muniswami Pillai. | 32. „ F. E. James. |
| 23. Mr. C. Govindan Nayar. | 33. „ A. J. Leesh. |
| 24. „ T. G. Rutherford. | 34. „ J. A. Saldanha. |

Ayes 10. Noes 34.

4-30 p.m. The motion was negatived.

The hon. the PRESIDENT :—“ The question is that clause 67 shall stand part of the Bill.”

Clause 67 was passed and added to the Bill.

New Clause 63-A.

The hon. the PRESIDENT :—“ The Council will now resume the discussion of amendment No. 58.”

The hon. Dr. P. SUBBARAYAN :—“ Mr. President, I have already proposed that amendment. I simply move that amendment now.”

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

The hon. the PRESIDENT :—“ I shall now put the amendment to the vote of the House. The question is—

‘ Before clause 64, insert the following clause, namely :—

“ 63-A. Before section 75 of the said Act, the following section shall be inserted, namely :—

“ 74-B. In every district a land cess being a tax on the annual rent value of lands shall be levied in accordance with the provisions hereinafter contained in this Act.” ”

The amendment was adopted.

Clause 64.

* Mr. R. NAGAN GOWDA :—“ Mr. President, Sir, I move that in clause 64 sub-clause (i) (b) be omitted.

“ In making this motion, Sir, I have got in mind the idea that as in the original Bill of 1920 under the present Bill also a tax ought to be levied on companies as well as a profession tax on individuals. I do not see any reason whatever for the omission of this provision in the Bill. There were separate provisions in the old Act for taxes on companies as well as for a profession tax on individuals. The companies tax was mainly meant as a source of income to be gathered from taxes levied on big firms and other companies that were carrying on trade and exports and imports. That provision had been made in order that the indigenous crafts and arts in the local area and the small trades in the district might not be subjected to heavy taxation for increasing the income of the district and taluk boards. This, I think, was a very wise provision as the indigenous crafts and arts find it very difficult to maintain themselves. These small crafts and industries do not get much aid

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[Mr. B. Nagan Gowda]

from the Government. The Select Committee, in proposing the elimination of these taxes on companies, has made it compulsory on the boards to levy a heavy tax on the arts and industries also. That is why, Sir, I propose that the provision for the tax on companies be retained in this amending Bill also.”

Mr. C. R. PARTHASARATHI AYYANGAR :—“ I second it ”

* The hon. Dr. P. SUBBARAYAN :—“ Mr. President, Sir, this question that the companies tax should remain both in the District Municipalities Act and in the Local Boards Act was carefully considered, and though after some hesitation, it was thought that the provision for companies tax might be retained in regard to municipalities, there was unanimity of opinion that this tax so far as the local boards were concerned should go. We have also adopted an amendment by which the provision included in the Municipalities Bill in accordance with the wishes of the Select Committee has been brought in line with this Bill. So, I am not in favour of re-imposing this tax again.”

The hon. the PRESIDENT :—“ I now put Mr. Nagan Gowda's amendment to the vote of the House. The question is to omit sub-clause (i) (b) of clause 64.”

The amendment was negatived.

The hon. Dr. P. SUBBARAYAN :—“ Mr. President, I move that in clause 64 (i)—

“ (a) For sub-clause (b), substitute the following sub-clause, namely :—

“ (b) items (i) and (ii) shall be omitted and items (iii) to (v) re-numbered as (i) to (iii) respectively ”

“ (b) In sub-clause (c) for the figure “ (iii) ” substitute the figure “ (ii) ” ”

“ This is only consequential to amendment No. 58 which we carried just now in order to bring the provision regarding land cess into proper form.”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ I second it.”

The amendment was put and adopted.

The hon. Dr. P. SUBBARAYAN :—“ I move, Sir, that in line 3 of section 75 (2) (a), before the words ‘ a tax ’ the words ‘ a land-cess or ’ be inserted. This is also a consequential amendment.”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ I second it.”

The amendment was put and adopted.

The hon. the PRESIDENT :—“ The question is that clause 64 as amended shall stand part of the Bill.”

Clause 64 was passed and added to the Bill.

Clauses 65, 66 and 68.

Clauses 65, 66 and 68 were put, passed and added to the Bill.

Clauses 69 to 80.

* The RAJA OF KALIKOTA :—“ Mr. President, I shall move the amendment standing against my name after the definition clauses are disposed of, as this amendment relates to ‘ landholder ’ and ‘ sub-landholder ’.”

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Diwan Bahadur B. MUNISWAMI NAYUDU :—"I move, Sir, that clauses 69 to 80, both inclusive, be taken up to-morrow."

* Rao Bahadur Sir A. P. PDIRO :—"I second it."

The hon. the PRESIDENT :—"The question is that clauses 69 to 80, both inclusive, shall stand adjourned till to-morrow."

The motion was adopted.

Clause 81.

Clause 81 was put, passed and added to the Bill.

Clauses 82 to 85.

* Mr. R. NAGAN GOWDA :—"Mr. President, I move that in line 6, after the word 'company' the words 'except institutions registered under the Co-operative Societies Act of 1912' be inserted."

The hon. the PRESIDENT :—"I think the definition of 'company' excludes co-operative societies. The definition of 'company' is :

"Company" means a company Provided that it shall not include any society registered or deemed to be registered under the Co-operative Societies Act, 1912."

"Therefore, I do not think there is any necessity for this amendment."

* Mr. R. NAGAN GOWDA :—"But still, Sir, under this section, co-operative societies will also come in for taxation."

* The hon. the PRESIDENT :—"How? In the definition itself, the co-operative societies are excluded."

* Mr. R. NAGAN GOWDA :—"In that case, I do not move it, Sir."

The hon. the PRESIDENT :—"The question is that clauses 82 to 85 shall stand part of the Bill."

Clauses 82 to 85 were passed and added to the Bill.

Clauses 86, 87 and 88.

Clauses 86, 87 and 88 were put, passed and added to the Bill.

Clause 89 (i).

* The hon. Dr. P. SUBBARAYAN :—"Sir, I move

'In lines 3 to 5, omit the words "buildings owned and occupied by societies registered or deemed to be registered under the Co-operative Societies Act, 1912".'

"Sir, this is similar to the amendment that I moved in regard to the District Municipalities Act, by which we want to take away the exemption given to the co-operative societies, from their liability to be taxed. I warn Mr. Nagan Gowda that this accomplishes what he does not want. So, I move this amendment."

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* The hon. Mr. S. MUTHIAH MUDALIYAR :—"I second the amendment, Sir."

* Mr. R. NAGAN GOWDA :—"Mr. President, Sir, I oppose this amendment of the hon. the Chief Minister for the reasons I am going to adduce. In doing so I would like the hon. Minister to withdraw his amendment. Sir, co-operative societies are brought here under house-tax. The Select Committee has very wisely suggested that the co-operative movement is very young and is in an infant stage at present and they ought to be given all the facilities that could possibly be given to them for their growth and development. Moreover, the number of buildings owned by co-operative societies are so very few that the tax that is likely to be collected by the local boards from these buildings is very negligible so far as boards are concerned but would be a heavy burden on these small co-operative institutions. In fact, there are only very few institutions in my district, for instance, where the co-operative societies own buildings of any size or magnitude. There are two or three sale and loan societies with buildings of their own and there are one or two buildings owned by the central bank and its branches. These too do not come under the Local Boards Act, because most of these buildings are situated within the municipal areas and they could not, therefore, be taxed by the local boards. Sir, if the Government intend that co-operative buildings owned by primary societies in the small villages should also be taxed, I think that in consideration of the fact that the income that is likely to be realized would be so small, it is better that we exclude them from such a tax. I therefore oppose this amendment of the hon. the Chief Minister."

The hon. the PRESIDENT :—"Mr. Arpudaswami Udayar wants to move the following amendment :—

'In the amendment of the hon. the Chief Minister, after the figures "1912" add the words "which have no profits available for distribution."'

* Mr. S. ARPUDASWAMI UDAYAR :—"Sir, there is a good deal of weight in what Mr. Nagan Gowda has said with regard to primary societies and the amendment of the hon. the Chief Minister, if accepted, would work havoc and may go a great way towards discouraging the work of these primary societies. At the same time, I do admit that there are buildings put up by societies which have reserve funds and also profits available for distribution. I think my amendment will exclude societies which are struggling for existence and which are trying against odds to popularise co-operation and help the agriculturists in rural areas with loans and thereby save them from the clutches of the usurious money lenders. On the other hand, it is not fair and equitable that we should allow societies which have profits available for distribution and which have reserve funds, to escape taxation. The object of house-tax is to see that these local boards are enabled to tap every available source of income or rather every legitimate source of income. In order to exempt societies which have no profits available for distribution from house tax, I have brought forward this amendment."

Mr. K. SARABHA REDDI :—"I second the amendment, Sir."

* The hon. Dr. P. SUBBARAYAN :—"Sir, this is a question of house tax and does not relate to profession tax at all. I think the co-operative societies also should pay building tax like any other society."

[Dr. P. Subbarayan]

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"The amendment of Mr. Arpudaswami Udayar was put and negatived."

* Mr. A. RANGANATHA MUDALIYAR :—"Sir, I would like to ask the hon. the Chief Minister to consider deeply the result of this amendment. Those who are acquainted with the working of the co-operative societies in the villages, know their pecuniary conditions. They hardly realize profits, dividends are not distributed and they find it difficult to pay the union tax; and the levy of the house tax also would add to their troubles. It would also be inconsistent with the policy that has hitherto been followed and is still followed by the Government as a whole. Several concessions have been shown to these societies by way of exemption from registration fee and search fee, and other facilities. I do not know if the hon. the Minister for Co-operation is quite satisfied with an amendment of this sort which really cuts at the root of the policy pursued by the Government in regard to the co-operative movement. The societies have to be encouraged to build godowns and no kind of encouragement in that direction will be too much. As a matter of fact, I know Government have granted loans for the building of godowns and have agreed not to charge them the usual rates charged for takavi loans. They lend money to the societies at the rate at which the Government borrow plus half a per cent more for expenses. That is the policy of the Government hitherto. It seems rather invidious on the part of the Minister for Local Self-Government to distinguish the other department which is in charge of a colleague of his and to impose a heavy burden on the societies which were hitherto exempted."

* Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—"Sir, I support the amendment of the hon. the Chief Minister. Only such of the societies as own buildings of their own can be taxed under the provisions of this clause. When societies are in a position to build their own buildings or to purchase their own buildings, it must be regarded that they are in a good position. After all, these taxes have to be paid to the municipalities which serve for the common good of all."

* Mr. A. RANGANATHA MUDALIYAR :—"In that case, even railway platforms and latrines also have to be taxed."

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—"Yes, they have also been proposed to be taxed but I am sorry at a lower rate. It is but proper that societies when they are not in a position to earn any profit, should be exempted from the payment of professional tax, and this has been provided in the Bill. I do not, therefore, see any reason why buildings owned by co-operative societies should not be taxed especially when such taxes can be met by the societies from the common good fund which each society puts by every year. I therefore support the amendment of the hon. the Chief Minister."

* Rao Sahib V. I. MUNISWAMI PILLAI :—"Sir, I am sorry that the hon. the Chief Minister thought it advisable to exclude the co-operative societies enjoying this small benefit that has been accorded by the Select Committee after so much deliberation. Sir, there are very few of these societies that own buildings, but many of the societies have rented buildings and if we were to tax these buildings also, I am sure the tax realized from this source would be very small and will not even be worth the trouble taken by the local boards in collecting them. Sir, during the discussion on the District Municipalities Bill, it was considered that no useful purpose would be served by

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including these societies, because, it is only of late that the activities of the co-operative societies have been brought into being by the Co-operative department. I therefore appeal to the hon. the Minister not to tax these co-operative societies."

The hon. the PRESIDENT :—"I now put the amendment to the vote of the House. The question is :

'In lines 3 to 5, omit the words "buildings owned and occupied by societies registered or deemed to be registered under the Co-operative Societies Act, 1912".'

The amendment was adopted.

The hon. the PRESIDENT :—"I understand that it is the view of the Government that we should sit to-day till 5-30 p.m."

* The hon. Dr. P. SUBBARAYAN :—"Sir, I move, to re-number sub-clause (ii) ^{5 p.m.} as sub-clause (iii) and insert the following as sub-clause (ii), namely :—

(ii) after the word 'purposes' insert the words 'and such hospitals or dispensaries maintained by railway administration as may from time to time be notified by the Local Government.'

"A similar amendment was carried with regard to the District Municipalities Bill, and I move this to bring this into line with that."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I second it."

* Mr. A. RANGANATHA MUDALIYAR :—"Sir, I wish to ascertain one information; and I should not be construed as opposing the motion. I want to know whether it is the intention of this motion to exempt dispensaries that charge patients that are admitted into it."

* The hon. Dr. P. SUBBARAYAN :—"If it is found that they charge patients then no exemption will be given to them. The words in the section 'which are open to the public' make the meaning clear."

The motion was put and adopted.

Clause 89 as amended was put, passed and added to the Bill.

Clauses 90 to 97.

Clauses 90 to 97 were put, passed and added to the Bill.

Clause 98.

Diwan Bahadur R. MUNISWAMI NAYUDU :—"I move that clause 98 be omitted."

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—"I second it."

The motion was put and adopted.

Clauses 99 to 104.

Clauses 99 to 104 were put, passed and added to the Bill.

Clause 105.

* The hon. the PRESIDENT :—"Mr. Muniswami Nayudu has got an amendment which requires the sanction of His Excellency the Governor-General. As he has not got it, he cannot move the amendment."

Clause 105 was put, passed and added to the Bill.

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Clauses 106 to 111.

Clauses 106 to 111 were put, passed and added to the Bill.

Clause 112.

* The hon. Dr. P. SUBBARAYAN :—" Sir, I move, that after clause 111, the following clause be inserted namely :—

' 112. After section 121 of the said Act, the following section shall be inserted, namely :—

" 121—A. Notwithstanding anything contained in the Local Authorities Loans Act, 1914, the Local Government shall be entitled to recover in the manner provided by sub-section (3) of section 41 of this Act or by suit any loan or advance made to any local board for any purpose to which the funds of the said board may be applied under this Act".

" I don't move the proviso. This is to bring the Bill in a line with the provisions of the District Municipalities Bill, and I have already explained why it is necessary in connection with that Bill."

Diwan Bahadur B. MUNISWAMI NAYUDU :—" I second it."

The motion was put to vote and adopted. Clause 112 without the proviso was put, passed and added to the Bill.

Clauses 113 and 114.

Clauses 113 and 114 were put, passed and added to the Bill.

Clauses 115 to 142.

* The hon. the PRESIDENT :—" Mr Srinivasan cannot move his amendment. In the Select Committee I disallowed it on the ground that it required sanction, as it affected civil rights."

Clauses 115 to 142 were put, passed and added to the Bill.

Clause 143.

* The MAHARAJA OF PITHAPURAM :—" Sir, I beg to move.

That in sub-section (2) of the proposed section 163-A, after the words 'any tree', the words 'vesting in or belonging to a local board and' be inserted.

" Section 3, sub-section (18) of the Act defines a public road thus :—

' a public road means a thoroughfare over which the public have a right of way and includes . . . the land which lies on either side of the roadway up to the boundaries of the adjacent property.'

" Now adjacent property may certainly mean the trees on either side of the punta or pathway which are vested in a Zamindar by long custom and usage. Those trees cannot be cut by order of the Board and it is not attempted to affect them. There may be a piece of land between the thoroughfare and the 'pende' or row of trees. According to the present

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definition that piece of land is a public road, and according to the proposed sections 163-A and 163-B no trees growing on it can be cut or removed without the permission of the President of the District Board. According to the decision of Sir V. Bashyam Ayyangar and the views held by eminent authorities like Sir P. Rajagopala Achariyar and Sir K. Srinivasa Ayyangar the ownership of the soil in the land forming the public road does not vest in the Board, and it therefore follows that the ownership of the trees that grow thereon does not vest in the Board. The Board of Revenue have recognized the Zamindar's rights in several cases; and courts of law have upheld the same. Even according to the proposed section the ownership is not vested in the Board but only the exercise of the rights of ownership by the landholder or zamindar is prevented. The main intention of the section is, I take it, to prevent interference with the trees belonging to the Board by private parties. To do justice to the landholders the section should be clearly confined to these cases only and the object of my amendment is to see that it is so confined. A similar attempt was made in 1920 to take away the existing rights of landholders to trees in puntas, but the Select Committee, which included that great administrator, Sir P. Rajagopala Achariyar and that eminent lawyer Sir K. Srinivasa Ayyangar vetoed the proposal and the matter was dropped. I trust that this time also, this indirect attempt at confiscation of private property will not be countenanced by the House as it would cause very heavy loss to the landholders."

The amendment was duly seconded.

* Mr. A. RANGANATHA MUDALIYAR :—" Sir, before the hon. the Chief Minister speaks on this motion I wish to make two observations. The amendment of the Maharaja Sahib would insist that the tree must not only be on a public road but that it should also belong to the local board concerned. For the moment I will grant both these conditions. And yet a person affected by it has the right of felling not the tree but the branches of it. Suppose there is a tree bordering on the land of a private person but yet standing on the land belonging to the local board (and probably it might have been planted by them) and its branches overhang the land of the private person. I think there are decisions entitling the person to lop off the over-hanging branches. No easementary right with reference to the growing branches of a tree can be acquired. What I submit is there are decisions holding that if such branches do cause damage to the private party, he can cut them off and cannot be held criminally liable for his action."

* Diwan Bahadur B. MUNISWAMI NAYUDU :—" I think the decisions of courts have been that when a tree belonging to a private party overhangs the land of another private person and causes damage, then the aggrieved private party can lop off the branches of the tree. But when it is the case of a tree belonging to a taluk or district board or a statutory board then no cause of action arises. The amendment refers to trees not belonging to local boards. And I think that Sir, so far as this amendment is concerned there can be no legal objection."

The hon. Dr. P. SUBBARAYAN :—" I have no objection to the amendment."

* Mr. A. RANGANATHA MUDALIYAR :—" I think there is difficulty, and so I would request this motion be taken up later."

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The hon. the PRESIDENT :—"I shall remove the difficulty of the hon. Member. About the year 1920 the High Court held that where an avenue tree is grown by a local board, even its branches overhanging the land, of a private person cannot be cut or removed by the owner of the land, because it is a statutory duty imposed on the local board to grow avenue trees and therefore a private right cannot be exercised against it. The decision was brought to the notice of Government and they issued a circular to the local boards that in the case of district and taluk board trees only the branches beyond eight feet in height from the ground should be lopped off at the request of the landowner."

* Mr. A. RANGANATHA MUDALIYAR :—"Then I think the decision that I recollect must be old."

The hon. the PRESIDENT :—"The question is in sub-section (2) of the proposed section 163-A, after the words 'any tree' insert the words 'vesting in or belonging to a local board and'."

The motion was adopted. Clause 143 as amended was put, passed and added to the Bill.

Clauses 144 and 145.

Clauses 144 and 145 were put, passed and added to the Bill.

Clause 146.

The hon. Dr. P. SUBBARAYAN :—"Sir, I move—

After clause 145 insert the following clause, namely :—

146. *In Chapter XI of the said Act, after the words 'Markets, slaughter houses, etc.,' in the heading thereto and before the words 'Public markets' in the heading to sections 167 to 169, the following section shall be inserted, namely :—*

'166-A. Any place where persons assemble for the sale or purchase of articles of food or clothing, livestock or poultry, of cotton, groundnut or other industrial crops or of any other raw or manufactured products may be declared by a panchayat or taluk board, with the approval of the Local Government, to be a market.'

"Sir, the Bill as originally introduced had this provision, but the Bill as emerged from the Select Committee does not contain this clause, and as the Development Department have such a proposal to open markets for commercial purposes unless this is inserted the panchayats and taluk boards cannot hold markets."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I second it."

* Mr. A. RANGANATHA MUDALIYAR :—"Sir, I think the intention of the provisions of the clause is to give power to the panchayats and taluk boards to declare an area within their jurisdiction where articles are sold and purchased to be a market."

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

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Mr. A. RANGANATHA MUDALIYAR :—"But the words used here would give that power to them. Then the hon. Minister should modify his motion, and I would therefore suggest that this may be taken to-morrow and that the consideration of clauses 147 to 154 be postponed."

The hon. Dr. P. SUBBARAYAN :—"I have no objection."

The motion that the amendment of the hon. the Chief Minister be taken to-morrow was put to vote and carried.

The hon. the PRESIDENT :—"The question is to postpone the consideration of clauses 147 to 154 till to-morrow." 5-15 p.m.

The motion was carried.

Clauses 155 to 162.

The hon. the PRESIDENT :—"The question is that clauses 155, 156, 157, 158, 159, 160, 161 and 162 shall stand part of the Bill."

The motion was adopted.

Clause 163.

* The hon. Dr. P. SUBBARAYAN :—"I move the following amendment :—

In line 2, after the word 'village' insert the words 'not being any area in which any notification of a municipal council under sub-section (1) of section 249 of the Madras District Municipalities Act, 1920, is in force.'

"Sir, the Select Committee decided to omit 'not being any area in which any notification of a municipal council under sub-section (1) of section 249 of the Madras District Municipalities Act, 1920, is in force'. The result is that, on such areas as are within three miles, both the municipality and the local board will have jurisdiction."

Mr. R. NAGAN GOWDA :—"Mr. President, on a point of order. There is no quorum in the House."

The bell was rung at this stage, and the quorum was formed.

The hon. the PRESIDENT :—"There is quorum now."

* The hon. Dr. P. SUBBARAYAN :—"As I have already stated, this amendment is necessary because this will lead to any industry started within three miles being double taxed which we want to prevent. That is the reason."

Diwan Bahadur B. MUNISWAMI NAYUDU :—"It is really hard that the local board should be deprived of its legitimate income. I can understand the tax being levied and shared between the local board and the municipality and not by the municipality alone because the business is being carried on in the local board area. Therefore I think it most necessary to amend the District Municipalities Bill and not Local Boards Act."

* Mr. A. RANGANATHA MUDALIYAR :—"As a matter of fact, there are many villages within two miles of the municipality. It is contended by the Government that they should still be paying to the municipality and be providing the necessary money for comforts to be given for those living only in the municipal area. This must be remedied."

The hon. Dr. P. SUBBARAYAN :—"I shall not move this. I shall get it into the District Municipalities Bill."

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The amendment was by leave withdrawn.

The hon. the PRESIDENT :—"The question is that clause 163 shall stand part of the Bill."

The motion was adopted and clause 163 was added to the Bill.

Clause 164.

The hon. Dr. P. SUBBARAYAN :—"I move the following amendment :—

- (i) *In the opening paragraph, in lines 2 and 3 omit the words 'shall consult and have due regard to the opinions of'.*
- (ii) *In clause (a), in line 1, before the words 'the inspector of factories' insert the words 'shall obtain the approval of'.*
- (iii) *In clause (b), in line 1, before the words 'the district health officer' insert the words 'shall consult and have due regard to the opinion of'.*

The motion was duly seconded, put to the House and adopted. Clause 164 as amended was put, passed and added to the Bill.

Clauses 165 to 168.

Clauses 165, 166, 167 and 168 were put, passed and added to the Bill.

Clause 169.

* Mr. R. NAGAN GOWDA :—"Mr. President, Sir, I move the following amendment :—

In sub-clause (i) in the first proviso delete the word 'and' in the last line and insert the word 'and' at the end of the second proviso and add the following as a new proviso :—

'Provided that voting at all elections shall be by a symbolical method in which the candidates for election are represented by symbols'.

"Mr. President, Sir, in making this motion, I want to state at the outset that my object is that absolute secrecy ought to be maintained in elections whether the voters are literate or illiterate. Sir, it is quite well-known that in this country a great majority of the voters are illiterate in spite of the fact that there is a high property qualification prescribed for local boards. Sir, the question is not new to this House, because in the last few years the matter has come up before this House for consideration either in the form of resolution or in the form of questions again and again. In 1927, a motion was brought before this House for devising some means by which some system of secret voting could be adopted. In speaking on that matter, Sir, Sir M. Krishnan Nayar (then Diwan Bahadur) stated that they had a committee formed before the year 1927 for the consideration of certain methods by which secrecy could be maintained in voting. He said: 'I must say, Sir, we sat on one occasion but we did not do any work on that occasion'. In March 1929, a resolution for devising a method by which secrecy could be maintained at voting was carried by a large majority. The resolution ran as follows: 'That this Council recommends to the Government to introduce a system of voting which ensures secrecy even among illiterate voters. So, Sir, this question of maintenance of secrecy at the time of elections at the polling

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[Mr. R. Nagan Gowda]

stations is one that has been before this Council for a very long time. Sir, I remember that in answer to a question regarding the action that was taken by the Government on the resolution of this House passed on 31st March 1927, the Government stated that they had constituted a committee and that it had failed to come to any conclusions regarding the methods that would ensure secrecy at the polling stations. But that, Sir, does not solve our question at all. Elections are becoming so common the difficulties that are being felt by the voters now are much more than they were ever before. Not only do the illiterate voters feel the necessity for secrecy in casting their votes but it is unfortunate to note that some of the literate voters too find difficulty in maintaining secrecy in voting. Cases have been recorded of school teachers, clerks and others in union and municipal offices having voted by stating their choice loudly at the polling station on the pretext that they were either not able to see properly or that their hands were disabled or on some such pretexts. That, Sir, is due to the fact that undue influence is brought to bear upon individuals. So, not only in the case of the illiterate voters but also literate voters, a system that would be fool-proof, so to speak, is necessary. Sir, in quoting these instances about the illiterate voters, I do not think that it is anything that we need be proud of; but I do feel that it is quite dishonourable on the part of the candidates to bring any force or pressure to bear on the voters and it is equally dishonourable on the part of the voters to subject themselves to such kind of pressure. Sir, this necessity for some kind of secret voting has been felt all over India. In Bombay and in Mysore they have considered this question of maintaining secrecy in the polling booths and they have come to conclusions which have resulted in the adoption of certain methods of voting in those places. In Bombay, Sir, for a very long time now voting at the polling booths is by representation of the candidates on ballot papers by some pictures or figures. In Mysore also, since 1928, a similar system has been used. The system, I think, is not a very difficult one."

* The hon. the PRESIDENT :—"Does the hon. Member require more time to finish his speech?"

* Mr. R. NAGAN GOWDA :—"Yes, Sir, a few more minutes."

The hon. the PRESIDENT :—"The Council will now adjourn and re-assemble to-morrow at 11 o'clock."

III

PAPER LAID ON THE TABLE OF THE HOUSE.

(a) G.O No. 2136, Development, dated the 30th November 1929, recording the Audit Report of the Industrial Engineering Workshop for the quarter ending the 31st December 1928.

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

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APPENDIX I.

[Vide answer to question No. 1356 asked by Mr. G. Harisvottama Rao at the meeting of the Legislative Council held on the 29th January 1930, page 792 supra.]

Inspection Note dated the 16th August 1929 of the Director of Industries.

Dyeing Factory.—Visited the dyeing factory of Mr. Rangayya Chetti at Stonehousepet. This is the only factory in the district carrying on alizarine dyeing on scientific basis. Dyeing is quite good and is carried under the supervision of Mr. Rangayya Chetti who is a B.Sc. of the Mysore University. From his exposition of the methods followed by him, he seems an expert in the art of dyeing. He confines his attention mainly to alizarine since it pays him well and he is able to compete successfully with foreign alizarine dyed material. He gets mill-yarn from Madras, dyes it in his factory, and sells the dyed stuff in Madras.

He has a boiler of 12 H.P. to generate steam for the treatment of the dyed stuff by placing it under steam pressure which is said to be essential to give the stuff a bright appearance.

There are a few other dyers who carry on dyeing in the old fashion and they do not require any factory assistance. They gladly welcome any demonstration in the direction of improved dyeing. After I reached home from my inspection, I met the dyeing demonstrator A. Ramachandran who has come over to Nellore from Kalahasti with a host of printed samples and a set of dyeing apparatus. He intends holding a demonstration in the premises of one of the dyers of the town, Appalaswami Chetti. This is a step in the right direction and I am sure that the dyers of Nellore will take to the improved and modern method of dyeing shown by the demonstrator.

I saw some resist printing with wax in Nawabpet. I have no idea whether there are any improved appliances which should be shown to these indigenous printers. They have their own usual blocks for printing made of brass wire. I have also seen a set of brass and copper blocks intended for printing borders. This seems a lucrative craft in Nellore. This is not on such an elaborate scale as Kalankari in Masulipatam.

25th August 1929.—Visited the demonstration hall at Aruppukottai. Sivalingappa Chetti is in charge of the hot-air sizing machine. It has been installed in his house. We pay a house-rent of Rs. 10 and the Assistant Demonstrator Rs. 35; from what I have been able to ascertain in the locality, the sizing machine is popular with the weavers. I saw one or two professional weavers who are anxious to take a similar machine on hire purchase system. Sivalingappa Chetti under whose auspices the machine is now worked is very hopeful of its being largely used in and around Aruppukottai. Most of the weavers that I have seen get their yarn warped at the demonstration hall. Sivalingappa Chetti gets an income thereby and is anxious to make this concern a success. He asks for two things: (1) To issue duplicate beam roller so that when one roller attached to the sizing machine is finished and taken aside for the warp to be reeled another may be inserted so that the sizing machine and warping may proceed without interruption. At present all hands have to be turned on to reeling and the sizing machine has to remain quite. Sivalingappa Chetti states that this could be avoided and time saved if the sizing machine could continue to work with the duplicate

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roller when the first roller is taken aside. (2) A reeling machine which would enable him to get six or more bobbins reeled at the same time. Under the present system, he has to get the yarn reeled off to bobbins by women. They do the work so carelessly that the reeling is not uniform, it is full of knots and broken pieces of thread, so that when the bobbins are placed in position and the sizing machine is set to work, the warp breaks almost every moment and the machine has to be stopped to repair the broken threads due to their defective reeling on the bobbins. Work is not only unsatisfactorily done, but there is considerable interruption for the continuous working of the sizing machine. The whole time I was in the demonstration hall, the demonstrator and his men did nothing but repairing the broken threads. Sivalingappa Chetti's representation seems genuine. If a spare reeling machine can be lent to Sivalingappa Chetti along with the hot-air sizing machine, there is no doubt that it will increase the popularity of the latter. The Assistant Director of Industries (Textiles) is requested to consider these two requests and let me know if they should be complied with.

I saw the demonstration hall at Madura on the 24th instant. There the hot-air sizing machine is in charge of a Sourashtra weaver. The machine is worked better by the demonstrator in charge. The whole process is cleaner and the size used is white and clean. Here in Aruppukottai, the size used is dirty and thick. Sivalingappa Chetti explains that this is due to the fact that the weavers ask for thicker warps.

I should be glad if the machine is placed in charge of a better demonstrator. The person in charge at present is a mere boy. Secondly, I would like the demonstration hall which is at present in a side lane to be shifted to the main street. It is no doubt accessible to the weavers in the locality, but it will be still more accessible and receive better patronage if it is located in the main street known as Vobaikottai street. This street is broad and the houses are larger and better constructed. It will be better if the Weaving Superintendent induces Sivalingappa Chetti to move the machine from its present premises in the by-lane which can by no means be considered at all an ideal place for demonstration.

Ramalinga Pillai, an agent under a yarn merchant, wields considerable influence among the weavers and he is anxious to have on loan a hot-air sizing machine installed at Puliampatti about three miles from Aruppukottai on the Virudhunagar road. He says that there are two thousand weaver families at the place and that it is the most important weaving centre in the locality. He guarantees that if the machine is installed and worked as satisfactorily as has been done at Aruppukottai, he will take it over on ready money payment. If it cannot be loaned as suggested by him, he is prepared to take it on hire-purchase system. The spare machine in the Textile Institute may be transferred to Puliampatti. The Weaving Superintendent, Madura, will see to its installation. He is enthusiastic and is anxious to do something to further the handloom industry.

27th August 1929.—I saw the lace work and the manufacture of lace-caps at Kilakkarai. Only a single Muhammadan and his family members are conversant with this industry. No other house has learnt the art. This is nothing but lace-embroidery work carried on in an extensive scale by Mussalmans at Triplicane. The lace cap, on an average, costs Rs. 5 to Rs. 7 and is not ordinarily in demand by the villagers. Naturally the industry is very much restricted and needs no attention.

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28th August 1929.—Peripatnam and its neighbourhood abound in coconuts. The nuts are of big size and slightly reddish in colour. Coconuts are exported to Ramnad, Madras and other places. The husks are not neglected. Irulas and Koravas take the husks, have them soaked in ponds for a length of time and beat them and take out fibre. A bundle of fibre is taken for an anna. All the Mussalman families in Peripatnam except perhaps a few well-to-do people convert the fibre into ropes of various thickness and quality. There is a great demand for these ropes at Ramnad, Madura and surrounding towns and they easily find a sale. With a bundle of coconut fibre purchased for an anna, a household—mostly women and children are employed on this work—make rope sufficient to fetch four to six annas. In other words on an average a family earns four to five annas a day in rope-making. The fibre is twisted into yarn by deftly rubbing it on thigh. Hits of yarns are then twisted into ropes by rubbing them together with both hands. One end is tied to a pillar or some other object and the other held tight by the person who twists the yarn and as the work progresses, the finished rope is wound round the pillar.

It is just possible to get the fibre twisted into yarn with the help of a revolving wheel instead of the process of rubbing it on thighs, next the twisted yarn can be spun into rope by means of some appliances instead of with both hands. It would be just possible to weave these ropes into coir-mats. I understand from Mr. Ramachandra Ayyar that simple appliances were once devised for twisting and rope-making.

17th September 1929.—Inspected the London Mission Industrial School, Erode. There are two sections, one for boys and the other for girls who are chiefly engaged in weaving. Purchased some samples of woven goods which seem to be quite good and durable. Miss Inglis who very kindly took me round, showed me all the branches of the work that is being done at the school. Girls were engaged in making mats. They do it quite easily and the patterns are good. In the matter of palmyra baskets, the work done here is more elegant than what I noticed at Tiruppallani in Ramnad district. Miss Inglis expressed some difficulty in disposing of her finished goods. She has in stock about a thousand rupees worth of finished goods in the shape of towels, sheets, napkins, women's clothes, shirtings, etc. She feels difficulty in disposing of the finished goods rapidly enough so as to recoup the money invested in the concern. The Assistant Industrial Engineer thought this difficulty may perhaps to some extent be got over if sufficient advertisement is given to the industry in existence in the weekly shandies in and around Erode. If the goods are exposed for sale at some of the exhibition centres like Tiruppur, etc., in the district, I feel no doubt that the demand for the finished goods will be more brisk than what it is at present. Miss Inglis took the suggestion and promised to try it.

She has since written for Government help in working the stencil and aerograph spray for printing cloths. This is under consideration separately and should be expedited. The proposed City Emporium at Madras for the stock of such articles as are now produced by the Industrial Schools may perhaps meet her difficulty.

18th September 1929.—Inspected the Salem Dye Works Syndicate. The works are fitted up with up-to-date machinery but unfortunately the Syndicate has stopped work for the past eight months owing to the hardness of

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water and the presence of chemical matters in it such as calcium and magnesium. They are unable to get uniform dyeing. I have seen some bundles of yarn of several colours stocked in the Syndicate's almirahs. The uneven streaks are there no doubt but, they are not so pronounced as to necessitate the total cessation of the dyeing works. The matter is being separately dealt with in connexion with the Syndicate's application for a further advance of money for the purchase of water softening appliance. Please hurry up this paper.

18th September 1929.—Inspected the factory of Balaram Ayyar where woolen carpets and cumblies are being manufactured. The making of cumblies has been stopped for the present, since the proprietor has large orders for the carpets that he makes. Wilson & Co., Madras, are the chief buyers. Balaram Ayyar, the proprietor, makes carpets of the patterns supplied by the company. Almost all the persons employed in the factory are Adi-Dravida men and women. The firm uses mostly dead wool. For cleaning the wool, ordinary machinery is used. For spinning and dyeing, there is only hand labour. The proprietor is not anxious to introduce machinery since hand labour is cheap and meets his requirements. The dyeing is carried on in the premises. The recipe is kept secret by the family. No less than 100 labourers are employed in the firm.

18th September 1929.—Inspected the Devanga Hosiery Knitting Factory. Banyans of different kinds and texture are manufactured at this factory. It has just commenced work and has not yet placed its goods on the market in any appreciable scale. Here is a concern which requires advertisement and if the finished goods can be taken over and sold for the firm in such places where they are in demand, for instance, in towns and villages, there is no doubt that the hosiery factory will prove a success. The firm has sunk a lot of money on plant and machinery and are anxious to make it a success.

13th October 1929.—Inspected some of the looms, weaving saris and carpets in company with the tahsildar. Weaving of saris is mostly done with mercerized cotton and the weavers have not taken to the fly-shuttle. It is very peculiar that in a place so near Bellary where there are no less than 5,000 looms, fly-shuttle has not made any headway. This is a matter for investigation by the Assistant Director of Industries (Textiles). If a peripatetic weaving party can be made available by shifting one of the parties from the centre where it has stayed long, I think it can be sent to Adoni to introduce fly-shuttle. The saris which I saw being woven in Sallarin Thejappa's house is of very good texture and quality. Some of the finished products can complete very favourably with the softness and elegance of the powerloom products.

Dyeing is carried on by the weavers themselves. This is peculiar to these parts. There are no professional dyers. Each weaver is a professional dyer. The dye-stuffs are mostly German. Both alizarine and naphthol dyes are in use. They do not utilize the former since naphthol dyes can be easily mixed with water and used. It saves time. Alizarine requires previous preparation by boiling, etc. Since dyeing and weaving is done by the same family, considerable saving of time and money is effected. I do not know if there are several places where such combined work takes place. In Madura and Dindigul, dyeing is carried on by a different set of people among the weavers themselves.

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The jamkana looms that we saw belonged to Gattivenna Rajub Sahib. One of his family members knows art weaving. The flowers and the squares he produces on the jamkanas are very effective. We have seen jamkanas with art weaving costing between Rs. 15 to Rs. 20 each involving a labour of about a week.

All sorts of jamkanas are made, some with fast dyes and good texture, some with loose texture. The price varies with reference to quality. All the jamkanas produced find a sale. They are sold in the bazaars, at the railway station and at the karkanas themselves. The weft is dyed by the weavers themselves, while the warp is twisted by them. On an average, a labourer makes between 12 annas to a rupee.

The weaving of silk cloth meant for coats is not in vogue at present. It would appear that this was being done some time ago. I do not know wherefrom the Special Officer got this information on this point. No special steps are necessary to help the industry.

I have since inspected some of the karkanas in Adoni, for instance, Chowdri Moinuddin Sahib's, Hussan Sahib's and Ghouse Sahib's. In the former I met Mr. K. Shali Sahib, teacher, Municipal High School, Adoni. He represented that the weft used for inferior carpets is No. 2 and No. 3 and that this does not stand the fly-shuttle, that the thread often gives way and hinders work. It would appear that he expressed the same difficulty to the previous Director who promised to look into the matter. He wants the Industries Department to give him some suggestion which would enable the weavers to reduce the breakage of yarns used as weft.

It is only in the second-rate carpets that this count is used. In the first rate I find they are using $10\frac{1}{2}$ counts. The warp is the same for both 23-2. Mr. Shali Sahib thinks that weaving with fly-shuttle can be introduced if he succeeds with 2-3 counts to begin with. Enormous quantities of carpets with inferior counts are now manufactured and stocked in karkanas in Adoni. I understand that in Sab Hussain Sahib Ghouse Sahib's karkana alone there is a sale of Rs. 200 a day. It is perhaps a little more or less in other karkanas. For weaving the inferior carpets fetching Rs. 1-8-0 or Re. 1-4-0 a weaver gets on an average 8 annas per day. For weaving the same size of carpet in $10\frac{1}{2}$ counts weft, a weaver earns 12 annas. For the bigger size carpets, the wages are proportionately larger. If the weavers can be induced to use the fly-shuttle, they can perhaps earn larger wages than they do at present.

Mr. Shali Sahib also represented that the Salem carpets are gaining rapid ground in Southern India, ousting Adoni carpets, and that the chief reason consists in the fact that Adoni carpets have deteriorated in quality owing to the use of the cheap counts for weft. Through his efforts, a co-operative society is being formed and he expects the registration of the society tomorrow by the Deputy Registrar. This is a good beginning. The society can perhaps do much in weeding out the cheap carpets, introducing better yarn for weft and thereby helping to resuscitate the industry. I request that the Assistant Director of Industries (Textiles) will help me with suggestions as to how the fly-shuttle can be introduced in Adoni both for saris and carpets and how the difficulty experienced by the weavers at present with 2-3 counts as weft can be got over.

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14th October 1929.—Inspected, in company with the Tahsildar of Adoni, the cumbly-weaving industry in Madira about $5\frac{1}{2}$ miles from Adoni. There are about 11 looms in all in the village. This being just the sowing season, the weavers have gone out for cultivation. Only one loom was at work. The method followed is the old hand-shuttle method. The warp and weft are made in the village itself. The wool used is of a very good kind and I understand from enquiry that all the weavers use only cut wool. By a careful adjustment of the wool, the weavers are able to get a light red tinge to some of the blankets woven. The texture is good and the workmanship is also good so far as I have been able to see. Each cumbly is priced about Rs. 2. Women do most of the teasing and spinning. The former is carried on in the old crude fashion with the bow. The sizing is done with tamarind seed porridge. The weaving is done entirely by men. The system adopted is pit-loom. On enquiry I find that they pay for shearing the sheep about Rs. 15 per 100 sheep. They get sufficient wool to weave 15 to 16 cumblys. Each cumbly is worth on an average Rs. 2; in other words, they make Rs. 30 on the cumblys manufactured. Deducting the cost of the wool, they make roughly Rs. 15. Teasing the wool and converting it into yarn takes a woman about four days' labour in the midst of household duties, weaving the cumblys another two days. For six days' labour the return is Re. 1. This shows the poor return which the weaver gets. Naturally the industry is gradually dying out. The weavers who are Kurubas prefer cultivation to cumbly weaving since the industry does not pay. The only means of improving the industry is perhaps to devise some appliance by which the wool can be teased and cleaned. If some simple appliance can be devised for twisting the warp and the weft instead of the old method of the charka, using both the hands and legs, we may perhaps be able to save labour and increase the earning. The cumbly fetches very low price, the weavers being obliged to sell the article to sowcars. If a society can be formed to take over the manufactured cumblys at the market price and find a sale for them, the weaver may perhaps earn better wages. The Assistant Director of Industries (Textiles) may advise in this matter.

The designing of improved appliances for cumbly manufacture may be marked as one of the subjects for the examination of the research engineer proposed to be appointed.

Ellore, 10th November 1929.—Visited Adivarapupet and Somavarapadu near Ellore in connexion with the twisting of woollen yarns for supply to the carpet weavers of Ellore and Thangelamoodu. The process is crude. The wool used is mostly chunam wool. It is teased and cleaned as usual by means of a bow. The twisting is done on thigh as opposed to the use of charka in Bellary. The yarn is uneven and coarse as compared to the yarn made in Bellary. It will be advantageous to introduce the charka used by Bellary weavers and send it on to Ellore for purposes of demonstration. I suggest that the Assistant Industrial Engineer, Bellary, may be instructed to obtain a charka or have one made similar to that used in Bellary and send it on for purposes of demonstration at Ellore. This will probably secure a better twisting and a more even yarn. Cumblys are manufactured only to order. I have not been able to see any loom at work for want of orders. Teasing and twisting of wool is entirely done by women while weaving is attended to by men. All the woollen yarns are now supplied to the carpet weavers and the manufacture of cumblys is taken up only with reference to demand.

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Ellore, 10th November 1929.—Inspected some of the carpet making Karkhanas in Ellore. I had a long discussion with Jamal Ahmad Sahib and Sons, Thangelamoody, Ellore. These are the leading carpet manufacturers. They advance money to the actual workmen, take the carpets when finished and sell them in foreign markets. From the advance made by the exporters, the workmen buy the cotton yarn and the woollen yarn, dye the latter to various shades with reference to requirements and hand over the carpets when completed, at definite prices. Only two qualities are at present manufactured dead wool being mostly used for the purpose, since cut wool is difficult to procure in large quantities. Carpets of four threads per inch are sold at Rs. 4-2-0 per square yard while those of $4\frac{1}{2}$ threads per inch at Rs. 5-2-0 per square yard. Carpets of superior counts are not made at Ellore. The company, I understand, will be able to manufacture carpets of 10 threads to an inch but that the rate charged would be about Rs. 20 to Rs. 25 a square yard. Considering the workmanship I do not think the rates of Rs. 4-2-0 and Rs. 5-2-0 charged for carpets referred to above is excessive.

There are about 200 looms with about 1,000 people engaged in this industry in Thangelamoody, Adivarapupet and Ellore. As regards the sale of the carpet, the demand is mainly foreign. Messrs. Ripley & Co., Cocanada, seem to be the chief exporters operating at present in Ellore. Carpets are supplied to this company by Ellore merchants at the rates referred to above, f.o.r. Ellore. Mr. Jamal Ahmad Sahib showed me some interesting correspondence on the sale of carpets in the London market. He attempted to send a consignment to London for sale direct instead of through Messrs. Ripley & Co., Cocanada. He forwarded the consignment to Alfred Young & Co., Madras, for shipment. The latter company forwarded the consignment to London but, when settling accounts, paid at the rate of Rs. 4-2-0 per square yard, while the price quoted by the London firm to Jamal Ahmad and Sons was Rs. 5-5-6 per square yard. The difference between Rs. 5-5-6 and Rs. 4-2-0 has been accounted for as incidental expenses. In the result the company received six annas less per square yard for having sent its consignment direct to London firm instead of through the accredited agent, viz., Messrs. Ripley & Co., Cocanada. Mr. Jamal Ahmad represents that if arrangements could be made to find a sale for the carpets at minimum transport charges, there will be an incentive for the improvement of the industry at Ellore. Perhaps a solution for this problem lies in the opening of an emporium at Madras with a direct agent at London as already suggested in our proposals to Government. I have obtained a copy of the letter addressed by Jamal Ahmad and Sons to Messrs. Alfred Young & Co., Madras, for our future reference.

