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PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL

FOURTH SESSION OF THE FOURTH LEGISLATIVE COUNCIL

Vol. LXVII (Nos. 1 to 3)

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PERSONNEL OF THE GOVERNMENT OF MADRAS.

Governor of Madras.

His Excellency Lieut.-Col. the Right Hon. Sir GEORGE FREDERICK STANLEY, P.C., G.C.I.E., C.M.G. Took his seat on the 12th November 1929.

Members of the Executive Council.

1. The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur, K.C.I.E., Home Member. Took his seat on the 30th March 1925 and is in charge of the following portfolios :—

I.—Provincial Subjects.

- | | |
|--|--|
| 1. Police, including Railway Police and C.I.D. | 12. Government Houses, Staff and equipment of His Excellency the Governor. |
| 2. Regulation of betting and gambling. | 13. Government Presses. |
| 3. Prevention of cruelty to animals. | 14. Elections for Indian and Provincial Legislatures. |
| 4. Control of poisons. | 15. Industrial matters included under the following heads :— |
| 5. Control of vehicles. | (a) Factories. |
| 6. Control of dramatic performances and cinematographs. | (b) Settlement of labour disputes. |
| 7. Control of newspapers, books and printing presses. | (c) Boilers. |
| 8. Laccadives. | (d) Gas. |
| 9. European vagrancy. | (e) Smoke nuisances. |
| 10. European and Anglo-Indian education. | (f) Welfare of labour including depressed classes. |
| 11. Regulation of medical and other professional qualifications and standards. | 16. Criminal tribes. |
| | 17. Stores and Stationery (required for Reserved Departments). |

II.—Central Subjects.

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

2. The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR, Kt., Law Member. Took his seat on the 25th April 1928 and is in charge of the following portfolios :—

I.—Provincial Subjects.

- | | |
|--|---|
| 1. Administration of justice, including constitution, powers, maintenance and organization of courts of civil and criminal jurisdiction within the province. | 3. Administrator-General and Official Trustees. |
| 2. Provincial law reports. | 4. Escheats. |
| | 5. Coroners. |
| | 6. Treasure-trove. |
| | 7. Non-judicial and judicial stamps. |
| | 8. Prisons and prisoners. |

I.—Provincial Subjects—cont.

- | | |
|--|--|
| 9. Industrial matters included under the following head :
Electricity, including hydro-electric scheme. | 10. Forests (including Cinchona) except panchayat forests. |
| | 11. Minor Ports. |

II.—Central Subjects.

- | | |
|----------------------------|--|
| 1. Civil law. | 6. Shipping and navigation. |
| 2. Inventions and designs. | 7. Lighthouses. |
| 3. Copyright. | 8. Port quarantine and marine hospitals. |
| 4. Criminal law. | |
| 5. Major Ports. | |

3. The hon. Sir ARCHIBALD CAMPBELL, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., Member in charge of Revenue. Took his seat on the 29th June 1929 and is in charge of the following portfolios :—

I.—Provincial Subjects.

- | | |
|---|---|
| 1. Land Revenue administration as described under the following heads, namely :—
(a) Assessment and collection of land revenue.
(b) Maintenance of land records ; survey for revenue purposes ; records of rights.
(c) Laws regarding land tenures ; relations of landlords and tenants ; collection of rents.
(d) Court of Wards, encumbered and attached estates.
(e) Land improvement and agricultural loans.
(f) Colonization and disposal of Crown lands.
(g) Management of Government estates.
(h) Panchayat forests. | 4. Inland waterways including shipping and navigation thereon.
5. Economic condition including wages and prices and famine-relief.
6. Land acquisition, excepting notifications under subsection (1) of section 4 and declarations under subsection (1) of section 6 of the Land Acquisition Act, 1894, where the public purpose referred to in the said subsections appertains to a transferred subject.
7. Development of mineral resources.
8. Protection of wild birds and animals.
9. Pounds and prevention of cattle trespass.
10. Provincial gazetteers.
11. Agency tracts.
12. Fortnightly reports and preliminary special reports to the Government of India.
13. General service questions.
14. Office procedure.
15. Secretariat.
16. Matters of a general nature not allocated elsewhere. |
| 2. Yeomiahs, inams and hereditary pensions. | |
| 3. Water-supplies, irrigation and canals, drainage and embankments ; water storage and water power. | |

II.—Central Subjects.

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

4. The hon. Mr. H. G. STOKES, C.S.I., C.I.E., I.C.S., Finance Member. Took his seat on the 19th March 1930 and is in charge of the following portfolios :—

I.—Provincial Subjects.

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

II.—Central Subjects.

- | | |
|--|--|
| 1. (a) Defence of India.
(b) Naval and Military works and cantonments. | 8. Currency and coinage. |
| 2. External relations, including naturalization and aliens and pilgrimage beyond India except to the Hedjaz. | 9. Public debt of India. |
| 3. Relations with States in India. | 10. Savings banks. |
| 4. Political charges. | 11. Indian Audit Department. |
| 5. Communications. | 12. Commerce, including Banks and Insurance. |
| 6. Posts and telegraphs and telephones, including wireless installations. | 13. Trading Companies and other Associations. |
| 7. Sources of all-India revenues. | 14. Opium (Central questions regarding —). |
| | 15. Central Research. |
| | 16. Ecclesiastical. |
| | 17. Archæology. |
| | 18. Regulation of ceremonial titles, orders, precedence and civil uniform. |
| | 19. Subjects not allocated elsewhere. |

Ministers.

1. The hon. the RAJA OF BOBBILI, Minister for Local Self-Government. Took his seat on the 5th November 1932 and is in charge of the following portfolios :—

- | | |
|--|---|
| 1. Local Self-Government including village panchayats. | 5. Adulteration of food-stuffs and other articles. |
| 2. Medical administration. | 6. Light and Feeder Railways and Tramways within municipal areas. |
| 3. Public Health and Sanitation and Vital Statistics. | 7. Stores and Stationery (required for Transferred Departments). |
| 4. Religious and Charitable Endowments. | |

2. The hon. Mr. P. T. RAJAN, Minister for Public Works. Took his seat on the 5th November 1932 and is in charge of the following portfolios :—

- | | |
|---|----------------------------|
| 1. Agriculture. | 4. Co-operative Societies. |
| 2. Civil Veterinary Department. | 5. Registration. |
| 3. Public Works (Buildings, Roads, Ferries, Rope-ways, etc.). | 6. Weights and Measures. |

3. The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR, Minister for Education and Excise. Took his seat on the 5th November 1932 and is in charge of the following portfolios :—

- | | |
|--|---|
| 1. Education (other than European and Anglo-Indian education). | 4. Fisheries. |
| 2. Excise. | 5. Libraries, Museums and Zoological Gardens. |
| 3. Development of Industries. | 6. Pilgrimage within British India. |

PRINCIPAL OFFICERS OF THE MADRAS LEGISLATIVE COUNCIL.

President.

The hon. Mr. B. RAMACHANDRA REDDI.

Deputy President.

M.R.Ry. Rao Bahadur G. JAGANNADHA RAJU Garu.

Panel of Chairmen.

M.R.Ry. M. A. MUTHIAH CHETTIYAR Avargal.

„ M. DEVADASAN Avargal.

YAKUB HASAN SAHIB Bahadur.

M.R.Ry. K. R. VENKATARAMA AYYAR Avargal.

Secretary to the Council.

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

Assistant Secretary to the Council.

M.R.Ry. D. K. V. RAGHAVA VARMA Garu, B.A., B.L. (on leave),

„ D. DHYRIANATHAN Avargal B.A., B.L. (Acting).

LIST OF MEMBERS OF THE MADRAS LEGISLATIVE COUNCIL.

Name of member.	Name and class of constituency.
1 Abdul Hameed Khan Sahib Bahadur.	Madras City, Muhammadan Urban.
2 Ahmed Meeran Sahib Bahadur, Moulvi Hafeez Anumanthakudi Mustapha.	Ramnad cum Tinnevely, Muhammadan Rural.
3 Alagannan Chettiyar, Rao Sahib A. S.	Madura, N.-M. Rural.
4 Alamelumangathayaramma, Mrs. K.	NOMINATED.
5 Annamalai Chettiyar, S. A. A.	Nattukottai Nagarathars' Association.
6 Appadurai Pillai, Diwan Bahadur A.	Central Districts—Indian Christian.
7 Arasu, V. T.	NOMINATED.
8 Ari Gowder, H. B.	The Nilgiris, N.-M. Rural.
9 Basheer Ahmed Sayeed Sahib Bahadur.	Central Districts, Muhammadan Rural.
10 Basu Dev, C.	NOMINATED.
11 Bayappa Reddi, P.	Anantapur, N.-M. Rural.
12 Beyabani Sahib Bahadur, S. M. K.	Ceded Districts, Muhammadan Rural.
13 Bhanoji Rao, A. V.	NOMINATED.
14 Birley, Frank	Madras Chamber of Commerce.
15 Campbell, K.C.I.E., C.S.I., C.B.E., v.d., I.C.S., The hon. Sir Archibald.	EX OFFICIO.
16 Davis, O.B.E., J. A.	Anglo-Indian.
17 Devadasan, M.	NOMINATED.
18 Dharmalingam Pillai, Rao Sahib V.	NOMINATED.
19 Duraiswami Reddiyar, K. M.	South Arcot, N.-M. Rural.
20 Ellappa Chettiyar, Diwan Bahadur S.	Salem, N.-M. Rural.
21 Foulkes, R.	NOMINATED.
22 Gopalaswami Mudaliyar, Diwan Bahadur M.	Bellary, N.-M. Rural.
23 Harischandrudu Nayudu, A. . .	Godavari East, N.-M. Rural.
24 Hood, I.C.S., H. M.	NOMINATED.
25 Indriah, C.	Godavari West, N.-M. Rural.
26 Jagannadha Raju, Rao Bahadur G. (<i>Deputy President</i>).	Vizagapatam, N.-M. Rural.
27 Jagannatham, H. M.	NOMINATED.
28 Jayaram Nayudu, Rao Sahib C.	Chingleput, N.-M. Rural.

Name of member.	Name and class of constituency.
29 Jones, I.C.S., C. E.	NOMINATED.
30 Kesava Ramamurti Nayudu, K.	Cocanada City, N.-M. Urban.
31 Khalif-ul-Jah Sahib Bahadur, Khan Bahadur P.	Madura and Trichinopoly cum Srirangam, Muhammadan Urban.
32 Kolanda Reddi, Rai Sahib C.	Kistna, N.-M. Rural.
33 Koti Reddi, K.	Cuddapah, N.-M. Rural.
34 Krishnamurti, Rao Sahib D. . .	NOMINATED.
35 Krishnan, C.	NOMINATED.
36 Krishnan Nayar, Kt., The hon. Diwan Bahadur Sir M.	EX OFFICIO.
37 Krishnaswami Ayyar, Kt., Diwan Bahadur Sir Alladi.	NOMINATED.
38 Krishnayya Choudari, P. V.	Guntur, N.-M. Rural.
39 Kumara Raja of Venkatagiri (Raja Velugoti Sarvagnya Kumara Krishnayachendrula Bahadur Varu).	Nellore, N.-M. Rural.
40 Kumaraswami Reddiyar, The hon. Diwan Bahadur S. (<i>Minister</i>).	Tinnevely, N.-M. Rural.
41 Kuppuswami Choudari, J. . .	Guntur, N.-M. Rural.
42 Ladden, W. W.	Madras Trades Association.
43 Lakshmana Reddi, G.	Anantapur, N.-M. Rural.
44 Langley, W. K. M.	Madras Planters.
45 Madanagopal Nayudu, R. . .	Madras City, N.-M. Urban.
46 Madhusoodhanan Thangal, P.	NOMINATED.
47 Maharaja of Venkatagiri (Sri Raja Velugoti Sri Govinda Krishna Yachendrula Bahadur Varu, K.C.I.E., Lieutenant-Colonel).	North Central Landholders.
48 Mahboob Ali Baig Sahib Bahadur.	Northern Circars, Muhammadan Rural.
49 Mahmud Schamnad Sahib Bahadur, Khan Bahadur.	South Kanara, Muhammadan Rural.
50 Manikkavelu Nayakar, M. A.	North Arcot, N.-M. Rural.
51 Moidoo Sahib Bahadur, Khan Bahadur T. M.	Malabar, Muhammadan Rural.
52 Moses, P. C.	Northern Districts, Christian.
53 Muhammad Meera Ravuttar Bahadur, K. P. V. S.	Madura cum Trichinopoly, Muhammadan Rural.
54 Muniswami Nayudu, Diwan Bahadur B.	Chittoor, N.-M. Rural.
55 Muniswami Pillai, Rao Sahib V. I.	NOMINATED.
56 Murugappa Chettiyar, Diwan Bahadur A. M. M.	Ramnad, N.-M. Rural.

Name of member.	Name and class of constituency.
57 Muthiah Chettiyar, M. A. ..	Southern India Chamber of Commerce.
58 Muthu Chettiyar, Rao Bahadur P. C.	Madura, N.-M. Rural.
59 Nachiyappa Gounder, K. A. ..	Salem, N.-M. Rural.
60 Nadimuthu Pillai, A. Pl. N. V.	Tanjore N.-M. Rural.
61 Nanjappa Bahadur, Subadar-Major S. A.	NOMINATED.
62 Narasa Reddi, T.	Cuddapah, N.-M. Rural.
63 Narasimhaswami, D. V., Rao Sahib.	Godavari East, N.-M. Rural.
64 Narayanan Nambiyar, V. P.	Malabar, N.-M. Rural.
65 Narayanaswami Pillai, Rao Bahadur T. M.	Trichinopoly, N.-M. Rural.
66 Natesa Mudaliyar, Rao Bahadur C.	Madras City, N.-M. Urban.
67 Palat, R. M.	West Coast Landholders.
68 Pannirselvam, Rao Bahadur A. T.	Tanjore and Trichinopoly <i>cum</i> Madura, Christian.
69 Parthasarathi Ayyangar, C. R.	Chittoor, N.-M. Rural.
70 Patnaik Mahasayo, Sriman M. G.	Ganjam, N.-M. Rural.
71 Patro, Kt., Rao Bahadur Sir A. P.	Ganjam, N.-M. Rural.
72 Pattabhiramayya, K.	Kistna, N.-M. Rural.
73 Pattagar of Palayakottai (Rao Bahadur Nallathambi Sarkarai Manradiyar).	Coimbatore, N.-M. Rural.
74 Peddi Raju, P.	Godavari West, N.-M. Rural.
75 Pocker Sahib Bahadur, B. ..	Malabar, Muhammadan Rural.
76 Premayya, G. R.	NOMINATED.
77 Rajagopala Pillai, P. V. ..	NOMINATED.
78 Raja of Bobbili, The hon. (Sri Ravu Swetachallapathi Ramakrishna Ranga Rao) (Minister).	Vizagapatam, N.-M. Rural.
79 Raja of Kallikote (Raja Sri Ramachandra Marda Raja Deo Garu).	Northern Landholders, I.
80 Raja of Parlakimedi (Sri Sri Krishna Chandra Gajapathi Narayana Deo Garu).	Ganjam, N.-M. Rural.
81 Rajan, The hon. Mr. P. T. (Minister).	Madura, N.-M. Rural.
82 Ramachandra Padayachi, P. K.	South Arcot, N.-M. Rural.
83 Ramachandra Reddi, The hon. Mr. B. (President).	Nellore, N.-M. Rural.
84 Ramakrishna Reddi, A. ..	Kurnool, N.-M. Rural.
85 Ramalingam Chettiyar, Rao Bahadur T. A.	Coimbatore, N.-M. Rural.

Name of member.	Name and class of constituency.
86 Ramamurti, Rao Sahib Pandit Ganala.	NOMINATED.
87 Raman Menon, K. P. .. .	Malabar, N.-M. Rural.
88 Ramaswami Ayyar, T. S. ..	Madras University.
89 Ramaswami Mudaliyar, V. M.	North Arcot, N.-M. Rural.
90 Ranganatha Mudaliyar, A. ..	Bellary, N.-M. Rural.
91 Ranganatha Mudaliyar, G. ..	Tanjore, N.-M. Rural.
92 Ranganatha Mudaliyar, M. D. T.	Tinnevelly <i>cum</i> Palamcottah, N.-M. Urban.
93 Rangaswami Reddi, M. B. ..	North Arcot, N.-M. Rural.
94 Ratnasabhapati Mudaliyar, Diwan Bahadur C. S.	Coimbatore, N.-M. Rural.
95 Sahajanandam, Swami A. S. .	NOMINATED.
96 Sami Venkatachalam Chetti ..	Madras City, N.-M. Urban.
97 Sesha Reddi, B. P.	Kurnool, N.-M. Rural.
98 Shetty, A. B.	South Kanara, N.-M. Rural.
99 Simhachalam Pantulu, Gade.	Guntur, N.-M. Rural.
100 Singam Ayyangar, K. ..	Trichinopoly <i>cum</i> Srirangam, N.-M. Urban.
101 Siva Raj, Rao Sahib N. ..	NOMINATED.
102 Sivasubrahmanya Ayyar, K. S.	Tanjore, N.-M. Rural.
103 Smith, C.I.E., I.C.S., E. Conran.	NOMINATED.
104 Soundara Pandian, W. P. A.	NOMINATED.
105 Sreshta, M. S.	West Coast, Christian.
106 Srinivasa Ayyangar, T. C. ..	Ramnad, N.-M. Rural.
107 Srinivasan, Rao Bahadur, R. .	NOMINATED.
108 Sriramulu, G.	NOMINATED.
109 Stanes, F. J.	Madras Chamber of Commerce.
110 Stokes, C.S.I., C.I.E., I.C.S., The hon. Mr. H. G.	EX OFFICIO.
111 Subbarayan, Dr. P. (Zamindar of Kumaramangalam).	South Central Landholders.
112 Subrahmanyam Chetti, Rao Sahib P.	NOMINATED.
113 Subrahmanya Bhatt, U. C. ..	South Kanara, N.-M. Rural.
114 Sundara Rao Nayudu, T. ..	Madras City, N.-M. Urban.
115 Syed Tajuddin Sahib Bahadur, Khan Sahib.	Tanjore, Muhammadan.
116 Thomas, Daniel	Ramnad <i>cum</i> Tinnevelly, Christian.
117 Thorne, C.I.E., I.C.S., J. A. ..	NOMINATED.
118 Usman Sahib Bahadur, K.C.I.E., The hon. Khan Bahadur Sir Mahomed.	EX OFFICIO.
119 Vasudeva Pillai, V. G. ..	NOMINATED.
120 Vedachala Mudaliyar, M. ..	Chingleput, N.-M. Rural.
121 Venkatarama Ayyar, K. R. ..	Madura City, N.-M. Urban.
122 Venugopal Nayudu, Rao Bahadur R. K.	South Arcot, N.-M. Rural.

Name of member.	Name and class of constituency.
123 Viswanatha Rao, Rao Bahadur V. N.	NOMINATED.
124 Wright, W. O.	European.
125 Yahya Ali Sahib Bahadur, Khan Bahadur.	East Coast, Muhammadan Rural.
126 Yakub Hasan Sahib Bahadur.	North Arcot cum Chingleput.
127 Zamindar of Bodinayakkanur (Kamaraja Pandia Nayakar, T. V. K.)	Southern Landholders.
128 Zamindar of Chemudu (Sri Vyricherla Narayana Gajapati Raju).	Vizagapatam City, N.-M. Urban.
129 Zamindar of Ettayapuram (Raja Jaga Veera Rama Kumara Venkateswara Ettappa Nayakar Ayyan).	Tinnevelly, N.-M. Rural.
130 Zamindar of Kirlampudi (Sri Raja Ravu Ramakrishna Ranga Rao).	NOMINATED.
131 Zamindar of Minampalli (K. C. M. Venkatachala Reddiyar).	Trichinopoly, N.-M. Rural.
132 Zamindar of Mirzapuram (Mirzapuram Raja alias Venkataramayya Appa Rao).	Northern Landholders, II.