With reference to remedial measures necessary to improve the carpet industry at Ellore, Mr. Chalapati Rao who has had extensive dealings in carpets in the past states that the only means of resuscitating the industry is by the formation of co-operative societies for the purchase and sale of finished goods. I find from our reference to Government dated 6th June 1929, that exactly similar proposals have been submitted to Government. I do not know if any orders have been received on this communication. I shall be glad if the office notes on this point.

Mr. Jamal Ahmad Sahib was suggesting to me that the immediate requirement to rehabilitate the industry is the opening of a small dyeing

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factory in which the woollen yarn can be dyed in fast shades. He complains that the dyeing at present done by the carpet weavers themselves is unsatisfactory in that the colour fades after a time. He is of opinion that if fast colour is assured, the quality of the material will increase and the carpet will also fetch better price in London markets. I request that this proposal may be examined in the office. I do not know if any such proposal has previously been made. Mr. Chalapati Rao promised to let me have a note of his suggestions regarding the carpet industry and this may be awaited. Meanwhile the proposed opening of a dyeing factory may be taken up for examination.

Trichinopoly, 4th December 1929.—Inspected the Central Jail and saw the industries there. There is weaving of convict cloth, but weaving of cumblies is very much in excess of cotton weaving. More than a hundred looms are at work. The jail is turning out cumblies for convicts as also for the police. These are of two different patterns. One peculiarity in the manufacture of cumblies in this jail that I observed was the total absence of sizing with rice flour or tamarind seed cunjee. The Superintendent is of opinion that the use of tamarind seed cunjee breeds moths and 'poochies' which attack the cumblie after a time and that unstarched warp is free from this trouble and that he received no complaint from his customers on this account.

The Industries Department has given considerable help to this jail. A paddy huller has been installed and is at work. I suggested to the Superintendent the use of Pinto Chekku as a subsidiary occupation seeing that sufficient energy is available from the rice mill, it will considerably minimize the labour now expended in pressing gingelly seed. I saw three oil mills at work employing about 15 to 20 men. This could be considerably curtailed if 'Pinto Chekku' is introduced.

The department also has assisted the jail in boring three wells in which sub-soil spring has been tapped. The Superintendent is very grateful for the assistance rendered by the Engineering section of the Industries Department.

Tinnevely, 5th December 1929.—Inspected the Braid Spinning Mill in the Pettai. There are 14 looms worked by a small engine of $1\frac{1}{2}$ H.P. The owner says that each spindle cost him Rs. 200 while the engine cost him Rs. 325. He has invested on the whole a capital of about Rs. 3,000 to 4,000 rupees in the concern but has not been able to earn any return from the Spinning Mill. Braid's of cotton and artificial silk are being manufactured and exported to Travancore (Trivandrum) and other places. The owner is anxious to have an improved appliance which will automatically measure the woven braid. This work is being done at present by hand on a small iron bracket of about a span in size. This takes naturally considerable time. If some appliance could be devised by means of which the woven braid can be automatically measured and folded to the required size, it will help to reduce the cost of labour. The Assistant Director of Industries (Textiles) is requested to consider this point and suggest what could be done.

The owner desires to get also a machine for weaving of tape used for petty coats and other purposes since he thinks there is considerable

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demand for tapes of that kind. I should be glad if the Assistant Director of Industries (Textiles) would advise me whether such a machine is available or can be procured.

Copy of the Inspection Notes of the Director of Industries, dated 5th December 1929.

Tinnevely.—Visited Melapalaiyam three miles from Tinnevely. This is a place almost wholly inhabited by labbais whose principal occupation is weaving. Weaving of lungies and kailees is being carried on very extensively. There is also carpet weaving one or two streets being wholly devoted to this industry. The weavers are reluctant to listen to any advice in the matter of improved weaving. For lungies and kailees the looms are all pit looms. Weavers' beam is not to be seen. Warping and sizing is done in the street. Fly shuttle is quite common. I understand that the Hot Air sizing machine was sought to be popularized here but that the attempts of the demonstration party met with no response and that the machine was transferred to Aruppukottai. I can understand the indifference of the weavers almost all belong to the same caste—labbai—and they turn a deaf ear to all departmental advice.

In the case of carpet weaving, fourfold yarn highly starched is being used. The weavers are positive that fly shuttle will not do for carpet weaving and that fly shuttle loom will not give the thickness and strength required for carpets. They are not in need of any help. They request that if arrangements can be made whereby underselling will be prevented, their position will be considerably bettered.

Nazareth, 6th December 1929.—Inspected the Industrial School at Nazareth. It is, no doubt, as stated by the Inspector of Industrial Schools, the best of its kind. I find the Superintendent specializing in carpentry. The students here are taken through a graduated course commencing from the probationary class up to their V year course or the finishing course. Students who show special aptitude for intelligent and prompt execution are promoted to higher classes disregard of the time. Each student at work gets a card showing the work entrusted to him, the date on which it was given and the date of completion. Besides, registers are maintained showing the several students and their progress at the school.

The Superintendent is not very keen on continuing the weaving classes on the ground that the Tambraparni Valley is a rich rice producing tract where the production of cloth does not pay as much as agriculture does and that the highest income that a weaver can make is only between 14 to 15 rupees a month while a student trained for similar period at carpentry or smithy can earn twice as much. He is of opinion, therefore, that he will not be justified in making a student a weaver in preference to his being a carpenter, a blacksmith or fitter since that will be in a way contributing to decrease the earning capacity of the individual. He thinks that since there are enough lands available for cultivation which pays them, it is for men to engage in cultivation leaving the women to do the weaving as subsidiary occupation when free from domestic work or attention of children, and that men can assist the women during off season; but that it will not pay them to take to weaving as their sole occupation. This is a debatable matter, and it is difficult to come to a conclusion without sufficient investigation.

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Weaving section is doing good work. I noticed a dumb lad trying to produce a couple of tigers on a carpet with blue back-ground. He does this with the help of dobbies. All the looms used are frame looms and the Superintendent is in favour of them since they tend to save space and time.

The saw mill is at work, but the engine is too small to take the requisite load. If some of the pieces are given, the mill stops. This has to be replaced by a bigger engine. The Superintendent is anxious to develop the side of agriculture and intends purchasing a rice mill. He knows his business.

Blind School, Palamecottah, 6th December 1929.—Visited the school and saw the work that is being carried on in this institution among the blind boys and girls, men and women with commendable patience and love. The persons who have lost their vision are taught to read, to make sums and to weave. The carpets and counter-panes woven by these blind men and women do credit to an industrial school with boys devoid of sight. Mr. and Mrs. Speight in charge deserve credit for the excellent work that is being carried on in this institution. One would not think that the carpets, trays, chairs and boxes were made by blind people unless so told. It is a sight for the Gods to see. The institute deserves all encouragement.

APPENDIX II.

[Vide answer to question No. 1366 asked by Mr. T. Adinarayana Chettiyar at the meeting of the Legislative Council held on the 29th January 1930, page 796 supra.]

Report from the President, District Board, North Arcot, D. Dis. No. 1729 D.B./29, dated the 27th September 1929.

With reference to Government Memorandum No. 34190-1/C, L. & M., dated 19th September 1929, I have the honour to state that there has been no proposal at all for the formation of a road from Thandrapet to Perungolathur nor has any estimate been made ready and sanctioned for the work. But the question of forming a road from Chinniyambut to Perungolathur is under consideration and still under correspondence with the District Board Engineer.

APPENDIX

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APPENDIX III.

[Vide answer to question No. 1374 asked by Mr. Basheer Ahmad Sayeed at the meeting of the Legislative Council held on the 29th January 1930, page 799 supra.]

G.O. No. 3214 I., dated 7th November 1929.

[Bridges—Coimbatore—Construction of a combined bridge and regulator across the Honnahalla—Dropped.]

The District Board of Coimbatore proposes to construct a bridge on the Kollegal-Mugur road across the Honnahalla river in the Coimbatore district. It has been suggested that a regulator might be combined with the bridge so as to improve the supply to the Kongankorai Mudigondam and Hampapuram tanks of the Kollegal taluk. The cost of excavating a leading channel from the proposed regulator is estimated at Rs. 25,000 and to this the cost of the regulator itself must be added. There would be no extra revenue from extension of irrigation. The annual saving in remission averages Rs. 500, i.e., less than 2 per cent on the estimated cost of the scheme. In the circumstances the Board of Revenue and the Chief Engineer consider that the irrigation part of the scheme must be dropped. The Government agree.

APPENDIX IV.

[Vide answer to question No. 1376 asked by Mr. A. Ranganatha Mudaliyar at the meeting of the Legislative Council held on the 29th January 1930, page 799 supra.]

Extent cultivated with two crops.

Village.	Total extent of registered double crop wet transferred from com pounded wet at resettlement.	Fasli 1934.	Fasli 1935.	Fasli 1936.	Fasli 1937.	Fasli 1938.
Chaganur	ACS. 19-20	ACS. 11-38	ACS. 14-61	ACS. 14-36	ACS. Nil.	ACS. Nil.
Rapanagudi	162-40	Nil.	160-60	149-19	161-17	180-39

APPENDIX

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APPENDIX V.

(Vide page 861 of proceedings supra.)

G.O. No. 2186, Development, dated 30th November 1929.

READ—the following papers :—

I

Letter from the Assistant Director of Commercial Audit, to the Secretary to Government, Development Department, dated Madras, the 31st May 1929, No. 321-C.A.M/29.

I have the honour to forward herewith the audit report and accounts of the Industrial Engineering Workshop, Madras, for the quarter ending 31st December 1928.

2. A copy of this report and accounts has been submitted to the Director of Industries with the request that he should forward his remarks thereon to you direct.

3. Copies of this report and accounts have also been forwarded to the Finance Department, Accountant-General, Madras, Director of Commercial Audit, New Delhi, and the Industrial Engineer to the Government of Madras, for information.

ENCLOSURES

INDUSTRIAL ENGINEERING WORKSHOP, MADRAS.

(1)

Audit Report for the quarter ending 31st December 1928.

The following audited accounts are submitted :—

- Balance Sheet as at 31st December 1928.
- Production and Profit and Loss Account for the quarter ending 31st December 1928.
- Schedule showing the allocation of fixed and floating assets and the state of the depreciation reserve as at 31st December 1928.

2. The result of the working of the quarter shows a profit of Rupees 99-3-6 only as against a profit of Rs. 10,317-0-1 for the corresponding quarter of the previous year. The loss of the first quarter of 1928-29 was Rs. 8,449-0-1, while the second quarter yielded a profit of Rs. 1,560-12-10. Taking into consideration the profit for this quarter, the working for the three quarters has resulted in a net loss of Rs. 1,788-15-9 against Rs. 743-7-7 profit for the corresponding period of the previous year.

3. A comparative statement is appended of the figures for the quarter under report and those of the corresponding quarter of the previous year.—

		For the quarter ending 31st December 1928.	For the quarter ending 31st December 1927.
		RS.	RS.
Work in progress at commencement	..	35,728	54,003
Value of output		25,854	52,511
Closing work in progress		49,091	19,270

[29th January 1930]

4. The figures of overhead charges for the quarter as compared with those of the corresponding quarter of the previous year are shown below:—

	For the quarter end- ing 31st Dec- ember 1928.	For the quarter end- ing 31st Dec- ember 1927.
	RS.	RS.
1. Depreciation	1,234	1,046
2. Salaries and leave and pension contribution	2,700	2,705
3. Workshop maintenance	1,628	1,599
4. Interest	2,128	1,818
5. Other expenses	612	394
Total ..	8,302	7,562

The depreciation charges show an increase due to the addition made to plant and machinery. Depreciation has however not been charged on the forging steam hammer referred to in paragraph 3 of the audit report for the quarter ended 30th September 1928 for the reason explained therein. The increase in the interest charges is due to the temporary accommodation of Rs. 15,000. The item 'other expenses' also shows an increase mainly due to printing of forms for Rs. 121, and the provision of Rs. 90 for water charges. The latter figure is however only provisional and under the recent orders 50 per cent of the charges on this account are to be charged to pumping and boring.

5. The following comparative table may be of interest:—

	For the quarter end- ing 31st Dec- ember 1928.	For the quarter end- ing 31st Dec- ember 1927.
	RS.	RS.
Output	25,854	52,511
Prime cost—		
Labour	5,423	8,569
Materials	12,208	26,164
	17,631	34,733
Difference recovery of overheads	8,223	17,778
Expenditure on overheads	8,302	7,562
Add Miscellaneous receipts	79	10,216
	178	101
Total profit	99	10,317
	PER CENT.	PER CENT.
1. Percentage of overhead charges to labour	153.1	88.2
2. Percentage of overhead charges to prime cost	47.1	21.8
3. Percentage of recovery overheads to prime cost	46.6	51.2
4. Percentage of profits to output	4.4	19.6

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Overhead charges are only recovered on the finished work orders and no account is taken of the anticipated recovery for the overhead charges already incurred for the works which are not yet completed on the date of the balance sheet. The abnormal variation in the percentages is due to this fact.

6. Balance sheet—Assets—

(a) *Book-debts.*—Of the amount due from private persons Rs. 111-8-0 is in respect of bill No. 19766, dated 30th June 1928. This old account is due for settlement and interest should be charged—vide G.O. No. 2140, Development, dated 12th December 1927.

(b) *Accountant-General's Suspense Account.*—The details of the balance of Rs. 12,536 are as under:—

	RS.	A.	P.
Amount referred to in paragraph 5 (c) of the audit report for the quarter ended 30th September 1928 ..	11,686	0	0
Balance of amount referred to in paragraph 10 (e) (i) of the report for the year ended 31st March 1928 ..	302	0	0
Cost of metalling the compound of the Engineering Workshop	463	0	0
Erroneous debit of leave salary	85	0	0
Total ..	12,536	0	0

(c) *Revenue Suspense Account.*—The details of the amount standing at the debit of this account are as under:—

	RS.	A.	P.
Paragraph 5 (d) of the audit report for the quarter ended 30th September 1928	802	11	10
Landing and transportation charges	438	0	0
Freight charges on plant as advised by the Accountant-General	938	4	5
Total ..	2,179	0	3

The above items will be cleared in the final accounts for the year.

(d) *Advance of Rs. 2,000 for construction of a deep well and metal tower.*—Two sums of Rs. 1,000 each were drawn by cheques Nos. 12/599 and 13/604, dated 29th November 1928 and 14th December 1928, respectively, from the personal ledger account of the concern for the construction of the deep well and metal tower referred in G.O. Mis. No. 654, Development, dated 2nd April 1928. The necessity for drawing such advances when the bank is near at hand is not clear and is in contravention of article 152 of the Madras Financial and Account Code.

7. *Liabilities.*—The capital shows an increase of Rs. 13,520-6-5. Of this amount Rs. 6,000 represents the amount sanctioned by Government for the construction of a deep well and metal tower—vide G.O. Mis. No. 654, Development, dated 2nd April 1928. Rs. 7,520-6-5 is the cost of a lathe

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C. BHASKARAIYA,
Assistant Director of Commercial Audit.

MADRAS,
27th May 1929.

Examined and found correct subject to my report of even date.

CAPITAL AND LIABILITIES—cont.		PROPERTY AND ASSETS—cont.	
RS.	A. P.	RS.	A. P.
24,683 4 4	1,788 15 9	2,054 9 7	28,327 0 6
22,894 4 7			
2,47,062 14 0			
Grand total			
24,683 4 4	1,788 15 9	2,054 9 7	28,327 0 6
22,894 4 7			
2,47,062 14 0			
Grand total			
24,683 4 4	1,788 15 9	2,054 9 7	28,327 0 6
22,894 4 7			
2,47,062 14 0			
Grand total			
24,683 4 4	1,788 15 9	2,054 9 7	28,327 0 6
22,894 4 7			
2,47,062 14 0			
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24,683 4 4	1,788 15 9	2,054 9 7	28,327 0 6
22,894 4 7			
2,47,062 14 0			
Grand total			
24,683 4 4	1,788 15 9	2,054 9 7	28,327 0 6
22,894 4 7			
2,47,062 14 0			
Grand total			
24,683 4 4	1,788 15 9	2,054 9 7	28,327 0 6
22,894 4 7			
2,47,062 14 0			
Grand total			
24,683 4 4	1,788 15 9	2,054 9 7	28,327 0 6
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2,47,062 14 0			
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2,47,062 14 0			
Grand total			
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2,47,062 14 0			
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2,47,062 14 0			
Grand total			
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2,47,062 14 0			
Grand total			
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2,47,062 14 0			
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2,47,062 14 0			
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Grand total			
24,683 4 4	1,788 15 9	2,054 9 7	28,327 0 6
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Grand total			
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Grand total			
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2,47,062 14 0			
Grand total			
24,683 4 4	1,788 15 9	2,054 9 7	28,327 0 6
22,894 4 7			
2,47,062 14 0			
Grand total			
24,683 4 4	1,788 15 9	2,054 9 7	28,327 0 6

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Production and Profit and Loss Account for the quarter ended 31st December 1928.

	Labour.		Materials.		Total.	
	Rs.	A. P.	Rs.	A. P.	Rs.	A. P.
To Work-in-progress at commencement	10,786	4 8	24,992	2 1	35,728	6 9
“ Productive jobs—						
Labour and materials ..	8,473	1 0	22,342	8 11	30,815	9 11
Castings	..	..	178	7 5	178	7 5
Total ..	19,209	5 8	47,513	2 5	66,722	8 1
Deduct work-in-progress on 31st December 1928.	13,786	0 5	35,305	6 2	49,091	6 7
Prime cost ..	5,423	5 3	12,207	12 3	17,631	1 6
“ Overheads—						
Depreciation—						
Buildings	475	6 6				
Plant and machinery.	637	5 3				
Furniture and fixtures.	121	9 9				
Workshop maintenance—			1,234	5 6		
Labour	137	1 9				
Materials	1,490	8 8				
Salaries	..		1,627	10 5		
Leave and pension contribution	..		2,206	9 0		
Wages of menials	..		493	8 3		
Water charges	..		156	0 0		
Telephone rent	..		90	0 0		
Insurance	..		68	3 4		
Printing and stationery ..	..		78	2 0		
Municipal tax	..		121	0 9		
Electric charges	..		19	11 0		
Repairs to cycle	..		12	3 0		
Stamp charges	..		0	4 0		
Conveyance charges ..	..		0	12 0		
By Work done—						
Pumping and boring ..	..		..		24,999	1 3
Inter department	..		..		210	0 0
Other Government departments..	..		..		41	15 0
Private parties	..		..		395	10 3
Experiments	..		..		207	9 4
Castings used per contra ..	..		..		—	—
“	..		..		25,854	3 10
					178	7 5

Production and Profit and Loss Account for the quarter ended 31st December 1928—cont.

	Labour.	Materials.	Total.
		Rs. A. P.	Rs. A. P.
Audit fee	..	50 0 0	
Interest on capital	..	1,865 7 0	
Interest on temporary accommodation	..	262 8 0	
		<u>8,304 2 3</u>	
Less abatement of charges by way of recovery of bank charges already paid	..	<u>1 12 0</u>	
		8,302 6 3	
Manufacturing profit earned down	..	..	99 3 6
		<u>26,032 11 3</u>	
To Net loss up to 30th September 1928	..	..	1,888 3 3
		<u>Total ..</u>	<u>1,888 3 3</u>

Rs. A. P.

26,032 11 3

99 3 6

1,788 15 9

1,888 3 3

By Profit for quarter ending 31st December 1928

.. Net loss to balance sheet

Total ..

(4)

Statement showing the distribution of Fixed and Floating Assets and the state of the Depreciation Reserve
as on 31st December 1928.

	RS.	A. P.		RS.	A. P.
Bldings .. .	..	..	Fixed assets—		
Roads .. .	..	..	Government Capital ..	..	..
Plant and machinery ..	..	..	Less working capital ..	..	..
Furniture and fixture ..	..	..		1,49,568 12 8	10,000 0 0
Difference representing excess of floating assets over current liabilities ..	..	..	Suspense capital representing amount expended from working capital on capital assets to be recouped by Accountant-General ..	..	..
	..	..		..	..
Total ..	..	..	Total ..	11,686 0 0	1,61,264 12 8

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[illegible]

[29th January 1930]

II

Letter from A. C. BADENOCH, Esq., I.C.S., Director of Commercial Audit, to the Secretary to the Government of Madras, Development Department, dated New Delhi, the 3rd July 1929, No. 2398-Com./35-1/29.

[Audit report on the accounts of the Industrial Engineering Workshop, Madras, for the quarter ending 31st December 1928.]

I have the honour to invite a reference to paragraph 8 each of the Industrial Engineering Workshop reports for the quarters ending 30th June 1928 and 30th September 1928 sent to you by the Assistant Director of Commercial Audit, Madras Circle, direct with his letters Nos. 1860 C.A.M.-28 and 1882 C.A.M.-28, dated 20th/22nd February 1929 and 21st February 1929 respectively and to remark that the cash position of the concern does not seem to be satisfactory. This is also evident from the same paragraph of the report on accounts for the quarter ending 31st December 1928. As the unsatisfactory cash position of the concern seems to be becoming a more or less permanent feature, it seems desirable that the working capital should be fixed with reference to its requirements.

III

Letter from M.R.Ry. Diwan Bahadur A. APPADURAI PILLAI Avargal, M.A., Director of Industries, to the Secretary to Government, Development Department, dated Madras, the 22nd August 1929, No. 436-E/29.

I forward herewith my remarks on the audit report on the accounts of the Industrial Engineering Workshop, Madras, for the quarter ending 31st December 1928.

2. *Paragraph 6 (a) of the audit report.*—The Industrial Engineer reports that the debt of Rs. 118-8-0 was remitted into the North Arcot Treasury on 18th July 1928 and has recently been adjusted in the accounts of the Accountant-General. The question of charging interest does not arise.

3. *Paragraph 6 (b) of the report.*—All the amounts referred to in this paragraph have since been adjusted to the credit of the Workshop.

4. *Paragraph 6 (d) of the report.*—The Industrial Engineer reports that the advance of Rs. 2,000 referred to in this paragraph was drawn in two instalments of Rs. 1,000 each in order to meet the charges for labour and materials of relatively small amounts incurred day by day in the course of the work for which no cheque could be issued. The circumstances under which this course was adopted were explained to the Assistant Director of Commercial Audit at the time of auditing the accounts.

[29th January 1930]

5. *Paragraph 7 of the audit report.*—The amount of Rs. 11,680 standing at the credit of the suspense capital account referred to in this paragraph has since been adjusted to the credit of Personal Ledger Account No. 2 of the Workshop.

6. *Paragraph 8 of the report.*—The excess of liabilities over the liquid assets was Rs. 35,517-7-1. But the working capital sanctioned for the concern is only Rs. 10,000 and as this is inadequate, it has been allowed a temporary accommodation of Rs. 15,000 and is in addition using the depreciation reserve of Rs. 23,193. It seems necessary that the working capital should be sufficiently increased and this question will be taken up at the time of the review of the audit report for the year ending 31st March 1929.

7. *Paragraph 9 of the report.*—Materials are now being purchased in small quantities as they are required, after obtaining telephonic quotations from all supplying firms. The quantities purchased are generally too small to enable written tenders to be called for with advantage and moreover they would often involve delay and consequently wastage of labour. The present system is thus more advantageous in the special circumstances of the Workshop. Messrs. Fraser and Ross who were auditing the accounts of the Workshop prior to the establishment of Government Commercial Audit, considered that the Workshop is too small to call for tenders—vide paragraph 5 of their report, dated 30th November 1923, printed on page 3 of G.O. No. 1, Development, dated 3rd January 1925. Written quotations will, in future, be received from the suppliers and filed in support of the orders placed.

Order—No. 2136, Development, dated 30th November 1929.

Recorded.

2. *Paragraph 6 (d) of the audit report and paragraph 4 of the Director's letter.*—Cheques for smaller amounts as necessity arose should have been drawn although this would have involved frequent withdrawal. The Government direct that in future cheques should be drawn only for amounts required for immediate expenditure.

3. *Paragraph 8 of the audit report and paragraph 6 of the Director's letter.*—The Government agree that the question of increasing the working capital of the concern may be taken up in connexion with the review of the audit report for the year ending 31st March 1929.

4. *Paragraph 9 of the audit report and paragraph 7 of the Director's letter.*—The Government consider that the present practice of purchasing stores on telephonic quotations worth nearly a lakh in a year should be discontinued and that the tender system should be

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adopted in future. As the principal articles required in a year are known in advance, tenders should be invited for them. For the information of tenderers, the quantities of each of such articles bought in each of the previous two or three years should be given as a guide to the probable requirements of the next year. After the tenders are received the most suitable of them should be selected, care being taken that the prices do not exceed those of previous years. It is not necessary that the articles tendered for should all be purchased and stocked at one time which will necessitate the sinking of large capital and the provision of extra accommodation for storage. The notice for tenders should stipulate that purchases will be made from time to time as and when need arises, and tenders should be accepted from such firms as are willing to accept this condition. The Director is requested to instruct the Industrial Engineer accordingly. The attention of the Director of Industries is drawn to Article 188 (10) of the Madras Financial and Account Code, Volume I, and item M. 1. (2) (a) in Appendix No. 22, Volume II of the same Code.

(By order of the Government, Ministry of Development)

S. V. RAMAMURTI,
Secretary to Government.

To the Director of Industries.
" Accountant-General (through Finance Department).
" Finance Department.
" Assistant Director of Commercial Audit.
" Director of Commercial Audit (with C.L.).
" Secretary, Legislative Council.
" Librarian, Legislative Council office.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Thursday, the 30th January 1930.

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 Mahomed.
Krishnan Nayar, The hon. Diwan Bahadur Sir M.
Campbell, c.s.i., c.i.e., c.b.e., v.d., I.C.S., The hon. Mr. A. Y. G.
Subbarayan, The hon. Dr. P.
Muthiah Mudaliyar, The hon. Mr. S.
Seturatnam Ayyar, The hon. Mr. M. R.
Abdul Razaq Sahib Bahadur, Khan Bahadur S. K.
Abdul Wahab Sahib Bahadur, Munshi.
Appavu Chettiyar, Mr. C. D.
Arogyaswami Mudaliyar, Diwan Bahadur E. N.
Arpudaswami Udayar, Mr. S.
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.
Ellappa Chettiyar, Rao Bahadur S.
Ethirajulu Nayudu, Diwan Bahadur P. C.
Foulkes, Mr. R.
Gangadhara Siva, Mr. M. V.
Gnanavaram Pillai, Rao Sahib P. J.
Govindan Nayar, Mr. C.
Gray, c.b.e., I.C.S., Mr. J.
Hearson, Mr. H. F. P.
Hilton Brown, I.C.S., Mr.
James, Mr. F. E.
John, Mr. V. Ch.
Kesava Pillai, c.i.e., Diwan Bahadur P.
Khadir Mohidin Sahib Bahadur, Muhammad.
Khalif-ul-Jah Sahib Bahadur, Khan Bahadur P.
Krishnaswami Nayakar, Mr. K. V.
Kumara Raja of Venkatagiri.
Kuppuswami, Mr. J.

Leach, I.C.S., Mr. A. G.
Leech, Mr. A. J.
Maharaja of Pithapuram, c.a.e.
Muniswami Nayudu, Diwan Bahadur B.
Muniswami Pillai, Rao Sahib V. I.
Muppil Nayar of Kavalappara alias Kumaran Raman, Mr.
Nagan Gowda, Mr. R.
Nanjappa Bahadur, Subadar-Major S. A.
Narayanan Chettiyar, Mr. Al. Ar.
Natesa Mudaliyar, Rao Bahadur C.
Parthasarathi Ayyangar, Mr. C. R.
Patro, Kt., Rao Bahadur Sir A. P.
Premayya, Mr. G. R.
Raja of Kallikote.
Rajan, Mr. P. T.
Ramachandra Reddi, Mr. B.
Ramamurti, I.C.S., Mr. S. V.
Rajee Rao, Mr. V.
Ranganatha Mudaliyar, Mr. A.
Ratnasabhapati Mudaliyar, Rao Bahadur C. S.
Rutherford, c.i.e., I.C.S., Mr. T. G.
Sahajanandam, Swami A. S.
Saldanha, Mr. J. A.
Sarabha Reddi, Mr. K.
Shetty, Mr. A. B.
Siva Raj, Mr. N.
Soundarapandian, Mr. W. P. A.
Srinivasan, Rao Sahib R.
Subrahmanya Mooppanar, Mr. S.
Subrahmanya Pillai, Mr. Chavadi K.
Tajudin Sahib Bahadur, Khan Sahib Syed.
Uppi Sahib Bahadur, K.
Vanavudaiya Gounder, Mr. S. V.
Venkiah, Mr. S.
Watson, I.C.S., Mr. H. A.
Wood, Mr. C. E.
Zamindar of Singampatti.

[30th January 1930]

I

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Forest Panchayats

Proposed assignment of the Kannamadai forest in North Arcot district.

* 1390 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Kannamadai forest in Tiruvannamalai taluk, North Arcot district, has been under the Kattampundi panchayat management during the last ten years;

(b) whether the District Superintendent, Deputy Superintendent and Circle Inspector of Police (Tiruvannamalai) recently visited Kannamadai forest and asked the panchayat managing the said forest whether they would agree to have the said forest assigned for the benefit of Irulars;

(c) whether the panchayat then objected to such assignment on the score that there was no other pasture or green manure for them except from this forest;

(d) whether the District Superintendent and the Collector of North Arcot again visited the said forest in November 1929 and again asked the panchayat members whether they would agree to assignment being made to Irulars;

(e) whether the District Superintendent subsequently coerced the panchayat members to sign a paper agreeing to the assignment to the Irulars;

(f) whether the ryots of the locality consisting of 8 villages served by this forest have since sent a mahazar to the District Collector strongly protesting against such apprehended assignment of the forest to the Irulars;

(g) whether it is a fact that there are records to show that the ryots of this area have largely depended on this forest only for their supply of pasture, manure leaves, timber for houses and agricultural implements during the last thirty years and more; and

(h) whether Government will hold an independent enquiry into the matter before passing final orders in the matter?

A.—(a) The Kannamadai reserve forest (to which the hon. Member presumably refers) is under panchayat management. The Government have no information regarding the name of the panchayat or the period for which it has been managing the reserve.

(b) to (h) The Government have no information but have called for a report.

Rao Sahib V. I. MUNISWAMI PILLAI:—“With reference to the answer to clause (b), may I know whether the Government will sympathetically consider the question of assigning the Kannamadai forest for the benefit of the Irulars, when they get the report?”

The hon. Mr. A. Y. G. CAMPBELL:—“I cannot undertake to say now what the attitude of the Government will be when we get the report.”

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Irrigation

Cultivation under the ayacut of Siruvathur lake, Cuddalore taluk.

* 1391 Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that for the last three years there has been no proper cultivation of the lands under the ayacut of Siruvathur lake in Cuddalore taluk for want of sufficient water for irrigation;

(b) whether any remissions were given to ryots during the said period, and, if so, what was the amount and what proportion it bore to the total revenues from the ayacut; and

(c) whether the Government have under their consideration any scheme of constructing a dam in the Gadilam river midway between Senmedu and Yelanthampet to ensure a better supply of water for the lake in Siruvathur village?

A.—(a) to (c) The Government have not the information but have called for a report.

Medical

Training of midwives every year.

* 1392 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Public Health be pleased to state—

(a) how many midwives are trained every year and at which places training is given; and

(b) whether there is any proposal to provide any additional facilities for the training of a larger number of midwives?

A.—(a) The information required is furnished below:—

Hospitals.	Average number of midwives trained every year.
(1) Government Hospital for Women and Children, Madras ...	97
(2) Government Victoria Caste and Gosha Hospital, Madras ...	15
(3) Raja Sir Ramaswami Mudaliyar Lying-in Hospital, Rayapuram ...	18
(4) Raja Mirasidar District Headquarter Hospital, Tanjore ...	10
(5) Lady Goschen Hospital, Mangalore ...	7
(6) Victoria Hospital for Women and Children, Vizagapatam ...	3
(7) Christina Rainy Hospital, Rayapuram ...	4

The Government understand that certain other mission institutions also train midwives but details of the numbers trained are not available, and, as stated in answer to question No. 151 on the 5th September 1928, pupil midwives can be trained in any mufassal lying-in hospital in charge of a female medical practitioner or to which a qualified European or Anglo-Indian midwife is attached.

(b) A proposal to train pupil midwives in the Government Headquarter Hospital, Guntur, is under consideration.

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Mr. A. B. SHETTY:—"May I know whether any representations were made to the Government for providing additional facilities for the training of a larger number of midwives in the mufassal?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"So far as I know, Government have not received any representation."

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"Out of the total number of midwives trained, how many are from the mufassal and how many from the City of Madras?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I do not think we have got the information."

Mr. A. RANGANATHA MUDALIYAR:—"May I ask what facilities are afforded for the training of midwives at present by way of scholarships or any other conveniences?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I think a stipend of Rs. 15 is being paid but I am not quite sure."

Mr. A. RANGANATHA MUDALIYAR:—"Are the Government able to attract sufficient number of people by these scholarships of Rs. 15?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I think a sufficiently large number of people are being trained."

Mr. A. RANGANATHA MUDALIYAR:—"May I know the number now under training?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I want notice."

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"May I know whether Government will be pleased to provide special facilities for training midwives in all district headquarter hospitals?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"There are lady doctors in all district headquarter hospitals, and midwives can be trained there."

Fisheries

Proposed action to be taken on the recommendations of the Fisheries Committee.

* 1393 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Development be pleased to state—

(a) whether it is proposed to give effect to any of the recommendations of the Fisheries Committee during 1930-31;

(b) whether any provision is being made in the budget for 1930-31 to carry out any of the recommendations; and

(c) whether it is proposed to appoint a Marine Biologist during 1930-31?

A.—(a) & (c) The recommendations of the Fisheries Committee mentioned below are under the consideration of Government in connexion with the budget of 1930-31:—

- (1) Establishment of a central fresh water fish farm at Chetput.
- (2) Revision of pay of the Director of Fisheries.
- (3) Establishment of a Marine Biological Station at Madras and the appointment of a Fisheries Biologist, an Assistant Biologist and subordinate staff.

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(b) Provision will be made in the budget of 1930-31 in respect of such of the above schemes as the Government may finally decide to give effect to during next year.

Action taken by Government on the report of the Fisheries Committee.

* 1394 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Development be pleased to state—

(a) whether the Government have passed orders on the report of the Committee on Fisheries and if so, whether a copy of it will be placed on the table of the House; and

(b) whether they have come to any decision regarding the question of the reduction of the issue price of salt?

A.—(a) Some of the recommendations in the report have been considered. Attention is invited to the answer given to question No. 1247.

(b) No.

Mr. A. B. SHETTY:—"May I know whether the Government propose to reduce the issue price of salt?"

The hon. Mr. M. R. SETHUPATHI AYYAR:—"That is under consideration."

Special tests for officers of the Madras Fisheries Service.

* 1395 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Development be pleased to state—

(a) whether officers of the Madras Fisheries Service and the subordinate service are required to pass any special test or possess any language qualification; and

(b) if the answer is in the affirmative, whether the existing members of the Madras Fisheries Service and the subordinate service possess these qualifications?

A.—(a) & (b) No.

Supply of salt to fish-curing yards.

* 1396 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Development be pleased to state—

(a) the price at which salt supplied to the fish-curing yards is purchased;

(b) how the price at which salt is sold to curers is arrived at;

(c) whether the selling price of salt includes transportation charges only or whether any other items of expenditure incurred in maintaining the fish-curing yards are also added to the cost price of salt; and

(d) after making allowance for all charges, what profit do the Government make?

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A.—(a) The price of salt supplied to the fish-curing yards in the Presidency varies with the place and time of purchase. During the current year (1929-30) salt was purchased for the fish-curing yards on the East Coast at different rates ranging from 1 anna 10 pies to 11 annas 6 pies per maund while it was purchased at 2 annas 6 pies and 2 annas 10 pies per maund at Tuticorin for yards on the West Coast.

(b) & (c) The price is fixed so as to include the cost of purchase of salt, its transport, pay and allowance of the establishment and other maintenance charges of the yard.

(d) The Government make no profit. The expenditure on the yards has been in excess of receipts realized from the sale of salt during the last three years as shown below :—

	Expenditure.	Receipts.	Loss.
	RS.	RS.	RS.
1926-27	3,33,927	3,26,562	7,365
1927-28	4,56,050	4,40,393	15,657
1928-29	4,31,937	3,99,557	32,380

Mr. A. B. SHETTY :—“ With reference to the answer to clause (c), may I know why the other items of expenditure incurred in maintaining the fish-curing yards are also added to the cost price of salt ? ”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ In order that Government may not incur much loss.”

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—“ May I know why there is such a large difference in prices between the salt supplied to fish-curing yards on the East Coast and those in the West Coast ? In the East Coast, the price ranges from 1 anna 10 pies to 11 annas 6 pies per maund, while in the West Coast it ranges from 2 annas 6 pies to 2 annas 10 pies, so that there is a large difference of 9 annas 8 pies in the East Coast, while the difference is only 4 pies in the case of the salt supplied to the West Coast. Will the Government be pleased to give any grounds for such great variations ? ”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ Because in the East Coast, we have not got Government salt factories, and we have to buy from the salt licensees.”

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—“ May I know if the usual duty is charged for the salt supplied to the fish-curing yards ? ”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ It is duty free, I think.”

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—“ With reference to the answer to clause (d), I see there has been a loss of Rs. 7,100 to Rs. 32,000 from 1926-27 to 1928-29. Will the Government take steps at least to reduce the loss, though they may not be able to make any profit ? ”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ The whole question is under consideration.”

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Appointment of fishermen as Inspectors and petty yard officers in the Fisheries department.

* 1397 Q.—Mr. A. B. SHETTY : With reference to the answer to question No. 1605 given on 2nd March 1929, will the hon. the Minister for Development be pleased to state—

(i) the number of appointments to the posts of Inspectors and petty yard officers in the Fisheries department, both temporary and permanent, that fell vacant and were filled up since the undertaking given by Government; and

(ii) how many members of the fishermen community have been appointed to these places ?

A.—(i)

Section.	Inspectors.	Petty yard officers.
West Coast—		
Permanent	..	..
Temporary	..	7
East Coast—		
Permanent	..	2
Temporary	1	3

(ii) Three of the petty yard officers newly appointed on the West Coast belong to the fishermen community.

Mr. A. B. SHETTY :—“ May I know whether qualified candidates of the fisherman community did not apply for the remaining posts of petty yard officers newly appointed on the West Coast ? ”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ If they are qualified for the posts, certainly they will be taken.”

Facilities for petty yard officers to work in fish farms.

* 1398 Q.—Mr. A. B. SHETTY : Will the hon. the Minister for Development be pleased to state—

(a) whether any of the existing petty yard officers in the Fisheries department have worked in fish farms ;

(b) whether there is any provision made on the West Coast for creating fish farms to enable the applicants to these posts to work on such farms ; and

(c) whether regular training in fish-curing yards is provided for these officers before they are placed in charge of yards ?

A.—(a) No.

(b) No.

(c) No

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Construction of fish-curing sheds.

* 1399 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Development be pleased to state—

- (a) whether the curers of the Tanur North yard were made to pay a cess towards the construction of pucca curing sheds;
- (b) whether curing sheds were constructed out of the cess so collected;
- (c) whether any balance was left after the construction of the sheds; and
- (d) if the answer to (c) is in the affirmative, how the balance has been disposed of?

A.—(a) From August 1921 to April 1924 a cess at the rate of one pie per seer of salt issued in the Tanur North fish-curing yard was collected and deposited in the savings bank in the names of curers paying it with a view to the utilization of the collections for the construction of permanent curing sheds. The cess was a voluntary payment by the curers and there was no compulsion.

(b) Yes.

(c) Yes.

(d) The Director of Fisheries has been asked to bring about an amicable settlement amongst the curers and to pay the balance to those to whom it may be found due.

Veterinary*District Veterinary Surgeons in the Ceded districts.*

* 1400 Q.—Khan Sahib K. ABDUL HYE SAHIB Bahadur: Will the hon. the Minister for Development be pleased to state—

- (a) how many Muhammadans there are in the grade of District Veterinary Surgeons in the Ceded districts; and
- (b) the number of Hindus in the grade of District Veterinary Surgeons in the Ceded districts?

A.—(a) None.

(b) Three.

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“May I know how many Muhammadan Veterinary Surgeons there are in the whole Presidency, though there is none in the Ceded districts?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“I do not think there is any Muhammadan. But still I want notice.”

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

II

A BILL TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920.

Clause 169.

* Mr. R. NAGAN GOWDA:—“Mr. President, Sir, talking on this subject of representation of candidates on the ballot papers for election by symbols, I was saying yesterday, Sir, that there were two methods that are being used in different parts of this country, one is by means of the coloured boxes, and the

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[Mr. R. Nagan Gowda]

other is by means of symbols. I do not want to say here anything about the system of voting by coloured boxes, because some hon. Members of this House, talking on this subject of discovering a method of voting by which secrecy could be maintained, expressed themselves on a former occasion that this would not be a most convenient one. Hence, Sir, I am suggesting to this House the method of symbols, and I do so for another reason, that this method has been used quite successfully and with very few complaints, in Bombay and in Mysore.

“In this method of symbols, the individual is represented by a picture of some article, thing or animal. Because, the pictures of the individuals themselves which could probably be used much more conveniently are left out of consideration for the simple reason that with the methods of printing that we have it might be very difficult to get good and clear pictures of individuals. Usually, as we all know, pictures of men are much blurred when printed in large numbers. Hence, Sir, I am suggesting that individuals could be represented by pictures of things, articles or animals. One of the chief objections to this method is that the choice of these articles is rather a difficult one. It is said, that sometimes the symbols are likely to be brought into ridicule. For instance, if a man were to be represented, say by a cat (laughter) or some such thing, I can easily imagine how it could be open to ridicule. But, Sir, I think we could get over this difficulty by making a selection of some things for which no such sentimental objection could be taken. It is after all a purely sentimental objection. There are things to which no such sentimental objection could be attached.

“For instance, Sir, I do not think any candidate in the mufassal would be 11 unwilling to be represented by bullock-carts or a pair of bullocks or even a a.m. ram if he were a shepherd like myself. If it is in the town, a man would not mind being represented by a pen and ink bottle, an oil mill or a sugarcane mill. Probably, Sir, we could mention a score of such other things for which there would not be any objection at all on the part of anybody whatsoever. I would, Sir, in this connexion, suggest that it would be convenient if the Government were to select a number of articles which alone could be used as symbols. Then again, Sir, even in these articles it might be suggested that the candidates who are standing for election may have difficulty in choosing a particular thing for their representation. That is a minor difficulty which should be settled by means of a lottery. Thus, Sir, this method could be easily used and there would be no serious difficulty whatsoever. Under this system, a voter, Sir, would have no difficulty in finding out the individual for whom he has to vote. The ballot paper would be divided into three columns; in the first column, there would be the name of the candidate, in the second, the picture of article or thing representing him and the third column would be left vacant for the individual to put his mark. An illiterate voter will easily discover his candidate by the picture. Sir, in concluding this, I would only say that so far this Government has not made any serious attempt for finding out a method by which secrecy could be maintained. I am sure that if we had a method like this it would be a great boon to the voters. The difficulties that they are now undergoing are much more than the difficulties the candidates themselves have to undergo. Therefore, I recommend this to this hon. House.”

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* Mr. C. R. PARTHASARATHI AYYANGAR :—"In seconding this proposition, I might say that those who have attended scout camps would remember how companies are represented by birds, animals and other things for easy identification. So it does not degrade the voting business if people are represented by symbols. One of the difficulties that we now have is to educate the voters, especially when large numbers of the district have to come to the polling booth. Very often people having experience of election may know how these people are huddled together and somebody whispers in their ears that they should vote for so and so. The voters do not understand anything of what they are voting or the person for whom they are voting or the qualification of the candidate for whom they are voting. It is only a question of coaching up. So people must be made to think for themselves and understand the value of votes. If these symbols are put, the voters will ask 'What is this?' A sensible candidate could suggest some characteristic in him and he would naturally be identified. Any candidate that comes forward must have some characteristic, some nobility by which he can use his mark and thereby impress the same upon the minds of the voters. The candidate will say, 'Here am I. My characteristic is this.' In this way, I am very strongly of opinion that anything that makes a voter think that he is acting, that he is exercising his judgment on some important matter, is something which is most valuable. Therefore, when a man is made to think and understand things, I do think it is a very good step in the right direction and a symbol is one of the things by which the dull and monotonous incidents of like may be vivified a little more. I second this resolution."

* The hon. Dr. P. SUBBARAYAN :—"Mr. President, Sir, as Mr. Nagan Gowda himself pointed out, this question was examined and the Local Board Advisory Committee pointed out that it would be impossible to work this in many instances. That is the reason why no further steps were taken. I can assure still that we can provide these under the rules. The use of the word 'shall' will make things rather difficult in the actual working."

* Mr. A. RANGANATHA MUDALIYAR :—"Sir, I understand the position to be like this. So far as the Government are concerned, I do hope that they do see the force in the argument advanced by the hon. Mover and seconder that some system like this of voting by symbols should be introduced to ensure secrecy. We are now concerned with elections in panchayats which relate to villages. Our idea is to gradually so work the thing as to eliminate all factions which admittedly exist in the village. When we have open voting in the villages where factions admittedly exist, then there will be this trouble. Instead of trying to restore peace and good will, we may be unconsciously accentuating the factions in the villages. I understand from the statement of the hon. Minister that under the rule-making power he has the power of ordering elections to be conducted by means of symbols. From that point of view, he considers, I think, that a separate provision in the Act itself would be unnecessary. On that assumption, Sir, the hon. Minister is willing to incorporate in the rules a provision of this sort which, he thinks, is unnecessary to be made an integral part of the Act itself. If that is the position, then I would probably think that we had better leave it to the rule-making power of the Government than make it a part of the statute."

* The hon. Dr. P. SUBBARAYAN :—"As I have myself said, I would consider the probability of introducing a measure of this kind once more. It was

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[Dr. P. Subbarayan]

already found unworkable. But in view of the opinions expressed by the hon. Members of this House, I would have the question examined once more to see what could be done in order to preserve the secrecy of the ballot."

Diwan Bahadur P. KESAVA PILLAI :—"In case any rule is made, animals should not be made as symbols." (Laughter.)

* The hon. the PRESIDENT :—"Mr. Nagan Gowda has no objection to make a pair of bulls his symbol."

Mr. R. NAGAN GOWDA :—"In view of the assurance given by the hon. the Chief Minister that among the rules such a thing will be incorporated to ensure secrecy of voting, I will withdraw the amendment."

The amendment was, by leave, withdrawn.

Clause 169 was put, passed and added to the Bill.

Mr. R. NAGAN GOWDA :—"I have another amendment, viz.,

In the first proviso, for the words 'one hundred' substitute 'fifty' and for the words 'or a' substitute the words 'board and twenty-five rupees in the case of candidates standing for election to a'."

* The hon. the PRESIDENT :—"I have already put 169 to the vote of the House. The hon. Member will have to wait for the third reading stage again."

Clause 170.

* The hon. Dr. P. SUBBARAYAN :—"I move—

For clause 170, substitute the following clause, namely :—

170. In sub-section (3) of section 201 of the said Act, after the words 'proposed to be made' the words and figures 'under sub-section (2) of section 74-A or' shall be inserted.

"It will be seen, Sir, that clause 170 in the form in which it had been accepted by the Select Committee makes it different from the same clause in the Municipal Act. I quite agree that all the rules should come before the Legislative Council for its approval. It is the case in the existing Local Boards Act also. I would also say that with regard to the provincialization of certain of the officers of these local bodies, such provincialization and rules to be made under that section should come before the Legislative Council and I myself proposed an amendment to that effect in connexion with the District Municipalities Act. But I think it is very difficult if all these rules which refer to every day procedure were to be brought before the Legislative Council for its approval. It has not been found necessary even in the old Act and I hope therefore hon. Members will accept this amendment."

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

* Diwan Bahadur B. MUNISWAMI NAYUDU :—"Sir, there are a number of rules governing the relationship between the Government and the local bodies. These rules have only to be put together and placed before the Legislative Council at its first meeting and got passed. I think it is necessary that this should be done. On the score of delay also the Government cannot object to this procedure. When the Legislative Council is meeting practically every month except in summer, no delay will be occasioned in getting the rules sanctioned by the Council. I must therefore oppose the amendment."

* Mr. A. RANGANATHA MUDALIYAR :—"I wish only to say that, as the members are well aware, there is a feeling abroad that all the detailed provisions

[Mr. A. Ranganatha Mudaliyar] [30th January 1930]

of this Bill have not been considered with as much care as they deserve. Now, Sir, the hon. the Chief Minister has suggested a serious modification of the provision as approved by the Select Committee. I should say that if he persists in getting this amendment passed it would lend a good deal of force to the apprehension felt in many quarters by several members of this House. I do request him, therefore, to pay due consideration to the considered views of the Select Committee which was a very representative body and which ultimately came to the conclusion that the provision as provided in the Bill should stand."

The amendment was put and declared lost.

The hon. Dr. P. Subbarayan demanded a poll and the House divided thus:—

Ayes.

- | | |
|---|---|
| 1. The hon. Khan Bahadur Sir Mahomed Usnan Sahib Bahadur. | 16. Munshi Abdul Wahab Sahib Bahadur. |
| 2. " Diwan Bahadur Sir M. Krishnan Nayar. | 17. Mr. A. B. Shetty. |
| 3. " Mr. A. Y. G. Campbell. | 18. " J. Bheemayya. |
| 4. " " M. R. Seturatnam Ayyar. | 19. " B. Foulkes. |
| 5. " " S. Muthiah Mudaliyar. | 20. Rao Sahib P. J. Gnanavaram Pillai. |
| 6. " " Dr. P. Subbarayan. | 21. Mr. Muppil Nayar of Kavalappara. |
| 7. Diwan Bahadur P. Kesava Pillai. | 22. Zamindar of Singampatti. |
| 8. Mr. H. A. Watson. | 23. Subadar-Major S. A. Nanjappah Bahadur. |
| 9. " A. G. Leach. | 24. Mr. M. V. Gangadhara Siva. |
| 10. " J. Gray. | 25. Rao Sahib V. I. Muniswami Pillai. |
| 11. " S. V. Ramamurti. | 26. Mr. S. Venkiah. |
| 12. " C. B. Cotterell. | 27. " C. Govindan Nayar. |
| 13. " V. Ch. John. | 28. " S. Arpudawami Udayar. |
| 14. Khan Sahib Syed Tajudin Sahib Bahadur. | 29. " S. N. Dorai Raja. |
| 15. Rao Sahib R. Srinivasan. | 30. " F. E. James. |
| | 31. Khan Bahadur P. Kalif-ul-lah Sahib Bahadur. |

Noes.

- | | |
|---|---|
| 1. Mr. S. V. Vanavudaiya Gounder. | 9. Khan Bahadur Abdul Razaak Sahib Bahadur. |
| 2. Diwan Bahadur B. Muniswami Nayudu. | 10. Mr. C. R. Parthasarathi Ayyangar. |
| 3. Rao Bahadur Sir A. P. Patro. | 11. The Kunararaja of Venkatagiri. |
| 4. " C. Natesa Mudaliyar. | 12. Rao Bahadur C. S. Ratnasabhapati Mudaliyar. |
| 5. Mr. A. Ranganatha Mudaliyar. | 13. Mr. K. Uppi Sahib. |
| 6. " R. Nagan Gowda. | |
| 7. Diwan Bahadur P. C. Ethirajulu Nayudu. | |
| 8. Muhammad Kadir Mohideen Sahib Bahadur. | |

Neutral.

- | | |
|-------------------------------|----------------------------|
| 1. The Maharaja of Pithapuram | 3. The Raja of Khullikota. |
| 2. Mr. A. V. Bhanaji Rao. | 4. Mr. V. Ramjee Rao. |

Ayes 31; Noes 13; Neutral 4.

The amendment was adopted.

Clause 170 as amended was then put, passed and added to the Bill.

Clauses 171 to 196.

Clauses 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195 and 196 were put, passed and added to the Bill.

Clause 197.

Schedule II, Rule 4 (3).

The hon. Dr. P. SUBBARAYAN :—" Sir, I move—

In lines 1 and 2, for the words and figures 'sub-section (1) or sub-section (2)' substitute the words and figures 'sub-rule (1) or sub-rule (2).'

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" This is only a drafting amendment."

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

The amendment was put and adopted.

Clause 197 as amended was then put, passed and added to the Bill

Clause 198.

Clause 198 was put, passed and added to the Bill.

Clause 199.

Schedule III, Rule (1).

Sub-section (ii) (c).

* Rao Sahib V. I. MUNISWAMI PILLAI :—" Mr. President, I beg to move the amendment standing in my name, viz.,

'in line 2 of sub-clause (ii) (c) omit the word 'registered'.

" Sir, my reason for moving this amendment is this: most of the tenants hold the land under an unregistered and oral lease. A comparison of the number of leases registered in the registration offices with the number of tenants in this presidency will show that a large number of tenants hold lands under no registered leases. If the word 'registered' is retained in the sub-section, it will deprive a large number of these oral lease holders of their vote.

" Sir, in the Malabar Tenancy Bill the very valuable right of occupancy has been granted to the tenants who hold lands on oral leases. I therefore see no reason why a much smaller right should not be conferred on tenants. Most of the depressed class tenants hold the land on oral leases and if this provision is retained, they would be denied the vote. I hope the hon. the Chief Minister will accept the amendment."

Mr. M. V. GANGADHARA SIVA :—" I second the amendment."

* The hon. Dr. P. SUBBARAYAN :—" Mr. President, I have every sympathy with the object of the amendment, because, I believe this refers to the particular question of Malabar; but it would be very difficult for the authority to prepare the electoral roll to know whether an oral lease exists or not. Oral leases may be granted at any time and it will complicate the preparation of the electoral roll if this amendment is accepted. Therefore I would ask my friend Mr. Muniswami Pillai not to press his amendment."

Mr. A. RANGANATHA MUDALIYAR :—" Sir, I should like to know whether yearly leases are required to be registered under the rules. If there is no such rule, I think it would be a hardship to deprive these people of their vote."

Mr. R. NAGAN GOWDA :—" Sir, a great many of the leases in the country side are not registered at all. It is only when the lease runs for two or three years it is registered. One year leases are not registered and they are legally valid. That being the case, I think we will be disqualifying a great number of ryots, especially small tenant cultivators, if we require them to get their leases registered to make them qualified to vote. I am sure that in 80 per cent of the cases, the leases are never registered."

Diwan Bahadur B. MUNISWAMI NAYUDU :—" May I move an amendment to substitute the word 'written' for 'registered'?"

Rao Sahib V. I. MUNISWAMI PILLAI :—" I will then withdraw my amendment, Sir."

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The amendment of Mr. Muniswami Pillai was by leave withdrawn.

Diwan Bahadur B. MUNISWAMI NAYUDU :—"I move, Sir,

'to substitute the word "written" for the word "registered" in line 2 of sub-section (ii) (c).'"

Mr. A. RANGANATHA MUDALIYAR :—"I second the amendment."

* The hon. the PRESIDENT :—"The question is that in sub-section (ii) (c) for the word 'registered' substitute the word 'written'."

* Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—"Sir, I oppose this amendment. It may be that in an electoral firka there may be 400 or 500 persons qualified to vote as registered pattadars. Now, a rich landlord possessing one thousand acres might split up his lands and lease them in small bits in the names of his servants and others so as to qualify them all to get registered as voters. By this means he will get elected in preference to a candidate who would get the support of all the other general electors. I therefore oppose the amendment."

Diwan Bahadur B. MUNISWAMI NAYUDU :—"Sir, I beg permission to withdraw my amendment."

The hon. the PRESIDENT :—"Has the hon. Member leave of the House to withdraw his amendment?"

(A voice : 'No.')

The amendment was then put and adopted.

The hon. Dr. P. SUBBARAYAN :—"I thought the amendment was withdrawn."

The hon. the PRESIDENT :—"Even if a single member objected to the withdrawal, that objection must prevail."

The hon. Dr. P. SUBBARAYAN :—"I did not note it, Sir."

The hon. the PRESIDENT :—"The hon. Member must be a little alert."

11-45 a.m. Rao Sahib V. I. MUNISWAMI PILLAI :—"I beg to move the amendment that stands in my name as follows :—

'In line 2 of sub-section (ii) (c) add the words "or demise" after the word "lease".'

"Sir, this is an amendment which affects Malabar. The House very well knows the difference between the word 'lease' and the word 'demise' and unless the word 'demise' is added, the kanam tenants of Malabar will go without a vote. So I move the amendment."

Mr. M. V. GANGADHARA SIVA :—"I second it."

Mr. C. GOVINDAN NAYAR :—"I have no objection. It may be accepted."

The motion was put to vote and adopted.

* Rao Sahib V. I. MUNISWAMI PILLAI :—"I beg to move the amendment that stands in my name as follows :—

'In line 3 after the word "inamdar" add the words "or any tenant under such pattadar or inamdar".'

"Sir, if the Government wishes to do anything for the cultivating tenants I say this amendment should be accepted. Most of the tenants among the depressed classes hold lands under the tenants of pattadars or inamdars. In Malabar in particular the verumpattam tenants hold lands under kanam

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tenants. This House has shown considerable sympathy for the verumpattamdar when the Malabar Tenancy Bill was discussed in this House, and it has conferred the very valuable right to them and unless this amendment is accepted, a large class of verumpattamdars will go without a vote. I am afraid this was an inadvertant omission. As this provision was bodily incorporated from the old Act, on account of the wording of the old Act the kanam tenants of Malabar alone were enfranchised. It would be unfair to a large class of verumpattam tenants who would require protection, but who would not be able to vote under the provision as it stands. The want of proper advocates to vote for them, have resulted in great harm to them even in this Council. It will be much more so in the mufassal if they are not permitted to exercise their franchise. Under these circumstances, I move this amendment."

Mr. M. V. GANGADHARA SIVA :—"I second it."

The hon. Dr. P. SUBBARAYAN :—"I have no objection in accepting the amendment."

The amendment was put to vote and adopted.

Sub-clause (iv).

Schedule III, Rule (3).

The hon. Dr. P. SUBBARAYAN :—"I beg to move the following amendment standing in my name :—

'For the words "If property is held, payments of tax made, or income earned by a company or association or jointly by the members of a joint family or by joint pattadars", substitute the following, namely :—

"If property is held by, or tax is assessed upon, a company or association, or the members of a family jointly, or joint pattadars."'

"Sir, this is only a drafting amendment and I move it."

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

The amendment was put and adopted.

Clause 199, as amended, was put, passed and added to the Bill.

Clause 200.

Schedule IV, Rule (2).

The hon. Dr. P. SUBBARAYAN :—"I beg to move the following amendment standing in my name :—

'For clause 200 substitute the following clause, namely :—

"200. Rule 2 of Schedule IV to the said Act (hereinafter referred to as the said Schedule IV) shall be omitted."

"The land-cess, as you know Mr. President, was fixed at As. 1-6 by this House yesterday and therefore there is no question of levying an additional optional cess, and therefore this amendment."

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

The amendment was put to vote and adopted.

Clause 200, as amended, was put, passed and added to the Bill.

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Clauses 201 to 203.

Clauses 201, 202 and 203 were put, passed and added to the Bill.

Clause 204.

The hon. Dr. P. SUBBARAYAN:—"I beg to move the following amendment:—

'In line 2 of rule 5 (2), Schedule IV, clause 204 (ii) (b), after the word "panchayat" insert the words "and such person or agent shall be entitled to take extracts, free of charge, from the said books and records".'

"A similar amendment has been carried in regard to the District Municipalities Act and, in order to bring this provision in a line with that contained in the District Municipalities Act, this amendment is necessary."

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

The amendment was put to vote and adopted.

Clause 204 as amended was put, passed and added to the Bill.

Clauses 205 and 206.

Clauses 205 and 206 were put, passed and added to the Bill.

Clause 207.

Schedule IV.

* Mr. F. E. JAMES:—"I beg to move the following amendment:—

'In the proposed rule 9 (1) for the proposed schedule substitute the following:—

Class.	Half-yearly income.		Maximum half-yearly tax.
	Rs.	Rs.	
I	More than 21,000	but not more than 21,000	Rs. 275 0
II	18,000	"	225 0
III	12,000	"	150 0
IV	9,000	"	85 0
V	6,000	"	55 0
VI	4,200	"	28 0
VII	3,000	"	20 0
VIII	1,800	"	10 0
IX	1,200	"	6 0
X	600	"	3 0
XI	300	"	1 8
XII	150	"	0 8

With your permission, Mr. President, I substitute in classes I and II of the schedule in my amendment Rs. 275 and Rs. 225 respectively in order to bring the schedule in a line with the schedule that has been accepted by the House in connexion with the District Municipalities Bill."

* Diwan Bahadur B. MUNISWAMI NAYUDU:—"I second it."

* Mr. R. NAGAN GOWDA:—"Sir, when we are reducing the tax as fixed by the Select Committee for classes I and II, I think it is but proper that we should also reduce the taxes for the other classes. Reduction in class I has been from Rs. 400 to Rs. 275. I have not yet heard any valid reason for

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not reducing the other rates in classes III, IV, V, etc., in the same proportion. It is my feeling that the rates of taxes that are levied in the lower classes ought to be much lower than the rates that are levied in the higher classes because, Sir, the individuals or the companies who are getting incomes over Rs. 3,000 or Rs. 4,000 per half-year could afford to pay bigger taxes to the local boards than people who are getting incomes below that amount. Sir, you will all admit that a man getting Rs. 150 for six months or Rs. 25 per month will not be able to maintain his family. As a matter of fact Rs. 25 is quite inadequate for one individual to maintain himself. While such is the case, you are levying a tax of 8 annas on that individual. If, Sir, you had excluded from the purview of this tax all incomes which afforded a living wage and had fixed that living wage somewhere near Rs. 75 or Rs. 80 per month, then, I should not have objected to lowering the rate in the case of higher classes. On the other hand incomes of Rs. 150 to Rs. 300 are also taxed. The tax on Rs. 300, I think everybody will admit, is very heavy and it has increased three times over that of Rs. 150. While the income from class III to class II is only increased by 50 per cent, the increase from XII to XI is 300 per cent. I do not see why this reduction in classes I and II ought to be made. Therefore I oppose the amendment."

The amendment was put to vote and adopted.

Clause 207 as amended was put, passed and added to the Bill.

Clauses 208 to 221.

Clauses 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220 and 221 were put, passed and added to the Bill.

Clause 222.

Schedule IV, Rule 25.

The hon. Dr. P. SUBBARAYAN:—"I beg to move the following amendment:—

'Omit sub-clause (ii) and the figure "(i)" at the commencement and the word "and" occurring at the end of sub-clause (i).'

"Sir, this is the same as was introduced in the District Municipalities Bill where service of notice is not insisted upon. But it is found here in the Local Boards Bill and hence this amendment."

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"I second it."

The amendment was put to vote and adopted.

Clause 222, as amended, was put, passed and added to the Bill.

Clauses 223 to 241.

Clauses 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240 and 241 were put, passed and added to the Bill.

Clause 242.

The hon. Dr. P. SUBBARAYAN:—"Sir, I move the following amendment:—

'In rule 5-B, Schedule V—

(a) Omit item (2) and re-number items (3) to (17) as (2) to (16) respectively.

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(b) In item 4 as re-numbered, in line 3, for the figure "(7)", substitute the figure "(8)".

"This is the particular source of revenue allowed to panchayats and the revenue collected in non-panchayat areas will automatically be enjoyed by taluk boards. It is unnecessary to single out one particular source of revenue to the taluk board. Such a course will lead to doubts as to whether the other items of revenue will vest in the taluk board or not. It is to remove such doubts that this amendment is moved."

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

Mr. R. NAGAN GOWDA :—"If there is any difficulty, I think this amount may be given to the panchayats which will be formed in the future."

* The hon. the PRESIDENT :—"The legal position is this: in areas where there are no panchayats, the revenue collected in those areas automatically goes to the taluk board. This is only a drafting amendment. We can look into the matter at the third reading stage."

Mr. R. NAGAN GOWDA :—"The original idea was that this amount should be set apart for panchayats."

* The hon. the PRESIDENT :—"That was not the intention of the Select Committee."

Mr. R. NAGAN GOWDA :—"That would be an inducement for panchayats being constituted."

The amendment was put and adopted.

Clause 242 as amended was put, passed and added to the Bill.

Clauses 243 to 248.

Clauses 243 to 248 (both inclusive) were put, passed and added to the Bill.

Clause 249.

The hon. Dr. P. SUBBARAYAN :—"Sir, I beg to move the following amendment :—

"In the last three lines of rule 6 (1) (d) for the words "for the election of the president and vice-president in the case of district and taluk boards and for the election of the president in the case of panchayats" substitute the words "for the election of the president and vice-president of the local board".

"In view of the decision to have vice-presidents in the case of panchayats also, this amendment will be necessary."

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

The amendment was put and adopted.

Diwan Bahadur B. MUNISWAMI NAYUDU :—"Sir, I move that rule 11 of the Schedule (Transitional Provisions) be omitted."

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—"I second it."

The amendment was put and adopted.

Clause 249 as amended was put, passed and added to the Bill.

The consideration of clauses 69 to 80 was then resumed.

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Clauses 69 and 70.

Clauses 69 and 70 were put, passed and added to the Bill.

Clause 71.

* The RAJA OF KALLIKOTA :—"I move, Sir, that in section 82, line 5, for the word 'fifty', the word 'twenty' be substituted. The landholders fully realize their responsibilities in the matter. I think a fine of Rs. 50 is too much to be imposed on them. Of course, the maximum is fixed at Rs. 50. It may be said that Collectors would never exercise this power. Since the maximum is fixed in the Bill, there will be a tendency on the part of Collectors to fine to the extent of the maximum limit. I think that Rs. 20 would be a reasonable maximum to be fixed as a fine for every day's delay."

The MAHARAJA OF PITHAPURAM :—"I second it."

* Mr. A. RANGANATHA MUDALIYAR :—"Sir, this matter was fully discussed and the Select Committee came to the conclusion they did, after mature deliberation. No convincing argument has been advanced for this amendment. I hope the hon. Minister will not accept this amendment."

* Rao Rahadur Sir A. P. PATRO :—"I think the hon. Member, who spoke last, did not realize the effect of this amendment. This is a barbarous measure. This penalty ought to have existed in the days of pre-British rule, and not under British rule. It is stated that the landlords should pay a fine of Rs. 50 for each day's delay in submitting their accounts. Is there any such provision in any other Act fixing this daily penalty? I hope there is no such provision in any Act. This is a most drastic measure. It will take time for the landlords to collect necessary information. Without considering the difficulties of the landlords, to fix a penalty of Rs. 50 per day is really barbarous."

Mr. R. NAGAN GOWDA :—"Sir, the hon. Member from Ganjam was saying that a fine of Rs. 50 will be levied in such cases. The clause does not say that in every case a fine of Rs. 50 should be levied. It says the fine should not exceed Rs. 50. It is stated in the provision that a notice of six months should be given to the landlord. I do not think that this is a drastic provision. For carrying on the work I think this provision is necessary."

* The hon. Dr. P. SUBBARAYAN :—"Sir, I feel a certain amount of difficulty in accepting this amendment. I have every sympathy with the landlords, being a landlord myself. At the same time, we have also to get over administrative difficulties that may arise in a particular matter like this. I am to be guided by the advice given by revenue officers than by interested persons, myself being most interested. We have got to think of administrative convenience. I heard Sir Patro using the word 'barbarous'. I do not see anything barbarous in this provision at all. The landlord is given six months' time within which time he should submit the accounts. As a landlord myself I feel that in any well-managed office the landlord will be able to furnish these accounts within six months. If the landlords are not managing their offices well and are not able to furnish the accounts within the time, I am afraid they will have themselves to blame and not anybody else. Personally I feel there is nothing barbarous in this provision at all. If reasonable excuses can be given by the landlord to the Collector concerned, who is the person who is going to levy this penalty, I am sure no reasonable Collector, who knows the district and who understands the difficulties of the landlords, will impose this penalty."

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Rao Bahadur Sir A. P. PATRO :—"No, no."

The hon. Dr. P. SUBBARAYAN :—"The hon. Member's experience is different from mine. In these circumstances, I would appeal to my hon. Friend to withdraw his amendment. Hon. Members of this House are inclined to put the landlords down as people who want to take unreasonable opportunities of getting rid of administrative inconveniences that may be put forward. I do not think there is real difficulty at all in this matter."

The amendment was put and negatived.

Clause 71 was put, passed and added to the Bill.

Clauses 72 and 73.

Clauses 72 and 73 were then put, passed and added to the Bill.

Clause 74.

12-15 p.m. The hon. Dr. P. SUBBARAYAN :—"Mr. President, I move that in sub-clause (1), for the words and figures

'(1) Section 85 shall be numbered as sub-section (1) of section 85 and in the section as so re-numbered, the words and figures "In section 85 of the said Act" be substituted.

"I also move, Sir, that 'sub-clause (2) be omitted.'

"The Revenue Department have mentioned that the provision for publication seems quite unnecessary and there will be needless labour and expenditure involved in preparing these things, which may as well be avoided. That is the reason why this amendment is moved."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I second it."

The amendment was put and adopted.

Clause 74 as amended was then put, passed and added to the Bill.

Clause 75.

* The hon. the PRESIDENT :—"The Raja of Kallikota has given notice of an amendment that 'three months' be substituted for 'six weeks' in line 1 of sub-section (2), section 86. I don't think it is open for discussion by the House."

The RAJA OF KALLIKOTA :—"I think it is open, Sir. It was discussed in the Select Committee."

* The hon. the PRESIDENT :—"I don't think it was discussed in the Select Committee."

The RAJA OF KALLIKOTA :—"I leave it to you, Sir."

* The hon. the PRESIDENT :—"It is not admissible."

The hon. Dr. P. SUBBARAYAN :—"Sir, I move—

In lines 4 and 5 of sub-clause (ii) omit the words 'and in the case of an appeal by any other tenure-holder from the date of publication under sub-section (2) of section 85'.

"This is the same as the amendment just now carried, Sir, that is, amendment to clause 74."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I second it."

Mr. R. NAGAN GOWDA :—"Sir, I think by omitting this part of the section, the tenure-holders will not be given the same opportunity that the landlords and sub-landholders are given. This would work real hardship on them, Sir. I therefore oppose this amendment."

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* The hon. the PRESIDENT :—"But the main operative portion was carried already, i.e., amendments Nos. 63 and 64. The question is :

'In lines 4 and 5 of sub-clause (ii) omit the words "and in the case of an appeal by any other tenure holder from the date of publication under sub-section (2) of section 85".'

The amendment was adopted.

Clause 75, as amended, was put, passed and added to the Bill.

Clauses 76 and 77.

Clauses 76 and 77 were put, passed and added to the Bill.

Clause 78.

* Mr. A. V. BHANOJI RAO :—"Mr. President, I move the following amendment :—

'Add the following explanation to section 89 :—

"A landholder or sub-landholder shall, in recovering the amount due to him under the proviso of section 88 from the intermediate landholder, be entitled to exercise the powers available to a landholder, who has exchanged patta and muchilika, or tendered patta in the matter of recovery of rent as against his ryot and the provisions of Chapter VI of the Madras Estates Land Act, 1908, as far as may be, shall be applicable in the exercise of such powers."

"In moving for the insertion of this explanatory note, Sir, I wish to say that as the law at present stands, the Government collect the land-cess due from intermediate landholders from the landholders themselves. The landholder has no charge on the tenure or property of the intermediate landholder. Government can always proceed against the landholder's movables and can even send the landholder to prison for non-payment of Government dues. This is a very harmless amendment. It only seeks to give facilities to the landholder to collect the rent due to him under the Estates Land Act. There is nothing reactionary in this amendment, and I therefore hope the House will accept it."

The RAJA OF KALLIKOTA :—"I second the amendment, Sir. Under the present law, the landholder has no power to collect the amount due as land-cess. The only recourse left to him is to go to a civil court to recover his land-cess, kattubadi and quit-rent from the minor inamdars. Beyond that, he has no control over the inamdars. It is absolutely necessary that he should have some summary powers to collect these dues from the minor inamdars. Very often it happens that the landholder or the zamindar has to go to the civil court to recover his dues; and in such cases he has to wait for a long time and incur expenditure. In many cases, these amounts become bad debts and are irrecoverable. It is absolutely necessary that some such power as the landholder possesses under the Estates Land Act to recover his rent should be exercised by the landholder in the case of land-cess also from these minor inamdars. After all, Sir, the land-cess is a tax which does not go to the pockets of the landholder; it goes to the Local Boards and strictly speaking, the Collector should collect these amounts direct from the minor inamdars who hold the inam lands. If that is not possible, the only other alternative is to give some powers to the landholder to recover these amounts from the minor inamdars by a summary process."

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* Mr. A. RANGANATHA MUDALIYAR :—"Sir, I very much deprecate this bringing up of amendments which are quite contrary to the spirit of the amendments as approved by the Select Committee. We started with more or less an agreement as to the way in which we should proceed with this Bill. We are aware of the circumstances under which we are carrying on the work at present. A good number of the Members of this House are absent, for reasons for which we are not responsible, I agree; but yet it was felt as due to the country and to the people whose representatives are absent now, that we should, as far as possible, adhere to the draft Bill as put before us by the Select Committee and not incorporate any serious innovations. Now I submit, Sir, that the amendment proposed by my friend Mr. Bhanoji Rao is a serious one. In effect, it proposes to convert every zamindar into a kind of petty raja with powers over the property, perhaps even the person, of the poor tenants living under them. I should say that whatever provisions we have now in the Bill, they should stand. If any amendment is to be made or is necessary, let it be done on another occasion, not taking advantage of the present occasion, in this fashion. I hope, Sir, the hon. the Minister, if he wants to have such an amendment made, will take another opportunity of doing so. We can then discuss the *pros* and *cons* of the whole question. But here when we are discussing a provision about recovery, to bring in an amendment which introduces drastic changes and involves serious consequences to the tenants under these landholders, is hardly fair either to the House or to the people."

* Diwan Bahadur B. MUNISWAMI NAYUDU :—"Sir, I rise to correct the impression of my friend Mr. Ranganatha Mudaliyar. When the Local Boards Act was originally passed, there was the Rent Recovery Act and the rules thereunder, under which the zamindar or the intermediary landholder could proceed against the tenant for land-cess due by him. He could go to a Revenue Court, and he had also a summary procedure open to him under that Act. After the Estates Land Act came into force, there was some difficulty in regard to this recovery, whether he should go to a Civil Court. It was later decided that he should go to a civil court. What is proposed in this amendment is that when a person who has to pay the amount does not pay, the landholder can go to the rent court, as he was entitled to do before the Estates Land Act came into force. Section 89 of this Bill reads—

'Every landholder, sub-landholder or any other intermediate landholder as the case may be, shall, in recovering any amount which may be due to him under the provisos to section 88, be entitled to exercise the same powers as may under any Act or Regulation which now is, or hereafter may be, in force, be exercised by any landholder in the recovery of rent, and shall be liable to all the penalties prescribed therein for the abuse of such powers.'

"So that the provisions relating to recovery of dues before the Estates Land Act came into force are now sought, by this amendment, to be applicable here also. There is no departure, Sir, from that."

* The hon. Dr. P. SUBBARAYAN :—"Mr. President, I think the objection raised by my hon. friend Mr. Ranganatha Mudaliyar has been sufficiently answered by Mr. Muniswami Nayudu; because we have introduced here no provision for giving better rights to the landholders, as he said. As I myself said in replying to another amendment by the Raja of Kallikota, though I am myself a landlord, from this place I do not mean to put any claim on behalf

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of landholders which will go against the public interests. Here is an amendment which I feel is a necessary one, because as Mr. Muniswami Nayudu explained, this was one of the provisions contained in the old Local Boards Act, even though the courts have now held that such powers are not vested in the landholder. It is only as a remedy that this amendment is brought forward, and I think I must accept it."

* The hon. the PRESIDENT :—"Mr. Ranganatha Mudaliyar wanted some information on this point and I take this opportunity of furnishing it. In the case of a landholder or a zamindar proceeding against a tenure-holder under the provisions of the Estates Land Act for the recovery of the land-cess, the courts have held that he cannot proceed against a tenure-holder under the provisions of the Estates Land Act because there is no exchange of pattas or muchilikas. The intention of section 89, as it is, is to enable a zamindar to proceed against the ryot as well as the landholder for the recovery of the amount of the land-cess payable by them, under the provisions of the Estates Land Act, but on account of some technical difficulty, namely, the want of exchange of pattas and muchilikas, it was held that the zamindar cannot proceed against the tenure-holder. This explanation will enable the zamindar to proceed against the tenure-holder under the provisions of the Estates Land Act."

* Mr. A. RANGANATHA MUDALIYAR :—"I am much obliged to you for the information. Does that mean that the landholder will be compelled to exchange muchilikas and pattas when the zamindar proceeds against him or he is merely given the power to recover the amount? If the landholder is not compelled to exchange pattas, would it not give him an undue advantage?"

* The hon. the PRESIDENT :—"It is for you to decide. I am only giving an explanation."

Rao Bahadur Sir A. P. PATRO :—"Sir, the difficulty expressed by the hon. Member may be explained in this way: it is only intended for the purposes of ascertaining the rent, or the terms of rent conditions under which the tenant holds land, but in this case, there is already the order of the Collector fixing or determining the land-cess, which the tenure-holder has to pay. Now, the fixed cess is an ascertained factor which need not again be ascertained by agreement or by exchange of muchilikas or pattas. Therefore, in the case of ascertained rent which has been fixed by the Collector, no further exchange of patta or muchilika is necessary."

* The hon. the PRESIDENT :—"I now put the amendment to the vote of the House. The question is:

'Add the following explanation to section 89:—

"A landholder or sub-landholder shall, in recovering the amount due to him under the proviso of section 88 from the intermediate landholder, be entitled to exercise the powers available to a landholder, who has exchanged patta and muchilika, or tendered patta in the matter of recovery of rent as against his ryot and the provisions of Chapter VI of the Madras Estates Land Act, 1908, as far as may be, shall be applicable in the exercise of such powers."

The amendment was adopted.

Clause 78, as amended, was put, passed and added to the Bill.

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Clauses 79 and 80.

Clauses 79 and 80 were put, passed and added to the Bill.

Clauses 146 to 154.

The House then took up the consideration of clauses 146 to 154.

Clauses 146, 147, 148, 149, 150, 151, 152, 153 and 154 were put, passed and added to the Bill.

Clause 1.

The consideration of clause 1 was then taken up.

Clause 1 was put, passed and added to the Bill.

Clause 2.

Clause 2 was put, passed and added to the Bill.

Clause 3.

The hon. Dr. P. SUBBARAYAN :—" Mr. President, Sir, I move that—

'In Clause 3 (xv)—Section 3 (21-A)—after the word "section" at the end of the definition of "taluk" add the following words, namely:—

"or any part of a district which the Local Government with the consent of the district board and after consulting the taluk board or boards, if any, which will be affected, may, by notification (to be laid on the table of the Legislative Council), declare to be a taluk for the purposes of this Act."'"

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

Mr. A. RANGANATHA MUDALIYAR :—" I object to this amendment, Sir, on the ground that sufficient notice has not been given."

The hon. Dr. P. SUBBARAYAN :—" In view of the hon. Member's objection, I will move this amendment at the third reading stage, if there is no objection and if you will permit me, Sir."

The hon. the PRESIDENT :—" I think, that is the better course."

The amendment was by leave withdrawn.

Clause 3 was then put, passed and added to the Bill.

Preamble.

The preamble was then put, passed and added to the Bill.

The hon. Dr. P. SUBBARAYAN :—" I now move, Sir, that the Bill be passed into law."

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

Diwan Bahadur B. MUNISWAMI NAYUDU :—" I object to the motion, Sir."

The hon. the PRESIDENT :—" The objection prevails."

The consideration of the motion was accordingly adjourned.

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III

A BILL FURTHER TO AMEND THE MADRAS STATE AID TO INDUSTRIES ACT, 1922 (BILL No. 22 OF 1929).

The hon. Mr. M. R. SETURATNAM AYYAR :—" Mr. President, Sir, I beg to introduce a Bill further to amend the Madras State Aid to Industries Act, 1922 (Bill No. 22 of 1929) * and move that the Bill be taken into consideration at once."

The hon. Dr. P. SUBBARAYAN :—" I second the motion, Sir."

The motion was adopted.

Clause 1.

Clause 1, with the alteration of the figure '1929' to '1930' was put, passed and added to the Bill.

Clause 2.

* Mr. C. E. WOOD :—" Mr. President, Sir, I move that—

In clause 2, for the words 'the figures and words "50 per cent of" shall be omitted' the following be substituted :—

'After the words "no loan" the words "except a loan not exceeding Rs. 10,000" shall be inserted.'

"Sir, this amendment is intended to give provision for advances up to 100 per cent in those cases only where a loan of Rs. 10,000 or less is required. It seems to me that if this Bill is passed as it stands there would at once arise applications for large amounts of loans which would mean danger to Government. I am thinking more of the larger companies with several lakhs of capital. I merely suggest that a limit of Rs. 10,000 would be reasonable but am not tied to this exact sum. Generally, a company can obtain from banks, loans up to 80 per cent of the liquid assets at any time, if it is a respectable company, and should not require more. But it could not obtain even 50 per cent on its building assets and fixtures of that sort and I think Government is going too far when it proposes to advance up to 100 per cent on balance of assets irrespective of what they may be. No mere balance of assets is safe security up to 100 per cent if the Company is not a prospering concern; and even if a company is in a prospering condition, the assets of to-morrow such as buildings will not be what they are to-day as they be depreciate. There is, therefore, no proper security to-morrow if 100 per cent has been advanced to-day as the security will be less than it was to-day. The proposal of the Government to advance up to 100 per cent would be considered by any bank or a financing house to be a proposal to advance on inadequate security. I am quite aware that there are provisions in this Act by which collateral security may also be taken, but there is no necessity for Government under the Act to insist upon receiving extra security. I would ask the hon. the Minister for Development to consider twice before he passes this Act. I think his feeling is that to-day great care is actually being exercised in granting these loans. We are not concerned only with what is being done to-day; we are concerned also with the future. I suggest that this will only leave a very big loop-hole for Government to get themselves into difficulties. As soon as this provision having been made in the Act is known, it is probable that irresponsible companies will arise and try their hands at industrial enterprises by taking loans to the extent of 100 per cent of their

* Vide Appendix I at page 931 infra.

[Mr. C. E. Wood]

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assets from Government when they feel Government will be left with most of the loss. I suggest to the hon. the Minister for Development that this granting of 100 per cent on a large scale would be a dangerous step. I therefore move my amendment."

Mr. F. E. JAMES :—" I second the amendment, Sir."

12-45 P.m. * The hon. the PRESIDENT :—" Mr. Wood, I can't understand your intention in moving this amendment. I think the idea you want to express is that in the case of loans not exceeding Rs. 10,000 the provisions of this section shall not be operative. (Mr. Wood nodded assent.) Then I think another amendment is necessary. The Secretary is drafting one, and in the meantime discussion may go on."

* Mr. R. NAGAN GOWDA :—" Mr. President, I oppose the amendment of Mr. Wood. Sir, he states in the first part of his amendment that the words 'fifty per cent' shall be omitted. In the working of the State Aid to Industries Act it has been found out that it is very rarely we come across nascent industries that are in a position to supply enough capital for their equipment and machinery, and then have something left over as working capital. It is only with the intention of supplying these rising industries with capital, i.e., when they find difficulty in raising money for their equipment and machinery and working capital, that the State Aid to Industries Act has been passed. It is found in practice that there are a great many industries that could not be run only (under the Act, as it is, i.e., with 50 per cent of the assets being given) by granting loan equal to fifty per cent of the net value of the machinery and the buildings and other things of the industries. Now, Sir, the amendment proposed by the hon. the Development Minister proposes that the total net value of the industries, both the machinery and buildings, etc., ought be taken as security and a loan equal to that should be given. But Mr. Wood suggests that it should not be so, that a loan on the basis of 50 per cent of the net value alone should be given. His fear is that Government in giving loans equal to 100 per cent of the value of the industries are running great risks and they may lose a considerable amount in this way. I wonder what risk the Government are running? As a matter of fact, the valuation of the buildings and the machinery that are connected with an industry is done by the Government, and there is no reason why they should over-value the property of the industry. They could certainly take the existing rate and then fix the value. And if there should be a fear that there might be a great deal of fluctuation in the value of the machinery and the buildings, they could make provision for that also and then give an amount as loan equal to the net value so placed on the machinery and the building. Therefore I think the amendment brought forward by the hon. the Development Minister is absolutely safe and there is no danger or risk run by Government.

"The second part of the amendment proposed by Mr. Wood states that 50 per cent provision should apply only to loans exceeding 10,000 rupees. Indeed a great number of industries now a days require loans larger than Rs. 10,000. And I think if you are to accept Mr. Wood's amendment you would be smothering the industries. If it holds good for industries with a capital of 8 or 9 thousand rupees, I don't see why it should not hold good for industries with a capital of more than 10,000 rupees."

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* Khan Bahadur P. KHALIF-UL-LAH SAHIB Bahadur :—" I beg to oppose the motion of Mr. Wood for the following reasons. Mr. Wood in saying why Government ought not to help the rising industries to the extent of their full capital value urged that even banking concerns advance only 80 per cent and sometimes even less, and therefore it is not safe to advance 100 per cent. I would point out to him that the principles governing the State in awarding loans to nascent industries are not the same as those which impel banking concerns. While the banking concerns advance money with a view to making profit, the object of Government in advancing loans to industrial concerns is, as the very name of the Act indicates, only to aid the industries, and not as a profiteering business at all.

"In granting aid to the rising industries, Government take into consideration several matters. They take into consideration, first of all, whether a particular industry has great prospects before it and deserves aid. It is only if Government feel satisfied after due consideration that the industry deserves help at the hands of Government, that is, that the industry is a good, rising, and prosperous one, and that it would be of much utility to the country at large, they consider the question of giving aid to the industry, i.e., of giving an amount as loan to the extent there is capital already invested in the industry. I think this is certainly a fair and reasonable proposal and surely there is no reason to expect that by this concession Government are committing themselves to the folly of wasting its money. To my mind the danger lies only the other way. When the Government comes with a proposal to offer 100 per cent, I think we should support it without any hesitation whatsoever; to my mind there can be no reason whatsoever to oppose a very reasonable and modest proposal like this. Therefore I strongly oppose the motion of Mr. Wood."

* The hon. Mr. M. R. SETURATNAM AYYAR :—" Sir, in the statement of objects and reasons it is explained at length why this section should be amended. As it is, a person can get loan under this Act so long as he is able to offer collateral security, and in this way at present he can get only to the extent of 50 per cent of the capital invested. Now it is desired to increase the loan that may be thus raised; and I don't see any reason why loans should not be granted so long as Government get collateral security to the money they advance. The object of Government is to help the nascent industries, and in giving loans they take into consideration only the assets of the industries. Mr. Wood has no apprehension of the policy of the present Government, and his fears are confined only to the policy of future Governments. I can tell him this, that, as matters stand, the finance of the future Governments will be in their hands, and they will take care of them. I think he will trust in Government, and dismiss all his fears. For these reasons, I feel Mr. Wood's amendment is not necessary."

* Mr. A. RANGANATHA MUDALIYAR :—" Sir, in one way the amendment of Mr. Wood carries the intention of the hon. the Development Minister a little further than was perhaps contemplated by him. The hon. Minister wants to limit the loans granted to the net value of the concern. But the hon. the Mover of the amendment has no objection if more than the net value of the property of the industries is advanced, provided the amount did not exceed Rs. 10,000. In that way the amendment of Mr. Wood is an improvement on the draft of the hon. Minister. But

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there are some difficulties which Government will have to face if their proposals are accepted in toto. Section 10 runs thus:—'Every loan granted under this Act shall be secured by a mortgage or floating charge upon the whole of the assets of the business or enterprise, subject to any encumbrances existing at the time of the grant, and by such collateral security, if any, as may be required by the Local Government. . . . ' Thus it renders collateral security optional instead of obligatory; so that it may or may not be enforced in all cases. I think Government will be well advised to secure greater security for the loans they may advance. To fix the maximum amount of loan at Rs. 10,000 would be far too low a sum and would be of no use to many a concern. I would therefore with your leave, Sir, move for the substitution of the figure '40,000' for the figure '10,000'."

Mr. R. NAGAN GOWDA:—"I second it."

1 p.m. * The hon. the PRESIDENT:—"The hon. Member is making a speech."

Mr. R. NAGAN GOWDA:—"I am just seconding, Sir."

* The hon. the PRESIDENT:—"I will now read the amendment of Mr. Wood as redrafted—

In clause (2)—for the words 'the figures and words "50 per cent of" shall be omitted' substitute the following: 'the following words shall be added at the end, namely, "provided however that a loan of an amount not exceeding Rs. 10,000 may be granted even if it exceeds 50 per cent of the value of the assets as above ascertained".'

"Mr. Wood, does it give effect to your idea?"

Mr. C. E. WOOD:—"Yes, Sir, thank you."

* The hon. the PRESIDENT:—"And in the amendment of Mr. Wood, Mr. Ranganatha Mudaliyar proposes to replace the words and figures 'Rs. 10,000' by 'Rs. 40,000'."

Mr. C. E. WOOD:—"I accept the amendment."

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

* The hon. the PRESIDENT:—"I now put the amendment of Mr. Ranganatha Mudaliyar to the vote of the House."

In the amendment of Mr. Wood—for the figure '10,000' substitute the figure '40,000'."

The amendment was adopted.

The amendment of Mr. Wood as amended was then put to the House and adopted.

* The hon. the PRESIDENT:—"The question is that clause 2 as amended shall stand part of the Bill."

The motion was adopted and clause 2 as amended was added to the Bill.

Preamble.

* The hon. the PRESIDENT:—"The question is that the Preamble shall stand part of the Bill."

The motion was adopted.

The hon. Mr. M. R. SETURATNAM AYYAR:—"I now move that the Bill be passed into law."

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The hon. Dr. P. SUBBARAYAN:—"I second it."

The motion was put to the House and adopted and the Bill was passed into law.

IV

DEMANDS FOR EXCESS GRANTS FOR 1927-28.

GRANT III. STAMPS—RESERVED.

* The hon. Mr. A. Y. G. CAMPBELL:—"Sir, I beg to move—
'that an additional sum not exceeding Rs. 10,623 be granted under Grant III. Stamps—Reserved, to make good the excess expenditure incurred in the year 1927-28.'

"The reason for the excess grant is explained in paragraph 9 of the report of the Public Accounts Committee on the accounts for 1927-28. It is made up of excess expenditure on three items counterbalanced by savings under other minor heads. The first reason for the excess is that we spent more money than we anticipated on stamps manufactured in India and because a considerable portion of the indent for 1926-27 was received in 1927-28 along with that for 1927-28. The other two items of which there were excesses were both refunds, one for judicial and the other of non-judicial stamps. It is difficult to forecast exactly how much will be required on account of refunds in any particular year. The Government obtained some grant under non-judicial stamps and the estimated demand during the last three months was based upon the actuals for the first nine months of the year and the last three months of the previous year. In the year 1927-28 our difficulties were increased by the fact that the Government of India exempted from stamp duty cheques drawn on or after 1st July 1927. It was very difficult to foresee exactly what amount this concession involved. The excess expenditure was Rs. 16,000 in the case of judicial stamps, Rs. 19,000 in the case of non-judicial stamps. On the other hand there were savings amounting to Rs. 35,000 under other minor heads. The total excess was about Rs. 11,000."