Special Member.

133 Ramachandra Bahadur M.	Diwan Nominated for the consideration of the Co-operative Land Mortgage Banks Bill.
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THE LEGISLATIVE COUNCIL OF THE GOVERNOR
OF MADRAS.

OFFICIAL REPORT.

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

Monday, the 31st July 1933.

The House met at eleven of the clock, Mr. President (the hon. Mr. B. RAMACHANDRA REDDI) in the Chair.

P R E S E N T :

Usman Sahib Bahadur, K.C.I.E., The hon. Khan Bahadur Sir Mahomed. Krishnan Nayar, Kt., The hon. Diwan Bahadur Sir M. Campbell, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., The hon. Sir Archibald. Stokes, C.S.I., C.I.E., I.C.S.; The hon. Mr. H. G. Raja of Bobbili, The hon. the Rajan, The hon. Mr. P. T. Kumaraswami Reddiyar, The hon. Diwan Bahadur S. Abdul Hameed Khan Sahib Bahadur. Ahmed Meeran Sahib Bahadur. Alagannan Chettiyar, Rao Sahib A. S. Alamelumanga Thayaramma, Mrs. K. Appadurai Pillai, Diwan Bahadur A. Arasu, Mr. V. T. Basheer Ahmed Sayeed Sahib Bahadur. Basu Dev, Mr. C. Bayappa Reddi, Mr. P. Beyabani Sahib Bahadur, S. M. K. Bhanoji Rao, Mr. A. V. Birley, Mr. F. Davis, Mr. J. A. Devadasan, Mr. M. Dharmalingam Pillai, Rao Sahib V. Duraiswami Reddiyar, Mr. K. M. Ellappa Chettiyar, Diwan Bahadur S. Foulkes, Mr. R. Harischandrudu, Mr. A. Hood, I.C.S., Mr. H. M. Jagannatha Raju, Rao Bahadur G. Jagannatham, Mr. H. M. Jayaram Nayudu, Rao Sahib C. Jones, I.C.S., Mr. C. E. Kesavaramamurti Nayudu, Mr. K. Kolanda Reddi, Rai Sahib C. Krishnayya Choudari, Mr. P. V. Krishnan, Mr. C. Kuppuswami Choudari, Mr. J.

Ladden, Mr. W. W. Lakshmana Reddi, Mr. G. Langley, Mr. W. K. M. Madanagopal Nayudu, Mr. R. Mahmud Schamnad Sahib Bahadur, Khan Bahadur. Manikkavelu Nayakar, Mr. M. A. Moses, Mr. P. C. Muniswami Nayudu, Diwan Bahadur B. Muniswami Pillai, Rao Sahib V. I. Murugappa Chettiyar, Diwan Bahadur A. M. M. Muthayya Chettiyar, Mr. M. A. Muthu Chettiyar, Rao Bahadur P. C. Nachiyappa Gounder, Mr. K. A. Nadimuthu Pillai, Mr. A. Pl. N. V. Nanjappa Bahadur, Subadar-Major S. A. Narasimhaswami, Rao Sahib D. V. Narayanan Nambiyar, Mr. V. P. Narayanaswami Pillai, Rao Bahadur T. M. Natesa Mudaliyar, Rao Bahadur C. Palat, Mr. R. M. Pannirselvam, Rao Bahadur A. T. Parthasarathi Ayyangar, Mr. C. R. Pattagar of Palayakottai, The. Peddiraju, Mr. P. Pocker Sahib, Mr. B. Premayya, Mr. G. R. Rajagopal Pillai, Mr. P. V. Ramakrishna Reddi, Mr. A. Ramalingam Chettiyar, Rao Bahadur T. A. Ramamurti, Rao Sahib Pandit Ganala. Raman Menon, Mr. K. P. Ramaswami Ayyar, Mr. T. S. Ramaswami Mudaliyar, Mr. V. M. Ranganatha Mudaliyar, Mr. A. Ranganatha Mudaliyar, Mr. G. Ranganatha Mudaliyar, Mr. M. D. T. Rangaswami Reddi, Mr. M. B.

[31st July 1933]

PRESENT :—cont.

Sami Venkatachalam Chetti, Mr.
Sesha Reddi, Mr. B. P.
Shetty, Mr. A. B.
Simhachalam, Mr. Gade.
Singam Ayyangar, Mr. K.
Smith, c.i.e., I.C.S., Mr. E. Conran.
Sreshta, Mr. M. S.
Srinivasa Ayyangar, Mr. T. C.
Srinivasan, Rao Bahadur R.
Sriramulu, Mr. G.
Stanes, Mr. F. J.
Subbarayan, Dr. P.
Subrahmanya Chetti, Rao Sahib P.
Subrahmanya Bhatt, Mr. U. C.

Sundara Rao Nayudu, Mr. T.
Syed Tajudin Sahib Bahadur, Khan
Sahib.
Thangal, Mr. P. M.
Thomas, Mr. Daniel.
Thorne, c.i.e., I.C.S., Mr. J. A.
Vasudeva Pillai, Mr. V. G.
Venkatarama Ayyar, Mr. K. R.
Venugopal Nayudu, Rao Bahadur R. K.
Viswanatha Rao, Rao Bahadur V. N.
Wright, Mr. W. O.
Yakub Hasan Sahib Bahadur.
Zamindar of Bodinayakkanur, The.
Zamindar of Mirzapuram, The.

I.—SWEARING IN OF NEW MEMBERS.

The following new Members were sworn in :—

- (1) Mr. W. W. LADDEN.
- (2) M.R.Ry. Rao Bahadur V. N. VISWANATHIA RAO Avargal.

II.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Control of Vehicles

Bus accident at Nattatur in North Malabar on the 22nd May 1933.

* 1 Q.—B. POKKER SAHIB Bahadur: Will the hon. the Home Member be pleased to state—

- (a) whether an accident happened on 22nd May 1933 to a bus carrying passengers near Nattatur in North Malabar;
- (b) whether the said bus was over-loaded; and if so, by how many;
- (c) what the causes are which led to the accident;
- (d) how many passengers were injured and in how many cases were the injuries of a serious nature;
- (e) whether it is a fact that when the injured persons were taken to the Government hospital, Tellicherry, no medical officer was available either at the hospital or at their residences and that the injured could not be attended to on that account;
- (f) whether it is a fact that some of the injured who got admitted in the hospital had to get themselves discharged on the next day and, if so, for what reasons; and
- (g) whether the Government have made any enquiries into the matter, and, if so, with what result?

A.—(a) to (g) The Government have no information but they have called for it.

Mr. BASHEER AHMED SAYEED:—“ May I ask, Sir, whether the information has since been received? ”

The hon. Sir MAHOMED USMAN:—“ No, Sir.”

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Police

Transfer of the Malabar Special Police at Malappuram to the charge of Military officers.

* 2 Q.—Mr. V. P. NARAYANAN NAMBIYAR: Will the hon. the Home Member be pleased to state—

(a) whether the Government are contemplating to put the Malabar Special Police stationed at Malappuram in charge of Military officers; and

(b) if so, the circumstances under which such change has been thought necessary?

A.—(a) The Government have under consideration a proposal to officer the Malabar Special Police by officers seconded from the Indian Army.

(b) The change is proposed on general grounds of efficiency, particularly in view of the fact that the present arrangement results in a shortage of police officers in the ordinary line and adversely affects the training of young police officers posted to special duty with the Malabar Special Police.

Mr. ABDUL HAMEED KHAN:—“ May I know from the hon. Member whether there were cases against the present officers of inefficiency on account of which the Government seem to have resorted to this new method of bringing in Army men? ”

The hon. Sir MAHOMED USMAN:—“ That is not the case, Sir. I may say that this was a subject which formed one of the Part II schemes for 1933–34. It was passed by the Finance Committee. As a result of it an item was included in the budget memorandum. The note for the Finance Committee has been placed in the Legislative Council Library, from which my hon. Friend will get the fullest information.”

Mr. ABDUL HAMEED KHAN:—“ May I know whether the Government is aware that there has been a strong feeling against this force throughout Malabar and particularly among the Mappillas of Malabar, who have expressed themselves against it in several conferences? Will it not aggravate the situation if military men are appointed instead of policemen to command these forces? ”

The hon. Sir MAHOMED USMAN:—“ I do not think it will aggravate the situation in any way.”

Mr. ABDUL HAMEED KHAN:—“ May I know if it is not a fact that there is difference between having an army and having police in a place and whether, in view of the fact that the Government is bringing Military officers in place of policemen, it may not be tantamount to having military rule in Malabar instead of having only police stationed? ”

The hon. Sir MAHOMED USMAN:—“ No, Sir. Military officers will do exactly the same duties as the Police officers are doing to-day.”

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Mr. YAKUB HASAN:—" May I know, Sir, how many officers are intended to be appointed there and how it will affect the strength of Police officers in the ordinary line? "

The hon. Sir MAHOMED USMAN:—" All this has been stated in the note that has been placed in the Legislative Council Library."

Mr. BASHEER AHMED SAYEED:—" May I know, Sir, whether the present officers have had no military training? "

The hon. Sir MAHOMED USMAN:—" They might have had. That does not alter the situation."

Mr. SAMI VENKATACHALAM CHETTI:—" May I know if these officers are going to be recruited from officers in active military service or from retired Military officers? "

The hon. Sir MAHOMED USMAN:—" The whole question is now the subject of correspondence between this Government and the Government of India."

Mr. BASHEER AHMED SAYEED:—" May I know, Sir, whether they are going to be Indian officers or non-Indian officers—I mean those that are going to be in charge of this special Police? "

The hon. Sir MAHOMED USMAN:—" I have nothing to add, Sir, to what I have already stated."

Mr. SAMI VENKATACHALAM CHETTI:—" May I say, Sir, if the hon. the Home Member assumes that attitude of not taking this Council into confidence, it will not be very helpful? Are we to be satisfied with these unenlightening answers, Sir? "

The hon. Sir MAHOMED USMAN:—" May I say again, Sir, that the whole note on the subject has been placed before the Finance Committee which passed the scheme. That note is now in the Legislative Council Library. My hon. Friend has only to read it to obtain full information. This shows that the Government have taken the Council into their confidence. This note, as I said, was first placed before the Finance Committee. The Finance Committee passed the scheme. As a result of it, some items were included in the budget which this Council passed. So the Council has put its seal of approval on the policy of Government relating to this matter."

Forests

Representation of the Catholic Association of South Kanara regarding forest concessions.

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

(a) whether the Catholic Association of South Kanara have represented to the Government the necessity for suspending the order cancelling the concessions granted to villagers in reserve forests including Hosabettu and Todar; and

(b) whether the Government have considered this representation and taken any action in regard to it?

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A.—(a) Yes.

(b) The representation was carefully considered but no action was thought necessary.

Mr. A. B. SHETTY:—" May I know, Sir, the grounds on which the Government have come to the decision that no action is necessary in the matter? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" This decision was arrived at after careful consideration, Sir."

Mr. A. B. SHETTY:—" It is just the answer given here, Sir. May I know the grounds on which the Government have based their order? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" The Government think that the people are abusing the privileges granted to them."

Mr. U. C. SUBRAHMANYA BHATT:—" May I know whether it is not a fact that, because the hardships of the people were real, the concessions were granted some time back? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" At the time the privileges were granted, it was specifically stated that if they were abused, they would be withdrawn."

Mr. M. S. SRESHTA:—" Is much harm done by the abuse, Sir? Has it been found that the abuse has resulted in much harm? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" The abuse will lead to the total destruction of the forests. That is the only harm."

Mr. A. B. SHETTY:—" May I know whether the Government have made any independent enquiry regarding the reports received about the abuse of concessions? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" The Collector was asked to give his opinion in addition to the reports of the departmental officers."

Mr. M. S. SRESHTA:—" Is the hon. Member aware that there is considerable discontent throughout the district in regard to this matter and that it is felt that the harm done is very slight and not proportionate to the very drastic step that has been taken by the Government? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" The Government know that the harm done is very great. As for the discontent in the district, my friend knows more about it than the Government."

Mr. A. B. SHETTY:—" May I know whether the Government will be prepared to make further investigation in this matter? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I am afraid not at present."

[31st July 1933]

Land Revenue Administration*Publication of the scheme report in regard to resettlement in South Kanara.*

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

(a) whether the Government propose to publish this year the scheme report in regard to resettlement in South Kanara; and

(b) whether the report proposes the enhancement of the rates of assessment; and, if so, by what per cent in the case of wet, dry and garden lands respectively?

A.—(a) Yes.

(b) The Government have not yet received a copy of the scheme report for the resettlement of the South Kanara district. They understand that it is likely to be published shortly.

Mr. A. B. SHETTY:—"May I know whether representations have been made to the Government asking for the postponement of resettlement operations till the present slump in the prices of agricultural produce goes?"

The hon. Sir ARCHIBALD CAMPBELL:—"I think we have received some representations."

Mr. M. S. SRESHTA:—"Is the hon. Member aware that the prices are going down still further and the distress will be increased considerably?"

The hon. Sir ARCHIBALD CAMPBELL:—"I am not aware that the prices are falling. I believe they are steady."

Mr. M. S. SRESHTA:—"Will the hon. Member be pleased to call for figures showing the prices at the present moment and the prices prevailing some months ago and see whether the resettlement can be postponed?"

The hon. Sir ARCHIBALD CAMPBELL:—"We receive regularly every week reports of prices."

Mr. M. S. SRESHTA:—"May I know whether the Government will be pleased to collect the figures and place them before the Council?"

The hon. Sir ARCHIBALD CAMPBELL:—"The prices are published in the gazette."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know whether the Government are aware that Japan rice is imported into India?"

The hon. Sir ARCHIBALD CAMPBELL:—"I believe some rice comes from Japan, Sir."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know what steps the Government propose to take in the matter?"

The hon. the PRESIDENT:—"I do not think the hon. Member is quite in order in putting that supplementary question."

[31st July 1933]

Progress of resettlement in South Kanara.

* 5 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the hon. the Member for Revenue be pleased to state—

(a) in what stage the Revenue resettlement of South Kanara is and when the report is expected to be published; and

(b) whether the Government have come to any decision as to the rate of increase or decrease in the assessment?

A.—(a) & (b) The hon. Member is referred to the answer to question No. 4.

Public Service*Posting of Collectors to North Arcot since 1st June 1933.*

* 6 Q.—Mr. V. M. RAMASWAMI MUDALIYAR: Will the hon. the Member for Revenue be pleased to state the names of persons posted for duty as Collectors in the North Arcot district from 1st June 1933 to date and for what periods?

A.—(i) Mr. A. G. Leach, C.I.E., I.C.S.—From 24th April 1933 afternoon to 23rd June 1933.

(ii) Mr. T. L. R. Chandran, I.C.S.—Since the 24th June 1933.

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I know whether the Government are aware that this year there has been change in the Collectors of North Arcot four times?"

The hon. Sir ARCHIBALD CAMPBELL:—"I must ask for notice."

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I know, Sir, whether there is any policy underlying the posting of Collectors?"

The hon. Sir ARCHIBALD CAMPBELL:—"Collectors posted to a district generally stay there for a considerable period unless there is reason for transferring them, for instance, when they proceed on leave."

Mr. V. T. ARASU:—"Do Government realize, Sir, that by the constant transfers of Collectors and District Magistrates the efficiency of the administration of the district suffers?"

The hon. Sir ARCHIBALD CAMPBELL:—"I am not aware that the efficiency of the administration suffers materially in consequence of that. I am not aware that there are such frequent transfers."

Mr. BASHEER AHMED SAYEED:—"Does this list include those posted but who have not joined duty? Is there another list of those posted but who did not join?"

The hon. Sir ARCHIBALD CAMPBELL:—"I must ask for notice."

Wireless installations*Scheme, if any, for a provincial broadcasting service.*

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

(a) whether the Government have under consideration any scheme for a provincial broadcasting service; and

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(b) whether they have decided to take any action in regard to this matter?

A.—(a) The Government have under consideration certain proposals for preparing a scheme for a Provincial Broadcasting service.

(b) No decision has yet been taken.

Mr. A. B. SHETTY:—" May I know, Sir, what proposals are under the consideration of the Government and by whom they have been made? "

The hon. Mr. H. G. STOKES:—" There are certain proposals already before the Government but before considering them it may be necessary to take expert advice. The whole question as to how best to settle the scheme is under consideration of Government. We are in communication with the Chief Engineer for Electricity on this matter, and we are going to see whether and on what terms we can get the services of an expert for six months or so, to give us expert advice as to the best line for proceeding with the scheme."

Mr. M. S. SRESHTA:—" Have the Government considered the desirability of getting advice from Bombay or Ceylon on this scheme of broadcasting? I understand that in Ceylon broadcasting is carried on by the Government very successfully."

The hon. Mr. H. G. STOKES:—" We have not considered that. We shall take note of the hon. Member's suggestion."

Mr. M. S. SRESHTA:—" Will the hon. Member also consider the desirability of appointing a small committee to go into the whole question in view of the importance of the matter? "

The hon. Mr. H. G. STOKES:—" The Government will also keep that suggestion in view. At present it is not under consideration."

Mr. V. M. RAMASWAMI MUDALIYAR:—" Are the Government aware that an association in England has been circulating literature on the subject saying that it is necessary to entertain the villagers in the rural parts of India and that they think of starting a provincial broadcasting station, if necessary? "

The hon. Mr. H. G. STOKES:—" I believe we have received some brochure or pamphlet on the subject."

Local Self-Government

Orders, if any, of Government on the recommendations made by the Special Officer appointed to examine the financial position of local bodies.

* 8 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Local Self-Government be pleased to state whether the Government have passed any orders in regard to the recommendations made by the Special Officer appointed to examine the financial position of local bodies?

A.—No. The recommendations of the Special Officer are under the consideration of the Government.

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Mr. A. B. SHETTY:—" May I know whether, apart from the recommendations of the special officer, the Government have under consideration any proposals for stabilizing the finances of the local bodies? "

The hon. the RAJA OF BOBBILI:—" The Government have recently appointed a special staff to consider various alternative proposals but they have not advanced sufficiently far for me to place them before the House."

Mr. BASHEER AHMED SAYEED:—" May I know how long these recommendations have been under consideration? "

The hon. the RAJA OF BOBBILI:—" Apart from these recommendations, the Government have on their own initiative been considering other alternative proposals. As far as the recommendations are concerned, I think the only important proposal was the restoration of tolls on bullock carts. Other proposals of the special officer are mere palliatives and are not calculated to be of any permanent benefit to the local bodies."

Mr. BASHEER AHMED SAYEED:—" May I know when orders are likely to issue? "

The hon. the RAJA OF BOBBILI:—" As I have said, I do not think any orders are likely to be issued on the report of the special officer, but Government are considering other alternatives. I am afraid I cannot give any definite answer as to when final orders will issue."

Mr. P. V. KRISHNAYYA CHOUDARI:—" Is it not a fact that Government have issued a Government Order calling for the opinions of the district boards on the recommendations of the special officer? "

The hon. the RAJA OF BOBBILI:—" Yes, Sir."

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know what reports they have got from the districts on the subject? "

The hon. the RAJA OF BOBBILI:—" I must ask for notice."

Mr. YAKUB HASAN:—" Will the hon. the Minister give us an idea of the alternative proposals before the Government? "

The hon. the RAJA OF BOBBILI:—" I have not got any definite proposals, Sir. Various alternatives are being examined as to whether it will be possible to introduce any measures to stabilize the financial position of local bodies."

Mr. BASHEER AHMED SAYEED:—" Are we to understand that in view of the fact that the Government is not going to issue any orders the labours of the special officer and the cost incurred by Government would be a waste? "

The hon. the RAJA OF BOBBILI:—" I do not think so."

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Appointment of Commissioners to Municipalities.