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

* The hon. the PRESIDENT:—"The question is that Government be granted a sum not exceeding Rs. 10,623 under Grant III. Stamps—Reserved, to make good the excess expenditure incurred in the year 1927-28."

The motion was adopted and the grant was made.

GRANT XV. POLICE—RESERVED.

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

'that an additional sum not exceeding Rs. 28,302 be granted under Grant XV. Police—Reserved, to make good the excess expenditure incurred in the year 1927-28.'

"The reason for this excess expenditure is explained in paragraph 10 of the report of the Public Accounts Committee on the accounts of 1927-28. The original demand for the Police department was for Rs. 151.86 lakhs. This was reduced by Rs. 5 lakhs by the Council. The Government had to obtain a supplementary grant of Rs. 3 lakhs based upon the expenditure in nine months. This, however, was not found to be enough and there was an excess of Rs. 28,000 which is 0.02 per cent of the total demand."

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MR. A. RANGANATHA MUDALIYAR :—"Sir, I do not rise to oppose this motion but I should like to say a few words on this motion. Sir, in March 1928, the hon. Member moved for a grant of Rs. 3.96 lakhs and I cannot understand how in a few days, perhaps in less than a week, an increase of Rs. 28,000 could have happened. I think, such excesses should have been anticipated when the hon. Member came forward with this request. He must have applied for a larger sum. In the concluding paragraph, the Government say that there has been only an excess of Rs. 28,000 in a grant of about Rs. 1,50,000. My contention is within a few days an increase of Rs. 28,000 has taken place over Rs. 3.06 lakhs and not over Rs. 150 lakhs."

* Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—"I am not against the expenditure but I say such excess expenditure must have been anticipated earlier and when the hon. Member moved a supplementary grant so late in the year, that is in the middle of March, this amount should have been included in the grant. I think there must be something wrong in the system of keeping accounts."

* The hon. Mr. A. Y. G. CAMPBELL :—"In reply to what has fallen from my hon. Friend, I would point out the fact that it is the usual custom to base such supplementary demands on the actual expenditure during nine months and it is not possible to revise the estimates at the last moment, as the labour involved in compiling the accounts up to a particular date is very great."

* The hon. the PRESIDENT :—"The question is that Government be granted an additional sum not exceeding Rs. 28,302 under Grant XV. Police—Reserved, to make good the excess expenditure incurred in the year 1927-28."

The motion was adopted and the grant was made.

GRANT XXV. CINCHONA—RESERVED.

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

'that an additional sum not exceeding Rs. 22,351 be granted under Grant XXV. Cinchona—Reserved, to make good the excess expenditure incurred in the year 1927-28.'

"Hon. Members will find the reason for this motion explained in paragraph 11 of the report of the Public Accounts Committee on the accounts of 1927-28. The excess is due to the fact that a sum of Rs. 19,000 had to be adjusted to the head '56-C. Capital outlay on Industrial Development (Cinchona)', as pointed out by the Auditor-General in consequence of the commercialization of the department. There was a further sum of Rs. 4,381 representing the percentage recoveries for establishment and tools and plants in respect of the capital outlay. Consequently there was a debit of Rs. 23,429 which was not foreseen."

* Mr. A. RANGANATHA MUDALIYAR :—"Sir, this is a commercial concern, and by rules it is subjected to periodical audit by experts, presumably every quarter or every year. They publish statement of accounts which shows that the concern has returned an adequate outturn or not as the case may be. If, Sir, the accounts are prepared in the fashion in which the accounts under reference were prepared, namely, with certain amounts left out which should have been included and certain other amounts included which ought not to have been, naturally, the returns so worked out cannot be relied upon. So, I

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should like to know what effect these mistakes now under our consideration have had on the outturn shown for the concern. Suppose all these mistakes had not appeared, what would have been the real outturn of this concern? If accounts of commercial concerns are maintained in the way they are, I think some one deserves to be held responsible and the Council must express its displeasure at the way these serious things are happening."

* Mr. H. A. WATSON :—"Sir, with reference to the remarks of the hon. Member, I would say that this expenditure is capital expenditure, and therefore does not go to the profit and loss account."

* Mr. R. NAGAN GOWDA :—"Coming as it does immediately after the discussion we have had on the State Aid to Industries, it is surprising, Sir, how the business of the Government, especially their commercial concerns are taken care of. Sir, we were just now discussing about the capital invested with regard to the industries and it was hotly discussed that sums more than Rs. 10,000 for capital ought not to be given to industries if the net value of the industry is not double the loan applied for. So, even the Government will admit that Rs. 22,000 is a large amount."

"Now, Sir, I am surprised that they should come forward and say that an amount as big as Rs. 22,000 was not debited to the account of cinchona and that it is considered to be a matter of slight interest. I think, Sir, this is rather quite a serious one."

* Mr. F. E. JAMES :—"Sir as a member of the Public Accounts Committee, I should like to say that the discussion has been proceeding on a misapprehension of the facts. The only difficulty is that there was a change in the system of accounting some time ago, and therefore expenditure which had previously been debited to the general provincial capital account under 'Civil works' had to be transferred to the capital account of the particular industry concerned, namely, the cinchona industry. The amount involved is a matter of Rs. 22,000, and the only effect of this transfer not being made, would be to deprive the profit and loss account of the interest on this sum. Those of us who know anything about the profit and loss account of that particular concern—I do not think the Government can congratulate themselves on it—realize that the additional amount of interest which will be transferred to that account not being large will hardly affect the result."

* The hon. the PRESIDENT :—"The question is—*'that an additional sum not exceeding Rs. 22,351 be granted under grant XXV. Cinchona—Reserved, to make good the excess expenditure incurred in the year 1927-28.'*"

The motion was adopted and the grant was made.

V

DEMAND FOR SUPPLEMENTARY GRANT FOR 1929-30.

GRANT XX. EDUCATION—TRANSFERRED.

* The hon. Dr. P. SUBBARAYAN :—"Mr. President, I shall move the token demand standing in my name on the paper. On the recommendation of His Excellency the Governor, I beg to move—

'that the Government be granted a further sum not exceeding Rs. 100 under Grant XX—Education—Transferred.'

1-15
p.m.

[Dr. P. Subbarayan]

[30th January 1930]

"This demand provides for carrying out the reorganization of the Superior Educational Service—Men's branch. I have said, when this question was before the House before, that I would lay on the table of this House a note on the proposals with regard to the recruitment to these services. I should also like to meet the wishes of the hon. Members opposite on the matter as to whether the Government are going to appoint any one from the existing members of the Educational Service. What the Government propose to do is to send the cases of all those candidates with their qualifications to the Provincial Services Commission, and act on their advice. The merits of all these candidates as well as those of others will be considered by the Commission, and only on their recommendations will appointments be made to the new service.

"A further question was put down on an amendment by the Kumararaja of Venkatagiri, and in regard to it I say that it is not for the Government to say what they will do, but that they will act on the recommendations of the Commission and that the cases of persons the Kumararaja has in mind will also be considered by the Commission."

* Mr. S. ARPUDASWAMI UDAYAR :—"Mr. President, I move—

'to reduce the token demand not exceeding Rs. 100 under Grant XX. Education—Transferred by Rs. 10.'

"Sir, I have no quarrel with the hon. Chief Minister with regard to the personnel who will benefit by this revised scale. As he has just now said, that is to be the work of the Public Services Commission. But, Sir, I am raising the very question of the revision of salaries. I do not object to the revision contained in class II. But it seems to me that the revision of salaries of officers of class I is rather too liberal. Sir, there is a principle involved in this revision. Immediately after the war, in consequence of the economic disturbance and high cost of living, it was found necessary by Government to revise the scale of the superior grades of officers, and, as one of the leading dailies of this Presidency pointed out, this resulted in an agitation for the revision of the salaries of the non-gazetted and other services, and this agitation is as strong and persistent as ever."

The hon. the PRESIDENT :—"The hon. member will not be in order if he refers to other services except the class I services on his motion. I cannot allow the hon. Member to refer to the revision of salaries of the other Provincial or Subordinate services"

* Mr. S. ARPUDASWAMI UDAYAR :—"My point is that, although there was justification at that time for such a liberal revision of salaries of the services . . ."

The hon. the PRESIDENT :—"My point is that the hon. Member is not in order in referring to the other services."

* Mr. S. ARPUDASWAMI UDAYAR :—"I am confining myself, Sir, to class I. Now, that economic conditions have settled down to normal, and it is possible for us to avail ourselves of the services of highly qualified educationists on the same scale as that to which the acting men belong, I do not see why, in according to the recommendations of the Lee Commission, we should commit ourselves to this enhanced scale of salaries. Sir, this Presidency has produced very many eminent educationists in the past, and these were satisfied with a scale which was far below what is now recommended. The hon. the Finance

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[Mr. S. Arpudaswami Udayar]

Member in his speech when he presented the budget last year told us that we have reached the end of the tether of financial resources and that it would be necessary for us to exercise very great caution in enhancing or in any way rudely interfering with the existing commitments. So purely on financial grounds, I do not think there is any necessity for this I class scale of salaries as recommended by the Government, and it will not operate disadvantageously if we recommended a reduction in the scale, for, as the market stands to-day, it is possible for us to avail ourselves of the services of very many eminent educationists on salaries a little below what is now recommended. I do not see any justification for exceeding a maximum of Rs. 1,200. It is purely on this ground, Sir, that I raise this question."

The motion for reduction was put and negatived.

* Mr. A. RANGANATHA MUDALIYAR :—"I just want some further information in the light of what fell from the hon. the Chief Minister. He said that, so far as the filling up of vacancies is concerned, Government have nothing to do but will send the applications to the Provincial Services Commission. If I am wrong, he will no doubt correct me. I should like to remind him of the practice which obtains elsewhere. So far as the Government of India are concerned, Sir, the fact of the vacancy occurring is intimated to the Public Services Commission, and thereafter, all the subsequent work is undertaken by the Commission, that is to say, the Secretary of the Commission invites applications by advertisement. After the receipt of applications, the Commission interviews the candidates, arranges them in a particular order and makes its final recommendation to the Government, who may or may not accept it as they think proper. What I want to know is whether the same practice will be followed in regard to these appointments. I should personally think that it would be the better course to ask the Provincial Services Commission to deal in regard to this matter in the same way as the Public Service Commission does in regard to appointments of the Central Government. I am sure, Sir, that will ensure greater confidence in the minds of the candidates concerned. Also it will prove satisfactory in every way, both from the Government and the public points of view. That is the reason why I have risen to mention it, so that if the hon. Minister may find it worth while to adopt the same practice here, I am sure no disadvantage is likely to arise thereby but it would conduce to the convenience of the Government as well."

* Diwan Bahadur B. MUNISWAMI NAYUDU :—"Sir, I find some posts in the Indian Educational Service have not been filled up. I also see that in view of the reorganization of the services men from class II service are now acting in some of posts, which are put under class I in the new reorganization. Now, Sir, the hon. Minister has also stated the qualifications which are prescribed for those who will be taken into class I of the new Madras Educational Service. May I know what he proposes to do with regard to those who have acted for three or four years in those posts which now come under class I, whether he proposes to promote some of those men from the old Madras Educational Service to the present class I service, or whether he would forward the cases of these people to the Services Commission, and how far he would consider favourably the cases of persons who have acted in those posts for more than four years? It is absolutely necessary that those who have been in the department for long, who have put in service and have had good record to

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their credit should be encouraged by giving the chance to be promoted to class I. With reference to the qualifications that have been now prescribed for class I, is it possible to get candidates with such qualifications from those men who are now in the Madras Educational Service? I want to know from the hon. Minister whether the qualifications which he has now prescribed for class I are such as are now possessed by any of those who are now in the Madras Educational Service class II, and, if so, how many of these are fit for class I; whether these qualifications were fixed having regard to the qualifications held by men in the department, and whether by prescribing these qualifications a large number of those in the Madras Educational Service would be deprived of the chances of promotion to class I. If so, will such a large number have no chance whatever of promotion to the highest grade?"

The Council then adjourned for lunch.

After Lunch (2-30 p.m.)

When the Council re-assembled after lunch the demand under grant XX was put to the House and adopted and the grant was made.

VI

REPORT OF THE PUBLIC ACCOUNTS COMMITTEE FOR 1927-28.

* The hon. Mr. A. Y. G. CAMPBELL :—" Mr. President, Sir, I beg to move that the report* of the Public Accounts Committee on the Appropriation Accounts of this Province and the report of the Audit Officer thereon for the year 1927-28 be taken into consideration. I believe that it is not usual for the Finance Member when presenting the report, to attempt to make any summary of its contents. I am sure that all hon. Members share my regret that the hon. Sir Thomas Moir who has presided over this Committee is not here to-day. But I am sure that he would wish me to express on his behalf his appreciation of the labours of his colleagues on this Committee and to thank them for the valuable assistance they have given him in the matters that came before them."

The motion was duly seconded.

* Rao Bahadur Sir A. P. PATRO :—" Mr. President, Sir, I regret very much that the hon. Sir Thomas Moir has not been able to present the report of the Public Accounts Committee. I am sure the House regrets his absence but the hon. Mr. Campbell has been filling his place very ably. Then as regards the report, we find that the Committee had the scrutiny of the accounts for the year 1927-28 and gave the certificate at the end after the conclusion of the labours. At page 2, we find: 'We have examined in detail the several instances of financial irregularities brought to our notice and are satisfied that in the majority of cases the action taken by the Government is adequate. Our specific recommendations on important points discussed by us are mentioned in the report while other items are tabulated in Appendix A'. Appendix A shows the various items that have been found requiring explanation by the Accountant-General and the explanations furnished by the departments in the matter of these irregularities. It is a matter for regret that there should have been a large number of irregularities found by the Accountant-General and commented on. Taking item by item

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hon. Members will see that there is a very large number of cases which could have been avoided and it should be noted that the Finance Department should not allow the recurrence of such irregularities in future by exercising greater scrutiny of the various schemes placed before them. The scrutiny must be such as to altogether eliminate speculation now entered in the budget figures of the departments. Particularly there is one point in which I am interested in drawing the attention of the House, with reference to section 3 of the report—Provincial balance. Hon. Members will find in section 3 that there is such a great variation between the estimates and the actuals. At page 17 of the report, you will find, Sir, that the estimates for the year 1927-28 were 238.68 lakhs while the actuals were 494.72 lakhs. This is a great disparity between the estimates and the actuals. The Auditor-General has observed that this variation is an extraordinary variation and wanted that it should be explained by the Finance and all the departments concerned. The explanation that is furnished about this large variation is that, at the time when the budget was prepared, there was an underestimate of the revenue. It is admitted that there was an underestimate of revenue, that an unexpected source* has appeared and therefore, under the head of revenue, there was an unexpected increase. The second explanation furnished was that taking advantage of the abolition of the Provincial contributions, the departments had estimated in excess of their capacity to expand and therefore these two causes have contributed to the large surplus balance in that year. These are not proper and adequate explanations at all. Why should there be such extraordinary variations in the matter of forecasting of the revenues of the Province? What is the reason for the wrong estimate? Unless there is any windfall or extraordinary sources of revenue that accrued, it would be impossible to explain this large variation. In the absence of any such reason, there should be proper estimate. I must say that the budgeting of the year was not at all satisfactory. Sir, in my general remarks on the budget, I drew the attention of the hon. the Finance Member to the necessity for a proper estimate of revenue. No doubt, the report of the Board of Revenue as to the actual financial condition of the land revenue would not be available fully at the time when budget is prepared. But by the time the budget is closed, we will have the final figures furnished by the Board of Revenue as to the actuals in regard to land revenue. Revised estimates show more accurate figures. Therefore there ought not to be any such difference during that year. It is a matter which has been constantly pressed on the attention of Government and on the Finance Member, that if he is to prepare his estimate like this it would have a detrimental effect on the various departments."

"But fortunately for him, in this case, while he underestimated the revenues, he had the advantage of the release of Provincial contributions. This has been explained as a cause for the large variation. 2-45 p.m.

"The question of overbudgeting has been dealt with in this report. The Committee got the explanations of the various departments for overbudgeting and found that there were adequate reasons. But it has given a warning to the Finance Department to intervene and cut down the lump sums demanded by the various departments. Though the Committee is satisfied with this advice given to the Finance Department in the matter of lump sum demands, it seems to me, Sir, that this mistake ought not to be allowed to be repeated. We must insist on the Finance Department budgeting with more care than it has done in the year to which this report relates.

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"With regard to overbudgeting, the Accountant-General has explained in his report the general causes for the variations between estimates and actuals in the various departments and remarked that about Rs. 131 lakhs were surrendered during the year, which indicates *prima facie* a measure of overbudgeting. The result of overbudgeting by the departments is that large sums have to be surrendered at the end of the year. The great disadvantage of this overbudgeting by one department is that more useful works or programmes for which money could be spared are held up. No department ought to ask for a sum of money which it could not fully utilize within the year. The Finance Department should apply the pruning knife at the proper moment.

"With regard to the practice of obtaining a token vote, the Committee say that it was not in vogue before. This should be done only in the case of new services. New services would naturally evoke the sympathy of the Council and moneys for these are found by reappropriation.

"The other matter I wish to bring to the notice of the House is the system of lump cuts in the budget. In this connexion the Committee say at page 20 of their report: 'We consider it to be most essential that there should be a greater sense of financial responsibility on the part of the controlling officers in the preparation of their estimates, and trust that Government will take whatever steps are necessary to bring home this responsibility to the officers concerned.' I am glad that the Committee has come to the conclusion that it is the duty of the Finance Department to go more carefully into the proposals made by the departments. I trust that the Government will take the necessary steps to bring home this responsibility to the departments concerned.

"One other matter I wish to bring to the notice of the Government will be found at page 43 of the report. In cases of grants given by Government to local bodies, there again, the Accountant-General has made some remarks. He has referred to certain irregularities connected with their utilization such as debiting expenditure on the ordinary maintenance of a road to a 'Special grant'. In this matter and in several other such matters, the Committee observe: 'We have been furnished with notes showing the action taken on the several irregularities and are convinced that irregularities of this kind are not the result of want of rules. We recommend that local bodies should be warned that irregular use of grants would result in all grants being stopped.' I am glad that this recommendation has been made by the Committee in order to warn the Finance Department and the local bodies concerned that grants given for special purpose should not be utilized for other purposes. Such irregularities ought not to recur. I am glad that these suggestions were pressed by the Public Accounts Committee. On the whole I think the Committee has done its work satisfactorily." (Mr. R. Nagan Gowda: 'Hear, hear.')

* Rao Bahadur U. S. RATNASABHAPATHI MUDALIYAR:—"Mr. President, I endorse every word of Sir Patro. (Mr. P. T. Rajan: 'Hear, hear.') The budget for 1927-28 is not the first year in which overbudgeting of expenditure and underestimating of revenues or receipts have been noticed. This has been going on for some years past. The Government observe, Sir, that betterment on the revenue side could not be anticipated and overestimating

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on the expenditure side could not be avoided. Sir, I consider this course is generally adopted by the Government for the purpose of preventing the members of the Legislative Council from asking for more money for nation building departments. Otherwise I do not see any reason for underestimating the receipts when they have the figures for the past several years before them.

"On page 27 of the report it is stated that the Accountant-General has reported a case of extravagant expenditure under travelling allowance incurred by a head of a department in drawing mileage for journeys performed by motor car between places connected by railway, and also in the transport of his car. The Government have in a way justified this extravagant expenditure caused by the officer. In this connexion, the Committee simply state that they accept the revised rules for travelling allowance framed by the Government. They do not say whether the action of the head of the office was justified or not. Neither the name of the officer, nor even his designation is given and there is no possibility for this House to find out whether the rapid marches were justified or not. I presume that the revised rules mentioned in this connexion were framed only after this instance was brought to the notice of the Government. If that is the case, the very framing of the rules to prevent such cases goes to show that this action of the officer was unjustified.

"On page 29 of the report mention is made of a Collector utilizing savings to the extent of Rs. 4,000 for the purchase of stamps and furniture. The Committee say that the Board of Revenue characterized the action of the Collector as irregular and observed that such irregularity should not be allowed to recur. Sir, I think I should support the action of the Collector in having spent this sum of Rs. 4,000. When a head of the department draws travelling allowance on an extravagant scale for his personal benefit, the irregularity is lightly passed over, whereas when a Collector makes use of some savings for the purchase of furniture for his office and also stamps, his action is considered to be highly irregular and his explanation is characterized as entirely untenable. I think the Committee was not justified in criticizing the action of the Collector.

"In pages 33 and 34 the vexed question of expenditure on the Mettur works has been dealt with. The Committee state:

'The audit objection referred to by the Accountant-General related to the purchase of about 1,000 tons of cement made by the Engineer-in-Chief in the early part of 1927. The purchase was made for general purposes and also because, whether the dam was built of cement or lime mortar, the lowest section of it was to be of cement in any case.'

"In this connexion, Sir, I must say that the Committee have done their work very creditably. What was not pointed out by the department was found out by the Committee during the course of their deliberations. Here is a case where thousands of tons of cement have been ordered without calling for tenders. This is really a serious matter. When cement was required in May or just before the monsoon breaks out in June, an order has been placed so early as in February of that year for a thousand tons of cement without calling for tenders! This is really an objectionable course and I think the Government should have taken disciplinary measures against the officer responsible for this loss to the public exchequer. Not only that, the departmental head says that the credit should not go to the audit department for having helped them to save several lakhs of rupees in their subsequent indents. What does the Committee say with regard to this?

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3 p.m. "They say in their report: 'We are of opinion that it was desirable to have followed the normal procedure of calling for tenders.' I think they should have passed a more severe condemnation than this."

"Then again, Sir, in paragraph 42 of the report with regard to acquisition of lands for the Mettur project, we find that the percentage originally provided towards the cost of establishment that would be required for effecting the acquisition was 4 per cent. That was made at the time when the original estimate was prepared and subsequently when the estimates were revised and the actuals were found the percentage of the cost of establishment came up to 12.5 per cent. In the estimate they had provided only for 4 per cent but the actuals came to 12.5 per cent. I contend, Sir, that underestimating has been deliberately done with a view to reduce the total estimated amount and thereby show this House increased rate of return on the capital outlay. But for that this House would not have sanctioned this scheme. I think not only in this thing but in some other items they have underestimated the figures and thereby shown an increased percentage that would accrue on this scheme. With these few remarks I say that the Public Accounts Committee have done their part on the whole well."

* Mr. F. E. JAMES :—"I have just three matters which I should like to emphasise. Mention has already been made with regard to overbudgeting and the irregularities by the local boards in regard to grants and the absence of any effective procedure to obviate that difficulty."

(At this stage Khan Bahadur P. Khalif-ul-lah Sahib Bahadur occupied the chair.)

* Mr. F. E. JAMES :—"In the first place I would call the attention of the House to the unbusinesslike methods on the part of the various departments of the Government in connexion with what I may call commercial enterprise. I would draw the attention of the hon. Member particularly to the criticisms of this Committee in regard to four of these items. The first is item No. 55 with regard to the fishing trawler 'Lady Goschen'—it is really unfortunate that such a distinguished name should be associated with such an unsuccessful boat. The opinion of the Committee is 'It is clear that the trawler as worked at present is in no sense a commercial proposition and is not fulfilling the functions ascribed to it by the department.' We are told that it is not a business proposition, but it has other valuable functions to perform. We on the Committee came to the conclusion that it was not discharging those functions properly. I am given to understand that on this useless trawler Government is spending an enormous amount of money in repairing it and in bringing it up-to-date. I think the House has a right to know why Government should continue to spend such a large amount on an enterprise which is so roundly condemned by the Public Accounts Committee."

"The other item is No. 53 where you will observe a curious history in regard to a dresser-sizing plant. This was originally purchased for a certain section of the Textile Institute valued at Rs. 31,586. It was sold to a private firm for Rs. 20,000. It was not sold outright for Rs. 20,000, for Government had to bear the cost of dismantling the machinery, its transport and railway freight to Nidadavole and to lend free of cost the services of a foreman for three months after the plant was erected. In connexion with all these charges the Government had to spend something like Rs. 2,000 and thus the sale price of the plant had to be brought down to less than Rs. 20,000, viz.,

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Rs. 18,000. The Committee consider that the Government has suffered a considerable loss in selling this machine on these particular terms."

"The third point to which I would refer the House is the Committee's recommendation with regard to the Leather Trades Institute. The Public Accounts Committee have been saying for two and a half years that this institute should be closed as soon as possible. The Committee this year was informed that the whole question was still under consideration of the Government. I would draw the attention of hon. Members to the desire of the Committee that that final decision should be expedited. You will also find in paragraph 65 that the Committee came to the conclusion, on the material put before them that the Fisheries Cannery at Chaliyam should be disposed of without delay if further loss in working it is to be avoided. So much for the commercial enterprise."

"I would like to draw the attention of the House to the remarks of the Committee in connexion with Jails and Convicts Settlement under item No. 45. I have no doubt that the attention of the department concerned has already been drawn to this matter. But the Committee felt very strongly on this point that sufficient attention had not been paid to the irregularities which were admitted by the Inspector-General of Prisons, and the Committee hoped that he would take far stronger measures in regard to the rectification of these irregularities."

"Another point that I would like to refer to is item No. 61. You will find that there is an opinion expressed in regard to loans and advances made by the Provincial Government to the Hindu Religious Endowments Board which is somewhat alarming. The Accountant-General says that 'on six occasions between April 1925 and March 1927 the Government have sanctioned advances aggregating Rs. 3.03 lakhs to the Hindu Religious Endowments Board to meet their running expenses subject to eventual payment but that the prospects of recovering the advances were not bright so far'. That is the comment on it. So the position is one which requires serious consideration. The Committee further say 'In our opinion loans whose chances of recovery are so doubtful ought not to be given; and further if the collection work of the Board is rendered difficult by the procedure at present prescribed for the recovery of dues, that procedure should be revised'. I merely wish to underline these points and express the hope that the Member concerned and the House will pay particular attention to these matters in future."

* Mr. S. ARPUDASWAMI UDAYAR :—"After the exhaustive survey of the report made by previous speakers it will not be necessary for me to do more than to make one or two observations. Sir A. P. Patro has already referred to the irregularities in regard to budgeting. It is very strange that year after year the Accountant-General should call attention to defective budgeting, to wide difference between allotments and actual expenditure, the large lapses, and the difference between appropriations and re-appropriations, etc. Sir Patro referred to some local boards which showed certain items under the head of 'Special' which ought to have been shown under the head of ordinary repairs, maintenance and expenditure. I can understand some of the local boards which do not possess and may not always avail themselves of the experience of trained hands and experts in financial matters making such mistakes. But we always look up to the Finance Department and the other Government departments for thoroughness and accuracy in such matters; we

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expect them to scrutinize their budgeting. Experts of Government who are men of ripe experience ought not to be allowed to countenance such irregularity. I think that the Public Accounts Committee should call special attention to such defective budgeting. I think the hon. the Finance Member if he were present here would readily admit that so far as he was concerned, he would put his foot down and insist on the strict observance of the rule that Finance should not accept the recommendation made by any department of the Government unless it was satisfied that all the details were given. Unless such detailed estimates and detailed accounts are insisted upon, I think the human element being what it is, it is possible even for financial experts not to be able to detect defects in time. As regards the irregularities, my hon. Friend Mr. Ratnasabhapathi Mudaliyar spoke of the cement question in connection with the Mettur project. What about the irregularities found in the Public Works Department such as their irregular maintenance of nominal muster roll, their giving contracts without calling for tenders and their purchasing materials in advance of requirements. I cannot understand how a department which has so many expert engineers and others could commit glaring blunders such as these. This, I think, calls for severer censure than that passed by the Public Accounts Committee.

"We again hear of huge lapses especially in the Public Health department.

"Mr. James referred to loans and advances made to the Hindu Religious Endowments Board and the difficulty of recovering these loans. I very well realize that these loans have been given without proper scrutiny and proper investigation but I do urge that Government should find out ways and means as to whether it is possible to collect these loans or not. If irregularities like this are to be tolerated, I think the poor tax-payer will have to be terribly burdened. Are we justified on account of our own mistakes in ruining the poor tax-payer by imposing on him additional burden? If that loan money is not recovered, it will have to be written off.

3-15 P.M. "As regards commercial concerns, Mr. James referred to them and I will refer to only one of them and that is the Leather Trades Institute. The Public Accounts Committee recommended the closure of that institute. What has become of the pupils? Are they employed in private firms? The Government have no information.

"With regard to the Ghat road referred to in the report, the Public Works Department maintained the road out of provincial revenues even without the sanction of the Government. Then the Government began to investigate into the matter and found that planters had not to pay, the road having been maintained from provincial revenues. They insisted upon toll-gates being opened. No toll-gates have so far been opened. Though I congratulate the Public Accounts Committee on the scrutiny of these matters and for pointing out that such irregularities should in future be avoided, still I think I must sound a note of warning that if such irregularities are persisted in, especially on the part of departments which are expected to follow rules closely, carefully and invariably, we should come to a very terrible financial collapse. They seem not to know their own mind. Probably there is a good deal of gambling in all these allotments. The tendency is to budget for very large sums and then realizing the impossibility of spending everything, surrendering them. This kind of financial gambling I must emphatically protest against and I hope the Public Accounts Committee will not tolerate it in future."

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* Mr. J. A. SALDANHA :—"Mr. Chairman, Sir, one is inclined to rub one's eyes to see whether this report of the Public Accounts Committee refers to the year 1927-28 or to 1928-29. I was under the impression that we had before us the previous year's accounts reported upon. But, Sir, here is the report on the accounts for the year 1927-28 to be discussed by us in 1930. Therefore, much of the interest that pertains to this report is lost when you have to discuss matters two years after the event. I wish the Government would accelerate the publication of the report for the year 1928-29 by the Accountant-General; the Public Accounts Committee should scrutinize the report and place it before us as early as possible.

"There is the repetition of the same criticisms by the Public Accounts Committee year after year. Very little change or reform has been made in the system of preparing budget estimates or spending money. Before I go further, I wish to say that it would be well if Members of the Legislative Council are supplied with certain books which are referred to in the Accountant-General's report. We may also have copies of the summary of rulings of permanent value of the work of previous committees recently published. Copies of these should be circulated not only among Members of this Council but to all public bodies, officials, and local bodies so that they may know exactly what the rulings of committees are and how they should be guided in future. I wish this is done in future. Many officers and public bodies will take great interest in these matters and know what they should do in future in order to keep proper accounts and how the money is to be properly spent, as many of us are members of public bodies, like municipal councils, etc.

"Another point that occurs to me is that public bodies and the Government do not spend money as they ought to. There is an amount of money budgeted for; as a matter of fact many municipal bodies or officials do not prepare proper estimates or are incapable of carrying out the plans and schemes placed before them. Therefore, what I would urge is that a distinction should be made between unspent balances—money which ought to have been spent but not spent—and savings. Chairmen of local bodies always rejoice to show savings. As a matter of fact, they are unspent balances. No municipality or local body can have, what are called, savings. As a rule municipalities show unspent balances. It shows the incapacity or incompetence or indolence of the local bodies. What I would advise is that, in future, the Finance Department should insist that a distinction should be made between savings and unspent balance, so that municipalities cannot show savings. This distinction will put them to shame. It is a misnomer from the financial point of view to call them savings. I told one municipality that they should shed tears on what they call, savings; they are not savings nor shavings. (Laughter.)

"With regard to improvement schemes I want to make one suggestion. Suppose we have a scheme like the Mettur scheme. We may estimate the amount which will be required for expenditure. This may be spread over so many years; we estimate for what is necessary year after year. If the work is not carried out that year, that is not, very often, incompetency. There may be good reasons for the work not being carried out. Then there would be unspent balance. What I would ask is 'why should not that amount be carried over to the next year and so on, so that there will, be no, what are

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called, lapses.' Lapses will disappear altogether; unspent balances will be used during the second year or third year.

"It is a pity that this report comes up for discussion at the fag end of the sitting; we are in a hurry to close; I do not think there is sufficient stimulus for us to criticise the report. If this report had come in at the beginning of this sitting, we could have devoted more time and there would be more members in the House. I do not think there is any subject which ought to appeal to us more than this Public Accounts Committee. Unfortunately we do not devote more attention to our finances; people on the municipalities and local boards display the same spirit of indifference in budgeting, and in spending the budget amounts. There are, therefore, some cases of misappropriation. The whole thing is left to the sweet will and pleasure of the clerk or manager. Such state of things is due to indifference of our public men to financial questions.

"Attention has been drawn very pointedly to some points. I might stress here one or two points. With regard to the Religious Endowments Board the Accountant-General and the Public Accounts Committee say that, in their opinion, no loans should have been advanced. The only remedy to put a stop to such bad debts is to stop altogether these exactions of the Religious Endowments Board. Wind up altogether this Devasthanam department of the Government. This administration should be left to the people themselves, as it should be unpaid honorary work. You see how many people come forward to be members of Syndicates, Universities, etc. Can't we get half a dozen members or three members for this Religious Endowments Board to do honorary work? The Government should altogether abolish this paid department. I do not now enter into the policy of this Board but into its finances. What I say is this: there should be no payment at all to any members of the Board. Many of us do honorary work for charitable purposes, for irrigation purposes, for universities, and as municipal councillors and chairmen of municipalities. Is there not sufficient religious spirit among the Hindus to induce them to come forward to be honorary members of this Board? Why should money be spent for this purpose at all? I think that money should not be recovered from religious temples. From this point of view I consider it a sacrilege to exact money from religious endowments.

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p.m.

"Whatever religion it may be, I think it is very unfair. I have never heard of such money being recovered anywhere in the world. In Europe, Sir, there is not such recovery of money from or any special tax levied on, the church or endowments. This tax that is charged on the endowments here is really unheard of in the world, as I pointed out during the discussions on the Bill. Therefore I say, put a stop to these paid establishments, have only honorary establishment and leave these endowments alone. That is the only way of solving the difficulty.

"As regards the closing of the Leather Trades Institute and other industrial undertakings, I appeal to the Government not to close them. In regard to the Fisheries Cannery at Chaliyam, the Development Department has done nothing to train young men in canning. They say they find certain difficulties; but I say this cannery should be kept on for the purpose of training the people in that industry. How many lakhs have been spent on this cannery? That is not all waste of money; it is money well spent, and from the point of view of imparting training to the people in this industry, I hope

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this will be maintained. So also, the Leather Trades Institute should be maintained in order to train our people. The hon. Member for Trichinopoly, Mr. Arpudaswami Udayar, asked what steps were being taken to see that the boys who were trained in this institute got employed. That question has to be gone into; and I think at least for training our people, this institute should be kept on, so that the industrial spirit may be spread throughout the country. The hon. Minister should bear in mind that by closing these things, the industrial spirit will be entirely destroyed. I do not propose to go into the question of the fruit factory at Coonoor. I wanted, Sir, to send some men there for training, as our people do not know how to preserve fruits—I wanted them to learn that process but I was told 'Oh, we are going to close it down or hand it over to somebody else.' I appeal to the Government not to close down these factories completely. I am sorry to find that the Public Accounts Committee has considered these matters only from the financial point of view. It is a pity that that committee did not consider them from the economic point of view; they perhaps think it is not their business to do that, but that they will have to go by the views of the Audit Officer. Surely, the Accountant-General is not the proper officer to judge the economic wants of this country. I don't know how many in this House will endorse my views in this respect, but I would urge upon the Government to see that these small industrial undertakings which are proposed to be closed—I do not know how far they have been closed actually—are not closed entirely but maintained by the Government. I hope also that the Government will see that the suggestions of the Public Accounts Committee in this report in regard to other matters are carried out and that the principles laid down there are brought home to the proper authorities. I trust that my suggestions regarding the endowments, the fisheries cannery and the Leather Trades Institute will also be considered."

* Rao Sahib V. I. MUNISWAMI PILLAI :—"Sir, I also congratulate the Members of the Public Accounts Committee on the way in which they have scrutinized the audit report for the year 1927-28. I would like to draw the attention of the Government to only one important point, that is, with regard to the loans advanced to the Religious Endowments Board. Several hon. Members have already expressed their opinion on the matter, and I would also like to endorse what they said. Sir, at page 47 of the report, it is said clearly:—

"We consider that the position is one which requires the serious consideration of the Government. In our opinion loans, whose chances of recovery are so doubtful, ought not to be given: and further, if the collection work of the Board is rendered difficult by the procedure at present prescribed for the recovery of dues, that procedure should be revised."

"I am one of those who recognize the importance of this point. So far, more than one member has gone into the question of the management of these Religious Endowments. I do not know the reason why the Government should go to the rescue of the Board, spend a lot of money over it, and ask the general public to pay for it in the way of taxes, in order to meet such expenses. It is most unjustified, and the sooner the Government devise measures to see how far the Board can stand on its own legs and a better state of things can be brought about, the better will it be in the interests of all. Sir, the absence of the several sections of the existing Hindu communities on the board and district committees is also a matter for consideration. If all the sections are represented on it, surely it will help the caste brethren,

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and I expect the Government to devise ways and means in order to see how this can be achieved. These are the only things, Sir, which I would like to bring to the attention of the Government."

* The hon. Mr. M. R. SETURATNAM AYYAR:—"Sir, with regard to the attacks made by one of the hon. Members in respect of certain commercial undertakings, I am concerned, in the Development Department, with only four or five items, that is, with regard to the trawler, the Leather Trades Institute, the dresser-sizing plant and the closing of the Chaliyam cannery.

"As regards the Leather Trades Institute, for the last four or five years there has been a great clamour that the institute should be closed (an hon. Member: 'from whom?') by the Members of the Legislative Council (another hon. Member: 'Swarajists?') from all sides of the House. So, the question of closing it has been under examination for the last four or five years. Recently, the leading merchants in the Presidency also were found to be of that opinion, and as a result, it has been decided to cut down the establishment and close the educational section of the institute and reduce it to a size which would be sufficient for the purpose of improving the tanning industry in several parts of the Presidency. We are therefore having it in a modified form than before. (An hon. Member: 'What is the modified form?') We are placing one officer on special duty for two years to conduct experiments on stains in leather; and we are also placing a superintendent in charge of the Leather Trades Institute, to tour the Presidency in connexion with improving this industry. A Government Order also has recently been issued on the matter, and it is available to the public.

"As regards the trawler, it was really unfortunate that a second-hand trawler was purchased some years ago, without much forethought as to its capacity for proper working. But somehow or other, having got it, we had to see that it was properly maintained. It has therefore been sent to the Bombay docks and it is proposed, after its return, to make some experiments with it in deep-sea fishing. If the experiments prove successful, the trawler will be kept on, but if it fails, we shall then see how it can be disposed of.

"With regard to the dresser-sizing machine, it was bought some years ago and placed at Madras; but on account of lack of facilities for the weavers to attend a demonstration, Government thought that it could be more advantageously removed to the mufassal. We accordingly decided to sell it to a private firm in the mufassal where it is likely to attract greater attention. In this transaction, the Government have not lost very much, because the price of the machine itself was not very much greater than what we have sold it for.

"Turning to the Chaliyam cannery, that was also working at a loss to the Government, and therefore it was decided that the cannery could be closed down, with great advantage.

"In regard to all these things the Government came to a conclusion only after careful examination."

* Mr. H. A. WATSON:—"Sir, in view of the entertainment which I understand is about to be given to the Members of this Council shortly, I am sure the hon. Members of this House will not desire me to keep them very long. But although I cannot now refer at any very great length to the criticisms which have been made by Members of this House and to the many doubts that were entertained on many of the important questions, I can assure them that

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their remarks will not go unnoticed. It is the custom in the Finance Department to go carefully through the reports of the debate on this subject, to note down all the points which seem to require further examination, and to see that that examination is well conducted.

"The main criticism directed by both the Public Accounts Committee and the Members of this House was against the underestimating of receipts and the overestimating of expenditure. I can assure the hon. Members that both the Public Accounts Committee and the Finance Department greet with joy the support which they are given in this matter by the Members of this House. The estimating of revenue is a somewhat difficult matter, because income does not come in regularly throughout all the months of the year. This applies more particularly to land revenue, where the kist amounts begin to come in usually in January. Our budget and our revised estimates are finally overhauled in the month of January, and we can only go, in framing the budget, by the information which we have at that time.

"In this particular case, it will be found that the main cause of increase ³⁻⁴⁵ under land revenue is due to better collection. The Finance Department ^{p.m.} and the Board of Revenue can only go on previous results and if the Land Revenue Department is more efficient in collection than previously, it is impossible to foresee that. It is, I think, an error on the right side, because, the money, if not available for expenditure in this particular year 1927-28, would be available for expenditure in the next year. I hope, and I have good reason to hope, that in the accounts for 1928-29, it will be found that the budgeting on the revenue side was very much more accurate than in the year 1927-28.

"As regards expenditure, the Finance Department is in a much more difficult position. With regard to revenue, we can, of course, estimate what we think the receipts will be on past results, qualified by what we know of anything to make the coming year different from an average year. But, with regard to expenditure, as I said, we are in a much more difficult position. There, we have to rely very very largely indeed on the figures from various departments as to what they can spend, or what they think they can spend and I can assure hon. Members of this House that the Finance Department is as desirous as the Members of this House in seeing that the departments do not put down in the budget more than we really think they can spend. We recognize that it is grossly unfair, for one department to grossly over-estimate what it can spend, because that simply means that another department is done out of money which it probably could spend to greater advantage. For the Finance Department to receive the support of this House in its constant struggle against other departments in this matter is a very great advantage.

"Before I conclude, I would like to say that I was extremely disappointed—very sorry indeed—to hear the hon. Member, Mr. Ratnasabhupati Mudaliyar condoning and indeed commending an officer of Government for, what the Accountant-General would call, *rush of March expenditure*. That is indeed a most serious financial irregularity. He said, that it was a good thing on the part of the Collector, if he had 400 rupees in hand at the end of the year, to spend that amount on furniture. That seems possibly a perfectly innocent statement to make, but if it were accepted by this House, it would, I assure hon. Members, lead to gross extravagance and cut at the root of all economy. If this Collector had found that the furniture was absolutely necessary, he

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would have known that when he framed his budget and he would have budgeted for expenditure on that furniture, but he not only did not spend the money”

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—“On a matter of personal explanation, Sir. My contention was that that was not as serious a matter as the question involved in an officer of a department travelling in rapid marches.”

* Mr. H. A. WATSON :—“Sir, I assure hon. Members that it is a much more serious irregularity, because it would lead to gross extravagance in the future. We have constantly to keep a watch to prevent extravagance of that kind, and we have made rules to prevent it but yet the hon. Member urges Government servants to break and disobey the rules. With regard to travelling allowances, the claim was in accordance with the then existing rules, but we have made a rule now to prevent extravagance in that direction and that really is the function of the Public Accounts Committee. It is not the function of the Public Accounts Committee to take disciplinary notice of individual cases, but to consider individual cases, to see whether they indicate any instance in which the rules are defective and in cases where the rules are found defective, to consider how they can be amended so as to prevent such irregularities in the future.”

The CHAIRMAN :—“I take it that the House is ready for a vote. The question is—

‘That the report of the Public Accounts Committee on the Appropriation Accounts of this Province and the Report of the Audit Officer thereon for the year 1927-28 be taken into consideration.’”

The motion was adopted.

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

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

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APPENDIX I.

[Vide item III at page 909 supra.]

BILL No. 22 OF 1929.

A Bill further to amend the Madras State Aid to Industries Act, 1922, for a certain purpose.

Mad. Act V of 1923. WHEREAS it is expedient further to amend the Madras Preamble, State Aid to Industries Act, 1922, for the purpose herein-after appearing; It is hereby enacted as follows :—

1. This Act may be called the Madras State Aid to Industries (Amendment) Act, 1930. Short title.

Amendment of section 9, Mad. Act V of 1923. 2. In section 9 of the Madras State Aid to Industries Act, 1922 (the figures and words ‘50 per cent of’ shall be omitted).

STATEMENT OF OBJECTS AND REASONS.

Under section 9 of the State Aid to Industries Act, 1922, no loan can be granted of an amount exceeding 50 per cent of the net value of the assets of the industrial business or enterprise after deducting the existing encumbrances. There is reason to believe that this limitation reduces the usefulness of the Act and it has been suggested that this restriction might be removed. The main object in fixing the proportion of the amount of the loan admissible under the Act to a percentage of the net value of the assets of the industrial business is to discourage applications from persons who have shown no proof of serious effort on their part by contributing some capital of their own to the enterprise. But past experience has shown that the proportion of 50 per cent now fixed is unnecessarily high and has stood in the way of a more extended use being made by intending promoters of industrial enterprises of the facilities provided by the Act. At the same time it is not considered advisable that the present restriction should be removed in entirety and the applicant encouraged to rely for all the money required for a new enterprise on Government help. It is always a satisfactory course for any one who wishes to start a business or industry to find some capital of his own before he approaches Government with a request for State help to supplement his resources. It is proposed to amend the provisions of section 9 with a view to making it possible for aid being granted to applicants of an amount of loan equal to the net value of the assets of the industrial business or enterprise.

24th October 1929.

M. R. SETURATNAM AYYAR,

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Friday, the 31st January 1930.

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, <i>Kt.</i> , The hon. Khan Bahadur Sir Mahomed.	Maharaja of Pithapuram, <i>C.B.E.</i>
Krishnan Nayar, The hon. Diwan Bahadur Sir M.	Manikkavelu Nayakar, Mr. M. A.
Campbell, <i>C.B.I.</i> , <i>C.I.E.</i> , <i>C.B.E.</i> , <i>V.D.</i> , <i>I.C.S.</i> , The hon. Mr. A. Y. G.	Muniswami Nayudu, Diwan Bahadur B.
Subbarayan, The hon. Dr. P.	Muniswami Pillai, Rao Sahib V. I.
Muthiah Mudaliyar, The hon. Mr. S.	Muppil Nayar of Kavalappara.
Seturatnam Ayyar, The hon. Mr. M. R.	Murugappa Chettiyar, Diwan Bahadur A. M. M.
Abdul Rasack Sahib Bahadur, Khan Bahadur S. K.	Muthulakshmi Reddi, Dr. (Mrs.)
Abdul Wahab Sahib Bahadur, Munshi.	Nagan Gowda, Mr. R.
Appavu Chettiyar, Mr. C. D.	Nanjappa Bahadur, Subadar-Major S. A.
Arogyaswami Mudaliyar, Diwan Bahadur R. N.	Narayanan Chettiyar, Mr. A. J. Ar.
Arpudaswami Udayar, Mr. S.	Natesa Mudaliyar, Rao Bahadur C.
Bhanaji Rao, Mr. A. V.	Patro, <i>Kt.</i> , Rao Bahadur Sir A. P.
Bheemayya, Mr. J.	Pre-nayya, Mr. G. R.
Chidambaranatha Mudaliyar, Mr. T. K.	Raja of Kallikotta.
Cotterell, <i>C.I.E.</i> , <i>I.C.S.</i> , Mr. C. B.	Rajan, Mr. P. T.
Cunningham, Mr. C. B.	Ramaachandra Reddi, Mr. B.
Dorai Raja, Mr. S. N.	Ramanurti, <i>I.C.S.</i> , Mr. S. V.
Ellappa Chettiyar, Rao Bahadur S.	Ramanath Goenka, Mr.
Ethirajulu Nayudu, Diwan Bahadur P. C.	Ramjee Rao, Mr. V.
Foulkes, Mr. R.	Ranganatha Mudaliyar, Mr. A.
Gangadhara Siva, Mr. M. V.	Batnasabhapati, Mudaliyar, Rao Bahadur C. S.
Gnanavaram Pillai, Rao Sahib P. J.	Robertson, Mr. R. J. C.
Gray, <i>O.B.E.</i> , <i>I.C.S.</i> , Mr. J.	Sahajanandam, Swami A. S.
Guruswami, Rao Sahib L. C.	Saldanha, Mr. J. A.
Hearson, Mr. H. F. P.	Sarabha Reddi, Mr. K.
Hilton Brown, <i>I.C.S.</i> , Mr.	Shetty, Mr. A. B.
James, Mr. F. E.	Siva Raj, Mr. N.
John, Mr. V. Ch.	Siva Rao, Mr. P.
Kesava Pillai, <i>C.I.E.</i> , Diwan Bahadur P.	Srinivasan, Rao Sahib B.
Khadir Mohidin Sahib Bahadur, Muhammad.	Subrahmanya Mooppanar, Mr. S.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.	Subrahmanya Pillai, Mr. Chavadi K.
Krishnaswami Nayakar, Mr. K. V.	Tajudin Sahib Bahadur, Khan Sahib Syed.
Kumara Raja of Venkatagiri.	Uppi Sahib Bahadur, K.
Kuppuswami, Mr. J.	Vanavudaiya Gounder, Mr. S. V.
Leach, <i>I.C.S.</i> , Mr. A. G.	Venkaterama Ayyar, Mr. K. R.
Leech, Mr. A. J.	Venklah, Mr. S.
	Watson, <i>I.C.S.</i> , Mr. H. A.
	Wood, Mr. C. E.
	Zamindar of Singampatti.

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I

NEW MEMBER.

Mr. C. B. CUNNINGHAM made the prescribed oath of allegiance to the Crown and then took his seat.

II

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Agriculture

Appointment of a competent person to tackle the diseases of cotton.

* 1401 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Development be pleased to state whether, in view of the offer of a better scale of pay for the post of a Botanist by the Central Committee, the Government have appointed a competent person to tackle the diseases of cotton, and if so, when and with what results so far?

A.—Attempts to recruit suitable candidates have till now been futile though attractive terms were offered. A revised scheme is under consideration.

Mr. A. RANGANATHA MUDALIYAR:—“May I know, Sir, whether any applications were received for the post of the Botanist, and if so, how many, and how they were disposed of?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“As a matter of fact only a few good applications were received, and we have called again for fresh proposals from the Director of Agriculture.”

Improvement of agricultural implements.

* 1402 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Development be pleased to state the progress made in regard to the invention of new, and improvement of existing, agricultural implements and machinery, as the result of the recent appointment of an Agricultural Engineer?

A.—The Agricultural Research Engineer has experimented with seed drills and tillage implements of improved design, wind mills, ploughs, chaff cutters and cane mills. The results of the experimental work are not yet available. Experimental work has been handicapped through lack of workshop and testing facilities.

Twenty-eight reports have been submitted to local agents and manufacturers of agricultural implements and machinery. Most of them contained suggestions for the improvement of their goods and the suggested improvements are in all cases receiving careful consideration by the agents and manufacturers. Messrs. Kirloskar Bros. and Cooper Engineering Works have already adopted the suggested improvements with regard to their more popular types of light ploughs and samples of the improved ploughs have recently been received for trial. Other firms have

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expressed their readiness to effect the improvements suggested and samples of their improved articles are expected in due course. Improvements to cane mills, chaff cutters and other tillage implements besides ploughs are being adopted.

The Research Engineer has also designed a seed drill which is likely to become a standard implement.

Mr. A. RANGANATHA MUDALIYAR:—“May I know how long is it now since the appointment of the Agricultural Research Engineer was made?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“He was appointed in 1928.”

Mr. A. RANGANATHA MUDALIYAR:—“Then may I know what the difficulty was in providing him with the necessary workshop for the answer says ‘experimental work has been handicapped through lack of workshop and testing facilities’?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“Before he submits the report he has to go to the spot concerned and inspect it; and hence the delay.”

Mr. A. RANGANATHA MUDALIYAR:—“Is it a fact that some years ago there was an Agricultural Research Engineer appointed for the same purpose, viz., the one who was in charge of the Madura Industrial Institute?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“Notice, Sir.”

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—“Am I to take it that the Agricultural department supply most of the machinery necessary for these operations?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“Yes, Sir.”

Mr. A. RANGANATHA MUDALIYAR:—“It is said ‘Other firms have expressed their readiness to effect the improvements suggested’. May I know on what conditions they have agreed to do so?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“No such contingency has arisen as yet.”

Mr. A. RANGANATHA MUDALIYAR:—“Will the Government consider that question when such a contingency arises?”

The hon. Mr. M. R. SETURATNAM AYYAR:—“Yes, Sir.”

Industries

The Industrial Institute, Bellary.

* 1403 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Development be pleased to state—

(a) whether the Government propose to arrange for instruction to be given in motor driving, etc., in the recently established Industrial Institute in Bellary and if so, when; and

(b) whether they propose to alter the course in smithy in the Industrial Institute in Bellary into one of Mechanical Engineering; and, if so, when and if not, why not?

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A.—(a) Yes, from the next school year.

(b) It is proposed to advance the status of the present smithy course a step further from the next school year; its conversion into a full Mechanical Engineering course will be a development of the future.

Boring operations in South Kanara.

* 1404 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Development be pleased to state whether any boring operations have been done in South Kanara during this year and, if so, with what results?

A.—No boring was put down in South Kanara in the year 1928-29. During the current year (1929-30) one boring was put down at Udipi but it proved a failure.

Mr. A. B. SHETTY:—"I want to know, Sir, whether all the borings undertaken in South Kanara so far have not been failures?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"Only one boring was undertaken this year and that proved a failure."

Mr. A. B. SHETTY:—"What about the borings undertaken in the previous years?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"Notice, Sir."

Excise

Profits made out of the Bellary distillery.

* 1405 Q.—Mr. K. ABDUL HYE: Will the hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that the present distiller of the Bellary Distillery has been making very large profits; and

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

A.—(a) & (b) The Government have no reason to think that the fact is as suggested.

Mr. R. NAGAN GOWDA:—"May I know on what information the answer now given is based?"

The hon. the PRESIDENT:—"On the information available in the Government offices. If the hon. Member wants to know of any particular source of information he can so put his question."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"Have Government made any inquiries before they decided to give this answer?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"It is unnecessary to make any inquiries as all the information necessary is already available."

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Variations in the strength of liquor sold in the arrack depots in the Bellary district.

* 1406 Q.—Mr. K. ABDUL HYE: Will the hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that in many arrack depots in the Bellary district variations in the strength of the liquor have been observed from time to time; if so, in which depot such variations were observed, the cause of such variations, and what action the Government took in the matter; and

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

A.—(a) & (b) No variations in the strength of liquor, beyond the margin allowed on account of exposure and other natural causes and inaccuracies of reading, have been observed in the depots of the Bellary district since September 1929.

Registration

Memorial for opening a sub-registry office at Hebri.

* 1407 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the Government have received a memorial from the people of Hebri in South Kanara and the villages round about it praying for the opening of a sub-registry office at Hebri; and

(b) if so, whether the Government have called for any report on the matter?

A.—(a) & (b) Yes.

Education

Alleged withdrawal of caste Hindu pupils from schools.

* 1408 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Education and Local Self-Government be pleased to state whether any instances of caste Hindu pupils withdrawing in a body from schools on account of the admission of depressed class pupils have come to the notice of the Government, and if so, how many such instances have been reported and from which places?

A.—Yes.

Five instances as indicated below:—

One in the village of Thottiyam in the area of the Taluk Board, Musiri, Trichinopoly district;

Three—One in each of the villages of Silwarpatti, Vadipatti and Okkaraipatti—in the area of the Taluk Board, Usilampatti, Madura district; and

One in the Chirakkal Taluk Board, Malabar district.

Mr. A. B. SHETTY:—"May I know whether the Hindu pupils in these schools are still keeping away, or they have returned?"

The hon. Dr. P. SUBBARAYAN:—"I have no information on the matter. I will call for the information."

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Local Boards and Municipal Councils*Nomination of minority communities to district boards and municipal councils.*

* 1409 Q.—MR. A. B. SHETTY: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) the number of nominated members in district boards belonging to minority communities and backward classes among the Hindus; and

(b) the number of nominated members belonging to such classes in municipalities?

A.—Government have not attempted to classify backward or minority communities.

MR. A. B. SHETTY:—"May I know whether nominations are not made with the object of giving representation to minority communities and backward classes among the Hindus?"

THE HON. DR. P. SUBBARAYAN:—"Yes, that is to say, if they do not get adequate representation on the principle of importance and numerical strength."

DIWAN BAHADUR R. N. ARJYASWAMI MUDALIYAR:—"Is nomination available only to backward and minority communities?"

THE HON. DR. P. SUBBARAYAN:—"Notice, Sir."

Constitution of Divisions and Taluks*Area and population of the Malayali-speaking portion of Kasaragod taluk in South Kanara.*

* 1410 Q.—MR. A. B. SHETTY: Will the hon. the Member for Revenue be pleased to state—

(a) the area and population of the Malayali-speaking portion of Kasaragod taluk in South Kanara;

(b) the number of villages comprised in Kasaragod taluk in the area referred to in (a); and

(c) whether the question of constituting the Malayali-speaking villages into a separate taluk in South Kanara or of adding them on to Malabar has ever been considered by the Government?

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

(b) The hon. Member is referred to the 'Alphabetical list of villages in the taluks and districts of the Madras Presidency.' The Government have no information as to the number of villages in which Malayalam is spoken.

(c) Yes.

MR. A. B. SHETTY:—"May I know whether the Government have come to any decision with regard to clause (c) of the question?"

THE HON. MR. A. Y. G. CAMPBELL:—"They have already come to a decision on this matter, and they are not going to make any alteration in the limits of the taluks."

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MR. A. B. SHETTY:—"How did the Government consider and decide this question without getting the required information regarding the number of villages in which Malayalam is spoken in the taluk?"

THE HON. MR. A. Y. G. CAMPBELL:—"Sufficient information was obtained from the Collector to enable them to arrive at a decision."

Irrigation*Progress of the Marandahalli project.*

* 1411 Q.—MR. BASHEER AHMAD SAYEED: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have sanctioned the Marandahalli project, and if so, at what stage it is at present;

(b) what is the total amount required for the completion of the project and what is the period within which it will be completed;

(c) what is the extent and nature of the area it will irrigate and what is the percentage of return expected therefrom; and

(d) whether a full report of the details concerning the project will be placed on the table of the House?

A.—(a) The Government have sanctioned the scheme for execution when any necessity for famine relief arises.

(b) The estimated cost of the scheme is Rs. 3,61,400 (for works). It can be completed in two or three years.

(c) The area of dry land to be irrigated is 2,259.02 acres. A return of 1.70 per cent on the outlay is expected.

(d) The Superintending Engineer's report^a on the subject is placed on the table.

Loans*Loans given in South Arcot district under the Agricultural and Land Improvement Loans Act.*

* 1412 Q.—MR. BASHEER AHMAD SAYEED: Will the hon. the Member for Revenue be pleased to state—

(a) the amount allotted for the district of South Arcot, under the head of loans, under the Agricultural and Land Improvement Loans Act, in each of the last three years;

(b) the amount of loans actually disbursed to the ryots in each of the taluks of South Arcot for the years 1926-27, 1927-28 and 1928-29; and

(c) whether the Government are aware that in certain instances in the subdivisions of Tindivanam the Revenue Divisional Officer arbitrarily refused to sanction additional loans to cover extra expenditure incurred in the sinking of wells, although the same was recommended by the Tahsildar and the other subordinate officers after taking detailed estimate of the work?

^a Printed as Appendix I on pages 997-1001 infra.

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A.—(a) The amounts allotted are given below :—

Year.	Rs.
1926-27	28,000
1927-28	34,465
1928-29	43,650

(b) The Government have not the information relating to each taluk separately. The total amount disbursed in the district in each year is given below :—

1926-27	28,000
1927-28	34,465
1928-29	42,895

(c) The Government are not aware that the facts are as suggested.

Delay in granting loans under the Agricultural and Land Improvements Loans Act.

* 1413 Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have received any complaints that ordinarily it takes six months for the Revenue officers to sanction a loan under the Agricultural and Land Improvements Loans Act applied for by the ryots;

(b) whether the Government have received any complaints that, even though a major portion of the work for which loans under the Agricultural and Land Improvements Loans Act are granted happens to be completed and the remaining work has to be postponed for reasons beyond the control of the ryot, the Revenue Divisional Officers very often recover summarily the whole amount in lump without giving any respite to the ryot or allowing any extension of time for completion of the work in spite of petitions to that effect; and

(c) what steps the Government have taken or propose to take in order to prevent delay and remove the hardship and difficulty the ryot is put to in the grant and recovery of loans under the Agricultural and Land Improvements Loans Act?

A.—(a) & (b) No such complaints have been received.

(c) In order to ensure the prompt disposal of applications for loans, Collectors have been authorized to employ temporary establishments in anticipation of the sanction of the Government. Collectors and Divisional Officers are under the rules competent to grant extension of time up to not more than 24 months from the date of disbursement of the loan or of the last portion of the loan. The Government do not consider that any further action is called for.

Mr. A. RANGANATHA MUDALIYAR:—"Sir, the answer to (a) and (b) runs thus: 'No such complaints have been received.' Does that mean that Government have not received such complaints, or that the officer concerned has not received complaints?"

The hon. Mr. A. Y. G. CAMPBELL:—"It means that they have not reached Government."

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Public Service Commission

Appointment of the members of the Madras Services Commission.

* 1414 Q.—Mr. A. B. SHETTY: Will the hon. the Member for Revenue be pleased to state when the Government propose to appoint the members of the Madras Services Commission and from which date they will begin to function?

A.—The members of the Madras Services Commission have been appointed and the Commission has been functioning since the 3rd January 1930.

Acts

Popularization of the Child Marriage Restraint Act.

* 1415 Q.—Mr. A. B. SHETTY: Will the hon. the Law Member be pleased to state—

(a) whether the Government intend to give publicity to the Sarda Act; and

(b) if so, what steps they propose to take for the purpose?

A.—(a) & (b) The attention of the hon. Member is invited to the answer given to question No. 1292 on 27th January 1930.

Depressed Classes

Admission of non-depressed classes pupils in schools intended for depressed classes.

* 1416 Q.—Mr. A. B. SHETTY: Will the hon. the Home Member be pleased to state—

(a) what number of pupils not belonging to the depressed classes are reading in the special schools mainly intended for the depressed classes;

(b) in which district or districts such number predominates; and

(c) what is the proportion of caste Hindus, Christians and Muhammadans among the pupils who thus attend the schools meant for the depressed classes?

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

Mr. A. B. SHETTY:—"May I know whether Government will ascertain this information to find out the real feelings of the people in the matter?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"I shall consider the suggestion of the hon. Member."

[For further starred questions see pages 943-951 infra.]

UNSTARRED QUESTIONS

Loans

Grant of loans at 3 per cent interest by the Collector of Anantapur.

1417 Q.—Diwan Bahadur P. KESAVA PILLAI: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Collector of Anantapur district advanced during the last ten years loans for the relief of the distressed ryots under the Agriculturists Loans Act, 1884, at 3 per cent interest in virtue of the powers vested in him under "Rate of Interest, Rule III in the Takavi Manual"; and

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(b) if so, whether he will be pleased to furnish a statement showing the amount talukwar, and the year in which the loans were advanced?

A.—The answer to the first part of the question is in the negative.

Remission of interest on loans by the Collector of Anantapur.

1418 Q.—Diwan Bahadur P. KESAVA PILLAI: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Collector of Anantapur district ever remitted interest within the last ten years in cases of any of the borrowers known to be poor in virtue of the powers vested in him under "Rate of Interest, Rule II in the Takavi Manual"; and

(b) if so, whether he will be pleased to furnish a statement showing the year and the amount so remitted talukwar?

A.—(a) & (b) No such remission of interest was granted by the Collector of Anantapur. Collectors are empowered to remit interest under rule III and not under rule II of the loan rules.

STARRED QUESTIONS

Co-operative Societies

Alleged promotion of Senior Inspectors as Deputy Registrars.

* 1419 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Development be pleased to state—

(a) whether it is a fact that one officer in the Co-operative department who was only a Senior Inspector on Rs. 92 per mensem was promoted to a special post on Rs. 125 in 1923 and made Assistant Registrar in 1925 and also Deputy Registrar in 1928;

(b) whether in rapidly promoting the above officer the claims of several seniors were overlooked at every stage and whether some of those overlooked had better qualifications than the officer mentioned in (a);

(c) whether an officer who entered the Co-operative department on Rs. 40 as clerk in 1921 was made Senior Inspector in 1924, Assistant Registrar in 1925 and Deputy Registrar in March, 1929;

(d) whether by promoting this individual several seniors, including non-Brahmans and Christians who were at least equally qualified were overlooked;

(e) if so, for what reason these cases were overlooked; and

(f) how many and which of the persons overlooked [referred to in (e)] were subsequently considered fit for and were actually given promotion?

A.—(a) Yes.

(b) No. Every one's claims were considered. Appointments of Sub-Deputy Registrar and Deputy Registrar are selection appointments and technical qualifications and seniority are not the only factors taken into account when making such appointments. When the officer was promoted to the special post on

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Rs. 125 and as Assistant Registrar, no one with better qualifications was overlooked, and when he was promoted as Deputy Registrar, two officers with better educational qualifications were overlooked as they were otherwise not considered fit for promotion.

(c) Yes.

(d) When the officer was appointed Senior Inspector, the following who had equal qualifications were overlooked:—

S. Ramaswami Ayyangar.

N. Sadagopachari

A. Singaraju Pillai.

When he was appointed as Assistant Registrar no one with equal qualifications was overlooked. When he was appointed as Deputy Registrar two officers with equal educational qualifications were overlooked.

(e) The officer was considered to be the best one available then.

(f) S. Ramaswami Ayyangar who was overlooked when the officer referred to was appointed Senior Inspector was subsequently promoted as Senior Inspector.

Mr. V. S. Ramaswami Ayyar who was overlooked when the officer was promoted as Deputy Registrar was subsequently promoted as Deputy Registrar for being posted as Lecturer in Co-operation in the Government Technical Institute, Madras.

Medical

Treatment of tuberculosis patients in Government hospitals.

* 1420 Q.—Mr. J. A. SALDANHA: With reference to my question No. 162 answered on 9th August 1929, will the hon. the Minister for Public Health be pleased to state—

(a) what decision the Government have arrived at as to the location of the Tuberculosis Hospital at or near Madras;

(b) how many rooms, if any, are set apart for treatment of tuberculosis cases in all the Government hospitals outside Madras City;

(c) whether the rooms are isolated wards, and if so, in which hospitals;

(d) what the number of patients admitted or refused admission as in-door patients in such hospitals in the year 1928-29 was; and

(e) what steps the Government contemplate taking for the segregation and treatment of tuberculosis patients in the headquarters of the several districts and taluks?

A.—(a) The question is still under consideration.

(b) One in each of the hospitals at Cocanada, Amalapuram, Guntur, Calicut, Palghat, Tanjore, Palamcottah, Nanguneri and Tellicherry.

(c) Yes, in all the hospitals.

(d) A statement^a is laid on the table.

(e) None.

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*Inquests regarding the alleged deaths by suicide in
Tirumani Leper Settlement.*

* 1421 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Public Health be pleased to state whether in the case of the patients of the Tirumani Leper Settlement or of persons who sought admission therein, who were mentioned as having committed suicide in the speech of the hon. Member, Dr. Mallayya, on his resolution regarding the management of the settlement on 30th September 1929, any inquests were held under section 174 of the Criminal Procedure Code, and if so, what were the results of such inquests?

A.—The Superintendent of the Leper Settlement at Tirumani has reported that of the three cases mentioned in Dr. Mallayya's speech on 30th September 1929 only one case referred to an inmate of the asylum and that it was not known whether death was due to accident or intention. The Government have no information about the inquest and its result. It has been called for.

Registration

Number of registered partition deeds in South Kanara.

* 1422 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Public Health be pleased to state—

(a) the number of registered partition deeds executed by Aliyasantana and Marumakkattayam family people in South Kanara during each of the last six years (figures for Aliyasantana and Marumakkattayam family deeds to be given separately); and

(b) the number of such deeds executed by Marumakkattayam families in Malabar?

A.—(a) & (b) The Government have called for the information.

Court of Wards and Zamindars

Revenue demand in Sivaganga estate.

* 1423 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the average demand of the Sivaganga estate under the varam tenure as worked out by the estate was Rupees 16,70,000 and the demand under the private settlement was Rs. 20,27,000 resulting in an increase of Rs. 3,57,000;

(b) the reasons for the increase;

(c) whether the increase was made with a view to grant remission for savi and waste lands;

(d) whether remission was granted by the Estate Collector for savi and waste in faslis 1333 to 1336 without the sanction of the Court of Wards;

(e) whether the practice of granting remission for savi and waste by the Estate Collector of his own accord without the sanction of the Court of Wards was discontinued in fasli 1337; and

(f) whether it is a fact that in arriving at the average demand prior to the settlement, the revenues of faslis 1328, 1329 and 1330 were included although they were abnormal years?

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A.—(a) The demand under the varam tenure as deduced from the average of the ten years immediately preceding the commutation, the demand under commutation and the increase are given below:—

	RS.
Total under the varam tenure	16,80,468
Total of commutation demand	20,54,980
Increase	3,74,512

(b) & (c) In order to fix the commutation rent, the average melvaram demand for each village for the ten years preceding the commutation, which included both good and bad years, was taken as the basis. This figure was slightly increased, in some cases in view of the rates fixed on similar lands in neighbouring villages, in others in view of the situation of the villages, and in others in view of the favourable rates of rent which the villages had enjoyed during the lease.

(d) Remission was granted in the faslis in question, but the Government have no information whether this was done with or without the specific sanction of the Court of Wards.

(e) In fasli 1337 under the orders of the Court of Wards remission was granted in certain taluks in which the season had proved a partial failure.

(f) The revenues of faslis 1328, 1329 and 1330 were included. There was no reason to exclude these years as they had not been declared famine years.

Village Establishments

Registration of women for village offices.

* 1424 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Acts in force prior to the Madras Hereditary Village Officers Acts now in operation in ryotwari and proprietary villages did not prohibit the registration of offices in the names of women;

(b) whether there are yet such registered ladies now living;

(c) whether daughters' sons in such cases were at one time being permitted to succeed to the 'missal office' in absence of direct male heirs; and

(d) whether the same rule still holds good in the case of daughters' sons and if not, when it ceased to apply and why?

A.—(a) The Regulations in force prior to Acts II of 1894 and III of 1895 did not expressly prohibit the registration of women for village offices.

(b) The Government have not the information.

(c) Yes; but only in preference to divided collaterals. Undivided collaterals were preferred to daughters' sons.

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- (d) No; brothers and other collaterals whether divided or not succeed in preference to daughters' sons. The change was introduced in 1908 in consequence of certain decisions pronounced by the High Court regarding the interpretation of the general custom and rule of primogeniture governing succession to impartible estates in South India under Acts II of 1894 and III of 1895. Succession to village offices is governed by this custom and rule.

Mr A. RANGANATHA MUDALIYAR:—"Sir, the answer to clause (b) runs as follows: 'The Government have not the information.' I am told that in the Cuddapah district there are such cases."

The hon. the PRESIDENT:—"I fear the hon. Member is giving information. Question-time is intended to get information from the Government and not to supply them with information."

Civil Justice

Selection of District Munsifs.

* 1425 Q.—Mr. J. A. SALDANHA: With reference to the selection list of district munsifs published recently, will the hon. the Law Member be pleased—

(1) to place before the House a statement showing the number of persons selected from the different religious sections and castes and the districts and vernaculars of the candidates selected; and

(2) to state

(a) whether any Jain candidates had been recommended and why none of them were selected;

(b) whether there are any Jains in the Judicial service and whether the Government and the High Court have decided or propose to take into consideration the claims of that community for representation in the Judicial service; and

(c) how many Indian Christian candidates had applied for the post of district munsifs and why only one was selected?

A.—The Government have no information. The High Court has been requested to furnish details on the following points:—

(1) The number of persons selected from the different religious sections and castes;

(2) The districts and vernaculars of the candidates selected;

(3) Whether there are any Jains in the Judicial service; and

(4) How many Indian Christian candidates applied for the post of district munsif.

Industries

Development of cottage industries.

* 1426 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Development be pleased to state—

(a) whether the Government have now considered the reports of the survey of cottage industries by the Special Officer;

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(b) what steps are being taken to give effect to the recommendations embodied in these reports; and

(c) whether any committee is being appointed to select such industries as can be encouraged at once and whether Government propose to introduce or improve any such selected industries?

A.—(a), (b) & (c) The hon. Member's attention is invited to G.O. No. 1694, Development, dated the 7th October 1929, which has been placed at the disposal of the Press, regarding the constitution of a committee to examine the Special Officer's reports and also to the answer to question No. 1089 given in the Council on the 21st January 1930. Particulars of action taken on some of the district reports were given in answer to question No. 155 given in August 1929.

Appointment of an Industrial Engineer.

* 1427 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Development be pleased to state—

(a) whether the Government contemplate the employment of an Industrial Engineer for devising labour and time-saving tools and machinery for the improvement of cottage industries in this Province;

(b) if so, whether they intend to advertise for a qualified and competent man who has done similar work elsewhere successfully;

(c) whether they have in view any particular industries which are to receive this officer's attention to begin with;

(d) whether it is a fact that Government now entertain an engineer who is to devise labour-saving appliances for agriculturists; and

(e) whether he has produced any such labour-saving appliances so far and what are his qualifications?

A.—(a) Yes.

(b) The question will be decided after the appointment is sanctioned.

(c) No particular industries have been selected although the officer's attention will have to be devoted mainly to the various branches of the textile industry.

(d) Yes.

(e) The following are his qualifications:—

Engineering qualifications—

Engineering Graduate, Sydney University.

Member, Institute of Engineering, Australia.

Familiar with workshop practice and a good mechanic.

Agricultural experience—

Has a lot of experience of a practical nature in Australia.

His father was a well-known and big stock breeder.

Has farmed himself—dairy, fodder, fruit.

Has practical experience of agricultural machines and implements.

As regards the work done by the officer since his appointment, the hon. Member is referred to the answer to question No. 1402 by Mr. A. Ranganatha Mudaliyar.

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Public Health*Alleged petition regarding Chidambaram municipal affairs.*

* 1428 Q.—Swami A. S. SAHAJANANDAM: Will the hon. the Minister for Education and Public Health be pleased to state—

(a) whether one Mr. C. Subbaraya Mudaliyar has sent a petition to the Secretary to the Government in the Local Self-Government Department and to the Inspector of Municipal Councils regarding the affairs of the Chidambaram municipality; and

(b) if so, whether any action has been taken thereon?

A.—No.

Local Boards*Abolition of tolls in the Presidency.*

* 1429 Q.—Mr. F. E. JAMES: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether legislation for the abolition of tolls throughout the Presidency for all forms of vehicular traffic has been under the consideration of the Government;

(b) whether the Government, as a result of their consideration, intend to introduce legislation shortly;

(c) if not, why not;

(d) whether the Government has had under consideration the question of the abolition of tolls throughout the Presidency for motor vehicular traffic only;

(e) whether the Government propose to introduce legislation on that matter, and if not, why not; and

(f) whether the Government have received any representation in favour of the abolition of tolls for motor vehicles?

A.—The Government have under consideration the question of the abolition by local authorities of tolls on vehicles and the imposition of a provincial tax on such vehicles. The exact form which the legislation should take has not yet been finally decided. Meanwhile, a draft Bill for the abolition of tolls on motor vehicles alone is being published for general information. Government have received representations of the kind referred to in clause (f).

Mr. F. E. JAMES:—"Sir, in view of the fact that a draft Bill for the abolition of tolls on motor vehicles only has been published in the gazette, will the hon. the Minister please state whether the Government intend to introduce a Bill in the Legislative Council as early as possible?"

The hon. Dr. P. SUBBAYAN:—"The opinion of the local bodies has been called for. When that is received, the question whether it should be introduced in the Council will be considered."

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Civil Justice*Appointment of the Sheriff of Madras.*

* 1430 Q.—Mr. C. S. GOVINDARAJA MUDALIYAR: Will the hon. the Law Member be pleased to state—

(a) what principle has been adopted by Government in selecting the candidates for the post of Sheriff every year;

(b) whether it is a fact that the appointment carried with it pay and perquisites till recently;

(c) what was the monthly pay allowed to the Sheriff from time to time and cost of his establishment;

(d) when the appointment was made honorary and why; and

(e) whether it was made at the instance of the Government of India or the Secretary of State?

A.—(a) A prominent citizen of Madras is appointed as Sheriff.

(b) Yes.

(c) The Sheriff was allowed to retain the entire fees collected by him and was granted in addition from Provincial Revenues a monthly allowance of Rs. 500 for himself and his establishment. The establishment cost Rs. 282 per mensem and any extra expenditure that might be found necessary was paid for from the Sheriff's own pocket.

(d) The appointment was made honorary from the 1st September 1924 as a measure of retrenchment.

(e) The appointment was not made honorary at the instance of either.

Forests*Reservation of forests in South Kanara.*

* 1431 Q.—Mr. A. B. SHETTY: Will the hon. the Law Member be pleased to state—

(a) when the reservation of forests under the Madras Forest Act was commenced in South Kanara;

(b) in what year the last reservation was made; and

(c) whether the Government have under consideration reservation of any more lands during the current year and if so, where?

A.—(a) & (b) The earliest reserved forest to be constituted was in 1884 and the last reserved forest was constituted as such in 1925.

(c) The attention of the hon. Member is invited to the answer given to clause (a) of question No. 1251 asked by Khan Bahadur Mahmud Schamud Sahib Bahadur and answered on the 24th January 1930. The Government are awaiting proposals for reservation in respect of the remaining area.

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Jails

*Auction for the supply of wool by the Superintendent,
Central Jail, Bellary.*

* 1432 Q.—MR. A. RANGANATHA MUDALIYAR: Will the hon. the Law Member be pleased to state—

(a) whether an auction for the supply of pure cut wool (grey) was held on 10th December 1928, by the Superintendent, Central Jail, Bellary, and, if so, with what result;

(b) the particulars of the samples for which bids were invited—as to length and quality of staple, the margin for wastage, etc., and the lowest bid received at the auction;

(c) whether the sale held on 10th December 1928 was set aside and all bids were rejected and, if so, for what reasons;

(d) whether fresh tenders were invited for 5th January 1929 and, if so, for what kind of wool and of what length of staple, etc.;

(e) the tender finally accepted by the jail authorities with details as to the kind of wool, its staple length, etc., for which the tender was accepted;

(f) whether the accepted contractor supplied in the end only wool of the same sort as was shown on 10th December 1928, and which was offered to be supplied at a lower rate and the same was accepted and, if so, the action taken on the omission to carry out the terms of agreement;

(g) whether only wool of sheep sheared annually is required for the Central Jail, Bellary, and, if so, the date from which the above condition is being enforced and whether it is the practice anywhere in South India or elsewhere to shear wool only once in a year and, if so, in what places;

(h) whether the wool offered by the contractor and accepted by the jail authorities fulfils the condition in (g); and

(i) the total quantity of wool already supplied by the contractor for the year of contract and the approximate quantity likely yet to be needed by the jail authorities during the remainder of the year?

A.—(a) to (i) The Government have no information but have called for it.

Police

Alleged accident to a child by a motor-car at Salem.

* 1433 Q.—MR. T. ADINARAYANA CHETTIYAR: Will the hon. the Home Member be pleased to state—

(a) whether the Government have received any representation regarding the recent withdrawal of a case by the Salem police against the driver of motor-car S. 294;

(b) whether it is a fact that the car ran over a child in Salem, opposite to the English Club in broad day light and seriously injured it on the 21st July 1929;

(c) whether the car belongs to a rich man called Challakanni Ravuttar;

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(d) whether the driver of the car Abdul Salam Sahib did not stop the car after the incident or render any aid to the injured child;

(e) whether the police charged the driver or the owner;

(f) whether the case was subsequently withdrawn by the police, and, if so, after how many months;

(g) whether it is a fact that many eye witnesses to the incident gave satisfactory evidence in Court;

(h) whether the local police refused to cite important eye witnesses to the incident;

(i) if so, the reason for this conduct of the police;

(j) whether the Government will hold an independent enquiry into the matter; and

(k) whether the memorial of the injured child's father Mr. Bhavani Singh makes serious allegation against the Salem Police in this matter?

A.—(a) Yes.

(b) No. A towel in the hand of a small boy of five was caught by a passing car and dragged him against it.

(c) The car is registered in the name of O. Abdul Salam Ravuttar, son of Chellakanni Ravuttar.

(d) He did not stop the car or render aid. There is no evidence that he was aware of the accident.

(e) & (f) The accident occurred on 21st July 1929. On 16th August 1929, the police charged the owner Abdul Salam under the Motor Vehicles Act for failure to report the accident. The District Superintendent of Police ordered the case to be withdrawn on 18th November 1929.

(g) Three persons who alleged that they were eye witnesses of the accident were examined in Court but their evidence was of doubtful credibility.

(h) & (i) The District Superintendent of Police considered that there was no evidence forthcoming justifying further prosecution of the charge and accordingly withdrew it.

(j) The Government see no reason to do so.

(k) Serious but unwarranted allegations are contained in the memorial.

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

III**ECONOMIC ENQUIRY COMMITTEE REPORT.**

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—“Mr. President, I beg to move the motion standing in my name—

‘That this Council approves of the Economic Enquiry Committee submitting its report to Government by the 31st of January instead of by the end of December 1929 and condones the delay.’

“The reason, Sir, is . . .”

[31st January 1930]

* The hon. the PRESIDENT :—"Possibly the hon. the Revenue Member has no objection to Mr. Arogyaswami Mudaliyar moving his motion in the amended form, that is substituting '31st' for '15th'."

The hon. Mr. A. Y. G. CAMPBELL :—"I have no objection, Sir."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—"The reason why I am compelled to make this motion is the fact that the Committee found the work they had undertaken was so heavy that in spite of their best endeavours they had not been able to submit the report earlier. As I explained, Sir, on a previous occasion, the Committee took up various lines of enquiry. First, there was the general enquiry into the economic conditions and for that purpose we took up 60 villages as against 24 taken up by Government. Besides that, Sir, on account of the question of the lease value on which the Special Settlement Officer laid a great deal of emphasis, we felt bound to make a detailed enquiry into those values that have a significance and for this purpose, we made an enquiry independently into 60 villages in three districts. Then, Sir, in the course of the enquiry, we found that cattle mortality was a very serious problem indeed and that on account of the enormous cattle mortality and of the fact that the help rendered by the Veterinary Department was totally inadequate, we felt bound to find out exactly the amount of loss incurred by the ryots on account of this serious cattle mortality. For this purpose, Sir, we conducted an intensive enquiry in the villages of the two taluks, Ellore and Tadepalligudem. Besides this, we made detailed enquiries into the cattle mortality in 19 other villages. Then, Sir, we also conducted a separate enquiry into the question of agricultural indebtedness and we took up 89 villages in the three districts concerned. All this work has caused the delay and has involved very great strain on the Committee. We were able to collect a very large volume of statistical information which it naturally took us a very long time to arrange and put in order. This was the reason why the Committee was not able, in spite of their best endeavours, to submit the report by the end of December as originally approved by this Council. I beg to move, therefore, Sir, that this Council do approve of the Committee submitting their report by the 31st January. As a matter of fact, the report was submitted to Government yesterday."

Diwan Bahadur P. C. ETHIRAJULU NAYUDU :—"I second it."

* The hon. the PRESIDENT :—"The question is 'that this Council approves of the Economic Enquiry Committee submitting its report to Government by the 31st January instead of by the end of December 1929 and condones the delay.'"

The hon. Mr. A. Y. G. CAMPBELL :—"I have no objection."

The motion was put and adopted.

IV.

BILLS.

1. THE MADRAS GAMING BILL.

(Bill No. 2 of 1930.)

* Mr. F. E. JAMES :—"Sir, I beg to move that the Madras Gaming Bill [item (2) under Bills in the list of business] be taken up first before item (1) (Brothels Bill) is disposed of."

[31st January 1930]

The RAJA OF KALLIKOTA :—"I second it."

The motion was put to the House and adopted.

* Mr. F. E. JAMES :—"I beg to present the report* of the Select Committee appointed to consider the Madras Gaming Bill (Bill No. 2 of 1930) and move that the Bill as amended by the Select Committee be taken into consideration."

Mr. C. E. WOOD :—"I second it."

The motion was put to the House and adopted and the Bill was taken into consideration.

Clauses (1) and (2).

The hon. the PRESIDENT :—"The question is that clauses 1 and 2 shall stand part of the Bill."

The motion was adopted and clauses 1 and 2 were added to the Bill.

Clause 3.

* The MAHARAJA OF PITHAPURAM :—"Sir, I move that

'For the definition of "gaming" the following be substituted :—

"Gaming does not include a lottery but includes wagering or betting on a horse race."

"I heartily thank Mr. James for having introduced such a wise piece of legislation as this. He has placed us under a debt of gratitude to him by introducing this measure. Sir, I am afraid that there is an impression in the minds of some hon. Members that I am against horse racing. I may at once assure them that it is not correct. I am not against horses or horse racing. What I am against is betting. I am interested in horses and horse shows and at one time I owned very fine horses that won prizes at horse shows. As I said, Sir, I am not against horse racing by itself. I would suggest that it may be done without betting and prizes may be instituted, valuable prizes may be instituted, the rich contributing to the prize fund. One of the reasons for my moving this amendment is this. Sometime back, a gentleman reported to me a pathetic case which I am sure will receive the sympathy of every Member of this House. The story which he told me is as follows : While returning from the race course at Guindy one day he saw a man weeping by the road-side. It naturally evoked his sympathy, and on his asking what the matter was, the unfortunate man replied 'Sir, my father left me a debt to the extent of Rs. 7,000 or so. The house in which I was living was the only property I had and I sold it for Rs. 12,000 or so. I wanted to clear off the debts and start some business with the balance. At that juncture, I saw the races advertised, went to Guindy and bet the balance and lost it.' Does not this case deserve the sympathy of this honourable House? Sir, the gentleman who narrated this story to me is no less a personage than Dr. Subbarayan, the hon. the Chief Minister. Again, Sir, I have heard from another friend of mine that servants come and ask their masters for leave to go to races. Whether they are granted leave or not they go to races, bet and lose. It is these considerations that have induced me to move this motion and I leave the question to the discretion of the House."

* Printed as Appendix III on pages 1002—1006 infra.

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* **MR. S. ARPUDASWAMI UDAYAR** :—"In seconding this amendment I must make my meaning clear. I certainly think that betting in itself is not an evil. But as the Maharaja of Pithapuram has stated the temptation is too strong for many Indian gentlemen and as he has made it clear that he is not opposed to races or exhibition of horsemanship or the winning of cups at races, but wants only to put a stop to this kind of betting which accompanies or forms a more important part of the race and is deplorable in its consequences, I hope the House will support this amendment."

11-30
a.m.

* **THE RAJA OF KALLIKOTA** :—"Mr. President, Sir, I rise to oppose this motion. The Bill clearly provides that 'gaming does not include a lottery but includes wagering or betting on horse races except when such wagering or betting takes place (1) on the date on which such race is to be run and (2) in place or places within the race enclosure which the authority controlling such race has with the sanction of the Local Government set apart for the purpose.' The amendment of my hon. Friend the Maharaja of Pithapuram seeks to do away with the two exceptions mentioned in the Bill. In other words, it seeks to do away with racing. I do not consider it out of place to mention here a few words as to what, in my opinion, racing and gaming means. The races at Guindy and other places are conducted not by an individual who benefits himself but by a recognized club just as any other club in this country. The profits which this club might make incidentally are utilized very often as charities, as contribution to other sporting clubs or associations or for purposes of improving their own premises by putting up buildings, etc. It is a club which anybody who has a desire, can join as a member and can have a voice in its activities. I take racing to be one of the biggest sports in the world to-day and after all this club provides the sport for the general public. (Hear, hear.) Individuals have nothing to gain by it. The club only caters for their sporting instincts. The watching of a horse race is in itself a very great attraction and I wish to assure this honourable House that the race club does not induce or persuade persons to gamble within its premises. It only provides facilities for persons to gamble if they so desire. The race club maintains a totalizator and charges a small percentage for maintaining it. Watching a horse race without any interest as to which horse wins or loses does not give a real interest to the spectators in this great art of racing. Like all other sports this sport of racing provides the enthusiasm and the interest in the spectators and on-lookers to spot out and select the best horse in the batch. As far as I can see it is a very popular sport even with the Indian population and it would be a great pity for us sitting here to do away with it."

"Everything is conducted systematically and according to rules. There are rules to bind the heavy gambler from going beyond his limits. The club takes enough security from the Book Makers that carry on business there to safeguard the interests of the punters. In other cases of betting, as in the bucket shop, there are no rules or regulations. If a person wins money and the bucket shop does not pay him he has no redress."

"India was at one time a great country for horses and horsemanship. We used to breed our own horses instead of depending on other countries for our needs. This great art of horse breeding is now dying out in the country and the race club, by encouraging country-bred races, in giving large stakes contributes largely and encourages the breeding of good horses in the country."

[31st January 1930]

[The Raja of Kallikota]

"While opposing the amendment of my hon. Friend I welcome the main principle of this Bill to do away with these bucket shops which are the real sources by which the poor are ruined and which after the passing of the City Police Amendment Act are springing up like mushrooms just outside the Municipal limits. My point is that races conducted systematically by recognized clubs are sources of entertainment and amusement which like all other amusements we can enjoy by paying a certain gate money. Life is not worth living with all these restrictions imposed upon us by legislation. If my hon. Friend and gentlemen who think with him conscientiously feel that racing is an evil and should be avoided I would welcome them to carry on a propaganda dissuading people from attending races as I have said the race club does not force people to go to them. If according to my hon. Friend it is an evil, may I point out to him that the evil can be redressed through outside propaganda, but not through a piece of legislation."

"I ask my hon. Friend one more question. If he thinks gambling is a vice or evil why does he stop with the race course? Why not go a step further and make a game of bridge played in a club, illegal and a crime. Fortunes are gambled away at the stock exchange and in business. Why not stop that also?"

"Sir, I oppose the amendment."

* **MR. A. V. BHANOJI RAO** :—"Mr. President, Sir, I also join issue in opposing this amendment. The hon. Mover of this amendment has very smoothly passed over the real inner meaning of the amendment or how it would affect the race course. I am glad that he sympathises with racing. But I should like to point out how his amendment would affect horse-breeding in India. Firstly, about 5,000 horses are imported every year into India and if you do away with the race course the immediate effect of it would be that no good horse will be available in India. The important purpose for which the horses are necessarily to be maintained is first in the country's cause. Even war experts have come to the conclusion that in spite of all the mechanisation by which they have revolutionized the equipments of an army, a certain proportion of cavalry is necessary in the army. If you are not going to encourage the races, no good horses will come forward and the maintenance of good horses for cavalry will be out of the question."

"We will now come to the next point and that is the economic effects of these sports. I am sure hon. Members who have seen, or followed the polo sports could realize that the best horses are owned in India only by importing them. India has made its name in this great sport of polo and has won an international fame. I would give the instance where the Maharaja of Alwar has been sent to America as an adviser to a team in India. Bhopal is one of the best players in India. How did they get their reputation? Is it not by having good horses? It is by breeding good horses and paying well that they have made their name."

"Then Mr. President, I would come to another point. Betting, as long as it is controlled by the local Government, is absolutely safe. Nobody asks you to bet; neither do they compel you to do a thing which you do not want to do. Neither betting nor gambling is forced on anybody. It is only people that take them as a hobby that attend them. I would ask what is not gambling. Is not international politics a gamble? (Laughter.) Is not stock exchange a gamble? (No. No.) Is not doing forward business a gamble?"