* 9 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether Commissioners have been appointed to some municipalities as has been enacted recently;

(b) if so, to which of the municipalities such appointments have been made; and

(c) who has been appointed to each municipality and what previous appointment has he held?

A.—(a) Yes.

(b) & (c) A statement* is appended.

Mr. V. T. ARASU:—“ May I know whether the Government propose to appoint commissioners for any municipalities not included in this list? ”

The hon. the RAJA OF BOBBILI:—“ I take it the hon. Member means the list given as appendix to the answer. Proposals to appoint commissioners for Negapatam and Dindigul municipalities are under consideration.”

Mr. V. T. ARASU:—“ May I know whether in respect of Negapatam, the Government have received any resolution passed by the municipal council of Negapatam, asking for the appointment of a commissioner? ”

The hon. the RAJA OF BOBBILI:—“ Yes, Sir.”

Mr. V. T. ARASU:—“ May I know whether the hon. Minister means that the Negapatam municipality passed a resolution asking the Government to appoint a commissioner? ”

The hon. the RAJA OF BOBBILI:—“ As far as I can remember, that is what I think.”

Mr. V. T. ARASU:—“ May I know whether the hon. Minister is aware of the fact that all that the Negapatam municipality wanted was that they should be helped with the services of a special officer to enable them to collect the long-standing arrears in their revenues? ”

The hon. the RAJA OF BOBBILI:—“ I am not aware of that. But I expect the commissioner will help them in collecting their revenues.”

Reconstitution of taluk boards on the lines which existed prior to their bifurcation.

* 10 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether there are any proposals for reamalgamating taluks for taluk boards as they originally were before they were bifurcated;

(b) if so, what those specific proposals are and when they may come into being; and

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(c) whether it expenditure have considerably decline

A.—(a) & (b) No such p

(c) The bifurcation has caused the financial difficulties under the taluk boards were labouring and instable to the notice of the Government, in which taluk boards were unable to meet their liabilities want of funds. The Government have however no reason to suppose that any considerable decline in efficiency has taken place as a result of the bifurcation.

Mr. BASHEER AHMED SAYEED:—“ May I know whether any definite proposals are before the Government in regard to these questions? ” 11-15 a.m.

The hon. the RAJA OF BOBBILI:—“ As stated in the answer, various proposals are under consideration. Under the policy of the new Act the taluk boards have been bifurcated after three years' trouble and expense. It is not possible without giving it a trial to immediately think of far-reaching changes.”

Mr. V. T. ARASU:—“ In answer to (a) and (b), it is stated no such proposal is under consideration. May I know from the hon. the Chief Minister whether in the Kistna district he has stopped the elections in respect of certain taluk boards and if so, on what grounds? ”

The hon. the RAJA OF BOBBILI:—“ Most of the taluk boards which have been bifurcated are not financially self-supporting. For that reason no further bifurcation was considered desirable.”

Mr. T. C. SRINIVASA AYYANGAR:—“ Is the Government aware that by the multiplication of these taluk boards the difficulties of the financial situation are becoming aggravated? ”

The hon. the RAJA OF BOBBILI:—“ Yes.”

Mr. T. C. SRINIVASA AYYANGAR:—“ How many of these taluk boards are self-supporting? ”

The hon. the RAJA OF BOBBILI:—“ Majority.”

Mr. T. C. SRINIVASA AYYANGAR:—“ Are the majority self-supporting or not self-supporting? ”

The hon. the RAJA OF BOBBILI:—“ I believe, Sir, the majority are self-supporting.”

Mr. V. T. ARASU:—“ Sir, the printed answer says that there is no such proposal under consideration, viz., amalgamation of certain taluk boards. But the Minister says that Government have considered the question and have stopped election in respect of certain taluk boards. Which answer is correct? ”

The hon. the RAJA OF BOBBILI:—“ The other proposals with regard to the whole question are under consideration.”

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Officer, in addition
Municipality.

Will the hon. the Minister
state—

- (a) whether Adishesayya has been appointed
as Election Officer duties as Special Officer;
(b) what salary es; and
(c) whether it is a ta as Election Officer he is revising the
list of voters of the Bezwada Municipality?

A.—(a) & (c) The Inspector of Municipal Councils and Local Boards,
who is the Election authority for local board and muni-
cipal elections, has appointed the Special Officer of the
Bezwada Municipality for the revision of the electoral
rolls of the Masulipatam and Bezwada Municipalities.

(b) The Special Officer is paid no additional remuneration for
doing this work.

Rai Sahib C. KOLANDA REDDI:—“ Is Mr. B. Adishesayya appointed
as Special Officer or Commissioner? ”

The hon. the RAJA OF BOBBILI:—“ Originally he was appointed
Special Officer and subsequently he was appointed Commissioner.”

*Resolution of the Salem Municipal Council regarding the
admission of Harijans into coffee hotels.*

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

(a) whether the Salem Municipal Council has passed a resolution
to the effect that permits for running coffee hotels in its area should be
issued only to those who would allow access to Harijans as freely as to
other sections of the community;

(b) whether the Government have vetoed the resolution; and
(c) if so, the reasons for their doing so?

A.—(a) & (b) Yes.

(c) The Government cancelled the Council's resolution for the
following reasons, viz.:—

- (1) the Collector of Salem stated that the resolution is
opposed to a large body of public opinion, and
considered that while it may not be of any benefit
to the non-caste Hindus it may create trouble
between them and the caste people; and
- (2) in the opinion of the Government the by-law contem-
plated by the resolution might, if enforced, lead
to a riot or an affray.

Mr. A. B. SHETTY:—“ May I know whether any representations were
made to the Collector by the public in Salem? ”

The hon. the RAJA OF BOBBILI:—“ I have no information.”

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Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I ask, Sir, whether in
the opinion of the Government it is in the competence or not of the
municipal council and local bodies to pass a resolution of this nature? ”

The hon. the RAJA OF BOBBILI:—“ I am afraid the Advocate-General
has not been consulted. But I believe I am right in saying that
it is in excess of the powers of the municipality to try to impose
such a resolution.”

Mr. M. DEVADASAN:—“ The order of the Government is dated 23rd
May and there was a three months' interval. Was there any breach
of the peace before the Government suspended the resolution? ”

The hon. the RAJA OF BOBBILI:—“ I believe the resolution has been
passed but not given effect to.”

Mr. BASHEER AHMED SAYEED:—“ May I know whether any oppor-
tunity was given to the municipal council before the cancellation was
decided upon? ”

The hon. the RAJA OF BOBBILI:—“ Yes, Sir, they were asked to give
reasons.”

Mr. BASHEER AHMED SAYEED:—“ May I know whether any steps
are taken to ascertain public opinion independently of the Collector's
report? ”

The hon. the RAJA OF BOBBILI:—“ No, Sir. The Government relied
on the Collector's report and also on various petitions submitted
to them by the proprietors of hotels.”

Mr. M. S. SRESHTA:—“ In view of the fact that the proprietors are
interested parties, could Government not have taken the opinion of the
public, who are disinterested? ”

The hon. the RAJA OF BOBBILI:—“ Government are assured by the
Collector that public opinion is not unanimously in favour of it.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I ask whether in view
of the resolution of this Council throwing open public wells to all classes
which resolution was passed in November 1932, by the House, the Gov-
ernment would consider the desirability of vesting the local bodies with
the power, if they have not got, to pass such a resolution? ”

The hon. the RAJA OF BOBBILI:—“ I am afraid that according to
the view of the Government, this particular resolution does not
fall under that category. But, if it is a case of the municipality
running a hotel, that body would be able to say who would
be admitted and who would not be admitted.”

Mr. SAMI VENKATACHALAM CHETTI:—“ Is it not a fact, Sir, that the
local bodies are authorized to issue licences to the hotels to ensure the
observance of sanitary rules? ”

The hon. the RAJA OF BOBBILI:—“ Yes, Sir.”

Mr. M. S. SRESHTA:—“ It is stated that there is a risk of affray.
There is such a risk in every case. What I want to know is that in
view of the larger principle involved and in view of the fact that the

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intelligent public of the country is in favour of the uplift of Harijans, will not the Government be pleased to take the risk of an affray to give effect to the resolution of the Council?"

The hon. the RAJA OF BOBBILI:—"Government do not feel that social reform of this nature could be carried on by coercive measures. They also feel that it is not desirable to act in advance of public opinion."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"Are the Government aware that certain hotels do not admit Muhammadans also?"

The hon. the RAJA OF BOBBILI:—"Yes, Sir. Some of the hotels do not admit even caste-Hindus who are Non-Brahmans."

Mr. V. T. ARASU:—"When Government compelled municipalities to throw open public wells for Harijans why should they not think it fit that the municipalities should compel the hotel-keepers to admit Harijans?"

The hon. the RAJA OF BOBBILI:—"The control over public wells and springs vest in the public bodies and they are maintained at public cost. Hotels are private institutions."

Rao Bahadur A. T. PANNIRSELVAM:—"Is there such a community as Harijan community officially recognized?" (Laughter.)

Medical Administration

Personnel of the Selection Committee for admission of pupils into the Medical School, Rayapuram.

* 13 Q.—Mr. M. DEVADASAN: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the personnel of the Committee appointed for the selection of candidates for admission into the Medical School at Rayapuram; and

(b) what the principle followed is in the selection of members of the Committee?

A.—(a) *Ex-Officio Member and President.*

(1) The Superintendent of the Royapuram Medical School.

Members.

(2) The Superintendent of the Lady Willingdon Medical School for Women, Madras.

(3) The Personal Assistant to the Surgeon-General.

(4) M.R.Ry. Rao Bahadur C. Natesa Mudaliyar Avargal, L.M. & S., M.L.C.

(5) Dr. (Mrs.) S. Muthulakshmi Reddi, M.B.C.M.

(6) Khan Bahadur Janab Md. Azizulla Sahib Bahadur, B.A., M.B.C.M.

(7) M.R.Ry. Rao Sahib D. V. Narasimhaswami Garu, B.A., B.L., M.L.C.

(b) The personnel was chosen to represent the two Government Medical Schools in Madras, the Surgeon-General and non-officials.

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Mr. V. T. ARASU:—"May I know whether Government have issued any instructions for the committee to follow?"

The hon. the RAJA OF BOBBILI:—"As far as I remember, Government have enunciated the principles under which each community and language area should get representation."

Mr. V. T. ARASU:—"May I know whether the hon. the Minister has satisfied himself that the principles laid down in the instructions issued by the Government were followed?"

The hon. the RAJA OF BOBBILI:—"I have not got facts and figures."

Mr. V. T. ARASU:—"Will the Government be pleased to call for facts and figures and satisfy themselves that their instructions have been followed by the committee?"

Mr. M. S. SRESHTA:—"Is the Government aware that the Indian Christian community is not represented in this committee?"

The hon. the RAJA OF BOBBILI:—"It is not possible to give representation to each community. I should think since Government have fixed the definite proportion for selection of each community, the interests of all communities have been safeguarded."

Mr. A. T. PANNIRSELVAM:—"Are the Government satisfied that steps have been taken for the purpose of securing adequate representation for the people of all communities?"

* The hon. the RAJA OF BOBBILI:—"Yes, Sir."

Mr. DANIEL THOMAS:—"May I know Sir, whether by reason of the high qualifications prescribed for admission a large number of Non-Brahmans and Muhammadans are not able to fulfill the requisite conditions?"

The hon. the RAJA OF BOBBILI:—"I have no official information."

Mr. DANIEL THOMAS:—"May I know whether by reason of the fact that sufficient number of candidates of these communities do not get admission, the Government would consider the question of reducing the qualifications prescribed and reduce the rigour of the school-final class?"

The hon. the RAJA OF BOBBILI:—"In a few cases, Government have given exemption as to age. I shall bear the hon. Member's suggestion in mind, and issue instructions next year."

UNSTARRED QUESTIONS

Control of Newspapers and Books

Publication of inflammatory articles against Viswabrahmans by the Editor, 'Abhinava Saraswati,' Guntur district.

14 Q.—Pandit GANALA RAMAMURTI: Will the hon. the Home Member be pleased to state—

(a) whether it was brought to the notice of the Government that one Mr. Janapati Pattabirama Sastri of Janapadu village in the Palnad taluk, Guntur district, Editor of the 'Abhinava Saraswati,' a monthly

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journal, has published several inflammatory articles against the Viswabrahmana community and its origin so as to create enmity between Viswabrahmana and Brahman communities; and

(b) the orders, if any, of the Government regarding this affair?

A.—(a) No such articles have been brought to the notice of the Government.

(b) Does not arise.

Prisons and Prisoners

Alleged severe beating of Jayadev Kapoor, Lahore Conspiracy prisoner, confined in the jail at Rajahmundry.

15 Q.—Mr. M. B. RANGASWAMI REDDI: Will the hon. the Law Member be pleased to state—

(a) why Jayadev Kapoor, Lahore Conspiracy prisoner, was severely beaten by the jail authorities in the Rajahmundry jail;

(b) whether it is a fact that both the Superintendent and his wife used to visit the jail; and

(c) whether the jail rules permit her visit?

A.—(a) The Lahore Conspiracy prisoner Jai Dev Harichander alias Kapoor was given 20 stripes for assaulting the selection-grade warder of the Rajahmundry Jail.

(b) The Government have no information.

(c) The hon. Member is referred to rules 94 and 198 (2) of the Madras Jail Manual. The rules in the Jail Manual do not prevent the wife of the Superintendent of the Jail from visiting the jail as a casual visitor.

Concessions to prisoners in the matter of correspondence.

16 Q.—Mr. M. B. RANGASWAMI REDDI: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that as per jail rules the prisoners are entitled to write letters once in three months and to have interviews with friends and relatives;

(b) whether this rule was followed in Trichinopoly jail;

(c) whether covers or cards were supplied to the prisoners in Trichinopoly jail as per the above rule; and

(d) if only cards were supplied, why covers were not?

A.—(a) The hon. Member is referred to rule 426 of the Madras Jail Manual.

(b) to (d) The Government have no information, but have called for it.

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Mosquito nuisance in the jail at Madura.

17 Q.—Mr. M. B. RANGASWAMI REDDI: Will the hon. the Law Member be pleased to state—

(a) whether the Inspector-General of Prisons visited the Madura prison when Mr. Howe was in charge;

(b) whether the prisoners complained of the nuisance of mosquitoes to the Inspector-General of Prisons;

(c) if so, what action was taken by the Inspector-General to remove this nuisance; and

(d) if no action was taken, why not?

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

Irrigation

Repairs to the 'Veeyam' anicut in Ponnani taluk.

18 Q.—Mr. C. KRISHNAN: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government are aware that 'Veeyam' anicut in Ponnani taluk, Malabar district, is in a defective condition on account of its state of disrepair; and

(b) whether it is true that it is causing much damage to the crops of neighbouring landowners by the ingress of salt water during the hot season and by obstruction of free flow of water causing floods during the rainy season?

A.—(a) & (b) An estimate amounting to Rs. 4,250 was approved in 1926 to remedy the then reported leakage in the dam. The Government have no information if the dam is in a defective condition now. A report has been called for from the Chief Engineer for Irrigation.

Public Service

Instructions, if any, to the Madras Services Commission for recruitment of Viswa-Brahmans to the Public Service.

19 Q.—Pandit GANALA RAMAMURTI: Will the hon. the Member for Revenue be pleased to state whether the Government have issued any instructions to the Public Services Commission to take steps in order to see that the members of the Viswa-Brahmana community are properly recruited in the matter of direct appointments to public services?

A.—The hon. Member apparently refers to the Madras Services Commission. The answer is in the negative.

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

III.—ADJOURNMENT MOTION REGARDING THE SUPERSESSION OF THE BEZWADA MUNICIPAL COUNCIL.

Rai Sahib C. KOLANDA REDDI:—“ Mr. President, Sir, I beg to move an adjournment motion in respect of the supersession of the Bezwada Municipality, viz., that the business of this House be adjourned for the purpose of discussing a definite matter of urgent public importance, to wit, G.O. No. 1587, L. & M., dated 25th April 1933, superseding the Bezwada Municipality and appointing Mr. B. Adiseshiah as Special Officer.”

* The hon. the PRESIDENT:—“ I have just now received a copy of the Government Order. But the number of the Government Order as given notice of does not tally with the Government Order that has been published by the Government. The Government Order of the Government is No. 1589, L. & M. and the Government Order that has been given notice of by the hon. Member is No. 1587. This Government Order refers to an encroachment in Kattuputhur village, Trichinopoly district. Apart from that, I have to point out that the hon. Member has sought to raise more than one definite matter in this adjournment motion, viz., the supersession of the Bezwada Municipality and the appointment of Mr. Adiseshiah as Special Officer. Not satisfied with that, the hon. Member when he originally gave notice of the adjournment motion also referred to several questions. Evidently, he wants to discuss those questions covering a very large ground and there is no one definite matter that he thinks of discussing. Further, I do not think that there is any particular urgency in moving this adjournment motion. I therefore rule it out of order.”

IV.—ACT ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR-GENERAL.

* The hon. the PRESIDENT:—“ I have to announce that the Tirumalai-Tirupathi Devasthanams Act, 1932, received the assent of His Excellency the Governor-General on the 26th May 1933.”

V.—ACTS ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR.

* The hon. the PRESIDENT:—“ I have to announce that the following Acts received the assent of His Excellency the Governor on the dates mentioned against each:—

The Madras City Police (Second Amendment) Act	...	...	18th March 1933.
The Madras Local Boards (Amendment) Act	...	...	28th March 1933.
The Madras Court of Wards (Amendment) Act	...	...	30th March 1933.
The Madras Commercial Crops Market Act	...	...	30th March 1933.

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The Madras District Municipalities (Third Amendment) Act	...	...	25th April 1933.
The Bhavani Reservoir Irrigation Cess Act	...	...	25th April 1933.
The Madras Local Boards (Third Amendment) Act	...	...	25th April 1933.
The Tirumalai-Tirupati Devasthanams Act	...	...	2nd May 1933.

VI.—PANEL OF CHAIRMEN.

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

Mr. M. A. Muthiah Chettiyar.
 „ M. Devadasan.
 „ Yakub Hasan.
 „ K. R. Venkatarama Ayyar.”

VII.—HOUSE COMMITTEE.

* The hon. Sir MAHOMED USMAN:—“ Mr. President, I beg to move—
‘ that with a view to appoint a House Committee in pursuance of Standing Order No. 84, this Council do proceed to elect six Members to be Members of the said Committee according to the principle of proportional representation by means of the single transferable vote.’ ”

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ I second it.”
 The motion was put and carried.

* The hon. the PRESIDENT:—“ I have to inform the House that with reference to Regulation 2 of the Regulations for the holding of elections by means of the single transferable vote, I fix 3 p.m. to-morrow as the time by which nominations of candidates for election to the House Committee should be sent to the Secretary.”

VIII.—DEMAND FOR SUPPLEMENTARY GRANT FOR 1933-34.

GRANT XIV—POLICE.

* The hon. Sir MAHOMED USMAN:—“ Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move—

‘ that the Government be granted a further sum not exceeding Rs. 17,100 under Grant XIV—Police for additional staff for Criminal Investigation Department, Special Branch, and on account of increased provision under “ Rewards ”.’

“ Sir, nobody regrets more than myself that I was not able to place this proposal before the Finance Committee before coming to this Council for the grant. It is due to the fact that as soon as the bank raid

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in Ootacamund occurred and also a clash with the revolutionaries took place in Madras, the Inspector-General of Police brought to the notice of the Government that he required the immediate strengthening of the Special Branch of the Criminal Investigation Department in order to combat the activities of this revolutionary movement. After he made his proposals and after they were examined by the Government, I had very little time before I left Ootacamund for Madras to decide whether I should place this demand before the Council this time or next time. As it was a very urgent matter, I had no other alternative but to have it passed by the Cabinet and come to this House. The action I have taken has been justified on account of the unearthing of a plot early last week, and the reason for not following the normal procedure of placing the proposal before the Finance Committee was, as I had said, due to emergency.