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* The hon. the PRESIDENT :—"The amendment is not to prohibit gambling in general but gambling on horse races."

* Mr. A. V. BHANOJI RAO :—"I am asking whether these are not gambling. Is not lending money for higher interest a gamble? Are not law courts a gamble? What is not a gambling? Life itself is a gamble. (Laughter and cheers.) So, Mr. President, it is not for any body to judge whether anything is good or bad. There are ways and means for people to gamble and lose money and there is no point in stopping this alone. Under these circumstances I would oppose this amendment."

* Mr. F. E. JAMES :—"I cannot accept this amendment for the simple reason that it goes beyond the scope which is intended by the Bill. The purport of the Bill is to close the bucket shops outside the municipal limits of Madras. The House has already accepted that principle in regard to the Madras Municipality and the Bill merely intends to extend the same principle beyond those municipal limits. It is unnecessary to go into the ethics of gaming. The bucket shop is recognized as a mere social evil and this Bill deals with it effectively."

* The MAHARAJA OF PITHAPURAM :—"When I moved the amendment I did not think it would be necessary for me to make a reply but some of the reckless remarks and remarks beside the point have made it necessary for me to rise up now. Some of them are amusing and, as I have stated, are beside the point and the sense and wisdom of these remarks are, I am sure, quite clear to the House. I never advocated gambling in any form. I was against gambling in whatever shape or form it might exist. I explained the position and pleaded for the poor. I have not misrepresented things wilfully. I narrated facts as they were reported to me. I assure Mr. James that I sincerely congratulate him on his having introduced this measure and wish it the success it deserves."

The motion was put and negatived.

Clause 3 was put, passed and added to the Bill.

Clause 4.

Clause 4 was put, passed and added to the Bill.

Clause 5.

* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—"I beg to move—

"In lines 1 and 2, for the words "If any salaried Magistrate other than a Village Magistrate" substitute the words "If any salaried Magistrate not inferior to a Magistrate of the second class"."

"On a reconsideration of this question Government think that it would be better that this power should be vested in magistrates who have some experience. Therefore I move it."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I second it."

* Mr. F. E. JAMES :—"I accept this amendment. In the Select Committee opinions were expressed that very large powers were being given to men who were possibly without much experience. I therefore accept the amendment of the hon. Member."

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The motion was put and adopted.

Clause 5 as amended was put, passed and added to the Bill.

Clauses 6 to 13.

The hon. the PRESIDENT :—"The question is that clauses 6 to 13 shall stand part of the Bill." 11-45 a.m.

The motion was adopted, and clauses 6 to 13 were added to the Bill.

Clause 14.

* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—"I beg to move that—

"For the words, figures and brackets "sub-section (10)" the words, figures and brackets "clause (10) and the last paragraph" be substituted."

"The reason why I move this amendment is that the last paragraph of section 3 has reference to clause (10), and it is right that we should include that paragraph also."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I second it."

The amendment was put and adopted.

Clause 14, as amended, was then put, passed and added to the Bill.

Preamble.

The preamble was then put, passed and added to the Bill.

Mr. F. E. JAMES :—"I beg to move that the Bill as amended be passed into law. In doing so, I should like to thank the Council for the help I received."

Mr. C. E. WOOD :—"I second it."

The motion was put and adopted and the Bill as amended was passed into law.

2. A BILL FOR THE SUPPRESSION OF BROTHELS AND IMMORAL TRAFFIC (BILL NO. 16 OF 1928).

* Mr. K. R. VENKATARAMA AYYAR :—"Mr. President, I beg to present the report of the Select Committee on the Bill for the Suppression of Brothels and Immoral Traffic after recommitment, and move that the Bill as amended by the Select Committee after recommitment be taken into consideration."

Diwan Bahadur P. KESAVA PILLAI :—"I second it."

The motion was put and adopted and the Bill was taken up for consideration.

Clauses 1 and 2.

Clauses 1 and 2 were put, passed and added to the Bill.

Clause 3.

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—"I beg to move that—

"For the word, figures and brackets "Section 71 (xx)", the words and figures "Clause (xx) of section 71" be substituted."

[Sir Mahomed Usman]

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"It is more a verbal amendment."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I second it."

The amendment was put and adopted.

Clause 3, as amended, was then put, passed and added to the Bill.

Clause 4.

* Mr. A. B. SHETTY :—"Mr. President, Sir, I move that—

'In line 2, clause 4, sub-clause (a), after the word "habitually", the words "uses or" be inserted.'

"Sir, the Vigilance Association in Madras, as the House may well know, is responsible for this legislation. In the Bill, as originally drafted by them, these words 'uses or' found a place after the word 'habitually'. It has been left out in this Bill as amended by the Select Committee. Now, Sir, the definition of 'brothel', as it stands now, means 'any house, room, or place which the occupier or person in charge thereof habitually allows to be used by any other person for the purpose of prostitution'. That will mean that a prostitute who lives in her own house and receives visitors is not running a brothel, but the moment she takes a room or house for rent and there carries on her profession, though she causes no annoyance to her neighbours, that room or place directly becomes a brothel according to the definition in the Bill. That means that a rich prostitute who can afford to have her own house will be exempted, while a poor prostitute who has to live as a tenant in another man's house will be penalized. Another result of adopting the definition in the Bill will be to exclude from the list a place where the occupier herself practises prostitution. But only if the occupier or person in charge of the house allows her daughter or some other relation to practise prostitution, the place will become a brothel. I know that prostitution as such is not penalized in any country. The object of this legislation is principally to put a stop to what is called commercialized vice. But, this House would like to know whether the definition as put in the Bill will not in effect bring under the clutches of the law only the poor prostitute, while the rich prostitute who carries on her trade in her own house will not be exempted, even though her house may be a source of annoyance and nuisance to her neighbours and it becomes a centre for broadcasting venereal diseases? A house where the occupier herself practises prostitution will not be a brothel according to this definition, however much she may shock the feelings of the community by publicly flaunting her vice. The object of my amendment is to bring such houses also within the definition of the word 'brothel'."

Rao Sahib V. I. MUNISWAMI PILLAI :—"I second it."

* Mr. K. R. VENKATARAMA AYYAR :—"Sir, I regret I am not able to accept this amendment. This matter was discussed threadbare in the Select Committee, and the draftsman of the Bill on behalf of the Vigilance Association, who gave the benefit of his advice to the Select Committee and who appeared as a witness before the Committee was expressly asked about this point, and he agreed along with other lawyers, who have devoted thought to this subject, that the object of this Bill being only to suppress commercialized vice and not to attempt reform of individual or personal sexual morality, the definition as it has been adopted in the Bill as introduced by me is the

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more proper definition as compared with the definition which had been originally adopted in the Vigilance Association draft. The very author of that draft having given his assent to the amended draft that I adopted, and the matter having received sufficient consideration in the Select Committee, and the object of this Bill, as I have already said, being merely to put down commercialized vice and not to attempt to reform individual personal morality, I think Mr. Shetty's amendment is not one which will commend itself to the acceptance of this House."

* Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—"Mr. President, Sir, even though I sympathize with the views expressed by my hon. Friend, Mr. Shetty, on this subject, I like to point out that I was myself for keeping those words. But the question was raised that in other provinces like Bengal and Bombay the same definition as we now find in this Bill has been adopted. Now, in Burma, they have gone a step further, and have found that this definition is not quite adequate. So, they are now introducing an amendment, of which I have got a copy, and which is on the lines of the amendment of Mr. Shetty. Of course, they have been working this Bill for some years and their experience has taught them to introduce this amendment. But, as this question was discussed in the Select Committee where we had also the views of some members of the Madras Vigilance Association, I agreed to the present definition in the Bill, and I think, that the definition in the Bill will do for the present."

* Mr. J. A. SALDANHA :—"Mr. President, Sir, I am quite shocked at the views of Dr. Muthulakshmi Reddi on this point. Because other provinces have adopted a definition we also in Madras are to adopt it, is an argument which does not stand to reason. The question must be whether the definition which is adopted will really meet the purpose we have got in view. The distinction between commercialized and non-commercial viciousness is a thing, which I am afraid must lead to disastrous consequences; because, as my hon. Friend, Mr. Shetty, pointed out, whereas a tenant cannot use a house for vicious purposes, we cannot prevent a mere owner of a house putting it to his own worst possible use and being a nuisance to the public. After all, this is what we are proposing in this Bill. True, it is impossible to suppress vice entirely; so long as human nature has its tendencies, vice will prevail. But let us not encourage that vice to be practised by one body of persons, while we are prohibiting another body. Sir, Bombay and other provinces are quoted as authorities. I wish my hon. Friends, the author of the Bill and Dr. Muthulakshmi Reddi had gone to Bombay and seen how the Act is being evaded there; because, every one who wants to practise this vice is able to find the resources for purchasing the house, or with the profits of the vice he can easily purchase the house and use it for the purpose, and people are so using it. As a matter of fact, I know that in Bombay, although much good has been claimed to have been done by the Vigilance Association, very little has been done, but the vice is openly carried on because the Bombay Act gives so many loopholes. We have got the authority of the Burma Government which has found the existing Act inadequate for suppressing vice, and they are going to introduce an amendment to their Act inserting the words proposed by my hon. Friend, Mr. Shetty. I do not see any use of this Bill at all. With the experience gained by Bombay, Bengal and Burma, I do not see why we should adopt a provision which can be easily evaded."

[Mr. J. A. Saldanha]

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The traders will find it paying to purchase the house in order to make this Bill become a farce as it were. I think the Vigilance Association must be a body with very little grip and grit, for they have so easily succumbed to and agreed with the views of our lawyers and other people, without realizing the moral object to be carried out. This idea of commercialized vice is an absurdity. I am very sorry that the author of this Bill has after all brought up a measure which can be easily evaded. I therefore support the amendment with all the force at my command."

The amendment was put and negatived.

* Mr. S. ARPUDASWAMI UDAYAR :—"Mr. President, Sir, I move that—

For sub-clause (e) the following be substituted :—

"Prostitute" is a person of either sex who uses the body for promiscuous sexual intercourse under conditions of hire."

This is purely a legal definition. It runs counter to the popular usage or to the accepted meaning of the term. But my object in having this legal definition is this. There are provisions in this Bill which penalize the keeping of brothels by persons who are responsible for this kind of immoral commerce. There are provisions which penalize women who are guilty of promiscuous sexual intercourse. There is nothing which penalizes the man who is primarily responsible for the moral degradation to which the woman is brought. Shakespeare says, 'Frailty, thy name is woman'. But it is always the man who is responsible for shattering this frail vessel for bringing the woman to a state of depravity, embittering her future existence, deserting her and making her eke out her livelihood in this most abominable manner. Everybody understands that this kind of promiscuous sexual intercourse is a social evil and a moral evil. It is an evil both in the case of the man and in that of the woman. The former has no excuse whatever. He is married. Why, being faithless to his wife, being disobedient to his parents and attaching himself to a woman of this nature, should he not be considered as an abettor and a person primarily responsible for this? Is he not to be penalized for this physical, moral and social evil? Is all the responsibility to be thrown only on the woman? Is she alone to be penalized for this crime? Therefore, Sir, I think the House will do well to accept this definition in preference to the one given in the Bill, although the latter is the accepted definition the world over."

Mr. R. NAGAN GOWDA :—"I second it."

* Mr. K. R. VENKATARAMA AYYAR :—"Sir, I oppose this amendment. The purpose of this Bill as introduced and considered by the Select Committee more than once would stand widened a very great deal if the substituted definition of 'prostitution' proposed by my hon. Friend should be accepted. According to the substituted definition, any person who chooses to violate the sanctity of matrimony to the extent that he allows himself to have irregular sexual relationship with somebody other than his wife, himself paying a hire to that other woman, is a prostitute. That is an attempt in the direction of improving all personal morality for the purpose of enforcing and augmenting the sanctions behind matrimony in a manner which is quite outside the scope of this legislation. I think the object may be good, but it will be a very very long

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time before any legislature such as ours can be asked to go as far as that. In any case, the object behind this amendment is an object to be kept in view by individuals for their own guidance and can never be placed as an object before a business legislature for adoption in relation to the transactions of mankind. I think, Sir, to branch away from the accepted ordinary notions of who is a prostitute and who is not, is wrong and therefore to ask for the acceptance of this definition is too large an order."

* Mr. R. NAGAN GOWDA :—"Sir, I am rather . . ."

The hon. the PRESIDENT :—"Has not the hon. Member spoken already on this amendment?"

* Mr. R. NAGAN GOWDA :—"I have only seconded it. I have not made a speech."

"Sir, I am rather surprised to hear the statement made by my hon. Friend, Mr. K. R. Venkatarama Ayyar. The ideal that has inspired him to bring in this motion and the ideal that has inspired this House in accepting it is this: that immorality should be, as far as possible, banned. In this, I do not think the House will agree to two standards of morality being set up, one for man and another for woman. I think, Sir, that as one of the famous workers in the cause of better morality stated, woman alone is burdened with the legal consequences of a mutual act. The State propagates the disastrous idea that there is a different morality for the two sexes. That is something which we cannot accept. It may be stated in defence of this idea that woman alone is usually the guilty person in so far as it is she who tires herself out. To this I say that it is not only the woman that is to be blamed, the man also should be blamed. In my opinion, it is the man who is more guilty than the woman, because of the fact that he is more capable and is usually the cause of the act. Besides, Sir, this idea of a single code of morality for both man and woman is not new to the ethics of this country. We have always had in this country the same standard for man and for woman. We have always held Rama as the symbol of faithfulness to his wife, and Sita also has been held as the embodiment of chastity in women. Our sacred books abound with these moral codes. Therefore this is nothing new to this country. And, besides, Sir, by adopting this amendment we would not be subjecting either the man or the woman to any legal consequences as that is not included in the Bill at all. I therefore suggest that the amendment be accepted by the House."

* Mr. J. A. SALDANHA :—"Sir, I support the amendment for the reasons already advanced by the previous speakers. I never thought that in these days when there is so much of lip sympathy shown to the rights of women, the author of this Bill would fail to include in the definition of 'prostitution' the man also who is probably more important for the prostitution. Both the female and male are responsible and are jointly responsible for what is called prostitution and therefore to make the woman alone bear the consequences of the penal provisions is not proper. I want to know, Sir, why we should not adopt this comprehensive definition and make both the man and the woman responsible for the crime. I think, Sir, it is unchivalrous to make the woman alone responsible. In justice to the fair sex, we ought to adopt this definition proposed by my hon. Friend, Mr. Arpudaswami Udayar. I do not know where he got this definition from. But whatever it is, it is more scientific and comprehensive than the definition given in the Bill."

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* Mr. C. B. CUNNINGHAM :—" Mr. President, Sir, I should like to point out that this Bill does not penalize prostitution as such and therefore, if this definition is adopted, it would not be of any effect. The penal clauses do not differentiate between one sex and another."

* Mr. F. E. JAMES :—" Sir, I should like to move for the deletion of this clause."

* The hon. the PRESIDENT :—" The hon. Member will get an opportunity for doing so after this is disposed of."

* Mr. A. RANGANATHA MUDALIYAR :—" Mr. President, I do not see any reason why the amendment should not be accepted. If we do not accept it, it would look as if history is repeating itself. We men constitute ourselves as the law makers and make all laws for our benefit without regard to the other sex. I think in a matter like this one need not make a difference between the offenders, whether of the male or female sex."

* Mr. P. SIVA RAO :—" Mr. President, the amendment now proposed looks ridiculous. I was listening very carefully to what the mover as well as the seconder said in support of this motion. Sir, the definition proposed is grotesque as it says : ' A prostitute is a person of either sex who uses the body for promiscuous sexual intercourse under conditions of hire. If there is any class of men anywhere who offer themselves, their bodies, for hire received from persons of the other sex, I can understand the insertion of a definition like this. I cannot think of any person of the male sex lending his body for purposes of hire for promiscuous sexual intercourse. Now, Sir, the hon. Member, Mr. Cunningham, observed that there are no penal provisions in the Bill relating to the prostitutes individually. I do not know what object will be gained by including males in the definition of prostitutes, if, as was well pointed out, this Bill does not aim at the suppression or at the amelioration of individual prostitutes ; what is the use of that definition here ? Now, as it is in the Bill, female prostitutes are not penalized. They are not subjected to punishment. Only the name ' prostitute ' occurs in some of the clauses. Therefore I do not think anything is gained by including male also in that definition. It was pointed out that if a female prostitute is to be subjected to a penalty, the male also should be. I do not grant the premise at all. The female prostitute, if she practises prostitution only by herself in a quiet manner and not to the extent of commercializing it, is not subject to any penalty whatsoever. I repeat therefore that it is a very grotesque amendment without any aim or object in view except to waste the precious time of the Council."

* Rao Bahadur C. NATESA MUDALIYAR :—" Mr. President, Sir, of course man ought to be as chaste as he expects a woman to be. But this Bill deals only with commercialized vice. If the mover and Mr. Nagan Gowda want it, let them bring forward another Bill to penalize male as well as female prostitution. The amendment is out of place here. In Madras there are hundreds of females belonging to a class known as devadasis and many more are in the mufassal. As they are hereditary devadasis, they are outside the pale of this Bill. So, Sir, let my hon. Friend withdraw this amendment now and bring in another Bill if he wants to preach chastity to the world at large."

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* Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—" I am very thankful to the hon. Members of this House who have maintained that there should be only one lofty standard of morality for both the sexes. On this occasion I may bring to their notice the resolutions passed at the various International Women's Conferences—

' I. That all human beings being equal, that is to say, subject to the same natural laws, whether physical or moral, all legal enactments must be equal for all, both men and women alike in their wording and application.

' II. That all laws, measures or regulations dealing with public order and public moral shall be so framed as not to differentiate between the sexes, either in their wording or in their enforcement.'

" I submit, Sir, that we are not by this Bill punishing individual prostitutes. There is no clause here to punish prostitutes. We are only giving the definition of the word ' prostitute '. In doing so, if we leave out one party altogether who has to bear a large share of the crime, then we are again repeating the ancient wrong of punishing only one of the two parties. All laws dealing with public morality or public order should be so framed as not to differentiate between the sexes. We do realize that the power of legislation is very limited, and that we cannot hope to enforce high ideals of morality on individuals by means of legislation. It can come only through education, early training and through good social customs ; but it is absolutely necessary to get rid of unjust, partial, oppressive and impure laws. All those laws which conduce to the pleasures of men, but do not to the happiness of women are unjust and unreasonable. It is impossible to clear our cities of prostitutes until men and women are treated alike in matters of sex morality. Without male chastity female chastity is not possible. Much wrong has been done by the old notions, that only women can be chaste and men cannot be chaste. The Hindu conception of morality was very high at one time. No doubt at the present moment we have fallen away from our ancient ideals. The stories of Rishi Viswamitra and Indra, the king of the Devas, who were punished for their misdeeds are illustrations of this fact. So India once famed for its high spirituality and sex morality, in this period of national regeneration and national revival should bring back all that was best in the past. I really cannot see why we should not accept the proposed definition which will be acceptable to all just and right-thinking men and women all over the world. As there is nothing in the definition that is in this Bill to show that it applies to men also, it is liable to be misinterpreted by the authorities whom we are now empowering by this legislation to punish the victims. Let us therefore accept this amendment. If the House does not agree to the amendment, let it delete the harmful clause altogether."

The amendment was put to vote and negatived.

* Mr. F. E. JAMES :—" In view of the difficulty that has been suggested by the Commissioner of Police, I beg to move that—

' In clause 4 (e) the following words be omitted : ' and a ' prostitute ' means a woman who offers her body to promiscuous sexual intercourse for hire '."

" As the Commissioner of Police stated, there are no penal clauses relating to prostitutes *per se*. Prostitute is only mentioned in the Bill in two or three clauses where it is used in a descriptive sense, and where the place of business

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of a prostitute is defined, that is in clauses 6, 9 and 10. I suggest that when place of business of a prostitute is mentioned 'prostitution' could very well be substituted. The amendment is objectionable because while the definition of 'prostitution' refers to the action the definition of 'prostitute' makes a differentiation between men and women, and excludes male prostitutes from its purview. I quite agree with the hon. the Deputy President that the law should not operate in connexion with the action of one particular sex alone. I suggest as a solution to this difficulty that the definition of the word 'prostitute' should be deleted and consequential changes should also be made, viz., that wherever the word 'prostitute' occurs in the Bill, the word 'prostitution' should be substituted. I feel confident that he hon. the Mover of the Bill will accept this amendment."

The amendment was duly seconded.

* Mr. K. R. VENKATARAMA AYYAR :—" Sir, the purpose of this Bill will also stand unaffected by the omission of the definition of the word 'prostitute.' But if Mr. James' proposal is accepted, the only consequential amendment that will have to be made is to change the words 'business of a prostitute' wherever they occur in the Bill into 'business of prostitution'. If that is also agreed to, as a consequential amendment, I accept his amendment."

* The hon. the PRESIDENT :—" I cannot take any conditional voting."

Mr. F. E. JAMES :—" I propose to move a consequential amendment later."

* The hon. the PRESIDENT :—" I cannot give any undertaking."

"The question is that in sub-clause (e) of clause 4 the words—

'and a "prostitute" means a woman who offers her body to promiscuous sexual intercourse for hire be omitted.'"

The motion was adopted.

Clause 4, as amended, was put, passed and added to the Bill.

Clause 5.

* Mr. A. RANGANATHA MUDALIYAR :—" I beg to move that—

'In clause 5 after the word "brothel" wherever it occurs, insert the words "and a place of assignation".'

"I would only say this: a person in charge of a place of assignation makes money by permitting it to be used for the purpose of prostitution but such a house may not be actually used for that purpose. Prostitution may not come under the word brothel as defined in the Bill. It seems therefore desirable that places of assignation also should be brought under the purview of this Bill."

* Mr. RAMANATH GOENKA :—" I second it."

* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB BAHADUR :—" I would stick up to what has been done in the Select Committee. I think it is not necessary at all to accept this amendment."

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* Mr. K. R. VENKATARAMA AYYAR :—" It might become a question of some nicety and difficulty exactly to interpret the words 'place of assignation.' Difficulties might arise in the actual working of the Act. The safer course would be to leave the section as it is, and after gaining experience we may introduce such an amendment in the light of the experience gained."

The amendment was by leave withdrawn.

* Mr. K. R. VENKATARAMA AYYAR :—" I move for a slight readjustment with reference to section 5. It is better that I explain the purpose in order that the amendment may be more readily understood. As section 5 now stands, there are clauses (a), (b) and (c) clubbed together under sub-section (i) and the same punishment is provided in the end for all these three categories of cases. One is the main offence which refers to 'Any person who keeps or manages or acts or assists in the management of a brothel', that is the brothel keeper himself. The other is the tenant, the lessee, or occupier of the premises permitting the premises to be used as a brothel. Another is the lessor or the landlord or his agent who lets the premises to any person convicted under clause (a) or clause (b) above with the knowledge that such premises or some part thereof are or is to be used as a brothel. I think these three categories of individuals differ in the enormity of the offence to be imputable to them. The keeping of a brothel in this Bill which is the main offence stands equal in severity and seriousness to some other offences in the later sections of this Bill, viz., 9, 10 and 11 which refer to importing, procuring, detaining, etc., of prostitutes. These sections provide for punishments of two years and a fine of Rs. 1,000 or both. Now the punishment of three months imprisonment or a fine of Rs. 500 is comparatively light for the offence of brothel keeping which is no less serious than the offence referred to in sections 9, 10 and 11. What I propose to do is to separate clause (a), sub-section (i) by making it as sub-section (i) of clause 5 and to provide for the offence under the first category the distinct punishment of two years and a fine of Rs. 1,000 or both. Then I propose to sever clauses (b) and (c) and put them as clauses (a) and (b) of sub-section 2 leaving the punishment provided unaffected. That is the object of the amendment I have notified."

"Sir, I move the following amendment :—

'Substitute the following for clause 5 :—

" 5. (1) Any person who keeps or manages or acts or assists in the management of a brothel shall be punished with imprisonment which may extend to two years or with fine which may extend to one thousand rupees or with both."

(2) Any person who

(a) being the tenant, lessee, occupier, or person in charge of any premises, knowingly permits such premises or any part thereof to be used as a brothel; or

(b) being the lessor or landlord of any premises, or the agent of such lessor or landlord, lets the same, or any part thereof, to any person convicted under sub-section (1) or clause (a) of this sub-section, with the knowledge that such premises, or some part thereof, are or is to be used as a brothel, or is wilfully a party to the use of such premises, or any part thereof, as a brothel;

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shall be punished with imprisonment which may extend to three months or with fine which may extend to five hundred rupees or with both.

(3) *Notwithstanding anything contained in any other law for the time being in force, the owner or lessor of any house, room or place, in respect of which the lessee, tenant, or occupier thereof has been convicted under clause (a) of sub-section (2) shall be entitled forthwith to determine such lease, tenancy or occupation."*

"This amendment, if accepted, will effect the purpose which I have already commended for the acceptance of the House."

Mr. CHAVADAI K. SUBRAHMANYA PILLAI :—"I second it."

* The hon. the PRESIDENT :—"Mr. Ranganatha Mudaliyar has given notice of an amendment for increasing the punishment."

* Mr. A. RANGANATHA MUDALIYAR :—"If this motion is carried, I do not propose to move it."

* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—"Sir, I have no objection to accept the amendment."

The amendment of Mr. K. R. Venkatarama Ayyar was put and adopted. Clause 5 as amended was then put, passed and added to the Bill.

Clause 6.

* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—"Sir, I move the following amendment :—

'For the figures "18" wherever they occur substitute the figures "16" and for the figures "21" substitute the figures "18".'

"When the Select Committee put in the age 18 and 21 in this section, they recommended that rescue homes should be provided for by the Government. As His Excellency the Governor has not given his consent to this provision, these rescue homes have to be provided for by public philanthropy. If girls below the age of 18 have to be sent to rescue homes to be detained till they reach the age of 21 we will be straining public philanthropy too much as a larger number of girls will have to be provided for. The result will be that magistrates will not be able to give full effect to this provision. I am therefore proposing that the age-limits should be 16 and 18 as the number of girls to be dealt with will be very much less in this case."

Mr. CHAVADI K. SUBRAHMANYA PILLAI :—"I second the amendment."

* Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—"Sir, I oppose this amendment proposed by the hon. the Home Member. It is a very serious matter that girls even under the age of 21 should be procured and kept inside brothels. Those who have heard of brothel life will sympathize with my views. We know that even girls of the age of 16 to 18 are not able to decide what is good for them. Public opinion is very much in favour of my view. All the witnesses who appeared before the Select Committee were for raising the age to 21. They were against going below the age of 21. The Age of Consent Committee also, which toured throughout the Presidency, has made this recommendation. They were of opinion that girls of the age of 16 are not in a position to decide what is good for themselves. Moreover, our girls are

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brought up in seclusion; they possess little education and if they happen to be taken to a brothel, they undergo tortures there, and they do not know how to escape from them. They are the victims of brothel-keepers. This is a question, Sir, concerning the sacred rights of children and the rights of humanity. The other day we read the case of a tender girl. She was between 16 and 18 years of age. She was led away to a brothel life; she had not known that life before; she did not know what was going to become of her; she was there for 15 days; one day when the brothel-keeper was away, she ran out and reported the matter to a police sub-inspector. In such cases, should we help the girl or not? Are we to tell such girls that we cannot protect them? The State has to do its duty to these children; the public also owe a duty to these minor girls. For my part, I do not mind if these girls are looked after by Christian missionaries if the Hindu public do not come forward to give protection to girls below the age of 18. The civilised world has fixed by legislation that girls up to the age of 21 should be given protection. Even according to the Criminal Amendment Act of 1885 of England, any girl under the age of 21 should not be allowed to be in a brothel. The League of Nations also has decided on this age-limit. Brothel life is not a life which any human being would long for. This life is forced upon these young girls. Therefore I am for going beyond the age 18 and fixing 21. We have got reformatory schools for boys of the ages of 18 and 21. Boys between these ages can take care of themselves much better than girls of the same age. Girls who have nobody to look after them do not know where to go. If such girls are kept in brothels, they are subjected to a most terrible life; no human being would like to live such a life. Are we to tell these girls that we could not protect them? These are some of the questions which I would like the hon. Members of this House should answer. If the Hindu public do not come forward to help them, I would certainly put them in Christian homes. We have two such homes in Madras, namely, the Good Shephard Convent and the Salvation Army Home. Christian missions have spent large sums of money on our education, on medical relief, etc. Moral disease is more harmful than physical disease. Soul is more precious than the body. I would rather like that such girls are accommodated in Christian homes than to live in brothels undergoing physical and moral torture."

* Mr. K. R. VENKATARAMA AYYAR :—"Sir, I do not think the Government need stress this amendment very much. Even under the Indian Penal Code, section 372, this age-limit of 18 years has been fixed. This provision says that no female under the age of 18 should be sold for the purpose of prostitution. There is another point which may help the Government, if not to withdraw the amendment, at least not to stress it. It is this: even under the provision that we are considering it is not incumbent upon the Magistrate to pass orders for the retention of all these girls in rescue homes until they attain 21 years of age. The practical difficulty which I think the hon. Home Member has in mind is the difficulty of finding adequate rescue homes all over the Presidency for the number of inmates who may be required to be received in those homes in case we do not put the limit he proposes. It will be open to Magistrates to consider in each case whether any rescue homes are available. This is a piece of social legislation which the public is very anxious to have passed. They will realize their responsibilities and bring into existence and maintain sufficient number of rescue homes. If space is not available in these rescue homes whenever wanted, the public is

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responsible for this unsatisfactory state of affairs and the Magistrate will take note of the inadequacy of space. In the light of these considerations, I think the Government need not stress this amendment."

* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—"Sir, I withdraw the amendment."

The amendment was, by leave, withdrawn.

* Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—"Sir, I have given notice of an amendment. My name was not called."

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* The hon. the PRESIDENT :—"The hon. Member should be more alert. It is the duty of hon. Members to move their motions in time. It is not the duty of the President to call the Members."

"The hon. Member will have to wait. She will have to move that amendment after clause (6) is disposed of."

* Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—"I beg your pardon, Sir. I move that—"

'In line 10 of sub-clause (i) of clause 6, after the word "enter" the words "with a woman officer appointed for that purpose by the Government" be added.'

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—"May I rise to a point of order, Sir? I should like to know whether His Excellency's sanction has been obtained under section 80-C of the Government of India Act."

* The hon. the PRESIDENT :—"Has the hon. Member referred the matter to His Excellency?"

* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—"No, Sir; I think the hon. the Mover ought to have done it."

* The hon. the PRESIDENT :—"The final authority in matters like this is His Excellency. If the hon. Member felt a doubt on this matter and if he had brought it to my notice, I would have referred it to His Excellency."

* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—"I thought the hon. Mover would have done it, Sir."

* The hon. the PRESIDENT :—"But as a matter of fact, in such cases, all these matters go through the concerned departments."

* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—"The hon. Member did not ask the department concerned to obtain the sanction of His Excellency the Governor."

* The hon. the PRESIDENT :—"Does the hon. Member consider that this requires the sanction of His Excellency?"

* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—"A number of women officers will, according to this provision, have to be appointed throughout the Presidency. It imposes a charge on the revenues of the province."

* The hon. the PRESIDENT :—"Does the provision make it obligatory on the part of the Government to appoint women officers? It only means that when a woman officer is appointed by the Government, she has to be present at the time of enquiry or investigation."

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* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—"Under clause 6, a police officer specially authorized may enter into a brothel; if this amendment is passed, it would mean that he cannot enter into it without a woman officer appointed by the Government. In other words, the Government must appoint a woman officer, if this amendment is passed and if the section is to be worked."

* The hon. the PRESIDENT :—"It does not make it obligatory on the part of the Government to appoint a woman officer; it only means that no police officer can enter a brothel without a woman officer by his side. And if the Government want to make this section operative, it only means that an officer has to be appointed."

* Mr. K. R. VENKATARAMA AYYAR :—"On the question of the point of order, Sir, as the matter now stands, I am certainly of the view that the proposed amendment does not in terms make it obligatory on the part of the Government to appoint women officers. But it does follow that if the amendment is accepted, the existing section would be frustrated, because it would defeat what we are enacting, viz., that the police officer should be in a position to go and rescue. If the amendment is accepted, it would mean that he will not be in a position to do so."

* The hon. the PRESIDENT :—"Whether the section should be made operative or not is not the concern of the Council. My concern is only to see whether it requires His Excellency's sanction or not. As you are in charge of the subject, I think it is you who should ask Mrs. Muthulakshmi Reddi not to move it."

* Mr. K. R. VENKATARAMA AYYAR :—"So far as the technical aspect whether the sanction of His Excellency would be required or not and whether the absence of such sanction would be an impediment to the moving of such an amendment is concerned, it is a difficult question to answer. It might possibly be stated, just as you suggested just now, Sir, that it only makes it obligatory on the Government, when they choose to appoint an officer. It does not necessarily mean a charge upon the public revenues; it may be put that way."

* Mr. S. ARPUDASWAMI UDAYAR :—"Mr. President, I think I may answer this point of order raised by the hon. the Home Member. This woman officer need not necessarily be a kind of police officer; she may be a lady apothecary or a lady sub-assistant surgeon or she may even be an honorary social worker."

* The hon. the PRESIDENT :—"Then why should you not introduce the amendment like this: 'with an honorary woman officer appointed by the Government'? But it is the word 'officer' that gives trouble."

* Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—"I shall drop the word 'officer' and substitute 'honorary woman worker'."

* The hon. the PRESIDENT :—"In order to get over the difficulty, I think that is better. It is not easy to give a ruling without due consultation with the proper advisers in the matter."

"Dr. (Mrs.) S. Muthulakshmi Reddi will be permitted to move her amendment in these terms:

'With an honorary woman officer appointed for that purpose by the Government.'"

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* Dr. (Mrs.) S. MUTHULAKSHMI REDDI:—"Sir, in moving that amendment, my point is, as the staff of the police will be increased to carry out the provisions of this Bill, there should be also a number of women social purity workers on that staff. Indeed necessarily we will need a medical woman because the age of the girls in the brothels will have to be ascertained and an examination of their person will have to be made. In the western countries, to assist the Commissioner of Police in the investigation of the brothels and also in the examination of the inmates, there is a woman police surgeon. That is what I want to gain by this amendment. If this amendment is accepted, not only the work of the police will be very much facilitated, but we will also be respecting the sentiments of those women in the brothels, because however degraded they may be, still, they have got, as human beings, a certain amount of self-respect; hence they are likely to take objection to being examined by men-officers."

Mr. A. RANGANATHA MUDALIYAR:—"I second it, Sir."

* Mr. K. R. VENKATARAMA AYYAR:—"Sir, while I agree with Dr. Muthulakshmi Reddi in the desirability of associating women social workers in such matters, I think the introduction of such an amendment would make the Act highly unworkable and would render it difficult of actual operation. I think that if it is said that in every case a Police Inspector or police officer goes to rescue, he will have jurisdiction to go there only in case he finds ready to take with him an honorary woman officer or worker, it will practically be to nullify this section; and it would come to this: that whenever there is no such honorary worker available, the purpose of the section itself will go. I would therefore request the mover of the amendment to withdraw it."

* Dr. (Mrs.) S. MUTHULAKSHMI REDDI:—"Sir, I shall withdraw the amendment, with the permission of the House."

The amendment was, by leave, withdrawn.

Mr. F. E. JAMES:—"Mr. President, I move—

'that in clause 6 (1), for the words "business of a prostitute" the words "business of prostitution" be substituted.'"

Mr. H. F. P. HEARSON:—"I second it."

The amendment was put and adopted.

* The hon. the PRESIDENT:—"The question is that clause 6, as amended, shall stand part of the Bill."

Clause 6 as amended was passed and added to the Bill.

New clause after clause 6.

* Dr. (Mrs.) S. MUTHULAKSHMI REDDI:—"Sir, I beg to move—

'that a new clause be inserted as follows, after clause 6, and the succeeding clauses be re-numbered:—

"7. Whoever knowingly lives wholly or in part on the earnings of a prostitute and exercises control, direction or influence over her movements in such manner as to show that he or she is aiding, abetting or compelling her prostitution shall be punished with imprisonment which may extend to two years or with fine which may extend to one thousand rupees, or with both."

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"Sir, my submission is this: even though we penalise brothel keeping, unless we penalise the commercialized vice also, wherever it exists, the person who makes a living out of the earnings of prostitution will be left unaffected. Our object is to bring under legislation all those procurers and all those who not only live on the earnings of a prostitute but also exercise control, direction or influence her movements. Of late, many glaring instances have come to the notice of the police and also to the attention of the social workers that young girls by their own relations were made to lead a life of immorality. They were actually forced; and lately there was a case where the aunt of the girl made her lead that life. The girl herself did not like that life because any normal human being has a natural abhorrence for such a life. So, the girl ran to the police station herself and reported the matter. The aunt still claims the girl because she says that the girl is a minor. The case is now before the criminal section of the police department. The girl was brought to our Home, and so I came to know all about it. There was another case where the father himself was responsible for the girl going astray. They should not only be looked upon as criminals but the person, he or she, who wants to make a livelihood out of it, who wants to lead a luxurious life out of the earnings of another who is selling her body, certainly he or she must be less than human. Such a person cannot be treated as a member of any civilized society or a citizen of the State, and cannot claim the rights of citizenship. Such a person ought to be looked down upon as a criminal, even as thieves and murderers. Another case also came to us, where the father himself, quite against the wishes of the girl, made her lead such a life. Later, the case went up to the court and the court decided she was a major and the girl was allowed to have her own way. Many girls have come to our Home for help saying that their own relations in the house use them for the purpose of money-making and drive them to lead that life. The law should surely give help to such women who really crave for a better life, who, on account of mere helplessness, are forced to lead such a life. That is why, Sir, I want this amendment to be introduced. This forms the central feature of the whole Bill. Brothel-keeping might change shape and take another form, if this is not introduced. The brothel-keeper may get hold of one woman, control her movements and influence her to lead such a life. I have already stated in my note:

'The essential ingredients of an offence of this class are (1) intimate association for gain, (2) direction or control over the prostitute's movements, and (3) abetment of prostitution. Where these conditions are satisfied, there cannot be any reasonable objection to provide for the punishment of this class of offenders.'

"This clause is not after all worded in a more severe form than the Acts which exist in Calcutta, Burma and Bombay. I do not see any reason why Madras should lag behind in this very important legislation. Madras is supposed to be the most advanced in education in the whole of India and also in the matter of the social and political emancipation of women. Then, why should we not have a clause like the one in the other Provinces of Bombay, Calcutta, Ceylon and Burma? Moreover, Sir, the question of punishing a third party for encouraging this crime was considered by the League of Nations, and they have also come to the decision that such a provision should find a place in all legislation which is intended to suppress commercialized vice. With these words, Sir, I move this amendment."

Mr. A. RANGANATHA MUDALIYAR:—"I second it."

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* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" Sir, I have to oppose this amendment. I have considered this very carefully and I think it will lead to many practical difficulties and hardships, especially in a province like ours where there is the institution of Devadasis. On account of this, I regret I have to oppose this amendment."

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* Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—" Sir, as the hon. the Home Member has introduced the question of the Devadasis, I would like to answer that point only. The question of the dedication of Devadasis to temples has been engaging the attention of the whole of India for the last 60 years and there has been legislation in the past also to put down this evil. This same Council accepted a resolution asking this Government—and the Central Government—to undertake legislation to abolish dedication of women to Hindu temples. A Bill has also been accepted to amend the Madras Hindu Religious Endowments Act, in order to do away with the Devadasi institution in temples, the object being that there should be no association of immorality with temple worship. We know there are prostitutes among the Devadasis. The Devadasis may call themselves respectable. Of course, I would not blame them, because they imagine that religion sanctions such a conduct on their part and the age-long custom is behind them. Now, we have the Sarada Act for penalising early marriages. Marriage is certainly a practice that has been recognized by all the civilized nations as a very noble social convention and when we work for putting down early marriages, and the evils of early consummation and early-wifedom, why not Government support a legislation that is intended to eradicate a custom that encourages immorality. It is only in this Presidency that Devadasi practice is widely prevalent, not so much in Bombay and there is nothing of that kind in Calcutta; and recently in the United Provinces, they have passed an Act, called the Protection of Naik Girls Act. That Act goes even deeper. It authorizes the Magistrates in the districts to punish those families and guardians or parents who bring up girls to lead a life of prostitution and thus they have struck at the very root of the evil. I am told, there are hereditary prostitutes. If I may explain the Devadasi class would have become extinct long ago if they had not been allowed to adopt children. What they do is, they take hold of unclaimed children or sometimes they purchase beautiful children at heavy prices. When we know that prostitution is an evil, are we to tolerate such a practice and allow these children to carry on their hereditary evil trade? These children are trained even from their infancy to lead such a life. All children are innocent and they can be moulded into any form we like. How could the enlightened and educated members of our society posing themselves as belonging to a civilized race tolerate a known evil that is going on in the guise of custom and religion? Are we to be a party to the exploitation of the rights of children? It is outraging humanity itself. So, Sir, in the name of justice and in the name of humanity, I would ask the hon. the Home Member not to raise this point which has been discussed in many Councils and in the Assembly and the principle of which has been accepted. Moreover, a resolution to put down dedication has been accepted even by this very Council and a law has been passed. I would therefore request the hon. the Home Member not to obstruct social reform and social progress. Sir, this is a very important amendment which would strike at the very root of the evil and rid the Presidency of this most ancient social vice."

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* Mr. R. NAGAN GOWDA :—" Mr. President, Sir, the hon. the Home Member speaking on this point stated that since we have a community called Devadasis in this country, it would be very difficult for the introduction of a provision which would penalize any individual or individuals who knowingly or unknowingly lives on the earnings of a prostitute. Sir, I will only say, in this connexion, that all over this Presidency, the Devadasis, especially the Kalavanthalas have been carrying on the propaganda in their own community, by which they could reduce this system of prostitution or the dedication of girls to this life of prostitution and thereby decrease prostitution in the country. It has been stated that this provision ought not to be introduced, because there are women attached to the temples and who are recognized as prostitutes. Sir, if this clause is not introduced, I do not see what other provision there is in this Bill to prevent this evil. So, it becomes a Bill without any power whatsoever. I think the worst offenders in this business of prostitution are not young girls or women, but grown-up men and women who are keeping these people under their control and using them for their own purposes of living. I therefore very strongly support this amendment."

The Council then adjourned to re-assemble at 3 o'clock.

After Lunch (3 p.m.).

The hon. the PRESIDENT :—" The Council will now resume discussion on the amendment of Dr. (Mrs.) S. Muthulakshmi Reddi."

* Mr. F. E. JAMES :—" Sir, I rise to support this amendment and in doing so I wish to say a few words. It seems to me that the purpose of this amendment is to bring into the clutches of law the person who is behind the scenes. Now in the Bill, as it stands at present, there is no provision to bring to book such a person. The person who is behind the scene is a different person from the procurator, who is directly connected with procuring girls to run the brothels. The person who is behind the procurer is the person who is financing him, and he is the person to a large extent who is responsible for immoral traffic. An important Bill like this while dealing with this type of person, would therefore be incomplete, if the person who is at the bottom of the whole business is not brought within the scope of the Bill. This important omission was pointed out by the *Madras Mail* a short time ago in one of its leading articles. It said that this Bill omitted to deal with a class of persons who really finance this traffic. And I believe the *Madras Mail* referred to what is happening in regard to this matter, in connexion with the activities of a Committee of the League of Nations, in which India is also represented, dealing with traffic in women and girls. That Committee reported only a short time ago and has sent a circular to all the members of the League to improve and ensure legislation for effectively bringing the 'Souteneurs' to justice. That is one of their important recommendations and they proceed to say that legislation should be of such a nature that powers should be granted for the prompt arrest of such persons and of penalties suitable to their dangerous national and international activities."

" Now, Sir, these souteneurs are the people who are really responsible for this traffic which goes on, not merely in Madras but also in other provinces; for these are the people who recruit from other provinces also. They are not merely the people, behind the scene in Madras, but they finance others

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who recruit for brothels, in Calcutta, in Burma, nay in almost all the other provinces; Similarly for brothels in those places there are agents in this place. Now in the Bill as it emerges from the Select Committee there is no provision to deal with these persons, and till I am convinced that this amendment is not necessary I am bound to support it. I trust the House will see that the door is closed and barred against the activities of what, after all, is the most despicable class of persons in existence."

* Mr. C. B. CUNNINGHAM:—"Mr. President, Sir, the hon. the Home Member has made quite clear, I think, that Government's opposition to this amendment is not due to lack of sympathy but to very serious practical difficulties, which are anticipated, in giving effect to this law. This amendment is of the nature of direct legislation against people who are behind the scenes. And I think all legislation of this kind in other presidencies, so far as I know, has not only been unsuccessful but has had effects in other directions than those contemplated. In this case you will notice from the wording of the clause that there can be no question of direct proof of the offence created. And that all the elements of charges under this proposed law would have to be decided by presumption and not on direct evidence. They are all elements relating to intimate aspects of peoples' lives which respectable people would not care to have exposed in the glare of publicity. On the other hand there might be many disposed to expose their neighbours' private affairs in Police enquiries. On this ground I suggest that this amendment if passed might be a weapon in the hands of unscrupulous people to be used against their enemies. In the second place it is most unlikely, I think, that the police could get in these cases direct evidence, and consequently they would have to be decided on circumstantial evidence; I am sure that it would not often be possible for the prosecution to carry through to proof in a court of law cases of this sort. That is to say there would not generally be enough material for the police to launch prosecutions with reasonable prospects of success. The police could have no pride in handling a law which offers no prospect of success. And hence, if you give the police the power to enquire, then the tendency of such a law might be to drive the police in an undesirable direction. From my experience of weak provisions of law of this kind, I have observed that their effect is frequently the reverse of what they aim at. For these reasons I oppose the motion."

* Rao Bahadur C. NATESA MUDALIYAR:—"Sir, I move that the following proviso be added to the amendment of Mrs. Muthulakshmi Reddi:—

'Provided that nothing in this Act shall apply to the families of hereditary Devadasis now in existence.'

"Sir, there has come into existence a caste named Devadasis. However much we would like that it has not come into existence, yet it has come into existence, and we have to regard it as a caste till it is wiped out by the exertions that Dr. Muthulakshmi Reddi is making now. They are there, and they lead a respectable life. They take to a man for life and if he dies they observe widowhood; and sometimes they are more faithful than some of the married wives themselves. (Laughter.)

"There are about 3,000 such families in Madras and about 50,000 families in the whole Presidency. These families bring up their male children well,

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give them education; and of them we have known people keeping respectable positions in Government service. Unless my amendment is accepted the clause may affect these people, however much assurance the hon. Member Mr. Venkatarama Ayyar may give that this Bill will not include them, and so I commend my amendment to the acceptance of the House."

* Rao Bahadur Sir A. P. PATRO:—"May I make a speech?"

* The hon. the PRESIDENT:—"Certainly." (Laughter.)

* Rao Bahadur Sir A. P. PATRO:—"Mr. President, I rise to second the motion of hon. Member Dr. Natesa Mudaliyar. (Laughter.) Sir, he has shown clearly how if his clause is not adopted the Bill will affect the Devadasis. We also listened to Mr. James, who said that the amendment of Mrs. Muthulakshmi Reddi is an essential one, and in support of his argument he cited the resolution passed at the League of Nations.

"It is dangerous to draw analogies from conditions existing in other countries and say that we must adopt those conditions here (A voice: Bombay). Bombay may have certain conditions which are specially peculiar because Bombay is a city like some of the western cities on the continent. Bombay consists of all classes of people who come from Punjab, Bengal, Madras, Goa, China—all the scum of people are there in the slums of Bombay City. In Calcutta also there are similar classes of people. The conditions in Madras are quite different from the social conditions in Bombay or Calcutta. The only argument which Mr. James has advanced in support of the amendment does not apply to Madras because the evil which he mentions is not in existence here. If there were such evil practices in Madras, we must provide necessary relief but such conditions not being in existence it is futile to legislate for them. Therefore, let us not draw analogies which are entirely different. You find in Bombay the Grant Road or in Calcutta the Lower Chitpur Road in unwholesome circumstances. All these places are inhabited by people whom you would abhor. To draw analogies from those conditions is to betray ignorance of social conditions in Madras. We are better and healthier than those in Bombay or in Calcutta—I would not refer to other European cities. Why on earth do you delude yourself with the belief that your country is worse than it actually is. The great danger of the social reformers—I mean the extreme type of social reformers—is that they want to take our society from the present conditions and leave it in the mid air. That is not a thing which any reasonable and moderate man would agree to. While we are prepared to combat social evils and immoral traffic, certainly we cannot yield to this appeal or sentiment that every social irregularity must be put down by legislation. It is only by creating public opinion, by trying to lead exemplary lives that the purer social atmosphere would prevail. Could you stop drink by legislation? If you could stop drink by legislation, by all means do it. America has taken eighty years to put down drink by legislation; yet you find the evil in great force. History will be repeating itself. Therefore, Sir, there is no use of being an extremist in any matter. There is no use laying down law for the entire life of this nation, but let us go step by step. Then one difficulty arises with the amendment of Dr. (Mrs.) Muthulakshmi Reddi. The difficulty is what about those family-like lives of what are called the dancing girls? They are women leading pure and honest

3-15
p.m.

[Sir A. P. Patro]

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lives. They may be under the protection of one man only, but they are not the class of people which Dr. (Mrs.) Muthulakshmi or Mr. James have in mind. Why do you disturb the social conditions of those people? You might see bad men and women in society, but why do you condemn the whole class of womenhood? There are some who are pure and lead religious lives. Some of them read Baghavatgita, some read Ramayana and some Mahabharatha (laughter) and yet you say all that class of people should be condemned because a few bad examples were seen here and there. Dr. (Mrs.) Muthulakshmi Reddi pointed out that she saw a handsome girl under the protection of a particular individual and the father was trying to live by blackmailing the girl. The law is already there to protect such cases, report such things to the police and he will be punished. Therefore, Sir, I am opposed to any extreme measure of legislation. As pointed out by the experienced and able official, Mr. Cunningham, it will be very difficult to administer this section in practical life. The social conditions here are quite different from those prevailing in other countries. We have not got a conglomeration of people who have come from other countries with no living, no property, no career. Why do you imagine such a state of affairs where there is none?"

* Mr. P. Siva Rao:—"I am in entire sympathy with the amendment now under discussion, but, Sir, it is my duty to oppose it as it is full of practical difficulties. I may be permitted to read, Sir, for a moment a sentence or two from the dissenting minute of the hon. Mover of this amendment. While dealing with this question, the hon. the Mover said: 'The only caution that must be observed is to exclude from the purview of the Bill the class of persons who have to reside with prostitutes on account of relationship, but do not abet the prostitution or control the movements of the prostitute. Now, Sir, that is the precaution which according to the hon. Mover should be provided for in dealing with this particular matter. Now, Sir, I may again be permitted to quote from the dissenting minute of Mr. James. He stated: 'It ought to be possible to penalise the souteneur without in any way interfering with those who are the legitimate dependents of prostitutes.' I ask them this simple question. In what way have they safeguarded the interests of the dependent relations of these prostitutes, the parent of the girl or the woman or any of the dependents who are the parasites on the earnings of these prostitutes? When the matter of the definition of 'Prostitute' was under discussion it was given out that the Bill did not aim at penalising the prostitutes in particular and all that it aimed at was to check 'commercialised vice'. It was also stated, Sir, that it would not interfere with the customary usages of devadasis or the dancing girls who exercised this traditional profession from time immemorial. It was also pointed out that the word 'prostitute' occurred in only one clause of the present Bill. Now, we are inserting the same word, without attempting to define it, in another portion. Now, Sir, I entirely agree with the hon. Member Mr. Cunningham that it is very difficult to prove that she or he is abetting prostitution, and I may also add, it will be extremely difficult to defend such cases. It would require any amount of espionage and undue supervision and surveillance on the part of the police. It will lead to more evil than good and will be more liable to abuse in the hands of the subordinate police officers. To say that a prostitute can exercise the profession without entering

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into a brothel and at the same time to say that people who are dependent on her and are residing with her should be punished, is a contradiction in terms. Aged mother and father of a girl can easily be brought under this section. As for Mr. James' reference to the 'souteneurs' as a dangerous class of persons who recruit people at various places, that state of things is provided for under clause 9. My only advice is, let us not be hasty in legislating on matters which, after all, should be left to one's own self-effort."

Mr. A. RANGANATHA MUDALIYAR:—"I move that the question may now be put."

The hon. the PRESIDENT:—"The question is that the question be now put."

The motion was declared carried.

Dr. (Mrs.) Muthulakshmi Reddi demanded a poll and the House divided thus:—

Ayes.

- | | | |
|---|--|-----------|
| 1. The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur. | 21. Rao Sahib V. I. Muniswami Pillai. | 3-30 p.m. |
| 2. " Diwan Bahadur Sir M. Krishnan Nayar. | 22. Mr. S. Subrahmanya Moopanar. | |
| 3. " Mr. A. Y. G. Campbell. | 23. " S. V. Vanavudaya Goundar. | |
| 4. " Mr. M. R. Seturatnam Ayyar. | 24. " S. Venkiah. | |
| 5. " Mr. S. Muthiah Mudaliyar. | 25. " C. B. Cunningham. | |
| 6. Mr. Hilton Brown. | 26. Diwan Bahadur B. Muniswami Nayudu. | |
| 7. " H. A. Watson. | 27. Rao Bahadur Sir A. P. Patro. | |
| 8. " A. G. Leach. | 28. " C. Natesa Mudaliyar. | |
| 9. " S. V. Ramamurti. | 29. Mr. A. Ranganatha Mudaliyar. | |
| 10. " C. B. Cotterell. | 30. Diwan Bahadur R. N. Arogyaswami Mudaliyar. | |
| 11. " V. Ch. John. | 31. Mr. P. T. Rajan. | |
| 12. " M. A. Manikkavelu Nayakar. | 32. Rao Bahadur S. Ellappa Chettiyar. | |
| 13. Rao Sahib E. Srinivasan. | 33. Mr. Ramanath Goenka. | |
| 14. Mr. J. Bheemayya. | 34. " R. Nagan Gowda. | |
| 15. " J. A. Davis. | 35. " K. R. Venkatarama Ayyar. | |
| 16. Rao Sahib F. J. Gnanavaram Pillai. | 36. " Chavadi K. Subramaniam Pillai. | |
| 17. The Muppi Nayar of Kavalappara. | 37. " P. Siva Rao. | |
| 18. Zamindar of Singampatti. | 38. " S. N. Dorai Raja. | |
| 19. Mr. J. Kuppuswami. | 39. Swami A. S. Sahajanandam. | |
| 20. Subadar-Major S. A. Nanjappa Bahadur. | 40. Mr. V. Ramjee Rao. | |
| | 41. " J. Gray. | |

Noes.

- | | |
|---|--|
| 1. Dr. (Mrs.) Muthulakshmi Reddi. | 6. Rao Bahadur C. S. Ratnasibhupati Mudaliyar. |
| 2. Mr. A. B. Shetty. | 7. Mr. J. A. Saldanha. |
| 3. Khan Bahadur S. K. Abdul Razaek Sahib Bahadur. | 8. " K. Uppi Sahib. |
| 4. Mr. K. Sarabha Reddi. | 9. " S. Arpudaswami Udayar. |
| 5. " A. V. Bhanoji Rao. | |

Ayes 41. Noes 9.

The motion was adopted.

The amendment to the amendment of Dr. (Mrs.) Muthulakshmi Reddi was then put and negatived.

The discussion then proceeded on Dr. (Mrs.) Muthulakshmi Reddi's amendment.

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Diwan Bahadur B. MUNISWAMI NAYUDU :—"Mr. President, Sir, the amendment is intended to bring the Bill into line with similar enactments in other provinces. But when we look into the Bills of the other provinces, we find that there are two distinct cases made out, i.e., living on the earnings of prostitution and when a person should be deemed to be living on the earnings of a prostitute. The punishment is provided in the case of male persons. The amendment as now brought by Mrs. Muthulakshmi Reddi is 'whoever knowingly lives, etc.' As it is it may apply to the mother, sister or whoever may live. That would be rather a hard case because when a mother lives with her daughter for that reason she should be punished. It is evident that with that object, the amendment proposes also to tack on the words 'exercised control, direction or influence over the movements of a prostitute in such a manner as to show that he is aiding, abetting or compelling her prostitution with any other person or generally, it shall be presumed until the contrary is proved, that he is knowingly living on the earnings of prostitution'. We find that in the Burma Act, it is treated as a piece of evidence. Clause 7 of Act II of the Burma Act of 1921 says :—

'7. (1) Any person who knowingly lives, wholly or in part, on the earnings of prostitution shall be punished with imprisonment which may extend to two years, or with fine which may extend to one thousand rupees, or with whipping, or with any two of these punishments.

(2) Where a male person is proved to be living with or to be habitually in the company of a prostitute, or is proved to have exercised control, direction or influence over the movements of a prostitute in such a manner, as to show that he is aiding, abetting or compelling her prostitution with any other person or generally, it shall be presumed, until the contrary is proved, that he is knowingly living on the earnings of prostitution'

"So that, Sir, the Burma Act seems to contemplate the living on the earnings of prostitution by a male is an offence and provided also that one of the objects of such living should be presumed to be aiding, abetting, etc. I think, Sir, if the amendment is brought into line with the Burma Act, it may be accepted. But, as it is, it makes punishable not merely the male person who lives upon the earnings but also the female dependents. If you would permit me, I shall move an amendment."

* The hon. the PRESIDENT :—"I have to use my discretion very carefully in accepting an amendment at a late stage. I do not know whether I will be exercising my discretion properly if the hon. Members have in their mind the passing of this Bill. No non-official day will probably be hereafter available. If the hon. the Leader of the Opposition assures me that he cares more to the passing of the Bill, then I won't accept the amendment. If he takes the responsibility of having the Bill passed, I shall allow the amendment."

* Diwan Bahadur B. MUNISWAMI NAYUDU :—"I do not take any such responsibility."

* The hon. the PRESIDENT :—"The hon. Member may however move his amendment."

After some consultation, the hon. Member did not move his amendment.

* Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—"I will only say a few words in reply. Such a provision is found in other presidencies. Without such a provision, I am afraid, the Act will not be so effective as we want it to be."

The amendment was put and negatived.

Clause 7.

* Mr. K. R. VENKATARAMA AYYAR :—"I beg to move—

'In lines 3 and 4, delete the words "Commissioner of Police or other".'

"These words were put at the time when it was intended to limit the scope of the Bill to the City of Madras. Now we have introduced District Superintendents of Police alongside the Commissioner of Police and other specially authorized officers. I think these words may go so as to leave the section to read as follows: 'The Police officer carrying out, etc.'"

Mr. C. B. CUNNINGHAM :—"I second it."

The motion was put and adopted.

Clause 7 as amended was put, passed and added to the Bill.

Mr. S. ARPUDASWAMI UDAYAR :—"I have got an amendment to clause 7."

The hon. the PRESIDENT :—"The hon. Member will have his chance during the third reading."

Clause 8.

* Mr. K. R. VENKATARAMA AYYAR :—"I move the following drafting amendment :—

'In line 5 for the figures "17" substitute the figures "16".'

"We have now taken away original section 16. What was 17 now becomes 16."

The amendment was duly seconded.

The motion was put and adopted.

Clause 8 as amended was put, passed and added to the Bill.

Clause 9.

* Mr. F. E. JAMES :—"I beg to move—

'In clause 9 for the words "business of a prostitute" substitute the words "business of prostitution".'

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

The motion was put and adopted.

Clause 9 as amended was put, passed and added to the Bill.

Clause 10.

* Mr. F. E. JAMES :—"I beg to move—

'In clause 10, for the words "business of a prostitute" wherever they occur, substitute the words "business of prostitution".'

The amendment was duly seconded.

The motion was put and adopted.

Clause 10 as amended was put, passed and added to the Bill.

Clause 11.

Clause 11 was put, passed and added to the Bill.

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Clause 12.

* Mr. S. ARPUDASWAMI UDAYAR :—"I beg to move that this clause be deleted. I want to delete it for this reason. It is impossible to work this Bill especially with the section as it is worded. The clause says 'whoever in any street or public place or place of public resort or within sight of'—mark the words—'and in such manner as to be seen or heard from any street or public place, whether from within any house or not.' This is really putting a weapon in the hands of evil minded persons or the police to annoy innocent persons. Then the clause says 'by words, gestures, etc.' Anyone can say 'I heard this word from this house' or 'Such a woman uttered that word.' Considering the harm that may be done by words such as this, I think I am justified in moving for its deletion. Again the clause says 'indecent exposure of his or her person.' Words and gestures have also been referred to. We find so many gestures in the streets. It is not for a man to notice them, he has but to pass on. In this country where people are nude or half nude a provision about indecent exposure will work very great harm. Speaking of solicitation and molestation, I have never heard of Indian women soliciting and so on and so forth. I should deprecate the retention of a section worded in such a way as to prove dangerous even to persons whom it is not the purpose of this Bill to reach or bring to harm.

"Therefore, Sir, the wording of the section is very bad, and on a previous occasion the expert member said in connexion with another amendment that the wording will do more harm than good. Likewise here, we are putting a dangerous weapon into the hands of mischievous persons, and there is very great risk of innocent and good persons being molested by the police."

Rao Bahadur C. S. BATNASABHAPATI MUDALIYAR :—"I second it."

3-45
p.m.

* Mr. K. R. VENKATARAMA AYYAR :—"I oppose this amendment. We have already by section 3 got rid of clause (xx) of section 71 of the Madras City Police Act, which was the provision of law, so far as the city is concerned, relating to solicitation. That in its existing terms was found to be inadequate to deal with the evil, and it is the experience of experienced police officials who have been in charge of the City Police that numerous cases of solicitation occurring in the city very often happen not simply within public thoroughfares but also from very near the public thoroughfares, from the verandas and from even inside the windows of houses. It is not as if we want to have a prohibition of private overtures of an individual as an individual but when things exceed the bounds of decency and become a public scandal and indecency, then certainly it is the business of the provision of law legitimately to hit at that class of cases also. In the light of practical experience gained in the working of the City Police Act, it has been found that the existing provision of law is inadequate, and therefore in the light of official and non-official experience gained in connexion with the existing provision, this further provision has been introduced in this new clause 12, which is intended to replace section 71 (xx). I think it is an absolutely necessary provision. We are not in this respect to be guided by experience gained elsewhere in various countries or other places where different notions may prevail as to how far we should take note of and provide against solicitation."

The amendment was put and negatived.

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* Mr. F. E. JAMES :—"Mr. President, I beg to move—
'that the following be substituted for clause 12 :—

- "12. *Whoever* (1) *in any street or public place solicits any person for the purpose of prostitution in such manner as to cause obstruction, annoyance or danger to the residents or passengers or to offend against public decency or*
(2) *frequents such street or public place for the purpose of prostitution or of solicitation, so as to constitute a nuisance or to offend against public decency shall be punished with imprisonment for a term which may extend to two months or with fine which may extend to one thousand rupees, or with both.*"

"Sir, the clause as it stands amended by the Select Committee, I strongly oppose on same grounds which were urged by Mr. Cunningham against my own previous amendment. If you read the clause carefully, you see what tremendous powers you are trying to give to the police in this country. It says—

'Whoever in any street or public place or place of public resort or within sight of and in such manner as to be seen or heard from any street or public place whether from within any house or not . . .

"Hitherto, we were told, in the street we have to be careful; but now in our houses too! (Laughter.) I think it is a most unheard of regulation. Then, you have 'by words, gestures, etc., attracts or endeavours to attract attention for the purpose of prostitution.' The offence is for anybody, by words or gestures to endeavour to attract attention. It is always difficult to prove what purpose anybody has in endeavouring to attract attention, and you will always be taken to mean that you are endeavouring to attract attention for the purpose of prostitution and you will come under this section. Then you have the words 'solicits or molests any person or loiters for the purpose of prostitution.'

"Now, Sir, I raise my objection to this clause on exactly the same grounds that I urged against proposals to arm the police with similar powers in another place. I claim that the proposal is dangerous to the liberty of the individual. Solicitation *per se* should be regarded as an offence. In English law, solicitation is not regarded as an offence by itself. The whole principle of the new amendments in English law which are now under the consideration of the law officers of the Crown is that solicitation will become an offence, firstly, when it amounts to obstruction or molestation of the individual, and secondly, when it is of such a character as to exceed the bounds of decency. If you simply make solicitation an offence, I suggest you are putting into the hands of the police a power which can much more easily be abused than the power we were anxious to give them by an earlier provision. After all, it is circumstantial evidence, I suppose, which will be adduced by the police man, who may think that anybody in a house or in the street by word or gesture is endeavouring to attract attention for the purpose of prostitution. It is an extremely difficult position. Does the House consider these are powers to be handed over to the police without any let or hindrance? I am quite aware that there may be circumstances in which they have got to deal

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with certain areas where solicitation may become an actual nuisance. If that is the case, my own amendment will give them just those powers wherever this evil is becoming a nuisance either to the passengers or to the residents of the place. But simply to give power to the police to arrest a person because he or she is presumed to have, by word or gesture whether within or without the house, endeavoured to attract attention for the purpose of prostitution is, I suggest, giving the police powers which they have no right to have and which might at any time be a serious danger to the individual liberty of the citizen."

Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—"I second it."

* Mr. C. B. CUNNINGHAM :—"Mr. President, Sir, this House is now engaged in legislating with a view to the suppression of brothels. I do not know if it is generally known to Members of this House that the business of these brothels, against which this legislation is directed, is very largely fed by a small army of pimps who are carrying on solicitation business in the public streets. If this pimping which goes on in various quarters in this city is effectively dealt with, then, I believe, without further proceedings, a considerable proportion of the brothel business in the city will automatically close down. It is for this reason that I personally regard this section directed against pimping in the streets as of very particular importance, and would not weaken it as proposed in this amendment."

"Mr. James has referred to the danger of handing over powers to the police in this connexion, and his fears he said are based on the identical reasons I urged in regard to a previous amendment. But the position now is entirely different. That was a case of circumstantial evidence; it was a case of an amendment involving five or six rather complicated considerations. All of them have to be presumed from circumstantial evidence and, save in cases likely to be quite exceptional, none of them actually is likely ever to be proved in a Court of law. Here this section is going to deal with offences easily capable of direct proof which are going to come promptly before a Court of law and be tried by the magistracy. The position is vastly different. I do not say that there is no likelihood of any offence under this section being ever in any circumstances wrongly dealt with but the police will not be required to waste their time examining circumstantial evidence where no direct proof is possible."

"Then, as regards solicitation from inside houses I may say from my knowledge and experience that a great deal of solicitation is going on from inside houses, from windows, particularly in Changam Bazaar and from verandas and from off the roads in a few other parts of the city."

"The English law has been referred to. From my knowledge, I can inform the House that the English law on this point in actual operation is very ineffectual indeed. Indeed, the state of the London streets, as far as this business is concerned, is by no means a credit to the authorities concerned. I do not think that the English law on this matter is a pattern on which we should base legislation in this country."

* Mr. K. R. VENKATARAMA AYYAR :—"I oppose the amendment of Mr. James, and I do not wish to add to the reasons that have already been stated by Mr. Cunningham and to those I already urged in answer to Mr. Arpudaswami Udayar."

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* Mr. S. ARPUDASWAMI UDAYAR :—"Mr. President, Sir, I fail to understand why this amendment is not accepted by the expert member. There are two clauses here which very clearly narrow down all possible means of solicitation, etc., to facts which can be proved in a court of law. If they think that certain cases may escape, I should not be sorry for such an eventuality. Better one thousand guilty persons escape rather than a single innocent man be convicted through careless wording of the section. We have here a measure which gives dangerous weapons to the police or to malevolent persons. I think Mr. James' amendment is very good and ought to be accepted by the House."

The amendment was put and declared carried.

The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur demanded 4 p.m. a poll, and the House divided thus :

Ayes.

- | | |
|---|---|
| 1. Dr. (Mrs.) S. Muthulakshmi Reddi. | 16. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 2. Rao Sahib R. Srinivasan. | 17. Mr. K. Sarabha Reddi. |
| 3. P. J. Gnanavaram Pillai. | 18. " Chavadi K. Subrahmanya Pillai. |
| 4. The Muppli Nayar of Kavalapara. | 19. " P. Siva Rao. |
| 5. Mr. M. V. Gangadhara Siva | 20. The Maharaja of Pithapuram. |
| 6. " L. C. Guruswami. | 21. Mr. A. V. Bhanaji Rao. |
| 7. Rao Sahib V. I. Muniswami Pillai. | 22. Rao Bahadur C. S. Ratnasabhapati Mudaliyar. |
| 8. Mr. S. Venkiah. | 23. Mr. S. Arpudaswami Udayar. |
| 9. Diwan Bahadur B. Muniswami Nayudu. | 24. The Raja of Kallikota. |
| 10. Rao Bahadur C. Natesa Mudaliyar. | 25. Mr. F. E. James. |
| 11. Mr. A. Ranganatha Mudaliyar. | 26. Khan Bahadur Khalif-ul-lah Sahib Bahadur. |
| 12. Diwan Bahadur R. N. Arogyaswami Mudaliyar. | 27. Swami A. S. Sahajanandam. |
| 13. Mr. R. Nagan Gowda. | 28. Mr. G. R. Premayya. |
| 14. Diwan Bahadur P. C. Ethirajulu Nayudu. | 29. " V. Ramjee Rao. |
| 15. Khan Bahadur S. K. Abdul Razaack Sahib Bahadur. | 30. " J. A. Saldanha. |
| | 31. " L. K. Tulasiram. |

Noes.

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|---|---|
| 1. The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur. | 12. Mr. V. Ch. John. |
| 2. " Diwan Bahadur Sir M. Krishnan Nayar. | 13. " Manickavelu Nayakar. |
| 3. " Mr. A. Y. G. Campbell. | 14. " J. Bheemayya. |
| 4. " Mr. M. R. Seturatnam Ayyar. | 15. " R. Foulkes. |
| 5. " Mr. S. Muthiah Mudaliyar. | 16. The Zamindar of Singampatti. |
| 6. " Dr. P. Subbarayan. | 17. Subadar-Major S. A. Nanjappa Bahadur. |
| 7. Mr. H. A. Watson. | 18. Mr. S. Subrahmanya Moopanar. |
| 8. " A. G. Leach. | 19. " C. B. Cunningham. |
| 9. " J. Gray. | 20. Rao Bahadur Sir A. P. Patro. |
| 10. " S. V. Ramamurti. | 21. " S. Ellappa Chettiyar. |
| 11. " C. B. Cotterell. | 22. Mr. K. R. Venkatarama Ayyar. |
| | 23. " S. N. Dorai Raja. |

31 hon. Members voted for the motion and 23 against.

The motion was adopted.

Clause 12, as amended, was then put, passed and added to the Bill.

Clause 13.

Clause 13 was then put to the House, passed and added to the Bill.

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Clause 14.

Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—" Sir, I move
'that in line 7, after the word "enter" the words "with a woman officer
appointed for that purpose by the Government" be added'."

The amendment was duly seconded.

* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" Sir, I oppose this amendment. If it is carried, it would make clause 14 a dead letter, because, until and unless we get a woman officer, the police cannot take any action at all. For a similar reason the House rejected another amendment of the same kind."

The motion was put and negatived.

Clause 14 was then put, passed and added to the Bill.

Clauses 15 and 16.

Clauses 15 and 16 were then put, passed and added to the Bill.

Preamble.

The preamble was then put, passed and added to the Bill.

* Mr. K. R. VENKATARAMA AYYAR :—" Mr. President, I beg to move
'that this Bill as amended be passed into law.'

"I must say, Sir, that the House may well feel a genuine satisfaction that it has reached this stage in connexion with this Bill. It is an important piece of legislation which to some extent is overdue. The evil, as the evidence before the Select Committee showed, has reached such proportions that it is very necessary that such a law as this should immediately be put into operation.

"I must say in this connexion that we are very thankful to you for the facilities afforded during the last two months for the early passage of this Bill, because difficulties appeared to crop up in respect of which, if a technical view had been taken, it might have been very difficult to get it passed into law as soon as we have been able to do. I must also thank the hon. the Home Member and the Government as a whole for the general support that they have accorded to this Bill. No doubt, in connexion with the maintenance of rescue homes and making the expenditure thereon a statutory charge upon the public revenues, there was difficulty. It was difficult for His Excellency to agree to it in that form. That by no means indicates that the Government is not without adequate sympathy in the matter of the rescue homes without which it would be impossible to work this Act satisfactorily. The main pivot in the scheme of this Act is rescue homes. If an adequate number of rescue homes, now that the Bill is passed into law, is not brought about and maintained, the law will remain a dead letter. No doubt the public will have to realize their large responsibility in this respect. When they do so, there is not the slightest doubt that the Government will also bear their due share of the financial burden.

"I must say that the whole credit for this legislation is due to the Madras Vigilance Association and the noble band of patriotic ladies and gentlemen who have banded themselves together unselfishly for social service work. The

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draft which was introduced by me is their draft and I have merely been their mouthpiece here—perhaps a very inadequate and ineffective mouthpiece. Once, when this Bill had a chance of being introduced a little earlier, owing to my inability to be here in my place, it suffered a little delay and, afterwards it was not on every occasion that I should have been present, I was not able to be present. I was in fact present during the sittings of the Select Committee when evidence was led and that was the most valuable part of the Select Committee's sittings. At one stage it was thought that the attitude of the Swarajya party was in the nature of dilatoriness. But I think we owe it to them in the absence that we should entirely exonerate them from any such charge. I think the idea of Mr. Satyamurti in suggesting the evidence should be led before the Select Committee was very helpful to the passage of this Bill. The evidence clearly showed how vast was the strength of public support in favour of this bill and how urgent really the measure was. I must say therefore that I regret the absence of the Swarajist members to-day in the House. But all the same, thanks are due to them also for their share in putting through this piece of legislation. All that I now say is that thanks are least due to me. Thanks are due to others and I am full of thankfulness to the various sections of the House that have been helpful in passing this Bill into law."

* Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—" I beg to thank, Mr. President, the hon. Members of this House including yourself on behalf of the oppressed and the depressed womanhood of this Presidency, for having passed this important piece of social legislation. This legislation has been long overdue and, even though we are a bit late, as compared with other Presidencies, it is a much better Act than that of Bombay or Calcutta. I also thank the author of the Bill the hon. Member Mr. Venkatarama Ayyar for readily taking it up and piloting it through so successfully.

"Sir, this legislation will help the social workers and also the authorities to protect minor girls who need very much our protection. It will also to a great extent educate public opinion in this Presidency, because we have been noticing, of late, after this Bill has been introduced and after evidence had been taken in the Select Committee, more girls being brought to our custody by the Police. This shows that even before this legislation was on the anvil, it has done much good to the community.

"Sir, in this connexion I appeal to the Government to carry out the provisions of this Bill in a humanitarian spirit. Sir, much depends upon the way in which an enactment is worked. This Bill gives large powers to the Police. I moved an amendment to appoint a woman officer and the Government were not good enough to accept it. Without the help and co-operation of experienced and trained women of character and sympathy many practical difficulties would be met with. The brothel inmates are merely the victims of neglect and a wrong social system. They are mostly destitute and poor children. Some of them are there having been deserted by their husbands and the others having been kidnapped by some unscrupulous and subhuman individuals and sold to the brothel-keepers. The brothel-keepers themselves are human beings of a low order and come from the lowest grade of society. Under the circumstances the Government should see that these girls are really protected and their interests safeguarded. However low and fallen they may be owing to circumstances beyond their control, there is the sanctity of the human soul which should be preserved. There is the personal right of

[Dr. (Mrs.) S. Muthulakshmi Reddi] [31st January 1930]

the individual which, however degraded a human being may be, must be protected. Personal liberty should not be trespassed upon and that is why I urged that women who are experienced and sympathetic and appointed for the purpose should accompany the police officer entering a brothel for the purpose of ascertaining whether an offence is being committed. Now we have two such good ladies who are doing this work. One of those is Miss Sheppard working for the Vigilance Association in Calcutta. She has been lent to the association by the Moral and Social Hygiene Society in London and she is paid by that society. She gives her services free for the uplift of her fallen sisters. If public spirited and philanthropic gentleman should come forward (even if the Government does not) and raise the funds necessary for the appointment of these women officers to help the police in the investigation of these brothels, they will be conferring real benefit upon the society and their fallen sisters would bless them. Sir, with these words I resume my seat after once more thanking this hon. House for the great humanitarian measure that it has passed to-day."

4-15
p.m.

* The MAHARAJA OF PITHAPURAM :—" I first congratulate the author of the Bill my hon. Friend Mr. K. R. Venkatarama Ayyar. Then I wish to congratulate our esteemed Deputy President Dr. Muthulakshmi Reddi who is, I believe, in no small measure, responsible for this piece of legislation. Then, Sir, I beg to offer my humble yet most grateful thanks to you, Sir, for your wise and praiseworthy attitude (applause) in trying to enable us to pass this Bill into law now. This Act was one of the crying needs of our province. Innocent children, children in some cases who are about 8 or 9 years of age were being dragged into brothels and were made to live in the most harrowing conditions. The diabolical treatment meted out to them in brothels is heart-rending and blood-curdling. This hon. House has so wisely decided to put an end to these diabolical deeds and in all humility I congratulate the hon. House and invoke the blessings of God on it."

An hon. Member :—" I move that the question be now put."

The hon. the PRESIDENT :—" The question is that the question be now put."

The motion was adopted.

The hon. the PRESIDENT :—" The question is that Bill No. 16 of 1928 for the Suppression of Brothels and Immoral Traffic, as amended, be passed into law."

The motion was adopted and the Bill was passed into law.

3. A BILL TO AMEND THE MADRAS PROPRIETARY ESTATES' VILLAGE
SERVICE ACT, 1894, AND THE MADRAS HEREDITARY
VILLAGE OFFICES ACT, 1895.

(Bill No. 4 of 1930.)

* Mr. A. RANGANATHA MUDALIYAR :—" I beg to move that item No. 3, Bill to amend the Madras State Aid to Industries Act, 1922 (Bill No. 3 of 1930) be taken up after item No. 4 (A Bill to amend the Madras Proprietary Estates Village Service Act, 1894, and the Madras Hereditary Village Offices Act, 1895) has been disposed of."

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Mr. R. NAGAN GOWDA :—" I second it."

The motion was put and adopted.

* Mr. A. RANGANATHA MUDALIYAR :—" I beg to move that the Bill to amend the Madras Proprietary Estates Village Service Act, 1894, and the Madras Hereditary Village Offices Act, 1895 (Bill No. 4 of 1930), be taken into consideration."

Rao Bahadur C. NATESA MUDALIYAR :—" I second it."

Mr. A. RANGANATHA MUDALIYAR :—" Sir, I am going to move that the Bill be referred to a Select Committee."

The hon. the PRESIDENT :—" In that case another hon. Member will have to move it."

* Mr. R. NAGAN GOWDA :—" I move that the Bill to amend the Madras Proprietary Estates Village Service Act, 1894, and the Madras Hereditary Village Offices Act, 1895 (Bill No. 4 of 1930), be referred to a Select Committee consisting of the following members :—

- (1) The hon. Mr. A. Y. G. Campbell.
- (2) The hon. the Advocate-General.
- (3) Mr. C. B. Cotterell.
- (4) Mr. J. A. Saldanha.
- (5) Mr. B. Ramachandra Reddi.
- (6) Rao Bahadur Sir A. P. Patro.
- (7) Rao Sahib P. J. Guonavaram Pillai.
- (8) Mr. S. Subrahmanya Mooppanar.
- (9) Swami Sahajanandam.
- (10) Mr. M. V. Ganghadara Siva.
- (11) Mr. Kuppuswami Choudri.
- (12) Khan Bahadur P. Khalif-ul-la Sahib Bahadur.
- (13) Mr. R. Nagan Gowda.
- (14) Mr. Ramnath Goenka.
- (15) Mr. Chavadi K. Subrahmaniam Pillai.
- (16) Mr. K. Sarabha Reddi.
- (17) The Mover (Mr. A. Ranganatha Mudaliyar)."

Rao Bahadur C. NATESA MUDALIYAR :—" I second it."

The hon. Mr. A. Y. G. CAMPBELL :—" I accept the motion of Mr. Nagan Gowda."

The motion was put and adopted and the Bill was referred to a Select Committee consisting of the members as mentioned above.

The hon. the PRESIDENT :—" I appoint Mr. J. A. Saldanha as Chairman of the Select Committee."

4. A BILL TO AMEND THE MADRAS STATE AID TO INDUSTRIES ACT, 1922
(BILL NO. 3 OF 1930).

* Mr. J. A. SALDANHA :—" Sir, I beg to move that the Bill to amend the Madras State Aid to Industries Act, 1922 (Bill No. 3 of 1930), be referred to a Select Committee."

[Mr. J. A. Saldanha] [31st January 1930]

"Sir, in making this motion I may point out to the hon. House that this Bill covered a wider ground, but on account of the objections raised by the Government of India it has been reduced to this narrow compass.

"As a member of the Board of Industries, I may point out that this so-called State Aid to Industries Act is really causing more obstruction than helping the industries. You may judge of the ineffectiveness of this Act from the fact that although Government budget for about 5 lakhs, year after year for the last six years, annually the Government hardly spends 2 lakhs of rupees in aid of industries of this province. As a member of the Board of Industries I have attended all the meetings, but hardly four meetings are held in a year. From that fact the hon. House may judge how little State aid has been given to industries. I shall not detain the House for a long time and that is why I have brought in only two amendments.

"The first amendment is with reference to the presence of three officials on the Board of Industries. One of them happens to be the Secretary of the Finance Department. Of all the Secretaries of the various departments of Government, I think the Secretary to the Finance Department is the most powerful. By his presence we are not able to have a free discussion of the various financial questions that come up before us there. The Secretary to the Finance Department is exactly the man who has to discuss most of our recommendations and when that gentleman is present there it is very unpleasant to many to express their opinions freely. The presence of the Secretary of the Finance Department in fact is very embarrassing. Hence I have moved this amendment that a Secretary to the Government who is an official should not be present on the Board.

"The second amendment is of very great importance. The grant and collection of loans are very embarrassing. The Government practically penalize people in recovering loans. Government loans are placed on a par with arrears of revenue. What happens is, they say that there should not be the slightest delay in repayment of loans. They are more cruel than the most cruel Marwari. The Government are merciless and the law is very stringent. In the case of arrears of revenue the revenue officer goes and attaches the property and Government are following a similar procedure in case of their loans to industries. Hence I say they are worse than Marwaris."

The hon. the PRESIDENT:—"The only question is one of creating a charge by statutes. Whether they are Marwaris or not is not the point at issue."

* Mr. J. A. SALDANHA:—"If the Government really want to help the people, let them treat these loans as other people treat their loans. This loan has priority over any other loan. If the object of the Government is humanitarian and if Government want to help the industries really, let them treat these loans as any other loan. Let them go to court like any other individual and collect the money. Is there any mercy in this Act? Is there any humanity in this Act? The loan is most mercilessly recovered. For these reasons I propose the amendment. If the hon. Minister has really got at heart the improvement of the industries of this Province, I hope he will accede to this request instead of assuming a *non-possumus* attitude. There is no use of Government budgeting for loans without even half of it going to anybody. I am sure that this Government will not object to this most innocent and most humanitarian amendment. There are other members to speak on this motion and I shall not detain the House any longer."

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Mr. K. UPPI SAHIB:—"I second it."

The hon. the PRESIDENT:—"The question is that the Bill to amend the Madras State Aid to Industries Act, 1922 (Bill No. 3 of 1930) be referred to a select committee." 4-30 P.M.

* The hon. Mr. M. R. SETURATNAM AYYAR:—"Sir, I am sorry to oppose the motion of my hon. Friend, Mr. Saldanha. As he himself stated, this is a very small measure relating to only two points. The first point is that there should not be a Secretary to the Government on the Board of Industries which consider the granting of loans to help industries. The second point is that the loans given under this Act should be treated like private loans. The hon. Member does not want that the Government should have any prior claim over this loan.

"With regard to the first point, I may inform the House that the Finance Secretary has, by being in the Board, better opportunities to familiarize himself with the details and several aspects of an application. The presence of the Finance Secretary also enables him to appreciate the points of view urged by the members of the Board for or against applications for grant of aid to an extent that would not otherwise be possible. Per contra, the Board members supporting a particular application are enabled to better appreciate the points of view likely to be urged against a particular application by Government represented by the Finance Secretary and have an opportunity of meeting them before a decision is arrived at. It is further most important in the interests of the general tax-payer and in many cases of the applicant himself, that the financial aspects of a scheme should be properly examined and the Finance Secretary's advice is of special value in this connexion since the personnel of the Board does not include a banker.

"With regard to the second point, I may inform the hon. Member that there is no question of priority and the arrears would not be a first charge on the defaulter's property. The words "as if they were arrears of land revenue" are to be construed as only indicating the procedure to be adopted and do not secure freedom from encumbrances. In the other provinces also there is a provision on the lines of our section 18 (1). If resort to a civil court is to be had in every case of default, the Government would be exposed to protracted litigation and heavy expenditure in its conduct. As custodians of the tax-payers' money, the Government should be in a position to realize their dues by a less costly procedure and more expeditious methods. All loans which are given by the Government under the Agricultural Loans Act, the Land Improvement Loans Act and the Co-operative Societies Act, the excise revenue and fishery rentals are collected as is laid down in this Act, and there is no differentiation at all in the treatment of loans given under this Act. Thus, it will be seen that moneys due to Government are to be recovered as if they were arrears of land revenue; but it has been definitely held that in such cases prior encumbrances are not affected. Moreover, Sir, loans given by the Government are lent at a lower rate of interest than that charged by Marwaris as stated by the hon. Member. We have also to take into consideration not only the interests of the Government but also those of the tax-payers. Under these circumstances, I do not think the existing Act need be amended at all, I therefore oppose the motion."

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* Mr. J. A. SALDANHA :—"Sir, the Government may have a majority behind them, but I may remind the hon. Minister that he has to go before the country for elections. (A voice :—"You also.") Yes; I have also to go to the country for elections. I shall do so without any fear. It is pointed out that the Government have not appointed any banker to the Board. Why not appoint a banker? We should welcome the presence of a banker on the Board instead of the Secretary to the Finance Department, who will judge things only from the financial and economical points of view. Applications for loans should be viewed from economic and industrial points of view as well as financial. Industries should be encouraged.

"With regard to the second point, can the hon. Minister assure us that arrears of revenue are not treated as the first charge? For what I know, arrears of revenue are treated as the first charge. I have also to point out that justice is on my side and on the side of the people who apply for loans. Loans given under this Act cannot be treated like other loans. This Act is intended to aid industries; our industries are in a struggling condition; there are hardly industries which are not dying out. Under the present policy of Government, industries cannot thrive. Besides, costs of a civil suit can be recovered from the debts and if not they are mostly in the shape of court-fees which go into their own pockets. If Government do not relax a little they will show them to be very unsympathetic in this matter. Therefore I warn the Government that, if this Bill is not passed, it will be a discredit to the Government; it is not a discredit to myself." (Laughter.)

The hon. the PRESIDENT :—"The question is that the Bill to amend the Madras State Aid to Industries Act, 1922 (Bill No. 3 of 1930), be referred to a select committee."

The motion was put and declared adopted.

A poll was demanded and the House divided as follows :—

Ayes.	
1. Mr. A. Ranganatha Mudaliyar.	6. Mr. P. Siva Rao.
2. Diwan Bahadur R. N. Arogyaswami Mudaliyar.	7. " F. E. James.
3. Mr. R. Nagan Gowda.	8. " A. J. Leech.
4. Diwan Bahadur P. C. Ethirajulu Nayudu.	9. " J. A. Saldanha.
5. Mr. Chavadi K. Subramania Pillai.	10. " K. Uppi Sahib.
Noes.	
1. The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur.	16. Rao Sahib R. Srinivasan.
2. " Diwan Bahadur Sir M. Krishnan Nayar.	17. Mr. J. Bheemayya.
3. " Mr. A. Y. G. Campbell.	18. " J. A. Davis.
4. " Mr. M. R. Seturathnam Ayyar.	19. " J. Kuppuswami.
5. " Mr. S. Muthiah Mudaliyar.	20. " Subadar-Major S. A. Nanjappa Bahadur
6. " Dr. P. Subbarayan.	21. Mr. S. Subrahmanya Mooppanar.
7. Mr. Hilton Brown.	22. Diwan Bahadur B. Maniswami Nayudu
8. " H. A. Watson.	23. Mr. P. T. Bajan.
9. " A. G. Leach.	24. Rao Bahadur S. Ellappa Chettiyar.
10. " J. Gray.	25. Khan Bahadur Kadir Mohidin Sahib Bahadur.
11. " S. V. Ramamurti.	26. Mr. K. Sarabha Reddi.
12. " C. B. Cotterell.	27. Kumararaja of Venkatagiri.
13. " V. Ch. John.	28. Mr. A. V. Bhanoji Rao.
14. " M. A. Manikkavelu Nayakar.	29. " S. N. Dorai Raja.
15. Syed Tajudin Sahib Bahadur.	

Ayes 10. Noes 29.

The motion was negatived.

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5. A BILL TO PREVENT THE DEDICATION OF WOMEN TO HINDU TEMPLES
(BILL NO. 5 OF 1930)

* Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—"Sir, I beg to move that my Bill to prevent the dedication of women to Hindu temples in the Presidency of Madras (Bill No. 5 of 1930) be referred to a select committee."

Mr. V. Ch. JOHN :—"I second it."

* The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"Sir, I move an amendment to the motion of my hon. Friend and it is this: 'that the Bill to prevent the dedication of women to Hindu temples in the Presidency of Madras (Bill No. 5 of 1930) be circulated for the purpose of eliciting opinion thereon.' I quite sympathize with the object which my hon. Friend has in view. But the Government must be in a position to determine their attitude with reference to this Bill. However laudable the object of the hon. Mover of the Bill may be, the Government have not at present, before them necessary materials to enable them to come to a conclusion as to the desirability or otherwise of supporting this measure. This is essentially a piece of social legislation, and it is, I submit, very desirable in the interests of all concerned that the people at large should be allowed an opportunity of expressing their opinions on the provisions of this Bill. One of the provisions of the Bill is to the following effect: 'any person who takes part in or permits the dedication of Hindu women to temples is guilty of a very serious offence punishable with one year's imprisonment.' As I submitted, it is necessary that people should be given an opportunity of expressing their opinions on the provisions of this Bill. With that object, I move the amendment that stands in my name."

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

* Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—"Sir, I oppose this dilatory motion, because the principle of this Bill has already been accepted by this Council. A resolution was passed by this Council in 1927. It is: 'This Council recommends to the Government to undertake legislation—if, for any reason it is not possible—to recommend to the Central Government to undertake legislation at a very early date—I emphasize the words 'at a very early date'—to put a stop to the practice of dedicating young girls or women to Hindu temples which has resulted in exposing them to immoral life.' This Council unanimously passed that resolution. If hon. Members here who represent all parties and classes of people, do not voice the opinion of the public in this Presidency, I do not really know who else would voice the feelings of the public better. Having accepted that resolution I do not know why the Government should, at this stage, when I want legislation to be enacted to put a stop to the practice of dedicating young girls to Hindu temples come forward with this dilatory motion. This Council will be dissolved in a few months and the effect will be that my Bill will not be passed during the lifetime of this Council. This is not the first time that a motion of this nature is moved in the legislature."