“As regards the facts of the case, Sir, I think the note which has been circulated to hon. Members contains ample material which justifies the need for this demand. I should just like to say something about what happened last week, and in this connexion I would like to read certain extracts from the letter of the Inspector-General of Police to show the urgency of the matter. The Inspector-General of Police in his letter, dated 27th July 1933, to the Chief Secretary to Government says:

‘As Mr. Windle has already reported, a conspiracy has recently been unearthed in Madras city, the object of which was to commit dacoity and robbery and murder officials. The conspiracy extended over a number of districts and up to date twenty-three arrests have been made.

‘I am afraid I can hold out no hope that this discovery will put an end to plots of this sort. As I have said already in my letter asking for an increase in the strength of the Headquarter and District Special Branches, there is every reason to expect more trouble. Recent events have, I think, justified this prophecy and emphasize particularly the importance of guarding against any possible liaison between the violently-minded in this Province and the more experienced terrorists of other Provinces. This will require great vigilance on the part of the Police. I attach a note by the Headquarter Special Branch which shows briefly how matters stand at present so far as we know.

‘It is more than likely that other plots are afoot.’

Extract from Note by the Headquarter Special Branch.

‘Since the recent incidents in Madras and Ootacamund and the above abortive attempt on the life of the Deputy Superintendent of Police, Cocanada, another conspiracy has been unearthed.

‘Information recently received indicated that certain extremist Congress volunteers who favoured the cult of violence were about to commit an armed dacoity in Karaikudi, Ramnad district. They were arrested, and found to be in possession of fire-arms.

‘The ensuing investigation has brought to light a widespread revolutionary organization the members of which belong to the districts of East and West Godavari, Kistna, Guntur and Nellore in the Andhra districts, to Tinnevely, Madura, Ramnad (particularly Chettinad), Tanjore and Coimbatore in the Tamil districts, and also to Malabar.

‘They conspired to collect arms, and did actually procure fire-arms from Pondicherry for the purpose of committing armed dacoities and robberies and assassinations.

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‘Among overt acts contemplated were the assassination of Government officials and police officers; the commission of two dacoities in Nellore district, a bank raid and housebreakings in the City and a robbery in Coimbatore district, and a temple theft in Malabar.

‘Investigation has been taken up by the Special Branch, Criminal Investigation Department, Madras, and twenty-three members of the organization have already been arrested. Two revolvers, three automatic pistols and a quantity of ammunition have been recovered up to date.’

“This clearly shows the necessity for the demand for which I have come before this House. A grave emergency has arisen, and I request the House to pass this demand.”

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“I second it.”

Mr. M. A. MUTHIAH CHETTIYAR:—“Mr. President, if I rise on this occasion to support the motion made by the hon. the Home Member, it is to speak on behalf of the Indian mercantile community who are more affected by such revolutionary activities than anybody else. It is true that our country is on the threshold of further constitutional reforms. However much any country may be agitating for reforms everybody is agreed that there should be peace and safety in the country. Otherwise, without repeating the usual expression ‘law and order’ I may say, there will be no safety of life and property. Our province has been lucky for years in that that revolutionary activities did not find a congenial soil here. Unfortunately for the last three months we find that a series of revolutionary activities have been spreading in which some misguided youths of this province also have taken part. I am sure it would not take much time before these things are put an end to.

“Sir, the danger to which the province is put to I shall briefly show. We all know the report of the bank raid at Ootacamund. Such a small bank like that cannot afford to have very many armed guards, and in a branch bank you generally find not more than half a dozen persons, including clerks and peons. Especially in commercial towns like Coimbatore there are a number of small banks. Such concerns cannot afford to employ guards. It is true that a big bank like the Imperial Bank can afford to keep an armed guard at very great cost. Other business concerns like nidhis and jewellers’ shops who have no guards are also open to the danger of being raided at any time. One person with a revolver is quite enough to keep a number of people at bay and rob a jeweller’s shop of a number of valuable articles. This danger will also scare away depositors from going to the banks and depositing money. Thus, business will suffer a great deal. In the interests of the mercantile people, the Government should see that such acts of violence are prevented. So, it is necessary that the Government should make elaborate arrangements not only in the principal towns like Madras, Madura and Trichinopoly but in other places like Karaikudi in Chettinad. The hon. Home Member just now said that these dacoities were aimed at persons carrying on business in various places including Karaikudi. And I know it is also aimed at banks in Madras itself. For instance, the Indian Bank has got four branches in Madras

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itself, in Triplicane, Mylapore, Broadway, etc., and I learn that one of the branches of the Indian Bank was to be raided on a particular day and on the same day, the raiders were to go to Karaikudi. In Karaikudi, there are a number of diamond merchants, and very easily they can visit the diamond shops and take away diamonds worth Rs. 20,000 or Rs. 30,000 in a minute, and it is also easier to dispose of the diamonds than currency notes. I am giving this illustration so that hon. Members of the House may realize the danger to which the mercantile community is put. In this connexion, we should congratulate the Inspector-General of Police and the Commissioner of Police, Madras, and the District Superintendents of Police, Salem and the Nilgiris, on the immediate steps they took to prevent the spread of the movement. I am sure a demand like this would be voted unanimously by the House as it is in the interest of the general public."

MR. R. MADANAGOPAL NAYUDU:—"Mr. President, in supporting this motion, I only wish to draw the attention of the Government to one thing, which must be a matter of general opinion in the city and elsewhere. All this sort of revolutionary ideas has been probably instilled into the minds of young people who have been engaged in the recent activities by their association with persons who have been brought in from northern India where this movement has been actually in existence. I am only suggesting to the Government to see that if possible the minds of people who are sent to the jail from our Presidency are not influenced by association with revolutionaries from northern India. I think that as a result of the association of persons who have come out of the jail with such persons, we find this movement coming into our province recently. Otherwise, we have not heard of such things at all in this Presidency till very recently."

* MR. SAMI VENKATACHALAM CHETTI:—"Mr. President, Sir, I do not propose to oppose this demand for the mere reason that just at present the minds of all persons concerned are very much agitated over the recent activities of a revolutionary party working in this Presidency. But, I must confess, Sir, that when the hon. Home Member made this demand I was forced to be reminded of a similar panicky situation which arises in the Madras city itself, from time to time with reference to smallpox. It only requires one or two persons in a division to die of smallpox for the Corporation Council to ask what steps are being taken to cope with the smallpox epidemic. The next day, there will be an army of sanitary inspectors and vaccinators going about the city and asking everybody to vaccinate himself, and even giving doles to those people who are said to be unwilling to get themselves revaccinated. All the same, this kind of panic repeats itself almost every year in Madras, but I have not come across one year when the smallpox epidemic has been effaced. That seems to be the track which the Government also is pursuing now. Additions have been made to the police staff from time to time. The Government may always say that the staff is insufficient to cope with the situation, but it is very difficult for the non-official members at least to criticize their statement for the mere reason that

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they have not sufficient data to go upon before them. But the question is whether it is desirable that Government should treat this outrage and lawlessness as one of political nature? I do not believe that the Madras Presidency at least is contaminated to that extent as to think that they can get Swaraj or Independence by revolutionary tactics. In my opinion, Sir, and I may say in the opinion of others too of great experience, this trouble is due mainly to economic conditions. We have done all our best to impoverish the villages, we have done all our best to see that no employment is offered to persons coming out of colleges, and we have done everything to create disaffection in the minds of educated men. And if the hon. the Home Member will examine the sort of criminals which are now being put up before the courts, he will find that there are more educated men among them than uneducated men.

"Sir, I do not propose to say that the Government can possibly think of other proposals immediately and not take sanction for the amount which they have now asked for to deal with the present situation. But I only submit to the Government that they must not rest satisfied with merely asking the Council or the country to spend more and more money to increase the police staff, but they must find out other ways to get at the source of this lawlessness and try to put an end to them.

"One particular thing which strikes me as contributory to the present lawlessness is exposure of films of a very objectionable and criminal nature. I am afraid the Government have not done anything to exercise stricter censorship over the exhibition of such films. I do not intend to say that we can keep our educated men completely ignorant of the various forms of lawlessness prevailing in other countries. The oriental mind takes much more time to assimilate such things than the more civilized countries would seem to. I would therefore take advantage, if I may say so, of the lethargy of the oriental mind and say that they are not exposed to the dangers of copying these undesirable examples of lawlessness exhibited in these films.

"Further I should consider the unsympathetic attitude of the Government with regard to the redress of economic grievances is greatly responsible. These grievances have got a great deal to do with lawlessness. If lawlessness should increase hereafter I must lay the blame at the door of Government, particularly in the case of educated men who resort to lawlessness. Therefore, while I am not opposed to this demand, I shall only place these matters for the earnest consideration of Government and ask them not to be merely satisfied with increasing the police staff from time to time whenever there is exposure of a plot or conspiracy. I do not intend to suggest that there is any motive other than that of efficiency of the executive officers, but there is a tendency always in the heads of departments to ask for increase of establishment and increase of expenditure in those departments whenever there is a chance of doing so; and unearthing of a plot is a very convenient or perhaps the most effective method of making the Government yield to the demands of the executive heads."

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* Rao Sahib V. I. MUNISWAMI PILLAI:—" Mr. President, I rise to support the demand before the House. Coming as I do from the Nilgiris, I have to bring to the notice of you, Sir, the raid that took place in Ootacamund during the season time which cast such gloom over the station and created such scare among the inhabitants there.

" Ootacamund is a sanatorium and the seat of the Government for a portion of the year and many princes and rich people resort to it at that time. Never in the history of Ootacamund was such a raid known. Even sacred places like the Tiger Hill have been made the resort of these revolutionaries. Many sadhus used to visit the Tiger Hill, but now no one goes there. Moreover it is not the commercial classes only that sustained losses in the recent raid, but every law-abiding citizen was also affected. Therefore the public must be thankful to the police for the timely action they have taken, and I am sure Government will make proper arrangements whereby these raids may not recur in future either in Ootacamund or in any district of the Presidency."

* Rao Bahadur C. NATESA MUDALIYAR:—" I strongly support the demand for grant moved by the hon. the Home Member. We ought to put down this terrorism with a strong hand. But I take exception to the reference made by the Kumara Raja of Chettinad to Madras youths. Among the districts affected as mentioned by the hon. the Home Member, Madras, was not at all mentioned. Even Chettinad was mentioned, but not Madras. Madras Presidency was kept moderate by the series of ministries that were at the helm from time to time as they were satisfying the grievances of all communities. The strength of the Madras Government and the working of the reforms depended upon the co-operation of the various communities. I am sorry to note, Sir, now there is reaction. They do not know that the strength of Government depends upon the contentment of the communities. If they know that, we need not fear for all the finding of revolvers. Communities will take care of them. Heads of departments, especially the Europeans, want efficiency. In the name of efficiency they want to weaken the Government. The Principal of the Presidency College who draws his pay from the tax-payers' money (the College itself is maintained by the tax-payers' money) wants efficiency at the cost of educational progress of various communities. In the Presidency College they want efficient boys to make a show so that their college is run very efficiently. Why should they not take moderate students and coach them to be more efficient as other colleges do? I appeal not only to the Principal of the Presidency College, but to every European here to see that every community is satisfied.

" Now, Sir, as for Madras youths when there was terrorism in Thambu Chetti street it was the youths of Madras who assisted the police in arresting the terrorists. This moderation in politics is the work of the anti-communal party that was occupying the Treasury Benches so long.

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Mr. ABDUL HAMEED KHAN:—" Mr. President, if I rise to participate in the debate over this demand for grant for police, I do so not with a view to mitigate the importance of the situation that seems to have arisen in our province on account of various reasons which all of us are aware of, but it is in order to express the general feeling in our province that in taking up measures that the Government desire to take in order to root out what they allege to be terrorism coming into this province as in other provinces they have in some cases so done it, and they may do it in an increasing manner hereafter, as to take away the liberties of people of this province. We know what is happening in Bengal and we have heard of what is happening elsewhere. In the name of freeing the land from terrorism, innocent people have been terrorized to a very large extent, and people who might not have dreamt of any association with those people who are responsible for terrorism are also arrested or treated in a manner which makes their life impossible in any place which might have been inhabited by any gang of terrorists. The question I wish to ask is whether the police have any definite system or are they adepts in the art of finding out a criminal before they resort to the various means of reaching him. Sir, they are not in my opinion efficient people. The police ought to be trained in such a manner as to be able to deal with the situation without harassing a large number of people who are to all knowledge innocent. Then the other thing is this: instead of merely dealing with the situation as it appears from time to time, Government will have to make some introspection; they will have to consider and find out what the root cause of the situation is. There is no doubt that we are, as the Kumara Raja of Chettinad said, on the threshold of further reforms in this country. Every one who has been following carefully the proceedings of the Select Committee in England will certainly not have any more illusion with regard to what he expects that this country is going to get. I think this is one of the causes for the agitation and unrest that is prevalent in this country, and also the way in which leaders in this country are dealt with and insulted by the authorities.

" And then, Sir, in our province, if there is any cause more than another for the growth of this unfortunate movement of terrorism, it is due to the fact of our economic structure that has been established in this country by this very Government.

" They ought not to have lightly meddled with the economic structure of this province. In every country in the world the Government pay a great deal of attention to the problem of unemployment, whereas in our country and particularly in our province, even though non-official members on all possible occasions urge the Government to tackle the problem of unemployment especially among the educated classes, they have been indifferent to it and do not want to have anything to do with it.

" I would like to emphasize what my hon. Friend, Mr. Muniswami Pillai, said that it is on account of the influence exercised on the

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minds of our young men in jails by the persons brought into our jails from other provinces that these things have happened. I hope it will be possible for the Government to root out lawlessness and terrorism from our province; but in doing so they ought not to become panicky and accuse and harass innocent people. I hope that the Government will utilize this money in such a manner that it will be to the interest of the public safety and freedom and liberty to the people of this province."

Rai Sahib C. KOLANDA REDDI:—"Mr. President, no lengthy speech is at all required in support of this motion. Already there has been much eloquence shed upon this. What I wonder is that in these days of economic depression is it indispensable to spend more money upon this department. For one thing our Presidency has won a name for moderation and sanity. It is a well-known fact that our Presidency is not a breeding ground for either rebels or revolutionaries. In fact, everybody knows that it is an exotic plant to our Province. Of course there might be incursions now and then from other parts of India of hot-headed young men. What I fear is what might result from the activities of the members of the Criminal Intelligence Department. I am afraid there is a plethora of men in that department. Not having any legitimate work to do, they seem to be intent on raiding the houses of even people who are known for their loyalty, to wit, of course our own colleague, Mr. Sriramulu, in the West Godavari district. Sir, I belong to a district which adjoins West Godavari. People know very well that his entire community is loyal and that he, as an individual has made a name for loyalty. In the days when there were disturbances, our friend organized meetings of loyalists and instilled the spirit of loyalty into the masses and the classes. And what is the reward he has got? His own house was raided in connexion with the find of a revolver in the Council House itself. So, what I would request the hon. the Home Member is to work fully the man power that is already in the department and if really there is any absolute necessity for any additional staff, he may increase it."

* Mr. BASHEER AHMED SAYEED:—"Mr. President, I had no idea of speaking on this motion of the hon. the Home Member, but, after the speeches of my hon. Friend Mr. Muniswami Pillai and the Mayor of Madras, I thought I should also say something about another side of the question. Sir, we are not here supporting any revolutionary propaganda or any revolutionary activity being carried on in this province. As several hon. Members have stated, our province has been immune from revolutionary activities hitherto and it has now been contaminated. But shall we not pause to consider whether the remedy that has now been proposed by the Government is the remedy most suitable for the disease? Have we diagnosed the disease properly? What has the Madras Government done to diagnose or cure the disease that is becoming rampant not only in other provinces but in this province as well? It is true, Sir, as the hon. Member for the City of Madras has stated that there has been the unearthing of one or two

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conspiracies. But the question now is whether the appointment of an additional staff is necessary. I ask the hon. the Home Member in all seriousness whether the mere appointment of an additional staff will save the situation. Now, what is this additional staff? Is it really necessary in the circumstances? The present staff, as is explained in the note, consists of three inspectors, six sub-inspectors and six head constables. What is it that is asked for by the hon. the Home Member? He wants the addition of four inspectors, ten sub-inspectors and six head constables. That means, he wants more than double the existing staff. Sir, it has been the practice with several departments, if not with the Police department, whenever there is any urgent or special circumstance, to appoint or depute special officers for the purpose of investigating something that is outside the ordinary routine. Why should we now deviate from that practice and go in for such a huge staff at a cost of nearly Rs. 25,000 recurring? Is this justified from the economic point of view? Sir, we are dealing with the moneys of the rate-payers. We know with what difficulty taxes are being collected and with what difficulty the ryots pay their taxes. Keeping that in view, I ask the House to consider whether such circumstances as have been pointed out in this note, justify our granting such a huge staff as more than double the one that is at present employed. The hon. Member's note itself gives away the whole case for which he stands. It says:

'The fact that revolutionary movements have been in existence for some time past in this province has been brought into prominent notice this year by active manifestations . . .'

It is only after these manifestations occurred that the police came to know that there was something going. Is that the way the police should do their duties? After something happening the police come and say: 'Here is an event.' Should not the police be more alert and discover these things before they take practical shape. This is not the way in which the Criminal Intelligence Department should go about their business. They, on their part, should show some intelligence. Now, far from showing intelligence, they have shown the absence of it. Lower down, the note gives more detailed confessions. It says:

'The significant feature of these outrages is that their discovery was mainly due to fortunate accidents and that the police were unaware of the existence of these secret activities until they had actually made themselves publicly manifest.'

Nothing could have been more self-condemnatory than this that the police force which had three inspectors belonging to the Political Intelligence Department, six sub-inspectors and six head constables, were not able to discover anything and that they had to wait for some fortunate accident—perhaps unfortunate for those fellows that are caught. If that is what is meant by the efficiency of the police, I can't see what purpose will be served by increasing the staff. If this police force would not discharge its legitimate duties in the detection and prevention of crime, I say, Sir—and I do not think I shall be contradicted in that statement—that even if you appoint forty more inspectors instead

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of four, and one hundred more sub-inspectors instead of ten, the evil will still be there. The police will not discover these things. They will become aware of these things only after some fortunate accident has taken place. If this is the way in which we are going to solve the situation, I think we are going about it in a wrong way and applying a wrong remedy. I do not think, Sir, there is any justification at all for our increasing the staff in the mufassal to the extent asked for. In the mufassal, the present staff consists of 10 sub-inspectors, 87 head constables and 48 constables and it is now proposed to increase it to 19 sub-inspectors and 95 head constables. I think the increase proposed is the result of exaggerated view of the situation. The remedy for the present situation lies, in my opinion, in the Government striving hard to bring into existence the proposed reforms as early as possible. Provincial autonomy which has been promised time and again is merely receding. This has undoubtedly created a very large amount of discontent particularly after the Indian Members who were concerned with the Joint Parliamentary Committee have returned to India and do not propose to go back. That has created a very grave situation. And the refusal of the Viceroy to grant an interview to Mahatma Gandhi has further aggravated the situation. Now, instead of remedying this situation, if you are going merely to add to the existing strength of the police force, I do not think it will serve any useful purpose. The whole question of conspiracy of a revolutionary kind has to be further investigated before increasing the staff. Further, the circumstances do not justify this colossal increase. Besides, there is no urgency for this. The conspiracy has been unearthed, as stated, by an accident; and the same inspector or sub-inspector who is now in charge of the case, might continue the investigation with extra assistance if necessary. There is enough staff in the Crime branch of the Political Department to unearth or proceed with the investigation of such conspiracies. Moreover, we do not know what is going to turn out of this conspiracy, whether it is going to be proved that there is a real conspiracy or whether it is going to be proved that it is a faked charge. The question is more or less sub judice and it is not safe to presume. The result remains to be seen. Apart from that, I would earnestly appeal to the hon. the Home Member not to waste public funds on the mere authority of the Inspector-General of Police, when he says that the situation is grave and the staff has to be strengthened. The Inspector-General of Police as a Police officer administering the Police Department will only look to one side of the question; but the hon. the Home Member who is responsible to this House and to the public ought to consider the other aspects of the question as well. In these days when the Government is sending out many men from the services, under Retrenchment Rules, when there is retrenchment all over and when the departments which have to be paid moneys for nation-building activities are being starved by the hon. the Finance Member, it is hardly just or fair that we should go in for a recurring expenditure of Rs. 25,000. It is possible that the appointment of one or two inspectors or sub-inspectors on special duty would fully meet the needs of the situation. Perhaps that is all that is just now required.

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“ Then, Sir, there is a vague promise held out by the hon. the Home Member in the explanatory note that of these four additional inspectors, ten sub-inspectors and nine head constables, two inspectors, four sub-inspectors and six head constables will only be temporary additions. I would request the hon. the Home Member to say definitely for what period these people will be appointed and how long their services will be required. Very often we have had experience of temporary additions to the strength of a service becoming in the course of a short period additions of a permanent nature and thereafter necessitating increased salaries and further re-organizations and so on. We do not want that such a thing should happen in this case also. It would therefore be very helpful if the hon. the Home Member will be pleased to tell us for what definite period he wants these four inspectors and six sub-inspectors. It is not enough for our purpose to be merely told that a certain proportion of them will be on a temporary basis. As I said, we do not want these temporary additions to become permanent, nor is it to be anticipated that revolutionary activity will become a permanent feature of this province. We cannot rely much on these vague statements and certainly not when it pertains to the Police department where most of the additions start temporarily and then in no time become permanent.

“ It is usual with them to start with temporary additions and then they result in permanency. Once again I reiterate that mere additions to the strength will not solve the situation. The Government must do something substantial to conciliate public opinion. There have been recently grave offences, grave robberies and grave dacoities. We know one or two advocates in Madras city lost their property in their houses in broad daylight. Even till to-day the Crime branch has not been able to detect anything in spite of the best help offered by the parties concerned. To my knowledge in one case alone some two or three thousands of rupees have been lost. In spite of your having a very big staff in the Crime branch composed of experienced Inspectors and Sub-Inspectors, nothing has been done. I do not think that mere addition to the strength of the police is going to serve any useful purpose, in view of the fact that neither the existing men, nor the men to be appointed will be able to detect any crime unless they are brought face to face with incidents when they occur. I consider this expenditure as a waste of public money on services which are not needed at present and for which there is no such great urgency at all. Even if there is necessity for some staff, there is not justification for such a huge staff being employed at this juncture. As I said before, no purpose would be served by a mere addition of the staff suggested. In my opinion one or two officers of experience could be put on deputation or special duty for proceeding with the further investigation of this conspiracy, so that its root causes may be revealed and the offenders brought to book speedily. This will more than justify the present need.”

Mr. DANIEL THOMAS :—“ We in the Madras Presidency are quite unaccustomed to these revolutionary activities. Recent events have

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shown that even in our Province revolutionary activities have been going on and, as my hon. Friend Mr. Muniswami Pillai has pointed out, at the very headquarters, viz., Ootacamund in broad daylight the daring act of dacoity was committed so that it sent a thrill of horror throughout the Province. Events in other parts of the Province have given rise to a reasonable suspicion that one or two revolutionary parties are trying to get hold of our Province. I believe that no hon. Member of this Council is prepared to give any sort of encouragement, either direct or indirect, to revolutionary activities. The only question the Council has to consider is whether the proposal now put forward by the Government will to any extent help to put down the revolutionary activities prevailing in our Province. In the very nature of things these activities which have not been curbed till now are of a secret and clandestine character and to curb these activities a watchful and alert police force is necessary. To prevent any danger to life or property, and also to nip the movement in the very bud a strong and efficient police force is necessary. In these circumstances the proposal made by the Government is a very modest one. There is not even one Sub-Inspector in the Criminal Intelligence Department branch for every district in our Province. Under the present proposal it is proposed to increase the staff in the Criminal Intelligence Department branch so as to bring out a net-work of watchful public servants all over the Province who may be on the look out for the starting or the beginning of any revolutionary movement. To put down or curb such activities will be of great service in the cause of law and order, and I do not think any money of the Government could be better spent than in putting down revolutionary movements in our Province. I therefore think that the Council will be unanimously of opinion that the proposal put forward by the Government is a necessary proposal and that it will receive support from all sides of the House."

* The hon. Sir MAHOMED USMAN:—"I should like to congratulate this House generally on the spirit of co-operation and sense of responsibility shown on this demand. But I regret that one or two speakers on the Opposition tried to justify the revolutionary movements by saying that the remedy proposed in this demand will not destroy the root cause. I do not think anybody can justify this unjustifiable movement at all for any cause whatsoever. Leaving aside all these, very little criticism has been advanced as regards the demand itself. My hon. Friend, Mr. Sami Venkatachalam Chetti, wanted to know whether we could not carry on the work for which the money is required with the existing police staff. I may assure the House that Government went into this question thoroughly and found that it was impossible. Unless a special staff is given things are bound to suffer and we will not be able to combat this movement."

Mr. YAKUB HASAN:—"On a point of order, Mr. President. Sir, this question raises very very important issues. I heard the hon. the Home Member to say that he heard somebody in this House speaking in justification of these revolutionary movements. I do not

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think anybody has done so. I do not think that I could allow this remark to go unchallenged. I do not think anybody in this House tried to justify the revolutionary movement."

* The hon. Sir MAHOMED USMAN:—"My hon. Friends Mr. Sami Venkatachalam Chettiar and Mr. Basheer Ahmed said that there is a root cause for the revolutionary activities and that the Government should remove it. My position is that this movement could not be justified. This is an unjustifiable and inhuman movement. My hon. Friend, Mr. Sami Venkatachalam Chetti, also said that we should try to censor the cinema films. I would certainly draw the attention of the Inspector-General to this. As regards the searching of my hon. friend Mr. Sriramulu's house, the moment it was brought to my notice that the police were in the wrong I did not hesitate to apologize to the hon. Member. The Chief Secretary wrote to him as follows:—"With reference to your letter to the hon. the Home Member, dated 11th May 1933, regarding the search of your house by the police, I am directed to say that the action taken by the police was due to an unfortunate misunderstanding on the part of the Police which the Government regret and which they feel sure will not recur." I may also say that Mr. Sriramulu was sent for by the District Magistrate who explained the position to him and I think he was satisfied with that."

"I have nothing further to say except to appeal to this House and the public to co-operate with the Government in combating this movement."

* Dr. P. SUBBARAYAN:—"I had no intention of intervening in this debate but for the remarks made by the hon. the Home Member. I may assure the hon. the Home Member that we on this side of the House are as much against terrorism as anybody else. But it is rather unfortunate, as my hon. Friend who preceded me said, that such words should have fallen from the lips of the hon. the Home Member, because I feel that neither my hon. Friend Mr. Sami Venkatachalam Chetti nor my Friend Mr. Basheer Ahmed tried in any way to justify the movement. On the other hand they were only saying why the movement existed. I do not think that means they wanted to justify the movement, nor were they against the movement being put down. What they said was that as long as the constitutional agitation remained and as long as it was put down by repressive legislation, it might drive the people underground and that might result in terrorism. So I may once again assure the hon. the Home Member that neither my hon. Friend Mr. Sami Venkatachalam Chetti nor my Friend Mr. Basheer Ahmed said anything in justification of the movement."

The hon. Sir MAHOMED USMAN:—"I am very glad to accept that assurance."

The Demand was put and carried and the grant was made.

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IX.—A BILL TO AMEND THE MADRAS WILD ELEPHANTS' PRESERVATION ACT, 1873 (BILL NO. 7 OF 1933).

The hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, I beg to introduce a Bill to amend the Madras Wild Elephants' Preservation Act, 1873 (Bill No. 7 of 1933)^a and move that the Bill be taken into consideration.

"In the present Act, provision is made for the destruction of male wild elephants, but there is no provision for the destruction of female wild elephants in waste or forest lands. Under the Act such destruction is absolutely prohibited. It has been reported that the number of elephants has much increased in recent years and a considerable amount of damage has been done by them especially in Coimbatore district. It has been recommended that power should be taken to destroy female elephants in waste or forest lands under a licence issued by the Collector of the district. This Bill is to enable such a licence to be issued. We have also taken this opportunity to amend section 4 so as to make it clear that no licence is required for persons such as gun bearers and trackers who assist licensed persons to shoot male elephants."

T. SUNDARA RAO NAYUDU:—"I second it."

Mr. V. T. ARASU:—"I do not move the motion given notice of by me."

The motion that the Bill be taken into consideration was put and carried.

Clauses 1 to 4 were put and carried.

The preamble was put and carried.

The hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, I beg to move that the Bill be passed into law."

The hon. Sir MAHOMED USMAN:—"I second it."

The motion was put and carried and the Bill was passed into law.

X.—A BILL TO AMEND THE MADRAS NURSES AND MIDWIVES ACT, 1926 (BILL NO. 8 OF 1933).

* The hon. Sir MAHOMED USMAN:—"I beg to introduce a Bill to amend the Madras Nurses and Midwives Act, 1926 (Bill No. 8 of 1933)^b and move that the Bill be taken into consideration at once.

"In doing so, I wish to say that the object of this Bill is to modify the constitution of the Madras Nurses and Midwives Council to a certain extent by making it more representative of the nursing profession and also to see that the Public Health Department is represented on the Council. The Government are reducing the number of members to be nominated by the Madras Medical Council from 2 to 1 and allowing the Trained Nurses Association and the Nurses Auxiliary of the Christian Medical Association of India (South India branch) to elect one representative each. This is the main object of the Bill."

The hon. Sir M. KRISHNAN NAYAR:—"I second it."

^a Published in the Fort St. George Gazette, dated 11th April 1933.

^b Published in the Fort St. George Gazette, dated 29th June 1933.

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* Mr. V. T. ARASU:—"Mr. President, I move that the Bill be referred to a Select Committee consisting of the following members:— 12-30 p.m.

- (1) Rao Bahadur C. Natesa Mudaliyar.
- (2) Mr. C. Basu Dev.
- (3) Mr. M. D. T. Ranganatha Mudaliyar.
- (4) Mrs. K. Alamelumanga Thayaramma.
- (5) Rao Sahib C. Jayaram Nayudu.
- (6) Mr. V. M. Ramaswami Mudaliyar.
- (7) Mr. H. M. Jagannatham.
- (8) Mr. U. C. Subrahmanya Bhatt.
- (9) Mr. A. Pl. N. V. Nadimuthu Pillai.
- (10) Mr. Abdul Hameed Khan.
- (11) Mr. G. R. Premayya.
- (12) Mr. W. W. Ladden.
- (13) Mr. E. Conran Smith.
- (14) Mr. P. V. Krishnaiah Choudary.
- (15) The hon. Sir Mahomed Usman.
- (16) Mr. V. T. Arasu.

"Sir, it may appear that this Bill is a very short one and need not go before a Select Committee. I should like to state as briefly as possible why I have moved that this Bill be referred to a Select Committee. From the constitution of the Madras Nurses and Midwives Council I find that there has not been all these years a single Indian Nurse or Midwife on the council. I am conscious that some machinery should be provided by which Indian Nurses and Midwives can secure some representation on this body. From the latest list of nurses and midwives, published by the Registrar of Nurses and Midwives, I find that out of a total number of 780 nurses about 235 are Vernacular trained and 545 are English trained. Even among the number of English trained nurses, I believe there are about 100 Indian nurses and midwives. From the list of midwives published by the same authority for 1933, I find that out of a total number of about 1,660 midwives, 1,232 are Vernacular trained and about 428 are English trained ladies. In the latter category also there are large number of Indian ladies. When there are so many nurses and midwives, it is a sorry spectacle that no Indian lady has till now been successful in getting a seat on the council of this body. Therefore it is but meet that some provision should be made in this Bill to provide adequate representation for this large number of Indian nurses and midwives. With these remarks I move that the Bill be referred to a select committee composed of the members whose names I have already read out."

Mr. U. C. SUBRAHMANYA BHATT:—"I second it."

The motion was put and carried and the Bill was referred to a Select Committee.

[31st July 1933]

XI.—A BILL FURTHER TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920, FOR A CERTAIN PURPOSE (BILL No. 9 OF 1933) ^a.

The hon. the RAJA OF BOBBILI:—“ Mr. President, Sir, I introduce a Bill further to amend the Madras Local Boards Act, 1920, and move that the Bill be taken into consideration at once.”

Mr. T. SUNDARA RAO NAYUDU:—“ I second it.”

The motion was put and carried.

* The hon. the PRESIDENT:—“ Clauses 1, 2 and 3 are for the vote of the House.”

Mr. V. T. ARASU:—“ May I speak on the clauses now? ”

* The hon. the PRESIDENT:—“ If the hon. Member has got any definite amendments to the clauses, or if he is opposing any of the clauses, he can speak now. Otherwise, I am afraid he will not be in order.”

Mr. V. T. ARASU:—“ May I speak on the motion? ”

The hon. the PRESIDENT:—“ If the hon. Member wants to make any suggestions, he can make them on the motion that the Bill be passed into law.

“I will now put clauses 1, 2 and 3 for the vote of the House.”

Clauses 1, 2 and 3 were put and carried.

The preamble was put and carried.

The hon. the RAJA OF BOBBILI:—“ I beg to move that the Bill be passed into law.”

Mr. T. SUNDARA RAO NAYUDU:—“ I second it.”

Mr. V. T. ARASU:—“ Mr. President, I rise to oppose the motion made by the hon. the Chief Minister. If I do so, I must not be misunderstood as being opposed to the principle underlying the Bill. I only want to elicit some information from the Government.

On such questions as the one now before us, it is usual for the Government to come forward and say at every stage that they have asked for reports from the Collectors to ascertain whether the country is really prepared for such reform. I want to know whether in this case the Government have ascertained the views of the Collectors and if so I should like to know what their views are and whether they have reported in favour of this amendment. Only this morning, in reply to a question on the subject of throwing open coffee-hotels in Salem to all classes, the hon. Minister said that they referred the matter to the Collector and he reported adversely and on the basis of the report they rescinded the resolution of the Municipal Council of the town on the subject. I therefore want to know definitely from the Chief Minister

^a Published in the Fort St. George Gazette, dated 18th July 1933.

[31st July 1933]

[Mr. V. T. Arasu]

whether on this question also he has ascertained the views of the Collectors of the districts and found that the public opinion was in favour of such a reform.”

* The hon. the RAJA OF BOBBILI:—“ Sir, although it is not specifically stated in the Statement of Objects and Reasons, the Government have satisfied themselves that the time is now ripe for bringing the Local Boards Act into line with the District Municipalities Act. No doubt, hon. Members are aware that in the past several attempts were made to enact a provision similar to the one contained in the Bill before us but all those attempts were not successful. As regards consultation with the Collectors, I may state for the information of my hon. Friend that this subject was discussed at the Collectors' Conference at Ootacamund. The Government have satisfied themselves that public opinion is now ripe for the introduction of such a measure.”

The question that the Bill be passed into law was put and carried and the Bill was passed into law.

The House adjourned till 11 a.m. on Tuesday, 1st August 1933.

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

a 1. G.O. No. 1241, L. & M., dated 28th March 1933, fixing the term of members of district and taluk boards in Kistna district.

b 2. G.O. No. 311, Development, dated 11th March 1933, recording the Audit Report on the accounts of the Russellkonda Saw Mills for the year 1931-32.

b 3. G.O. No. 319, Development, dated 14th March 1933, recording the Audit Report on the accounts of the Chenat Nair Exploitation Division for the year ending 31st March 1932.

b 4. Proceedings of the sixth meeting of the Finance Committee, dated 10th March 1933.

b 5. G.O. No. 297, Development, dated 9th March 1933, recording the Audit Report on the accounts of the Forest Utilization Division for the year ending 31st March 1932.

a 6. Notification regarding the supersession of the Bezvada Municipal Council.

a 7. G.O. No. 1415, L. & M., dated 10th April 1933, fixing the date of retirement of members of certain panchayats.

a 8. G.O. No. 1475, L. & M., dated 17th April 1933, notifying the constitution of certain taluk boards in the Kistna district.

b 9. G.O. No. 320, Finance, dated 1st May 1933, regarding the constitution of Public Accounts and Finance Committees for 1933-34.

a 10. G.O. No. 1476, L. & M., dated 17th April 1933, extending the term of members of district and taluk boards in Kistna district up to 25th June 1933.

^a Published in the Fort St. George Gazette.

^b Printed separately.

[31st July 1933]

c 11. Lists on posts on Rs. 500 per mensem and above created during the quarter ending the 31st March 1933.

a 12. G.O. No. 1936 (13-S), L. & M., dated 13th May 1933, fixing the date of retirement of members of the Kistna District Board.

b 13. G.O. No. 519, Development, dated 1st May 1933, recording the Audit Report on the accounts of the Mount Stuart Working Circle for 1931-32.

b 14. G.O. No. 524, Development, dated 2nd May 1933, passing orders on the Audit Report on the accounts of the Nilambur Valley Forests for 1931-32.

a 15. G.O. No. 1982 (14-S), L. & M., dated 13th May 1933, fixing the date of retirement of members of certain panchayats.

d 16. G.O. No. 430, Development, dated 4th April 1933, passing orders on the Collector's report on the working of the Kancha system of grazing in Nellore district.

a 17. G.O. No. 2238, L. & M., dated 7th June 1933, exempting the motor car belonging to His Highness the Maharaja (Holkar) of Indore from tax.

e 18. Report from the District Medical Officer, Nellore, with reference to the answer given to question No. 753 at the meeting of the Council held on 23rd March 1933.

b 19. G.O. No. 630, Development, dated 27th May 1933, recording the Audit Report on the accounts of the Cinchona Department, Madras, for the year ending 31st March 1932.

b 20. Report of the Madras Public Works Establishment Committee, 1932-33.

a 21. G.O. No. 2605, L. & M., dated 1st July 1933, exempting certain motor vehicles from payment of tax.

b 22. G.O. No. 2412 (38-S), L. & M., dated 19th June 1933, extending the term of members of the Bezvada, Nuzvid and Bandar Taluk Boards.

f 23. Statement of action taken on resolutions passed during the third session of the Fourth Madras Legislative Council.

g 24. G.O. No. 1217 I., dated 5th June 1933, regarding the scheme for a high level channel at Mulapadu, Kistna district.

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

a Published in the Fort St. George Gazette.

b Printed separately.

c Printed as Appendix II at pages 47-48 infra.

d Vide Appendix III at pages 48-50 infra.

e Vide Appendix IV at page 50 infra.

f Vide Appendix V at pages 51-52 infra.

g Vide Appendix VI at page 53 infra.

31st July 1933]

APPENDIX I.

[Vide answer to question No. 9 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 31st Ju'y 1933, page 20 supra.]

Serial number and name of the municipality.	Name of the Commissioner.	Previous appointment held by the Commissioner.
1 Bezvada ..	M.R.Ry. B. Audiseshayya Garu ..	Tahsildar.
2 Coimbatore ..	" K. Ramavarmaraja Avargal ..	Deputy Collector.
3 Kumbakonam.	" A. S. Ramanatha Ayyar ..	Superintendent, Revenue Secretariat.
4 Madura ..	" S. Samuel Pillai Avargal ..	Deputy Collector.
5 Ootacamund ..	Saiyid Muhammad Nakhuda Sahib Bahadur.	Do.
6 Rajahmundry.	M.R.Ry. B. Undeswaraswami Avargal.	Tahsildar.
7 Salem ..	" R. D. Paul Avargal ..	Deputy Collector.
8 Tanjore ..	" V. S. Krishnaswami Ayyangar ..	Tahsildar.
9 Trichinopoly ..	Mr. H. C. M. McLaughlin ..	Deputy Collector.
10 Tuticorin ..	M.R.Ry. L. R. Venkataraman Avargal.	Do.
11 Nandyal ..	" N. R. Sambandam Pillai ..	Revenue Officer, Salem Municipal Council.
12 Saidapet ..	" K. P. Kandaswami Pillai ..	Revenue Officer, Ootacamund Municipal Council.