"We find that there has been insistent agitation in this country for a legislation of this kind. In the year 1868, there was an agitation for a measure of this kind. I have evidence to show that the Government of India have been actively interesting themselves in this question since the year 1906 when

[Dr. (Mrs.) S. Muthulakshmi Reddi] [31st January 1930]

they had to sign the International Convention. Again in the year 1912 this question was discussed in the Imperial Legislative Council. At that time they called for a report from the various Local Governments on the matter. If history is gone through and if only the hon. the Law Member will go through the opinions expressed by the Local Governments on this question, most of the Local Governments will be found to have been unanimously in favour of legislation in order to put down dedication. Then again, Sir, in the year 1912, three members of the old Imperial Legislative Council, Messrs. Maneckji Dadaboy, Mudholkar and Madge, brought three different Bills with more or less the same object as my Bill, that is, to abolish this evil system. The Government of India then referred the whole question to Local Governments, and on receipt of those opinions, brought forward a Government Bill in September 1913 which was referred to a select committee for report. The select committee reported in March 1914, but owing to the intervention of the War, this Bill was not proceeded with. Then again, Sir, in the year 1922, Sir Hari Singh Gour brought in a resolution in the Legislative Assembly. It was unanimously supported. At the time that resolution was discussed, I do not want to read that resolution because it was practically the same as mine which was passed by this Council—there were people there like Mr. Siva Rao and Sir A. P. Patro who defended the institution of Devadasis."

The hon. the PRESIDENT:—"The hon. Member is not justified in taking this opportunity to reply to the speeches made by different people on a former occasion. I mean with reference to Sir A. P. Patro's speech."

* Dr. (Mrs.) S. MUTHULAKSHMI REDDI:—"It was Diwan Bahadur Rangachariyar who defended that institution; he was a Member of the Assembly at the time; but then the whole Assembly ridiculed him and passed the resolution unanimously. That resolution of Dr. Gour to have sections 372 and 373 of the Indian Penal Code amended, was carried by the Assembly."

The hon. the PRESIDENT:—"I am not able to follow the relevancy of the question of raising the age of consent, to this motion."

* Dr. (Mrs.) S. MUTHULAKSHMI REDDI:—"No, Sir, sections 372 and 373 of the Penal Code related to the dedication of minor girls. Those sections were amended after the resolution of Dr. Gour was adopted. I am only mentioning that to show that the public opinion of the country was quite in favour of such a measure. Then, Sir, the hon. Mr. Ramdas Pantulu moved a resolution in the Council of State in the year 1927 which was also unanimously accepted. At that time the hon. the Law Member who was in sympathy with this object, asked Mr. Ramdas to bring in a measure. Now, Sir, even in the Bombay Council, there is a measure for the prevention of dedication which is going to become law. Mr. M. R. Jayakar also has now given notice of a similar Bill like mine in the Assembly. The Madras Council having accepted the principle, and having passed legislation to dispense with the services of the inam-holding devadasis in temples, should accept this Bill without any further delay. This dilatory motion will only delay the passing of this Bill, and there is no likelihood of its becoming law during the lifetime of this Council."

31st January 1930] [Dr. (Mrs.) S. Muthulakshmi Reddi]

"Sir, my Bill is a very humble one, so far as its provisions go. It only makes the dedication of girls illegal. This has already been done by the Penal Code, but the Penal Code has been evaded. Then the opinion was that minor girls only should be dedicated to the temple, i.e., girls below the age of 12. But the people who have been addicted to the custom and who take their stand behind religion, do not obey the provisions of the Penal Code. So, they are now taking the major girls and are evading the Penal Code by dedicating girls above 18—for which act the temple authorities also are responsible, not alone the guardians of the girls. My Bill aims at making that kind of dedication also illegal. There is also another provision as regards their marriages to the effect that marriages which take place after dedication should be validated. Sir, the Government need not be under any fear of opposition from the public. In Mysore, this has been done long ago. In 1909, that Government prohibited the *gajje puja* or dedication ceremony in the Mysore State, and thus have given us the lead. This Council has also accepted the conclusion that dedication invariably makes the girl lead a life of immorality. Having accepted that principle, is there any argument or reason in the proposal that this Bill should be delayed any further? My Devadasis Act will only deal with the inam-holding devadasis. But, a large number of women adopt girls, take them to the temples and make them undergo the ceremony of dedication, even after the age of 18. There is no religion. These women do it purposely, with a view to make those girls lead an immoral life. So, there should not be any more delay. Therefore, I request the hon. the Law Member to withdraw his opposition and allow my Bill to be referred to a select committee."

* Mr. R. NAGAN GOWDA:—"Sir, in support of this motion of Dr. Muthulakshmi Reddi, that this Bill be referred to a select committee, I should like to say just a few words."

The hon. the PRESIDENT:—"The amendment of the hon. the Law Member is for discussion, i.e., that the Bill be circulated."

* Mr. R. NAGAN GOWDA:—"Then, I am opposing it, Sir. Recently, in the districts of Bellary, Nellore and Guntur and in other places, people belonging to the community of Kalavanthulu have been holding meetings and conferences in which they have been universally condemning the custom of dedicating girls to temples. In general, I might state that the opinion of this community is that this system should be abolished entirely. Sir, by the passing of a legislation like this, we will be strengthening the hands of all the reformist movements in the country. The hon. the Law Member stated that since the Bill contains some drastic measures like a fine of Rs. 1,000 and imprisonment being imposed, it would work a severe hardship. Sir, I think those are matters that could be dealt with, with care in the select committee. Therefore, I strongly oppose the motion of the hon. the Law Member to have this Bill circulated."

The hon. the PRESIDENT:—"I shall now put the amendment of the hon. the Law Member to the vote of the House. The question is that the Bill to prevent the dedication of women to Hindu temples in the Presidency of Madras (Bill No. 5 of 1930) be circulated for the purpose of eliciting opinion thereon."

[31st January 1930]

The amendment was declared carried. Dr. (Mrs.) Muthulakshmi Reddi demanded a poll which was taken with the following result :—

Ayes.

- | | |
|---|--|
| 1. The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur. | 17. Mr. J. Bheemayya. |
| 2. " Diwan Bahadur Sir M. Krishnan Nayar. | 18. " R. Foulkes. |
| 3. " Mr. A. Y. G. Campbell. | 19. Rao Sahib P. J. Gnanavaram Pillai. |
| 4. " Mr. M. R. Saturatnam Ayyar. | 20. The Zamindar of Singampatti. |
| 5. " Mr. S. Muthiah Mudaliyar. | 21. Mr. M. V. Gangadhara Siva. |
| 6. " Dr. P. Subbarayan. | 22. " J. Kuppuswami. |
| 7. Mr. Hilton Brown. | 23. Subadar-Major S. A. Nanjappah Bahadur. |
| 8. " H. A. Watson. | 24. Mr. S. Subrahmanya Mooppanar. |
| 9. " A. G. Leach. | 25. " S. V. Vanavudaiya Goundar. |
| 10. " J. Gray. | 26. Diwan Bahadur B. Muniswami Nayudu. |
| 11. " S. V. Hamamurti. | 27. Rao Bahadur Sir A. P. Patro. |
| 12. " C. B. Cotterell. | 28. Mr. P. T. Rajan. |
| 13. " V. Ch. John. | 29. Rao Bahadur S. Ellappa Chettiyar. |
| 14. " M. A. Manikkavelu Nayakar. | 30. Mr. Khadir Muhiiddin Sahib. |
| 15. Khan Sahib Syed Tajudin Sahib Bahadur. | 31. " K. Sarabha Reddi. |
| 16. Rao Sahib R. Srinivasan. | 32. " P. Siva Rao. |
| | 33. " G. R. Premayya. |

Noes.

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|-------------------------------------|---------------------------------------|
| 1. Mr. S. Venkiah. | 6. Mr. Chavadi K. Subrahmanya Pillai. |
| 2. " A. B. Shetty. | 7. " J. A. Saldanha. |
| 3. Mrs. S. Muthulakshmi Reddi. | 8. " A. Ranganatha Mudaliyar. |
| 4. Rao Bahadur C. Natesa Mudaliyar. | 9. " K. Uppi Sahib |
| 5. Mr. R. Nagan Gowda. | |

Ayes 33. *Noes* 9.

The amendment was adopted.

V

MOTIONS ON MATTERS OF GENERAL PUBLIC INTEREST

DRINKING WATER FROM THE METTUR DAM TO SALEM TOWN.

The hon. the PRESIDENT :—“The Council will now take up for discussion the resolution regarding the supply of drinking water from the Mettur dam to Salem town.

“Is it agreed that the Council shall sit until this resolution is finished?”

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—“Yes, Sir.”

* Subadar-Major S. A. NANJAPPAH Bahadur :—“Sir, I do not propose to take up much time of the House. This question has been under consideration for the last so many years. In 1927 I brought forward a resolution for this purpose, but the Government then said ‘We are considering the question.’ The question was again brought up during the budget discussions of 1929 and my speech thereon will be found at pages 229 and 230 of the Council Proceedings dated 15th March 1929. The people of Salem are badly suffering for want of good drinking water. This is always the case whenever the monsoon fails. A deputation waited on the late Governor, Lord Goschen, as well as on the present Governor last month. The hon. Sir Krishnan Nayar also when he came to Salem saw the tank which has been constructed at great cost of about Rs. 9 lakhs, now dried up and he knows how much difficulty there is in getting water. I think, Sir, the Government always say that finance stands in the way.

31st January 1930] [Subadar-Major S. A. Nanjappah]

Now, the municipal council and the district board of Salem have agreed to subscribe a portion towards the cost of bringing water from the Mettur dam. No amount of cost that may be incurred on this account will be big, considering the amount of suffering which the people are undergoing. There are one lakh of people in Salem town, and the water scarcity is very much felt. When the municipal council and the district board of Salem are prepared to pay a portion of the expense I do not know why Government should not undertake to supply water from the Mettur dam. Government are trying to help so many people by having a big dam constructed at a great cost across the Cauvery. The Cauvery is running on the border of the Salem district, and I do not see any reason why water should not be given to Salem from that place. Under the circumstances, I request that Government will see their way to supply water to the Salem town from Mettur.”

Rao Sahib V. I. MUNISWAMI PILLAI :—“Sir, I also rise to support the motion. Salem is one of the districts where a large number of people do not get sufficient water for drinking purposes, which seems really a hardship. So, I support the resolution.” 5 p.m.

* The hon. Mr. S. MUTHIAH MUDALIYAR :—“Mr. President, Sir, this question of water-supply to the Salem town has been engaging the attention of the Government for some time past. There was a protected water-supply to the Salem town executed in the year 1909, for which an expenditure of about 9 lakhs was incurred, both the municipality and the Government contributing towards the cost. Unfortunately, it was found that the supply of water was not sufficient for the needs of the town and there was some proposal to improve the water-supply or to have another supply from the Shevroy Hills. These questions were investigated but in the year 1927 the investigation of those two schemes were dropped, till the question of the supply of water from Mettur was fully investigated and it was found possible to supply water to Salem town from the Mettur Reservoir, though it was necessary to pump water to a height of about 400 feet. This question was gone into and schemes were prepared for various quantities of supply. There were three schemes, namely, the 5-gallon scheme, the 10-gallon scheme and the 15-gallon scheme. In one of the schemes they also contemplated the supply of water to certain villages also lying between Mettur and Salem and the cost of the schemes was estimated at about 15 lakhs, 19 lakhs, and 23 lakhs respectively. The 5-gallon scheme, according to which each man would get 5 gallons of water, was not accepted, as the quantity of water was found to be rather too small, and Government finally thought that the 10-gallon scheme might be taken into consideration. There was also a proposal to supply water to the railway company by taking some money. The railway company said they did not want it. Now, there are two schemes as finally approved by Government for investigation: one is the 10-gallon scheme for the municipality of Salem alone and the other is, the scheme for the supply of water for some villages *en route* which may require water and for which the district board undertook to pay some money. The cost of the scheme by which the municipality alone can be supplied, comes to about 19 lakhs. According to the other proposal of supplying water to the villages which are prepared to pay, the cost comes to about 23 lakhs. Whether any of these two schemes will be within the financial capacity of the Salem Municipal Council, whether they will be able to pay the annual contribution towards the reduction of the debt which they may have to incur for the purpose and

[Mr. S. Muthiah Mudaliyar] [31st January 1930]

whether they will be able to bear also the maintenance charges, are all matters that have to be investigated before any conclusion is come to. As it would take some time to examine the financial aspect of the question, Government thought it necessary to examine the details of the two schemes and the Sanitary Engineer is being asked to investigate and work out the details of the schemes. Government are issuing orders to the effect that the Sanitary Engineer should undertake the investigation of both these schemes, for which the municipality has to pay Rs. 4,500, being the estimated cost of the investigation. And, after the schemes are investigated and the exact cost is more or less determined, then the financial aspect of the question will have to be examined by the Government. Therefore, as the investigation to a certain extent has gone on already and as a more detailed investigation is being ordered, to this extent Government are in a position to say that they are in favour of the resolution moved by my hon. Friend.

"But, the resolution as worded is 'that the Government should take steps to provide water from Mettur dam to Salem.' This provision of water to the city does not depend on the Government alone, but on the capacity and willingness of the municipal council to bear the expenditure. Whatever may be the conclusion that may be arrived at finally by the Government and the municipality, as regards the financial responsibility, if the municipality also is willing to abide by that conclusion and to bear whatever it is finally decided that the municipality should bear, Government may be in a position to accept the resolution; but as we are not in the confidence of the municipality and as we do not know what the municipality will finally say, and what the capacity of the municipality will be, Government will accept the resolution to this extent that the Government will take all possible steps and try to help the municipal council to provide the municipality with water-supply."

Rao Bahadur S. ELIAPPA CHETTIYAR:—"Sir, as far as I know the municipal council of Salem has also agreed to finance the scheme if the Government shared half the cost of the scheme. The district board also has agreed to pay Rs. 25,000 per year for the cost of taking water to the villages en route from Mettur to Salem. In view of the assurance given by the hon. the Minister, I hope that there is every hope that the Government will take up this scheme and push it through and I therefore withdraw my resolution."

The resolution was by leave of the House withdrawn.

The hon. the PRESIDENT:—"The Council will now adjourn and reassemble at 11 a.m. on the 24th of February 1930."

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

31st January 1930]

APPENDIX I.

[Vide answer to question No. 1411 asked by Mr. Basheer Ahmad Sayeed at the meeting of the Legislative Council held on the 31st January 1930, page 939 supra.]

Superintending Engineer's Report to accompany the famine estimate for the Marandahalli Project.

[Amount of estimate—Rs. 3,61,400.]

1. In November 1917, it was decided by Government that the project could not be undertaken either as a productive or as a protective work, and that the estimate may be revised for sanction under "33. Famine Relief."

2. The estimate was revised during 1921 on new levels noted in pencil in the level sheets in accordance with the Public Works Department Memorandum, dated 28th April 1920, of the Chief Engineer for Irrigation, and it has now been revised on the lines contained in the Memorandum, dated 12th December 1923, of the Chief Engineer for Irrigation.

History of the project.—This project was first brought forward by Mr. H. S. Thomas, late Member of the Board of Revenue, in 1865. In the big famine of 1875-77, the channel was partly excavated, but the work was stopped on account of the fever which was attacking the workmen. In 1881, Captain Romilly designed a head sluice of 8 vents, 5 feet wide and 6 feet high each, an anicut with its crest 6 feet above the sill of the head sluice, the completion of the supply channel, and the raising of Sangambasavam tank as originally contemplated so as to hold 42 feet of water. In 1889, none of these works had been started, and Mr. J. W. Martin revised the estimate and curtailed it considerably. The head of the channel was blocked with an earthen cross bund, a head sluice of only two vents 5' x 6' was built, and nothing was done to the channel. In 1902, about Rs. 5,000 were spent on clearing the channel from weeds and creepers. It was then found that the channel had not been excavated to correct levels. In August 1902 Colonel Rawson, R.D., made a personal inspection and, after going into the question, ordered the preparation of an estimate for clearing the supply channel as far as its junction with the jungle stream which falls into the Sangambasavam tank to a width of 50 feet. This work has been carried out. An estimate was then prepared on Colonel Rawson's directions for the enlargement of the head sluice and for the widening of the jungle stream to carry the water brought down by the supply channel. This estimate was returned by the Chief Engineer for Irrigation in which he ordered the full investigation of the project to be carried out, providing, if necessary, the storage required for the water diverted from the Sanathkumaranadhi. The investigation was accordingly carried out, and Major W. M. Ellis, R.E., Superintending Engineer, inspected the works, and ordered the estimate to be made out in its present form.

2. (a) *Situation.*—The Sanathkumaranadhi take its rise in Mysore where its waters are partly utilized by small tanks near Anikal; it then passes into the Hosur taluk of the Salem district and drains the country near Denkanikota, and receives all the water from the large forest reserves of Ayyur and Marandahalli. It passes near Kalamangalam and Panchapalli in the Hosur taluk. Below Marandahalli, it is joined by several large tributaries from the hills which border on the Cauvery. The river falls into the Cauvery at the falls of Hoganakal.

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3. The supply channel will first fall into the Sangambasavam tank and will feed the tanks of Maveri and Settihalli by a separate small channel branching off from the surplus channel of the Sangambasavam. Then the water will fall into the Jertalab tank near Palacode on the trunk road from Dharmapuri to Hosur.

4. *Quantity of water available.*—The catchment of the Sanathkumaranadhi above the anicut is 340 square miles of which a large portion is in the forest reserves of Ayyur and Marandahalli. Appended is a statement No. 1^a showing the rainfall at Hosur, Denkanikota and Dharmapuri. The rainfall on the hilly portion of the catchment is certainly heavier than the rainfall on the plains, but no account has been taken of this, in these calculations. The average run-off from this catchment may be taken as one-sixth of the rainfall, or $31.88 \div 6 = 5.31$ inches, giving a total discharge of 4,173 millions cubic feet, of which half to a quarter may be expected to be diverted into the channel. Every inch of rainfall on the catchment gives 785.89 millions cubic feet. Appendix II^a is a statement showing the discharges over the Marandahalli anicut month by month for eight and a half years beginning with June 1895. The early months of 1895 are not included as no records were kept at that time of the year. Against each figure in the statement are given the quantities which would have passed down the channel if it had been built at that time. The discharges through the existing head sluice and sand sluices of the anicut are not included in this statement as they are not reliable, but enough has been seen to strengthen one in the belief that much more water (probably 50 per cent more than what is shown in the statement) is available for diversion into the channel. Appendix III^a is a statement showing month by month, the water received from Sangambasavam and Jertalab tanks and issued for irrigation. The quantity issued has been taken at the rate of 216,000 cubic feet for one acre in addition to which half a foot over the waterspread of the tank has been taken as the monthly evaporation which goes on throughout the year. On the present calculation with capacities which it is proposed to give to the Sangambasavam, Maveri, and Jertalab tanks, roughly 3,753 acres can be irrigated with one crop, of which 900 acres would get a second crop. At present the area irrigated under these three tanks is 1,493 acres.

5. *Head sluice and supply channel.*—The existing head sluice has two vents each 5' x 6' and is worked by ordinary screw gearing shutters. The eight vents originally proposed will discharge 1,190 cusecs with a head of one foot. It is proposed to improve the head sluice by the addition of 6 more vents. The supply channel with a bottom width of 50 feet, vertical sides, a fall of 4 feet per mile and a depth of water 5 feet is capable of discharging the required quantity of water. The jungle stream at the tail end of the supply channel which is narrow in places will be cleared to a width of 20 feet throughout, with vertical sides, to discharge the abovementioned quantity. To carry out this enlargement of the jungle stream, a sum of Rs. 9,660 has been provided in the estimate. Sufficient surplus escapes are in existence on the channel for carrying the two cross drainages which cross the channel at 2,000 feet and 7,500 feet respectively from the head.

6. *Design of Sangambasavam tank.*—Major Ellis after making trial pits into the body of the bund opined that the water level may be safely raised by 15 feet. The full tank level of the Sangambasavam tank will therefore

^a Appendices not printed.

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be raised by 15 feet and accordingly provision is made for raising the tank bund and revetment by 15 feet. The existing revetment is in good order and will be raised by 1 foot above M.W.L., with 6 inches gravel backing. Longitudinal and cross drains have been provided at the rear toe of the bund to drain the water which may percolate through the bund. Two new masonry tower head sluices for regulation have been provided in place of the existing sluices whose barrels are not long enough to suit the proposed new section of the bund. The surplus weir provided at the centre of the bund will be built over rock, having a rocky apron, except in one place where masonry rough stone aprons have been provided. In the body wall of the weir two vents regulated with screw-gearing shutters are provided to pass water down to the lower tanks. The weir of Sangambasavam tank has been designed so as to discharge the drainage from the catchment basin of the tank and also a quantity of 1,113 cusecs expected through the supply channel from the cross drainages intercepted by it. The co-efficient used in calculating the flood discharge is 650. The capacity of the enlarged tank will be 128 millions cubic feet. It is also reported as an alternative that it is possible to choose a site for the weir at the right end of the proposed bund where the ground consists of large boulders, outcrops of solid rock with soft rock and gravel in the interspaces. Without clearing the whole site no accurate estimate for a weir with its tail works at this place can be prepared. If the new weir be located at the extreme right flank, the course of the surplus from it will have to be crossed by the irrigation channel from sluice No. 2 of Sangambasavam tank and a masonry work at the crossing would be required. At the site of the existing weir at centre of the bund, the natural rock is exposed, and as such the design of the weir now proposed can be fairly accurate for the alternative site at the right flank where the ground is also rocky.

In view of the above, for purposes of estimating the site of weir as marked in the centre of the bund is allowed to stand. Any change of site and design of weir may be considered during execution. The present estimate if at all will err only on the safe side. The main advantage in the existing site is a saving in aprons and tail works, the requirements for which in the case of the other site cannot be foreseen until the rock at site is exposed and a clear view of the site is obtained.

7. *Design of the supply channel to Maveri (minor) tank.*—When the surplus leaves Sangambasavam tank it tends at present to spread over the wet lands under the tank. A revetted bank and masonry weir have been provided so as to divert the water away from the wet lands and to raise water to the new head sluice to be provided for the Maveri tank. The head sluice and regulator will be built at the site shown in sheet No. 16, the former being regulated with screw gearing shutter. The channel below the head sluice will be excavated to a bottom width of 6 feet, side slopes 1 : 1, depth of water 3 feet, bed fall 1 in 126 to a length of 760 feet and the channel below to a width of 10 feet. Side slopes 1 to 1, F.S.L. 3 feet, with a bed fall of 1 in 1,000. The soil along the proposed channel is either rocky or gravelly, and so a depth of 3 feet of water can be safely allowed. There will also be a masonry drop in the channel as the fall of the country is rapid and this channel will subsequently fall into a jungle stream falling into Maveri tank.

8. *Main surplus channel from Sangambasavam.*—The surplus from the Sangambasavam tank flows not in an artificial channel but along a natural valley for about a furlong from the weir. It traverses waste or dry lands

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and has cut for itself a deep channel in soft rock and gravelly soil, lower down, the flood water spreads over wet lands and only a tiny shallow channel indicates the deep course of a valley along which the flood drainage flows. The field drainage is diverted by sand dams at convenient points for irrigation of low level fields. Heavy surplus from the weir rarely lasts for more than a day or two. Cutting a deep and large channel will upset the distribution arrangements for utilizing field drainage now adopted by the ryots. An artificial channel which is likely to have water flowing in it only for some hours at a time and that for only a few days in the aggregate for the whole year is bound to get obliterated in course of time. Moreover, cutting a channel along a natural valley appears to be impracticable; so no provision is made for cutting a new channel.

9. *Design of Maveri tank.*—The F.T.L. of this tank will be raised by 10 feet and agreeably the tank bund and revetment. The existing revetment is in good order, and it will be raised to 1 foot above M.W.L. with 6 inches gravel backing. A surplus weir, 134 feet long, will be built at the left flank over sheet rock which will discharge the whole surplus with a head of 2 feet.

The existing sluice is not in good order and a new sluice will be built.

The capacity of the tank after it is enlarged will be 19 million cubic feet.

The surplus of this tank will fall into Settihalli tank which is just below Maveri tank.

10. *Design of Jertalab tank.*—This tank receives the surplus of Sangambasavam, Maveri and Settihalli tanks in addition to the supply from its free basin of 27.5 square miles. The F.T.L. of this tank will be raised by 4 feet and accordingly the tank bund and revetment will be raised by the same height. The two existing weirs will be lengthened to discharge the whole surplus with a head of 3 feet. The existing revetment is in good order and it will be raised 1 foot above M.W.L. with 6 inches gravel backing. The existing sluices are in good order excepting that they have no proper heads for regulation, and so for the low level sluice, a tower head will be provided to regulate water, and for the high level sluice a platform with wings. The present capacity of the Jertalab tank is 43.49 million cubic feet and when the tank is enlarged its capacity will be 86 million cubic feet. Provision has also been made to excavate field channels from the rear cistern of the high level sluice of this tank to command more dry lands.

11. *Land available.*—An unlimited area is available below the three tanks which will be enlarged. The land is the best in the Salem district while the large town of Palakode ensures the land being cultivated to its utmost extent possible.

12. *Land compensation.*—Provision for land acquisition has been allowed for all necessary items and the rates adopted are those given in Collector's D. Dis. No. 5509/25, dated 30th December 1925. The provision includes for the acquisition of lands for the waterspread of Sangambasavam, Maveri and Jertalab tanks, the lands required for the irrigation channels under Jertalab tank and for the supply channel to Maveri tank. No provision for the land for surplus channel from Sangambasavam tank is necessary, as there is no proposal to excavate a new channel.

COIMBATORE,
5th January 1927.

A. S. LAURIE,
Superintending Engineer, Coimbatore Circle.

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MARANDAHALLI PROJECT ESTIMATE.

ESTIMATE FORM—ABSTRACT

Item number.	Description of work.	Rate.	Per	Amount.	Total.
(1)	(2)	(3)	(4)	(5)	(6)
	<i>General Abstract.</i>			RS.	RS.
I.	Improvements to the head sluice as per separate estimate	..	..	18,114	
II.	Improvements to supply channel to Sangambasavam tank	..	..	70,400	
III.	Improvements to Sangambasavam tank	..	..	1,41,200	
IV.	Improvements to supply channel to Maveri tank	..	..	25,900	
V.	Improvements to Maveri tank	..	..	35,300	
VI.	Improvements to Jertalab tank	..	..	77,000	3,07,914
VII.	* Land compensation for the patta fields which come under the waterspread of Sangambasavam tank, 105.84 acres	..	..	15,892	
VIII.	Land compensation for the patta fields which come under the waterspread of Maveri tank, 35.15 acres	..	..	2,686	
IX.	Land compensation for the patta fields which come under the waterspread of Jertalab tank, 66.05 acres	..	..	14,118	
X.	Land compensation for land for the excavation of field channels below Jertalab tank (143.69 — 109.03) = 34.66 acres at Rs. 400 per acre being wet lands	..	..	13,864	
XI.	Include 15 per cent for compulsory acquisition of land	..	..	6,976	53,486
	Grand total				3,61,400

* As furnished in Collector's D. Dis. No. 5509/25 of 20th December 1925.

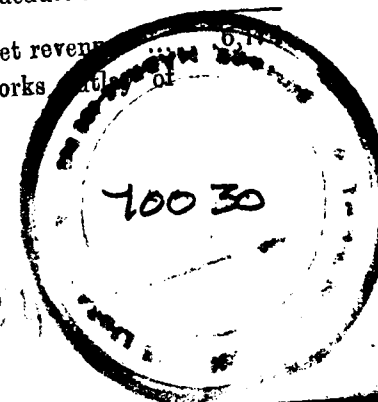
Financial Statement.

	RS.
Gross revenue on 2,260 acres as furnished by the Collector, Salem, in a statement	8,878
Deduct—	
Maintenance charges at Re. 1 per acre	2,260
Revenue collection charges at 5 per cent on revenue	444
Total deductions	2,704

Therefore total net revenue
which represents a return of 1.7 per cent on the works
Rs. 3,61,400.

D
V211, 321 N30

NO. 51-211



[31st January 1930]

APPENDIX II.

[Vide answer to question No. 1420 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 31st January 1930. page 943 supra.]

Statement.

Name of hospital.	Number of patients admitted.	Number of patients who were refused admission.
1. Cocanada ...	22	Nil.
2. Amalapuram ...	Nil	Nil.
3. Guntur ...	30	Nil.
4. Calicut ...	124	Nil.
5. Palghat ...	43	Nil.
6. Tanjore ...	139	No account kept.
7. Palamcottah ...	30	Nil.
8. Nanguneri ...	Nil	Nil.
9. Tellicherry ..	71	Nil.

APPENDIX III.

[Vide item (1) under heading IV—Bills on page 952 supra.]

Report of the Select Committee on the Madras Gaming Bill.

BILL No. 2 OF 1930.

To

THE HONOURABLE THE LEGISLATIVE COUNCIL
OF THE GOVERNOR OF MADRAS.

WE, the undersigned members of the Select Committee appointed on the 24th of January 1930 to consider the Madras Gaming Bill (Bill No. 2 of 1930) of Mr. F. E. James, have the honour to submit the following report.

2. The Bill was published in the *Fort St. George Gazette* in English on the 21st of January 1930.

3. We have carefully considered the provisions of the Bill at our meeting held to-day, and are of opinion that they are satisfactory. Of the few changes we have made in the Bill, the only ones which require mention are—

(1) that we have more clearly defined the local extent of the Act, and

(2) that in clause 5 we have given the power to issue a warrant to enter a common gaming house or to

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arrest persons found therein, only to salaried magistrates other than a village magistrate, or to police officers not below the rank of a Deputy Superintendent of Police.

The Bill as amended by us is attached.

4. We do not consider that the changes we have effected are so important as to necessitate the republication of the Bill.

J. A. SALDANHA (*Chairman*).

MAHOMED USMAN.

T. N. S. THIRTHAPATHI (Zamindar of Singampatti).

A. P. PATRO.

K. P. RAMAN MENON.

V. I. MUNISWAMI PILLAI.

C. S. RATNASABAPATHI MUDALIYAR.

MAHMUD SCHAMNAD.

F. E. JAMES.

P. J. GNANAVARAM PILLAI.

S. K. ABDUL RAZACK.

25th January 1930.

[Note.—Changes made by the Select Committee are shown in clarendon type.]

BILL No. 2 OF 1930.

The Madras Gaming Bill.

(As amended by the Select Committee.)

A Bill to provide for the punishment of gaming and the keeping of common gaming-houses in the Presidency of Madras.

WHEREAS it is expedient to make provision for the punishment of gaming and the keeping of common gaming-houses in the Presidency of Madras, And whereas the previous sanction of the Governor-General has been obtained to the passing of this Act; It is hereby enacted as follows:—

1. This Act may be called the Madras Gaming Act, Short Title. 1930.

2. This Act extends to the whole of the Presidency of Madras with the exception of the City of Madras as defined in the Madras City Police Act, 1888. Local extent.

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Definitions.

3. In this Act, unless there be something repugnant in the subject or context,—

"Common gaming-house."

"Common gaming-house" means any enclosure, room or place in which cards, dice, tables or other instruments of gaming are kept or used for the profit or gain of the person owning, occupying, using or keeping such enclosure, room or place, whether by way of charge for the use of instruments of gaming or of the enclosure, room or place, or otherwise howsoever;

"Gaming."

"Gaming" does not include a lottery, but includes wagering or betting on a horse race except when such wagering or betting takes place,—

i. on the date on which such race is to be run; and

ii. in a place or places within the race enclosure which the authority controlling such race has with the sanction of the Local Government set apart for the purpose.

"Instruments of gaming."

"Instruments of Gaming" include an article used as a subject or means of, or for the purpose of carrying on or facilitating, or in connexion with gaming and any books, lists, tickets, forms or other documents used or intended to be used as a register or record or evidence of gaming.

Penalty for opening, etc., any enclosure, etc., for gaming on a horse race.

4. (i) Whoever opens, keeps or uses, or permits to be opened, kept or used any enclosure, room or place for the purpose of gaming on a horse race shall be liable on conviction, to imprisonment not exceeding three months or for every day on which such enclosure, room or place is so opened, kept or used to a fine not exceeding five hundred rupees or to both.

(ii) Whoever is found gaming on a horse race shall be liable, on conviction, notwithstanding any provision to the contrary in this Act, to a fine not exceeding five hundred rupees or to imprisonment not exceeding one month.

Power to grant warrant to enter common gaming-house.

5. If any salaried Magistrate other than a Village Magistrate or any Police Officer not below the rank of a Deputy Superintendent of Police has reason to believe that any place is used as a common gaming-house, he may by his warrant give authority to any Police Officer, not below the rank of a Sub-Inspector, to enter with such

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assistance as may be found necessary, by night or by day any such place, and to arrest all persons found therein and to seize all instruments of gaming and all moneys and securities for money and articles of value reasonably suspected to have been used or intended to be used for the purpose of gaming which are found therein, and to search all parts of such place and also the persons found therein.

6. Any cards, dice, gaming table or cloth, board or other instruments of gaming found in any place entered or searched under the provisions of the last preceding section, or on any person found therein shall be evidence that such place is used as a common gaming-house, and that the persons found therein were there present for the purpose of gaming, although no play was actually seen by the Police Officer or any of his assistants.

Cards, dice, etc., found in search under last section to be evidence that place is a common gaming-house.

7. It shall not be necessary, in order to convict any person of keeping a common gaming-house or of being concerned in the management of any common gaming-house, to prove that any person found playing at any game was playing for any money, wager, bet or stake.

Proof of playing for stakes unnecessary.

8. Whoever opens, keeps or uses, or permits to be used any common gaming-house, or conducts or assists in conducting the business of any common gaming-house, or advances or furnishes money for gaming therein, shall be liable on conviction to fine not exceeding five hundred rupees or to imprisonment not exceeding three months, or to both.

Penalty for opening, etc., a common gaming-house.

9. Whoever is found gaming or present for the purpose of gaming in a common gaming-house shall on conviction be liable to fine not exceeding two hundred rupees or to imprisonment not exceeding one month; and any person found in any common gaming-house during any gaming or playing therein shall be presumed, until the contrary be proved to have been there for the purpose of gaming.

Penalty for being found gaming in a common gaming-house.

10. On conviction of any person for keeping a common gaming-house, or being present therein for the purpose of gaming, all the instruments of gaming found therein may be destroyed by the order of the Magistrate, and such Magistrate may order all or any of the other articles seized, or the proceeds thereof, to be forfeited.

Instruments of gaming may be ordered to be destroyed on conviction.

11. Nothing in section 5 to 10 of this Act shall be held to apply to games of mere skill wherever played.

Saving of games of skill.

[31st January 1930]

Penalty for gaming in public street, etc.

12. Whoever is found gaming with cards, dice, counters, money or other instruments of gaming in any public street, place or thoroughfare or publicly fighting cocks, shall be liable on conviction to fine not exceeding fifty rupees or to imprisonment not exceeding one month; and such instruments of gaming and money shall be forfeited.

Police may arrest without warrant on view of offence.

13. Any Police Officer may arrest without a warrant any person committing in his view any offence made punishable by this Act.

Repeal.

14. Sub-section (10) of section 3 and sections 6, 7 and 9 of the Towns Nuisances Act, 1889, are hereby repealed.

APPENDIX IV.

(Vide item (2) under heading IV at page 957 supra.)

Report of the Select Committee on the Bill for the Suppression of Brothels and Immoral Traffic.

BILL No. 16 OF 1928.

To

THE HONOURABLE THE LEGISLATIVE COUNCIL
OF THE GOVERNOR OF MADRAS.

The Bill has been recommitted to us by the Legislative Council on the 24th of January 1930.

2. In our previous report we considered that it should be obligatory upon the Local Government to provide rescue homes for the custody and detention of girls removed under this Act, and therefore made such amendments in the Bill as were deemed necessary to carry out this intention. As His Excellency the Governor has refused to grant sanction under section 80-C of the Government of India Act to the abovementioned amendments, it has become necessary for us to delete the same. We have accordingly deleted clause 16 of the Bill as originally amended by us, and also the words "provided by the Local Government" in clause 6 (ii) and in clause 7 of the Bill. We have also removed the words "or otherwise" in clause 12 of the Bill as we consider that these words introduce an element of indefiniteness into the offence and widen its scope unnecessarily.

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We have reduced the sentence provided for under clause 12 and have made one or two other minor changes. The Bill as amended by us is attached.

3. As the changes made by us are not of an important character, the Bill need not be republished in the Gazette.

S. MUTHULAKSHMI REDDI.
MAHOMED USMAN.
F. E. JAMES.
B. RAMACHANDRA REDDI.
K. P. RAMAN MENON.
K. R. VENKATARAMA AYYAR.
R. N. AROGYASWAMI MUDALIYAR.
C. GOPAL MENON.
RAMANATH GOENKA.
R. SRINIVASAN.
A. S. SAHAJANANDAM.
L. K. TULASIRAM.
B. MUNISWAMI NAYUDU.
A. RANGANATHAM.

25th January 1930.

[Note.—Changes made by the Select Committee are shown in clarendon type.]

BILL No. 16 OF 1928.

A Bill for the Suppression of Brothels and Immoral Traffic.

(As amended by Select Committee after recommitment.)

WHEREAS it is expedient to make better provision for the suppression of brothels and of traffic in women and girls and for other purposes of a like nature in the Madras Presidency; and whereas the previous sanction of the Governor-General, required by sub-section (3) of section 80-A of the Government of India Act, has been obtained; It is hereby enacted as follows:—

1. (a) This Act may be called "The Madras Suppression of Immoral Traffic Act, 1930." Short title.

(b) It shall come into force on such date as the Local Government may, by notification in the *Fort St. George Gazette*, direct. Commencement.

[31st January 1930]

2. This Act shall apply to the whole of the Presidency of Madras.

Madras Act
III of 1888.

3. Section 71 (xx) of the Madras City Police Act, 1888, is hereby repealed.

4. In this Act, unless there is anything repugnant in the subject or context,—

(a) "Brothel" means any house, room, or place which the occupier or person in charge thereof habitually allows to be used by any other person for the purpose of prostitution.

(b) "Commissioner of Police" means the Commissioner of Police for the City of Madras as appointed under section 5 of the Madras City Police Act of 1888.

(c) "Magistrate" means a salaried Presidency Magistrate or Magistrate of the first class, inclusive of the Commissioner of Police.

(d) "Prescribed" means prescribed by rules made under section 16.

(e) "Prostitution" means promiscuous sexual intercourse for hire and a "prostitute" means a woman who offers her body to promiscuous sexual intercourse for hire.

(f) "Superintendent of Police" means a District Superintendent of Police appointed under the Madras District Police Act, 1859, or any person appointed by the Local Government to perform the duties of the Superintendent of Police for the purposes of this Act.

Act XXIV
of 1858.

5. (i) Any person who—

(a) keeps or manages or acts or assists in the management of a brothel; or

(b) being the tenant, lessee, occupier, or person in charge of any premises, knowingly permits such premises or any part thereof to be used as a brothel; or

Use of
premises
as brothel
punishable

(c) being the lessor or landlord of any premises, or the agent of such lessor or landlord, lets the same, or any part thereof, to any person convicted under clause (a) or clause (b) above, with the knowledge that such premises, or some part thereof, are or is to be used as a brothel, or is wilfully a party to the use of such premises, or any part thereof, as a brothel; shall be punished with imprisonment which may extend to three months, or with fine which may extend to five hundred rupees or with both.

[31st January 1930]

(ii) Notwithstanding anything contained in any other law for the time being in force, the owner or lessor of any house, room or place, in respect of which the lessee, tenant, or occupier thereof has been convicted under clause (b) of sub-section (i) shall be entitled forthwith to determine such lease, tenancy or occupation.

Right of
lessor to
determine
lease.

6. (i) Where a Magistrate has reason to believe from a report made to him by a police officer or otherwise, that a girl apparently under the age of 18 years is living, or is carrying on, or is being made to carry on the business of a prostitute in a brothel, disorderly house, or place of assignation, he may issue an order to a police officer not below the rank of an Inspector specially authorized in writing in this behalf by the Commissioner of Police, or by the Superintendent of Police, to enter into such brothel, disorderly house or place of assignation and to remove therefrom such girl; and thereupon such police officer shall have the power to enter into such brothel, disorderly house or place of assignation, and shall be entitled to remove such girl forthwith from such brothel, disorderly house or place of assignation.

Removal of
minors from
brothels.

(ii) A girl who has been so removed shall be brought before a Juvenile Court constituted under section 36 of the Madras Children Act, 1920, and the Court shall cause an inquiry to be made in the manner provided in sub-section (3) of section 29 of that Act, and, if satisfied that the girl is under 18 years of age and that she should be dealt with as therein provided, may make an order that such girl be placed until she attains the age of 21 years or for any shorter period in a rescue home or in such other custody as the Court for reasons to be stated in writing shall consider suitable, provided that such custody shall not be that of a person or body of a different religious persuasion from that of the girl.

Commitment
to suitable
custody.

(iii) For the determination of the question whether a girl produced before a court under the provisions of this section is under 18 years of age, the provisions of section 57 of the Madras Children Act, 1920, shall be applied.

Determina-
tion of age.

Madras Act
of 1920.

7. When a girl has been removed from a brothel or disorderly house or place of assignation under the provisions of sub-section (i) of section 6, the Commissioner of Police or other police officer carrying out the removal shall, until such girl can be brought before the court, cause her to be detained in a rescue home or in such

Intermediate
custody of
girl removed
from brothel,
etc.

[31st January 1980]

other suitable custody (other than a police station or jail) as may be prescribed in this behalf by the Local Government, provided however that such custody shall not be that of a person or body of a different religious persuasion from that of the girl.

Subsequent treatment of girl committed to suitable custody under section 6 (ii).

8. When an order that a girl be placed in suitable custody has been passed under sub-section (ii) of section 6, the provisions of the Madras Children Act, 1920, shall, subject to such notifications as the Government may prescribe by rules made under section 17 and notwithstanding her age, thereafter apply to the case of such girl during the period of the said order as if she were a child or young person dealt with under section 29 of the Madras Children Act, 1920.

Madras /
IV of 1920

Importing woman or girl for prostitution.

9. Any person who takes or attempts to take or causes to be taken from one place to another any woman or girl with a view to her carrying on or being brought up to carry on the business of a prostitute or causes or induces any woman or girl to carry on the business of a prostitute, shall be punished with imprisonment which may extend to two years or with fine which may extend to one thousand rupees or with both.

Detention as prostitute in brothel or with intent.

10. (i) Any person who detains any woman or girl against her will

(a) in any house, room or place in which the business of a prostitute is carried on, or

(b) in or upon any premises with intent that she may have sexual intercourse with any man other than her lawful husband, shall be punished with imprisonment which may extend to two years or with fine which may extend to one thousand rupees or with both.

Presumption of detention.

(ii) A person shall be presumed to detain a woman or girl who is in any house, room or place in which the business of a prostitute is carried on, or in or upon any premises for the purpose of sexual intercourse with a man other than her lawful husband, if such person, with intent to compel or induce her to remain there,

(a) withholds from her any jewellery, wearing apparel or other property belonging to her or

(b) threatens her with legal proceedings if she takes away with her any jewellery or wearing apparel lent or supplied to her by or by the direction of such person.

[31st January 1980]

(iii) Notwithstanding any law to the contrary, such a woman or girl shall not be liable to be proceeded against civilly or criminally for taking away or being found in possession of any jewel, wearing apparel, money or other property alleged to have been lent or supplied to, or to have been pledged by such woman or girl by or to the person by whom she has been detained.

11. Any person who induces a woman or girl to go from any place with intent that she may, for the purposes of prostitution, become the inmate of or frequent a brothel, shall be punished with imprisonment which may extend to two years or with fine which may extend to one thousand rupees or with both. Procuration.

12. Whoever in any street or public place or place of public resort or within sight of and in such manner as to be seen or heard from any street or public place whether from within any house or not,—

(a) by words, gestures, wilful and indecent exposure of his or her person attracts or endeavours to attract attention for the purpose of prostitution, or

(b) solicits or molests any person or loiters for the purpose of prostitution,

shall be punished with imprisonment for a term which may extend to one month or with fine which may extend to one hundred rupees or with both.

13. Any Police officer (not below the rank of Inspector) on complaint, and any Police officer authorized in this behalf by the Commissioner of Police or the Superintendent of Police by special order, may arrest without a warrant any person committing in his view any offences punishable under sections 9, 10, 11 and 12 if the name and address of such person be unknown to such Police officer and cannot be ascertained by him then and there, or if he has reason to suspect that a false name and address has been given. Arrest without warrant.

14. Notwithstanding anything contained in any other law for the time being in force, only a Police officer authorized in this behalf by the Commissioner of Police or the Superintendent of Police by special order may, for the purposes of ascertaining whether an offence punishable under section 9, 10, 11 or 12 has been or is being committed, enter without a warrant any Power to enter premises.

[31st January 1930]

premises in which he has reason to believe that any woman or girl is living in respect of whom an offence punishable under section 9, 10, 11 or 12 has been committed.

Offence
triable by
certain
Magistrates
only.

15. No court inferior to that of a Magistrate as defined in clause (c) of section 4 shall try offences under sections 5, 9, 10, 11 and 12.

Provided that notwithstanding anything contained in clause (c) of section 4, the Commissioner of Police shall not be deemed to be a Magistrate for the purpose of this section.

16. The Local Government may make rules

Power of
Local
Government
to make rules.

(a) for the care, treatment, instruction and the maintenance of girls placed in a rescue home or homes or other suitable custody under sub-section (ii) of section 6, and

(b) for the detention of girls under the provisions of section 7, subject to the restriction that no girl shall be detained in the custody of a person or body of a different religious persuasion from that of the girl.

FOURTH SESSION OF THE THIRD LEGISLATIVE COUNCIL

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