APPENDIX II.

[Vide item XII—Papers laid on the table of the House at page 45 supra.]

FINANCE DEPARTMENT.

LIST OF POSTS ON Rs. 500 PER MENSEM AND ABOVE CREATED DURING THE QUARTER ENDING 31st MARCH 1933.

PERMANENT.—Nil.

TEMPORARY.

(1) Extension of previous sanctions.

Department and designation of the post.	Pay per mensem. RS.	Period of tenure.	Remarks.
Finance Department— Additional Secretary to Government for the revision of the scales of pay.	Pay in the regular line in the I.C.S. plus special pay of Rs. 250 per mensem.	Extended up to 15th April 1933.	
Additional Assistant Secretary to Government for the revision of the scales of pay.	500—50—800	Extended up to 15th May 1933.	

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TEMPORARY—cont.

(1) *Extension of previous sanctions*—cont.

Department and designation of the post.	Pay per mensem.	Period of tenure.	Remarks.
	rs.		
Law Department— Assistant Secretary, Law (Drafting) Department.	500—50—800	Six months from 30th January 1933.	To assist the Under Secretary, Law (Draft- ing) Department.
Law (General) Depart- ment— Additional Sub- Judge, Tanjore.	650	From 1st Jan- uary 1933 to the summer recess of 1933.	

(2) *Posts newly created.*

Public Works Depart- ment— Executive Engineer.	625—1,375	Four years from 16th March 1933.	For the execution of the Kistna East Bank Canal Scheme.
Public (Special) Depart- ment— (1) Collector ..	2,500 plus £30 overseas pay.	From 26th Jan- uary 1933 to the end of the Delhi Session of the Assem- bly.	Mr. A. G. Leach, I.C.S., was appointed to be on special duty as a nomi- nated member of the Assembly.
(2) Collector ..	2,500 plus Rs. 300 overseas pay.	From 31st Jan- uary 1933 to the end of the Delhi Session of the Assem- bly.	Mr. P. C. Dutt, I.C.S., was appointed to be on special duty as a nominated member of the Assembly.

S. A. VENKATARAMAN,
Deputy Secretary to Government.

APPENDIX III.

[Vide item XII—Papers laid on the Table of the House at page 45 infra.]

G.O. No. 430, Development, dated 4th April 1933.

In pursuance of an undertaking given by the Hon'ble the Law Member in reply to a question asked by Khan Bahadur Yahya Ali Sahib Bahadur at the meeting of the Legislative Council held on the 2nd November 1931, a report was called for from the Collector of Nellore on the working of kancha system of grazing in that district. The Collector, after personal enquiry in as many as thirty-four villages in the Udayagiri, Atmakur and Rapur taluks, submitted a report to Government giving a very fair account of the attitude of the villagers towards the system as distinct from the administrative point of view. The Government have carefully considered the report in consultation with the Chief Conservator of Forests and are pleased to pass the following orders,

31st July 1933]

2. One of the complaints brought forward against the kancha system was that it is more costly to the average cattle-owner in the village than grazing on the permit system. The Government are informed that the rates levied by the kanchadars are slightly higher than those levied by the Forest Department under the permit system. The grazing available in the kanchas is however much better both in quality and quantity than that provided in the forests where the permit system is in vogue and this will more than compensate for the small increase in the fees charged by the kanchadars. If the villagers feel that the kanchadars are making undue exactions, it is open to them to form themselves into a panchayat or a co-operative society and take the lease jointly in their own names. This will prevent kanchadars from exploiting the ryots, and as far as the regular fees are concerned it does not appear that the grievance is a real one.

3. Another complaint brought against the kanchas system is that the kanchadars show preference to foreign cattle-owners at the expense of local cattle-owners. The Government understand that the extent of some of the kanchas is larger than is required for the cattle in the immediate vicinity, and that the kanchadar is apt to admit cattle from elsewhere to make it easier for him to pay the lease amount, which, in the interests of revenue, has to be based on its area. The Chief Conservator of Forests suggests that the difficulty can be overcome by insisting, as a condition of the lease, that permits for foreign cattle should not be issued until the 1st October by which date all local owners would have purchased their permits. He also suggests that Rangers may be explicitly instructed not to issue foreign permits until a week prior to 1st October and after satisfying themselves that permits had been issued to all local cattle. The Government accept the suggestion and direct that it be adopted and its results watched.

4. Another almost universal complaint against the system is that the kanchas are closed to grazing for five months in the year at a period when the cattle can get no grass anywhere else. The closure is from 1st May to the 30th September and is enforced to secure the maximum yield of grass and to ensure its regeneration. The Government are advised that it is not desirable to allow the first flush of tender grass to be grazed and thereby damage its further growth. It is also reported that there are extensive unreserves and zamindari forests to which the villagers can send their cattle when the kanchas are closed. The Forest Department has also opened up some "pentas" (chiefly in the hills behind the kanchas) where grazing and penning are allowed during the period of closure, though these are not easily accessible to villages situated far away in the plains. The Government are not therefore convinced that a strong case has been made out for throwing open the kanchas for grazing throughout the year. As it is, however, represented that the period of closure is longer than is actually necessary for the regeneration of the grass, the Government direct that it be reduced from five to three months (1st July to 30th September).

[31st July 1933]

5. A further complaint made against the system is that, unlike the permit system where the whole division is open to grazing, grazing under the kancha system is restricted to the particular kancha for which a permit is taken. The circumstances of the two cases are, however, distinct. It is well known that the grazing in ordinary divisions covered by permits is frequently of a sparse and scattered character, and that the effective area, i.e., the area in which grazing is adequate, often constitutes only a small part of the total area to which the permit applies. The supply of grass in kanchas, on the other hand, is comparatively ample, and the effective area usually corresponds closely to the nominal area covered by the lease. In the circumstances, the Government do not think there is much force in this objection. The Government do not therefore consider that any hardship is caused by the restriction.

6. It was also represented to the Collector that the tyranny of kanchadars is worse than that of the forest subordinates against which there is always the remedy of appeal to higher authorities, while the kanchadar is irresponsible in his actions. The remedy for this appears to be in the hands of the villagers themselves, who can combine to take the leases and oust the kanchadars. The Government see no reason to alter the system to save the villagers from the consequences of their own negligence or inability to act in unison.

(By order of the Governor in Council)

S. H. SLATER,
Secretary to Government.

APPENDIX IV.

[Vide item XII—Papers laid on the table of the House at page 45 supra.]

LOCAL SELF-GOVERNMENT (P.H.) DEPARTMENT.

COMMUNICATION TO THE COUNCIL.

With reference to the answer given to question No. 753 at the meeting of the Legislative Council held on 23rd March 1933, the following report obtained from the District Medical Officer, Nellore, is laid on the table:—

[Legislative Council question No. 753 answered on 23rd March 1933.]

Kanigiri hospital is a very small hospital with an average attendance of 100 patients per day of whom the average attendance of females is 34. There is not sufficient work even for one sub-assistant surgeon and the appointment of another lady sub-assistant surgeon is superfluous.

S. G. SENGODAIYAN,
Deputy Secretary to Government.

[1st July 1933]

APPENDIX V.

[Vide item XII—Papers laid on the table of the House at page 45 supra.]

STATEMENT OF ACTION TAKEN ON RESOLUTIONS PASSED DURING THE THIRD SESSION OF THE FOURTH MADRAS LEGISLATIVE COUNCIL.

Serial number and subject of resolution.	When passed by the Council.	Nature of action taken by Government.
That this Council recommends to the Government that the communities now called Madiga, Chakkiliyan, Mathanga, Gosangi, Adi-Jambuva (including Kommu, Chindu, Mastingu) be hereafter entered in Government records as Arundhathiya with the suffix of 'Ayya Garu' or 'Ayya Avargal.'	5th August 1932.	Orders were issued in G.O. No. 3351, Law (General), dated the 10th September 1932.
That this Council recommends to the Government that the names of the communities now recorded as Kammalans, Kamsalins and Thattans be hereafter entered in Government records as Viswa-Brahmans with the suffix of 'Acharyar Avargal' or 'Acharyulu Garu' to the names of the Tamil and Telugu members respectively, and the honorific prefix of 'Brahma Sri' instead of 'M.R.Ry.' according to the prevailing custom except in cases where a desire in writing is definitely expressed otherwise.	1st November 1932.	Orders were issued in G.O. No. 315, Law (General), dated the 27th January 1933.
This Council recommends to the Government to appoint a committee of both officials and non-officials not exceeding five in number to enquire into and report on the alleged atrocities committed by the Nattars of Devakottai subdivision of the Ramnad district on the depressed classes in June and July 1932.	1st November 1932.	In the absence of any further reports of trouble from the area since July 1932 the Collector of Ramnad, Mr. J. Gray, O.B.E., I.C.S., who was previously Labour Commissioner, was in December 1932 asked to report on the then state of feeling in the area and as to whether the compromise effected by the previous Collector was working satisfactorily. He has reported that the bitterness between the parties is subsiding and that, provided agitators do not stir up further trouble, there is no reason why the parties should not maintain friendly relations on the basis of the compromise. The agitators have been warned and are being watched and the Collector has suggested to them ways in which they may do constructive work for the Adi-Dravidas. In the circumstances the Government see no need to appoint a committee since the appointment of a committee may serve only to revive dead or dying animosities.

[31st July 1933]

Serial number and subject of resolution.	When passed by the Council.	Nature of action taken by Government.
4 "This Council recommends to the Government that they may be pleased—	1st November 1932.	The Legislative Council proceedings connected with the resolution were forwarded to the Government of India.
(1) to recognize the strong and growing public feeling in the Hindu community that disabilities hitherto imposed by usage on certain classes of the community in regard to social intercourse and common worship at temples, should be removed and justice rendered to them, (2) to take advantage of the great impetus given in this respect by the settlement arrived at, at Poona and the Bombay Conference, among the leaders of the communities and the consequent agitation in the country that places of public worship should be thrown open to the so-called depressed classes, and (3) to bring up legislation setting at rest and removing, if necessary, the doubts and disabilities which trustees and other persons holding authority in the administration of Hindu temples feel in regard to throwing them open to the said classes, with necessary safeguards for the making of regulations for maintaining order and cleanliness in temples and also the performance of ceremonies according to the usage of the temple."		
5 Remission in fasli 1342 of at least 12½ per cent in the existing rates of assessment of ryotwari lands in the Presidency.	24th January 1933.	For reasons given in the Press Communiqué, dated the 17th February 1933, the Government were unable to accept the resolution, but decided to explore all possible avenues in order to improve the marketing of produce both within the Presidency and outside it. The Government, however, continued to observe the trend of prices in the various districts of the Presidency and in G.O. No. 476, Revenue, dated the 15th March 1933, they have directed that in those districts where the resettlement rates were introduced in or after the year 1918-19, the collection of two annas in the rupee of the land revenue due in the current fasli should be suspended.

31st July 1933]

APPENDIX VI.

[Vide item XII—Papers laid on the Table of the House at page 45 infra.]

G.O. No. 1217 I., dated 5th June 1933.

At the meeting of the Legislative Council held on 25th January 1928 the following resolution was carried:—

"That this Council recommends to the Government to constitute a committee consisting of non-officials of the local Legislative Council and of the local Public Works Department Officers to investigate into the schemes of high-flood channel from the Kistna beginning from Mulapadu or thereabouts to facilitate irrigating a belt of land of about 30,000 acres of Elore Canal."

2. The Government referred the matter to the Chief Engineer, who, in July 1928, reported that so far as levels were concerned the excavation of the channel was not practicable, but that the scheme might be feasible if gauge readings at the site of the off-take of the proposed channel were sufficiently high to permit the requisite draw-off from the river floods. The river was gauged in the floods of 1929, 1930 and 1931, and it was found that only on 7 days in 1928, 15 days in 1930, and 24 days in 1931, the river rose above the level + 68, which level is considered necessary for commanding the lands in question. On these statistics, the Chief Engineer for Irrigation considers and the Irrigation Development Board agrees that the supply will not be sufficient for the scheme for a high level channel at Mulapadu. There is no alternative suitable site above or below this point. Accordingly the Government direct that the scheme be dropped.

(By order of the Governor in Council)

N. GOPALASWAMI,
Secretary to Government.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Tuesday, the 1st August 1933.

The House met at eleven of the clock, Mr. President (the hon. Mr. B. RAMACHANDRA REDDI) in the Chair.

PRESENT :

Usman Sahib Bahadur, K.C.I.E., The hon. Khan Bahadur Sir Mahomed.	Manikkavelu Nayakar, Mr. M. A.
Krishnan Nayar, Kt., The hon. Diwan Bahadur Sir M.	Moidoo Sahib Bahadur, Khan Bahadur T. M.
Campbell, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., The hon. Sir Archibald.	Moses, Mr. P. C.
Stokes, C.S.I., C.I.E., I.C.S., The hon. Mr. H. G.	Muhammad Meera Ravuttar Bahadur, K. P. V. S.
Raja of Bobbili, The hon. the Rajan, The hon. Mr. P. T.	Muniswami Nayudu, Diwan Bahadur B. Muniswami Pillai, Rao Sahib V. I.
Kumaraswami Reddiyar, The hon. Diwan Bahadur S.	Murugappa Chettiyar, Diwan Bahadur A. M. M.
Abdul Hameed Khan Sahib Bahadur.	Muthiah Chettiyar, Mr. M. A.
Ahmed Miran Sahib Bahadur.	Muthu Chettiyar, Rao Bahadur P. C.
Alagannan Chettiyar, Rao Sahib A. S.	Nachiyappa Gounder, Mr. K. A.
Alamelumangathayaramma, Mrs. K.	Nadimuthu Pillai, Mr. A. Pl. N. V.
Appadurai Pillai, Diwan Bahadur A.	Nanjappa Bahadur, Subadar-Major S. A.
Arasu, Mr. V. T.	Narasa Reddi, Mr. T.
Basheer Ahmed Sayeed Sahib Bahadur.	Narasimhaswami, Rao Sahib D. V.
Basu Dev, Mr. C.	Narayanan Nambiyar, Mr. V. P.
Bayappa Reddi, Mr. P.	Narayanawami Pillai, Rao Bahadur T. M.
Beyabani Sahib Bahadur, S. M. K.	Natesa Mudaliyar, Rao Bahadur C.
Bhanoji Rao, Mr. A. V.	Palat, Mr. R. M.
Birley, Mr. F.	Pannirselvam, Rao Bahadur A. T.
Davis, Mr. J. A.	Parthasarathi Ayyangar, Mr. C. R.
Devadasan, Mr. M.	Patnaik Mahasayo, Sriman M. G.
Dharmalingam Pillai, Rao Sahib V.	Pattagar of Palayakottai.
Duraiswami Reddiyar, Mr. K. M.	Peddiraju, Mr. P.
Ellappa Chettiyar, Diwan Bahadur S.	Pocker Sahib Bahadur, B.
Foulkes, Mr. R.	Premayya, Mr. G. R.
Harischandrudu Nayudu, Mr. A.	Rajagopala Pillai, Mr. P. V.
Hood, I.C.S., Mr. H. M.	Ramachandra Padayachi, Mr. P. K.
Indriah, Mr. C.	Ramakrishna Reddi, Mr. A.
Jagannatha Raju, Rao Bahadur G.	Ramalingam Chettiyar, Rao Bahadur T. A.
Jagannatham, Mr. H. M.	Ramamurti, Rao Sahib Pandit Ganala.
Jayaram Nayudu, Rao Sahib C.	Raman Menon, Mr. K. P.
Jones, I.C.S., Mr. C. E.	Ramaswami Ayyar, Mr. T. S.
Kesavaramamurti Nayudu, Mr. K.	Ramaswami Mudaliyar, Mr. V. M.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.	Ranganatha Mudaliyar, Mr. A.
Kolanda Reddi, Rai Sahib C.	Ranganatha Mudaliyar, Mr. G.
Koti Reddi, Mr. K.	Ranganatha Mudaliyar, Mr. M. D. T.
Krishnayya Choudary, Mr. P. V.	Rangaswami Reddi, Mr. M. B.
Krishnan, Mr. C.	Ratnasabhapati Mudaliyar, Diwan Bahadur C. S.
Kuppuswami Choudari, Mr. J.	Sahajanandam, Swami A. S.
Ladden, Mr. W. W.	Sami Venkatachalam Chetti, Mr.
Lakshmana Reddi, Mr. G.	Sesha Reddi, Mr. B. P.
Langely, Mr. W. K. M.	Shetty, Mr. A. B.
Madanagopal Nayudu, Mr. R.	Simhachalam, Mr. Gade.
Mahboob Ali Baig Sahib Bahadur.	Singam Ayyangar, Mr. K.
Mahmud Schamnad Sahib Bahadur,	Siya Raj, Rao Sahib N.
Khan Bahadur,	

[1st August 1933]

PRESENT—cont.

Smith, C.I.E., I.C.S., Mr. E. Conran.
 Sreshta, Mr. M. S.
 Srinivasa Ayyangar, Mr. T. C.
 Srinivasan, Rao Bahadur R.
 Sriramulu, Mr. G.
 Stanes, Mr. F. J.
 Subbarayan, Dr. P.
 Subrahmanya Chetti, Rao Sahib P.
 Subrahmanya Bhatt, Mr. U. C.
 Sundara Rao Nayudu, Mr. T.
 Syed Tajuddin Sahib Bahadur, Khan Sahib.
 Thangal, Mr. P. M.

Thomas, Mr. Daniel.
 Thorne, C.I.E., I.C.S., Mr. J. A.
 Vasudeva Pillai, Mr. V. G.
 Vedachala Mudaliyar, Mr. M.
 Venkatachala Reddiyar, Mr. K. C. M.
 Venkatarama Ayyar, Mr. K. R.
 Venugopal Nayudu, Rao Bahadur R. K.
 Viswanatha Rao, Rao Bahadur V. N.
 Wright, Mr. W. O.
 Yakub Hasan Sahib Bahadur.
 Zamindar of Bodinayakkanur, The
 Zamindar of Mirzapuram, The

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Education

Appointment of a lecturer for the Law College, Madras.

* 20 Q.—Mr. M. DEVADASAN: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether a lecturer has been chosen for the Law College, Madras;

(b) how many candidates applied for the post; and

(c) whether Christians and depressed classes applied for the same?

A.—(a) Yes.

(b) & (c) The Government have no information as applications for the post were made to the Madras Services Commission.

Mr. M. DEVADASAN:—“ May I know if it is difficult for the Government to get this information and supply it to this House? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ The agency for inviting applications and dealing with them is the Madras Services Commission and the Government have nothing to do with these applications at all.”

Mr. M. DEVADASAN:—“ When this House wants to have the information, are not the Government prepared to supply it to the House? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ The Government do not think any very useful purpose will be served by asking for this information regarding the applications.”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ May I know if the appointment is not made by the Government? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ Yes, on the recommendation of the Madras Services Commission.”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ Did the Commission recommend only one name? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ Two names were sent up.”

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Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ May I ask what the number of applications received by the Commission is? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ The Government have no information.”

Mr. V. T. ARASU:—“ May I ask whether it is the policy of the Government to make these appointments merely on communal considerations irrespective of the qualifications of the candidates? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ The appointments are made having regard to the qualifications of the candidates and communal considerations, whenever prescribed.”

Grants to Mappilla Elementary schools in the taluks of Chirakkal and Kottayam.

* 21 Q.—B. POCKER SAHIB Bahadur: Will the hon. the Minister for Education and Excise be please to state—

(a) whether it is a fact that the amount of grant given to the Mappilla elementary schools in Chirakkal and Kottayam taluks of Malabar district is only about 50 per cent of the amount recommended by the Deputy Inspectors concerned;

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

(c) whether the Government will be pleased to place on the table of the House a statement showing the amounts of grant given to Mappilla elementary schools in Chirakkal and Kottayam taluks, respectively, during each of the last five years?

A.—(a), (b) & (c) The Government have no information; the distribution of grants rests with the District Educational Council.

B. POCKER SAHIB Bahadur:—“ May I know if the hon. Minister is aware that the reduction of these grants has seriously affected the education of backward communities? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I would suggest to the hon. Member that he must first address the District Educational Council of his district, as that is the body which deals with this matter.”

B. POCKER SAHIB Bahadur:—“ Is it not the duty of the Government to draw the attention of the Educational Council that the grants should be distributed on some equitable considerations? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ The Educational Councils will resent any such general direction as that. We have got rules and they have to distribute the grant according to the rules and they need not be told that they must be equitable in its distribution.”

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B. POCKER SAHIB Bahadur:—"Will the Government enquire into the matter whether the distribution is in accordance with the rules or in violation thereof?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"The hon. Member may first address the District Educational Council and, if he is dissatisfied with that answer, he can address the Government who will do all they can."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Will the hon. the Minister be pleased to state whether the Government have imposed any restrictions on the District Educational Council to grant these concessions up to a maximum of 50 per cent?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"They have."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Is it not restricting the discretion of the District Educational Council?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"The matter was fully considered and it was thought that there was nothing wrong in imposing that restriction."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know whether the Director of Public Instruction has called for the opinions of the District Educational Councils whether this 50 per cent is low and whether they would like to give the power to the Director of Public Instruction to grant the concessions up to 75 per cent?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I am not aware of it."

Mr. BASHEER AHMED SAYEED:—"Is it not a fact that cent per cent has been recommended by the District Educational Council?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Not after this Government Order was passed."

The hon. the PRESIDENT:—"These questions are not quite relevant."

Withdrawal of fee concessions admissible to Mappilla students of the Manjeri High School by the District Board, Malabar.

* 22 Q.—B. POCKER SAHIB Bahadur: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether the Malabar District Board has issued an order to the effect that full fees should be collected from the Mappilla students of Manjeri High School irrespective of production of poverty certificate;

(b) whether the Government are aware that 25 out of 47 Mappilla students of the said school have discontinued their studies owing to inability to pay full fees insisted on by the above order of the District Board;

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(c) whether the Government Order allowing half-fee concession to Muslim students on production of poverty certificate to the satisfaction of the head of the institution, is binding on the District Board; and

(d) if so, whether the Government have taken any action for the cancellation of the said order of the District Board?

A.—(a) & (d) The Government are not aware that any order particularly applicable to the Mappilla students of the Manjeri High School has been issued by the District Board. The President, District Board, has, however, informed the Government that in order to balance its budget the District Board has felt compelled to restrict the number of pupils in receipt of fee concessions to 5 per cent of the total number of pupils.

As the whole question of fee concessions is at the present moment under examination by the Government no action has been taken on the President's report.

(b) The Government have no information.

(c) The rules relating to the grant of half-fee concessions apply to the Malabar District Board as to all other local bodies.

B. POCKER SAHIB Bahadur:—"May I know whether the Government realize that the resolution passed by the Malabar District Board is in violation of the rules, as regards half-fee concessions, passed by the Government?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Yes; to some extent in contravention of Rule 92."

B. POCKER SAHIB Bahadur:—"Is it not the duty of the Government to ask the District Board to cancel the resolution and to conform to the Order issued by the Government?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"The Government cannot possibly enforce the order when they are told that the district board has no money."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Is it not a fact that the grants under rule 92, given to compensate the income foregone owing to concessions given to pupils of backward classes, are included in the block grants allowed to district board schools?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"The block grant represents the average of a certain number of years and it includes half-fee concession grant also."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Will the Government consider the question of giving the fees foregone by giving concessions, separately from the block grants?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I am afraid it is not possible now under the existing financial stringency."

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Mr. ABDUL HAMEED KHAN:—" May I know whether the Government will pursue a policy of *laissez faire* if the district board doubles the fees instead of reducing it, in order to make up its revenue? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I do not know whether the Government can interfere with the powers of the district board."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—" May I know whether the order referred to in clause (a) is applicable to only Mappilla students, or it is applicable to all backward communities? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" All backward communities."

Sriman M. G. PATNAIK Mahasayo:—" Will the hon. Minister be pleased to say whether rule 92 has been abrogated altogether? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" No."

B. POCKER SAHIB Bahadur:—" May I know whether the district boards are free to violate the Government Order passed by the Government when they have no money? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" They are not free to violate; they have only reduced the number of pupils getting the concession."

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know if the hon. Minister is aware that district boards are very reluctant to give concessions to deserving students, because the actual expenditure under this head is not given to them by the Government? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I am not aware."

Mr. BASHEER AHMED SAYEED:—" In view of the fact that the fee income from these 25 students will be very a negligible amount, will the Government direct the district board to give concession that is allowable under the rules? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" As I have said in the printed answer the whole question of half-fee concession is under the consideration of the Government."

Sriman M. G. PATNAIK Mahasayo:—" May I ask whether rule 92 is compulsory and whether every local board is bound to follow it? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" It is compulsory so far as I know."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—" May I know whether the order refers to the Manjeri High School only? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" To all the district board high schools."

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Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—" Will the hon. Minister be pleased to state whether it is the order of the district board or of the President of the board? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" It is the unanimous resolution of the district board."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—" How many Mappilla members are on the district board? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" A number of them."

B. POCKER SAHIB Bahadur:—" The hon. Minister stated that the question is under the consideration of the Government. May I ask how long will it take for the Government to come to a conclusion? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I cannot make a prophecy; as quickly as we can."

Excise

Proposals for the reorganization of the Excise Advisory Committees.

* 23 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether there are any proposals to reorganize the Excise Advisory Committees; and

(b) if so, what they are and when they are likely to come into effect?

A.—(a) & (b) With reference to the suggestions made by certain hon. Members in the course of the budget debate on the 'Excise' demand in the Legislative Council on 13th March 1933, the Commissioner of Excise has been asked to examine the question of the enlargement of the powers of Excise Advisory Committees. His proposals are awaited.

Number of liquor shops closed as a measure of prohibition.

* 24 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Minister for Education and Excise be pleased to state—

(a) what the number of liquor shops is that remains closed now in each district as a measure of prohibition;

(b) whether prohibition was tried in complete taluks and districts and, if so, where;

(c) how many liquor shops have again been reopened in Salem district in April last and on what grounds;

(d) whether the Government have issued strict instructions to the Excise officials in the matter of putting down illicit manufacture and illicit sales of liquor; and

(e) if so, what they are? .

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- A.—(a) & (c) The Government have not the statistics but have called for them.
- (b) All arrack shops have been closed in Shiyali and Tiruturai-pundi taluks of the Tanjore district and Tiruvadanai and Paramakudi taluks of the Ramnad district. All arrack shops were closed in Tenkasi taluk of the Tinnevely district and the Auttur taluk (Salem), but have now been reopened as the experiment was a failure. All arrack and toddy shops were closed in parts of the taluks of Trichengodu and Namakkal and of the sub-taluk of Rasipur in the Salem district but have now been reopened as the experiment was a failure. In the Nilgiris district no liquor may be sold to any member of the hill tribes except on a medical certificate.
- (d) & (e) The officers of the Excise Department are by the Excise Manual made responsible for the prevention of offences against the Excise laws.

MR. V. T. ARASU:—“ Will the hon. Minister be pleased to make a detailed statement to this House in which respects this experiment of closing the arrack shops in the Tenkasi taluk and of closing toddy shops in the Rasipuram taluk, has proved a failure? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ The information is in the Administration Report; I have also given the information in detail before.”

MR. T. S. RAMASWAMI AYYAR:—“ May I know if the hon. Minister for Excise confesses that all measures intended to introduce prohibition as per the Legislative Council resolution have proved a failure? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ Some of them.”

MR. V. T. ARASU:—“ Will the hon. the Minister be pleased to repeat what he says he has stated on a previous occasion? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ It will take about half an hour; I cannot give the information off-hand.”

B. POCKER SAHIB Bahadur:—“ It is not possible to understand what is meant by the statement that it has proved a failure, without some explanation.”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ If the hon. Member will give a notice of a question I will answer it.”

Toddy-drawers of the East and West Godavari districts.

* 25 Q.—MR. G. SRIRAMULU: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether there are two sets of toddy-drawers called sweet toddy-drawers and fermented toddy-drawers in the East and West Godavari districts;

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(b) whether each sweet toddy-drawer is permitted to draw fermented toddy provided he pays tree-tax; if so, from how many trees each sweet toddy-drawer is permitted to tap fermented toddy; and

(c) how many toddy-drawers were licensed to tap sweet toddy in Peddapur, Cocanada, Rajahmundry, Amalapur and Razole taluks in the East Godavari district, and in the Ellore, Chintalapudi, Tadepalligudem, Bhimavaram, Tanuku, Narsapur and Kovvur taluks in the West Godavari district in each of the years 1929, 1930, 1931 and 1932 and how many of them in each of the said taluks have paid tree-tax to draw fermented toddy?

A.—(a) Yes.

(b) Yes; each sweet toddy-tapper is allowed to tap three trees for the drawing of fermented toddy for his own bona fide domestic consumption but not for sale.

(c) The Government have not the information but have called for a report.

MR. G. SRIRAMULU:—“ Will the Government be pleased to place the report on the table of the House after it is received? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ Yes; if the question is repeated by the hon. Member.”

Sweet toddy-tapping in the West Godavari district.

* 26 Q.—MR. G. SRIRAMULU: Will the hon. the Minister for Education and Excise be pleased to state—

(a) in how many villages in the upland area of each of the taluks—Ellore, Kovvur and Tadepalligudem—in the West Godavari district there is sweet toddy-tapping in the year 1933;

(b) what the upland villages comprised within the jurisdiction of each of the Excise Sub-Inspectors of Ellore, Tadepalligudem, Nidadavole and Kovvur are in which there was sweet toddy-drawing in the year 1933;

(c) the number of licences granted to draw sweet toddy in each of the villages mentioned in clause (b) and also the number of sweet toddy-drawers who paid tree-tax to tap fermented toddy from concession trees in each of such villages in the year 1933;

(d) whether there were any petitions of bribe-taking filed against the Inspectors or Sub-Inspectors of Excise in the West Godavari district in the year 1933, and if so, how many and against whom were they filed;

(e) whether the petitions were filed by sweet toddy-drawers or toddy shop renters or by both; how many of each class have been filed; and

(f) what became of the petitions; whether they were enquired into; if so, how many were enquired into and what the result is of the enquiry?

A.—(a) to (c) The Government have not the information but have called for a report.

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- (d) Yes; six petitions, besides a letter from the hon. Member himself were received by the Government in which allegations were made that certain Excise officers were taking bribes.
- (e) Four petitions purported to be from sweet toddy-drawers and two from toddy shop renters.
- (f) Two petitions were forwarded to the Commissioner of Excise for disposal. The remaining four petitions and the letter from the hon. Member have been sent to the Commissioner for enquiry and report. The Commissioner's report is awaited.

Mr. G. SRIRAMULU:—"Will the hon. Minister be pleased to place on the table of the House the report after it is received?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"The same answer as for the supplementary question to the previous question."

Revenue under sale of toddy shops in the East and West Godavari districts.

* 27 Q.—Mr. G. SRIRAMULU: Will the hon. the Minister for Education and Excise be pleased to place on the table of the House the statistics of income to the Government by the sale of toddy shops and also by the payment of tree-tax by the sweet toddy-drawers in each of the years 1929, 1930, 1931, 1932 and 1933 in each of the East and West Godavari districts?

A.—The Government have not the statistics but have called for them.

Mr. G. SRIRAMULU:—"Will the Government be pleased to place the report on the table of the House as soon as it is received?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Yes."

Mr. T. S. RAMASWAMI AYYAR:—"Will the hon. the Minister for Excise consider the need for increasing and making tree tax, etc., uniform for the whole Presidency?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"The question has been considered more than once, even quite recently, on account of some observations made on the floor of this House. We examined it and we have not found it possible to do so."

Mr. T. S. RAMASWAMI AYYAR:—"May I ask whether there is any policy with regard to the question of prohibition or temperance?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Yes."

Restrictions on the drawing of sweet toddy.

* 28 Q.—Mr. G. SRIRAMULU: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether it is a fact that sweet toddy-drawers were formerly permitted to draw sweet toddy throughout the year;

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(b) whether they are now permitted to draw sweet toddy throughout the year; if not, why not and from what date; and

(c) if the answer to clause (b) is in the negative, how long they have now been permitted to draw sweet toddy and when the change has been introduced?

A.—(a) to (c) The Government have not the information but have called for a report.

Mr. G. SRIRAMULU:—"Will the Government be pleased to place on the table of the House the report after it is received?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Yes, if the question is repeated by the hon. Member."

Agriculture

Appointment of Members of the Selection Committee of the Agricultural College, Coimbatore.

* 29 Q.—Mr. M. DEVADASAN: Will the hon. the Minister for Public Works be pleased to state—

(a) the personnel of the Committee appointed for the selection of candidates for admission into the Agricultural College at Coimbatore; and

(b) what the principle followed is in the selection of members of the Committee?

A.—(a) The following is the personnel of the Committee appointed for the selection of candidates for admission into the Agricultural College, Coimbatore:—

1. The Director of Agriculture (Ex-officio President).
2. The Principal, Agricultural College.
3. M.R.Ry. Diwan Bahadur T. Raghavayya Avargal, C.S.I., Madras.
4. M.R.Ry. Rao Sahib N. Siva Raj Avargal, B.A., B.L., M.L.C.
5. Yahya Ali Sahib Bahadur, B.A., B.L., M.L.C., Nellore.

(b) The selection of members is done with a view to getting a representative body of non-officials who are likely to be of assistance to the department in selecting suitable candidates of the right type to the college.

Rao Bahadur A. T. PANNIRSELVAM:—"May I know how the interests of the Indian Christian community are safeguarded?"

The hon. Mr. P. T. RAJAN:—"The interests of Indian Christians are sufficiently protected."

Rao Bahadur A. T. PANNIRSELVAM:—"Which member on the Committee represents them?"

The hon. Mr. P. T. RAJAN:—"All the members of the Committee."

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Mr. V. T. ARASU:—" May I ask whether the retired Government official who is on this Committee also comes under the category of non-officials on this Committee? "

The hon. Mr. P. T. RAJAN:—" Yes; they are non-officials."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—" Whom does Mr. N. Siva Raj represent? "

The hon. Mr. P. T. RAJAN:—" Depressed classes."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—" May I ask whether any one of the non-official members represents the large Hindu community other than the depressed classes? "

The hon. Mr. P. T. RAJAN:—" Representation is given to minority communities and not to majority communities."

Mr. M. S. SRESHTA:—" Are selections made on communal representation? "

The hon. Mr. P. T. RAJAN:—" The interests of each community are considered."

Mr. M. S. SRESHTA:—" It was stated that Mr. Siva Raj represents the depressed classes. May I ask why no one has been appointed to represent the Indian Christian community? "

The hon. the PRESIDENT:—" That question has already been answered."

Mr. V. T. ARASU:—" May I know whether the hon. Minister is personally responsible for the selection of the members or whether the Director of Agriculture is responsible? "

The hon. Mr. P. T. RAJAN:—" The Government appoint the members of the Committee in consultation with the heads of departments."

Rao Bahadur A. T. PANNIRSELVAM:—" The hon. Minister replied to me that all the members represented the Indian Christian community and he now says that Mr. Siva Raj represents the depressed classes. May I know who else represents communities other than Indian Christians? "

The hon. Mr. P. T. RAJAN:—" The members of the Committee will look after the interests of the various communities."

11-15 a.m.

Mr. G. LAKSHMANA REDDI:—" May I know who, among the members of the Committee, represents the agricultural community of South India? "

The hon. Mr. P. T. RAJAN:—" At present, all the members of the Committee look after it."

Mr. V. P. NARAYANAN NAMBIYAR:—" May I know whether the hon. the Minister is aware that there was absolutely no complaint about the selection of candidates to the Agricultural College? "

The hon. Mr. P. T. RAJAN:—" I am aware, Sir, that there has been no complaint and that on the other hand there is every satisfaction that the claims of the various communities have been fully met."

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Mr. M. S. SRESHTA:—" May I know why, if a member of the depressed classes has been appointed to the Committee to safeguard the interests of the depressed classes, and why if a Muslim is there to represent the interests of the Muslims, an Indian Christian should not also be appointed to the Committee to represent the interests of the Indian Christians? "

The hon. Mr. P. T. RAJAN:—" Only three men could be appointed to the Committee, and as such, we had to nominate members from such of the communities as wanted representation."

Resolution regarding the free supply of ' Bordeaux mixture ' to the landholders of Puttur taluk.

* 30 Q.—Mr. A. B. SHETTY:—" Will the hon. the Minister for Public Works be pleased to state—

(a) whether the Government have considered the resolution communicated to them by the landholders' meeting held in Puttur on 29th April 1933 requesting free supply of ' Bordeaux mixture '; and

(b) whether they have passed any orders in regard to this matter?

A.—(a) The Government have received the resolution.

(b) They do not propose to sanction free supply.

Mr. A. B. SHETTY:—" With reference to the answer to clause (b) of the question, may I know whether the Government can reconsider the matter of the free supply of ' Bordeaux mixture '? "

The hon. Mr. P. T. RAJAN:—" In the present financial circumstances, it is not possible to reconsider the question."

Mr. W. K. M. LANGLEY:—" With reference to clause (b) of the question, will the hon. the Minister concerned consider the question of addressing the Government of India to remove the import duty on copper sulphate which is an important ingredient of ' Bordeaux ' mixture? "

The hon. Mr. P. T. RAJAN:—" The suggestion of the hon. Member will be considered."

Local Self-Government

Alleged maladministration of the Rasipur Panchayat, Salem district.

* 31 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government have received any representations about the high-handedness and mismanagement of the President of the Rasipur Panchayat in the Salem district; and

(b) what those representations are, when they were received and what action the Government have taken on them?

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A.—(a) Yes.

(b) A few petitions from certain members of the panchayat board and a letter from the President, Taluk Board, Namakkal, have been received in the course of June 1933 and they have been referred to the President, Panchayat Board, for remarks on the various charges made against him therein.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know whether the reply of the president, panchayat board, has been received? "

The hon. the RAJA OF BOBBILI:—" We have not yet heard from him."

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know if the Government have noted whether the allegations set forth in the petitions were serious? "

The hon. the RAJA OF BOBBILI:—" They are being investigated, and I am unable to say whether they are serious or not. A report has been called for and it is awaited."

Mr. BASHEER AHMED SAYEED:—" May I know whether the petitions are from a majority or a minority of the board? "

The hon. the RAJA OF BOBBILI:—" I am afraid I cannot answer the question without notice."

Irrigation

Estimates, etc., for the Torrigedda Project.

* 32 Q.—Mr. A. HARISCHANDRUDU: Will the hon. the Member for Revenue be pleased to state—

(a) when the proposal for Torrigedda Project was first made; whether estimates for the scheme have been prepared; if so, when and what the estimated amount is;

(b) what extent of land is expected to be brought under cultivation *under* this project;

(c) what the revenue hoped to be realized by Teervailu is; and

(d) what the causes are that led to the delay in the sanctioning of this work for such a long time?

A.—(a) The scheme (to relieve the lands lying in the basin of the Torrigedda stream from submersion during floods in the Godavari) was under the Chief Engineer's consideration between 1927 and 1931. In September 1931, he reported that the construction of an outfall sluice was roughly estimated to cost Rs. 1,20,000. Detailed estimates were not prepared.

(b) & (c) The object of the scheme is not extension of irrigation but the relief of the lands lying in the Torrigedda basin from submersion. (It was reported in 1931 that the scheme would save remissions to the extent of about Rs. 1,200 a year.)

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(d) The proposal was abandoned in 1932 as it was reported that the ryots would not give any undertaking as to the payment of a contribution, that the outfall sluice, if constructed, would only afford relief for a few days in every year, and that even then local rainfall, if heavy, would nullify the effects of the sluice as local drainage would get blocked up.

Erection of a culvert over a revenue channel in Venkatapuram, Vellore taluk.

* 33 Q.—Mr. V. M. RAMASWAMI MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the villagers of Venkatapuram, Vellore taluk, of the North Arcot district, petitioned to the Collector of North Arcot for the erection of a culvert over a revenue channel passing through the village;

(b) whether the Collector had promised the erection of the culvert on payment of the contribution of one-fourth of the total cost of the construction;

(c) whether the villagers were asked by the Collector to assign the required lands to the Government; and

(d) what progress has been made in the erection of the culvert?

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

Land Revenue Administration

Representation by the South Kanara District Landholders' Association for the suspension of the resettlement operations.

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

(a) whether the Government have considered the representation made by the South Kanara District Landholders' Association for suspending the resettlement operations till the present economic depression passes off; and

(b) whether any final orders have been passed in regard to this matter?

A.—(a) Yes.

(b) No. The Government have decided to consider after the publication of the scheme report the views put forward in the resolution as regards suspending the resettlement operations in South Kanara district.

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Mr. A. B. SHETTY:—" May I know whether the question referred to in clause (a) will not be a bit too late if its consideration is put off till after the publication of the scheme report? "

The hon. Sir ARCHIBALD CAMPBELL:—" I do not think so. The question of enhancing the rates will depend on the conditions shown in the scheme report and on conditions when the resettlement is introduced."

Mr. M. S. SRESHTA:—" Where is the necessity to await the publication of the scheme report? "

The hon. Sir ARCHIBALD CAMPBELL:—" I understand that the scheme report itself will embody certain recommendations in this regard, and those recommendations are therefore awaited."

Mr. M. S. SRESHTA:—" Is not the main object of the resettlement an enhancement of the present rate? "

The hon. Sir ARCHIBALD CAMPBELL:—" That is not the only object; there are other matters dealt with at resettlement."

Orders, if any, of the Government on the resolutions passed at the meeting of the landholders of Puttur taluk, held on 29th April 1933.

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

(a) whether the proceedings of the meeting of the landholders of Puttur taluk held on 29th April 1933 have been received by the Government;

(b) whether a copy of the said proceedings will be placed on the table of the House; and

(c) whether the Government have considered the resolutions passed at that meeting and passed any orders in regard to them?

A.—(a) Yes.

(b) A copy^a of the resolution is appended.

(c) An extract of resolutions Nos. 3, 4, 5 and 9 has been forwarded to the Board of Revenue for consideration when submitting its remarks on the scheme report of the South Kanara district.

As to resolutions Nos. 6 and 8 the hon. Member is referred to the answer to question No. 46 and as to resolution No. 7 to the answer to question No. 30.

Resettlement operations in the Salem district.

* 36 Q.—Mr. K. A. NACHİYAPPA GOUNDER: Will the hon. the Member for Revenue be pleased to state—

(a) at what stage the resettlement operations in the Salem district are;

(b) when they will be completed and brought into effect;

^a Printed as Appendix I on pages 136-137 infra.

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(c) whether there are any proposals with the Government to keep the introduction of the resettlement rates in abeyance until better times; and, if so, what those proposals are; and

(d) what the enhancement or reduction of the existing rates of assessment is that is proposed in the resettlement?

A.—(a) & (b) The introduction of resettlement in the seven southern taluks of the Salem district, viz., Salem, Attur, Rasipur, Namakkal, Harur, Tiruchengodu and Omalur is either due in 1934-35 or, where due in 1933-34, has been postponed to that year. Resettlement operations are now in progress in these taluks.

The resettlement of the northern taluks of Hosur, Krishnagiri and Dharmapuri is due in 1936-37 and that of the hill villages is due in 1935-36.

Resettlement operations are now going on in the hill villages, but no operations have yet commenced in the northern taluks.

(c) & (d) A definite decision as to the rates of assessment to be adopted at the resettlement, and the date of their introduction, will be made when the scheme report has been published for criticism and considered.

Mr. K. A. NACHİYAPPA GOUNDER:—" May I know when the scheme report is expected to be published? "

The Hon. Sir ARCHIBALD CAMPBELL:—" I cannot say definitely; but I expect it will be published in the course of two or three months."

Extent of waste lands in South Kanara suitable for cashew cultivation.

* 37 Q.—Mr. M. S. SRESHTA: Will the hon. the Member for Revenue be pleased to state—

(a) what the extent of the Government waste land is in the South Kanara district;

(b) what use is made of it; and

(c) how much of it is suitable for cashew cultivation?

A.—(a) to (c) In 1918 the area of waste land at the disposal of Government in the South Kanara district was reported to be about 1,278,000 acres. The Government have no more recent or accurate information. The Collector then reported that the area did not represent correctly the extent available for cultivation, as it included large areas wholly unsuited for cultivation, such as laterite hill-tops and jungle; also land situated in malarial and unpopulated tracts; also Kumaki land. It would be impossible without an elaborate enquiry to ascertain how much of it is suited for cashew cultivation.

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Mr. M. S. SRESHTA:—"Is not the hon. the Revenue Member aware that the cashew cultivation has received considerable impetus of late?"

The hon. Sir ARCHIBALD CAMPBELL:—"Yes, Sir."

Mr. M. S. SRESHTA:—"In view of that fact, will he consider the desirability of having an enquiry made as to how the 1,278,000 acres can be utilized usefully for the purpose of cashew cultivation?"

The hon. Sir ARCHIBALD CAMPBELL:—"It is open to any one to apply for waste land; and if the hon. Member considers that Government should take certain steps to encourage the cashew cultivation, that is a matter which should be placed before the Minister in charge of Agriculture."

Mr. V. T. ARASU:—"The answer states that the Government have no information as to the extent of cultivable waste lands in the South Kanara district. May I know if the hon. the Revenue Member would have us believe that the Government have not got at their disposal information in respect of each district of this Province, regarding the total extent of waste lands, and the extent of cultivable waste lands?"

The hon. Sir ARCHIBALD CAMPBELL:—"It is not possible to say exactly what area of waste fields is really suitable for cultivation; they may include rocky land not suitable for cultivation."

Mr. V. T. ARASU:—"May I know from the hon. Member whether the statistics in the seasonal crop reports, published under the authority of the Government by the Director of Agriculture indicating the total extent of waste lands in each district, classified as suitable and unsuitable for cultivation, can be relied upon as accurate or not?"

The hon. Sir ARCHIBALD CAMPBELL:—"But they are not only lands at the disposal of Government but private lands as well. And the figures contained there must be correct."

Mr. M. S. SRESHTA:—"The answer states that the 'Government have no more recent or accurate information.' Will the hon. Member be pleased to call for up-to-date and accurate information from the Collector?"

The hon. Sir ARCHIBALD CAMPBELL:—"I think some such information will be obtained as a result of the resettlement operations now going on."

Mr. M. S. SRESHTA:—"Will the hon. Member consider the desirability of enquiring from the Collector what use can be made of these large extents of waste lands?"

The hon. Sir ARCHIBALD CAMPBELL:—"I think, Sir, that is a matter relating to the Agricultural department, not to the Revenue Department. We have now a department of experts for the development of agriculture in this Province and therefore any enquiry relating to agriculture should be taken up by that officer, and questions relating thereto should be addressed to my Colleague, the hon. Minister for Development."

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Mr. M. S. SRESHTA:—"Would it not be better if the hon. the Revenue Member himself takes the necessary action? I think one department may certainly make a suggestion to another department."

The hon. Sir ARCHIBALD CAMPBELL:—"I think it is not necessary as the subject relates to the Agricultural department."

Mr. V. T. ARASU:—"Arising from the answer given by the hon. Member, may I know whether there is any Minister for Development in this Province?"

(No answer.)

Rate of water-charge in the districts of Kistna and Godavari for dry inam and Government lands.

* 38 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state the rates at which irrigation of dry inam and Government lands with the help of Government water is charged respectively, in the resettled areas of Kistna and Godavari districts, and if the rates differ, why?

A.—The rates of water-cess are embodied in Appendix I-B, Part I to Board's Standing Order No. 4, paragraph 2, as amended by correction slip No. 9, dated 19th August 1932. The charges made for the irrigation of Government dry land are the same as those made for the irrigation of inam dry land, except in the following respect:—

The charge for a second wet crop raised on Government dry lands in the delta tracts is half the charge for a first wet crop, whereas the charge for a second wet crop raised on zamindari and inam lands, lanka and padugai lands, and Government dry lands in the upland villages irrigated with water of the Kistna or Godavari is the same as for the first wet crop. This follows the practice which has been in vogue for a long time.

Mr. P. PEDDI RAJU:—"Considering the increased rate of water-cess imposed recently, will the Government consider the desirability of reducing the rates?"

The hon. Sir ARCHIBALD CAMPBELL:—"No, Sir."

Mr. P. PEDDI RAJU:—"Are the Government aware that in the zamindari lands also the rates are as high as Government assessment, with the result that the zamindari ryots suffer by having to pay double the rate the Government charge?"

The hon. Sir ARCHIBALD CAMPBELL:—"I am not aware what the rates of assessment in the zamindari land are."

Mr. P. PEDDI RAJU:—"The rates in the zamindari lands are much more than the Government assessment. The Government ought to know that the zamindari rates are very high and that the tenants consequently suffer very much."

(No reply.)

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Levy of water charge for lands irrigated by jungle streams in the Rayadrug taluk.

* 39 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state whether lands irrigated by the aid of jungle streams in the village of Mechiri, Rayadrug taluk, Bellary district, were charged water-rates this year contrary to the practice obtaining hitherto, namely, of levying no charge for such irrigation; and, if so, why?

A.—The Government have not the information but have called for a report.

Permission for additional irrigation from Elandaikulam tank of lands under the ayacut of Nathiyunni channel.

* 40 Q.—Mr. M. D. T. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) what extent and percentage in Nathiyunni channel ayacut has been permitted additional irrigation from Elandaikulam tank in Brahmadesam, Ambasamudram taluk, Tinnevely district;

(b) on what ground such extra facilities were provided when Nathiyunni ayacut is classed in first class source of irrigation;

(c) whether this concession was abused;

(d) where the drainage and excess of water in the special area go to;

(e) whether landholders adjoining this specially permitted area in Nathiyunni ayacut have been served with notices asking them to refrain from using the water from Elandaikulam tank;

(f) whether landholders resort to utilize Elandaikulam tank water from failure of supply in the Nathiyunni channel;

(g) whether this concession was ordered after the last settlement;

(h) whether protests have been made against this concession as being a source of trouble to Nathiyunni ayacut and Kakanallur channel ayacut landholders and what action has been taken regarding the same; and

(i) whether any inspection has been made by the Revenue Officers and whether they have advised cancellation of the special privileges and on what grounds?

A.—(a) to (i) The Government have not the information but have called for a report.

Increase to the ayacut under the Kakanallur channel in the Tinnevely district.

* 41 Q.—Mr. M. D. T. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) what the area irrigated by Kakanallur channel in Brahmadesam village, Ambasamudram taluk, Tinnevely district, is according to the last settlement;

(b) whether any increase has been made in the ayacut area and to what extent;

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(c) whether special permission has been granted to landholders in Nathiyunni ayacut to utilize the water from Elandaikulam tank as a joint source and on what grounds;

(d) why were such special concessions granted when the Government had recognized in the last settlement the insufficiency and unsteadiness of Kakanallur channel supply;

(e) whether the grant of joint source supply from Elandaikulam affects the interests of Elandaikulam pattadars and Vandankulam tank supply; and

(f) whether Vandankulam tank has been assessed low rates on the specific grounds of insufficient water-supply?

A.—(a) to (f) The Government have not the information but have called for a report.

Constitution of Rasipur into a taluk.

* 42 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Member for Revenue be pleased to state—

(a) whether there are proposals to constitute again a separate taluk called the Rasipur taluk in the Salem district;

(b) if so, when is Rasipur likely to become a separate taluk; and

(c) why it is again made a taluk so soon after its conversion into a sub-taluk?

A.—(a) & (b) Proposals to restore the old Rasipur taluk have been received and they are now being examined by the Government.

(c) The taluk has not been restored.

Mr. K. A. NACHIYAPPA GOUNDER:—“ May I know on what considerations the proposals have been formulated so soon after Rasipuram was converted into a sub-taluk? ”

The hon. Sir ARCHIBALD CAMPBELL:—“ Certain memorials were presented to Government on the subject.”

Mr. BASHEER AHMED SAYEED:—“ May I ask whether the proposals emanated from the Board of Revenue in this behalf? ”

The hon. Sir ARCHIBALD CAMPBELL:—“ A report on the memorials received was obtained from the Board of Revenue.”

Diwan Bahadur S. ELLAPPA CHETTIYAR:—“ Will the hon. the Revenue Member be pleased to see that the Government expedite the examination of the subject and pass early orders thereon? ”

The hon. Sir ARCHIBALD CAMPBELL:—“ I shall do what I can to expedite the matter.”

Mr. BASHEER AHMED SAYEED:—“ May I know the reason for the restoration of the taluk? ”

The hon. Sir ARCHIBALD CAMPBELL:—“ I should like to have notice of the question.”

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Public Service

Appointment of an upper division clerk as Superintendent in the Chief Secretariat in 1926.

* 43 Q.—B. POCKER SAHIB Bahadur: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that an upper division clerk of the Law Department was appointed as Superintendent in the Chief Secretariat in the last quarter of 1926; and

(b) if so, the name of the person so appointed with his qualifications and the pay drawn at the time of his appointment?

A.—(a) Yes.

(b) C. S. David, B.A. (Hons.), Rs. 110.

B. POCKER SAHIB Bahadur:—“ May I know whether it was not with the object of giving communal representation that this gentleman, Mr. C. S. David, was raised to the post of Superintendent, from one department to another, over the heads of so many senior clerks of the same department? ”

The hon. Sir ARCHIBALD CAMPBELL:—“ I am sorry, Sir, I am not able to give any information on the point. A search for the papers in connexion with this question showed that they have unfortunately been destroyed, and therefore I am not able to say what the reasons for the appointment were. ”

B. POCKER SAHIB Bahadur:—“ Is it a fact that in 1926, there was not even one Christian Superintendent, and that was the reason for this gentleman being chosen from the upper division to the Superintendent's post? ”

The hon. Sir ARCHIBALD CAMPBELL:—“ As I have stated I cannot say what the facts were. ”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ The hon. Member says that the papers were destroyed; were they destroyed in the ordinary course, or were they clandestinely destroyed? ”

The hon. Sir ARCHIBALD CAMPBELL:—“ In the ordinary course I believe. ”

Mr. BASHEER AHMED SAYEED:—“ May I know whether the hon. Member is in a position to deny that the appointment was made on communal considerations? ”

The hon. Sir ARCHIBALD CAMPBELL:—“ I am not in a position to accept or to deny that statement. ”

Administration of Justice

Paucity of panchayat courts in South Kanara.

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

(a) whether in South Kanara there are many villages for which no panchayat courts have yet been constituted;

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(b) whether some of the villages subject to two different munsifs' courts have been grouped together and put under the jurisdiction of one panchayat court; and

(c) if so, whether there is any proposal to put an end to such unsatisfactory grouping?

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

(c) There is no such proposal before the Government.

Mr. A. B. SHETTY:—“ May I know whether it is the policy of the Government to constitute panchayat courts for all villages? ”

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ It depends on the recommendations of the Collector. ”

Mr. A. B. SHETTY:—“ May I know whether the Government will consider the desirability of grouping the villages in such a way that villages subject to two distinct courts are not put in under one panchayat court? ”

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ I shall consider my hon. Friend's suggestion. ”

Electricity

Electrification of the town of Bhavani.

* 45 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Law Member be pleased to state whether the electrification of the town of Bhavani has been completed?

A.—Yes.

Mr. K. A. NACHIYAPPA GOUNDER:—“ May I know whether there is any proposal to extend the supply of power to Kumarapalayam Union town which is very close to Bhavani? ”

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ I am not aware of any such proposal. ”

Forests

Resolutions passed by the landholders of Puttur in regard to forest concessions in the reserve areas.

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

(a) whether the attention of the Government has been drawn to the resolutions passed at a meeting of the landholders in Puttur on 29th April 1933—

(1) requesting the Government not to withdraw the privileges granted to the people in respect of reserved forests; and

(2) pointing out the necessity for clearing the growth of bushes in cattle grazing areas in reserve forests; and

(b) whether the Government have considered the request made in these resolutions?

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A.—(a) Yes.

(b) The first request was considered in connexion with similar representations made to Government. The latter has been forwarded to the Chief Conservator of Forests for consideration.

Mr. A. B. SHETTY:—" May I know whether the Government will place on the table of the House the report received from the Chief Conservator of Forests regarding the alleged abuse of the concessions? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" My Friend, Mr. Bhatt, is asking me certain questions; and I propose to answer them to-morrow. The answer to this question is included in to-morrow's answer."

General

Circular of Government regarding the participation of Government servants as members of the Anti-untouchability leagues.

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

(a) whether any circular has been sent to Government servants stating that it is not desirable for them to become members of Anti-untouchability leagues; and

(b) if so, the reasons which have impelled the Government to send such a circular?

A.—(a) & (b) The attention of the hon. Member is invited to the Press Communiqué issued by the Government on the subject, of which a copy is appended.*

Mr. A. B. SHETTY:—" May I ask whether Government will be pleased to place the circular on the table of the House for the information of the Members? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—" I do not think there is any necessity. The details are contained in the communiqué."

Mr. A. B. SHETTY:—" May I ask whether there is anything confidential in that circular? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—" There is no point in it; I have given every information in the communiqué."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask whether the agitation for the removal of untouchability and for temple entry constitutes an agitation for social rights, or an agitation for political rights? "

* Printed as Appendix II on pages 137-138 infra.

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The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—" It is a matter of opinion. My hon. Friend is entitled to have his own."

Dr. P. SUBBARAYAN:—" If my hon. Friend thinks there is nothing confidential in the circular, will he be pleased to place it on the Table of the House? It will remove a lot of doubts, I think."

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—" I shall consider the suggestion."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—" Does the Government suspect that this untouchability movement has got any political tinge in it? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—" The Government consider that the movement and the counter-movement have aroused considerable feeling in the country and clashes may occur at any time between the opposing parties, necessitating the intervention of officers of the Government, in order to maintain peace."

Police

Action of the Government on the reports relating to Police excesses in South Kanara.

* 48 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the hon. the Home Member be pleased to state—

(a) what action the Government have taken on the reports of the District Magistrate of South Kanara and the Inspector-General of Police, Madras, made after enquiry held by them into the cases of Police excesses and illegalities during the last Civil Disobedience Movement in South Kanara in general and Mangalore in particular;

(b) whether the hon. Member will be pleased to place a copy of the reports on the table of the House; if not, will the hon. Member at least state what the nature of the reports is; and

(c) what the cause of the delay in passing the order is?

A.—(a) & (b) The necessary disciplinary action has been taken against the Police officers whom the Government considered to have been at fault in dealing with manifestations of the Civil Disobedience Movement. The Government are not prepared to place copies of the reports on the table of the House, as they are confidential.

(c) The delay in taking departmental action against the officers concerned was due to the fact that some of the matters in respect of which enquiry had to be held were sub-judice for considerable periods.

Mr. U. C. SUBRAHMANYA BHATT:—" May I know what the nature of the disciplinary action taken by the Government is and against which of the officers? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—" On a former occasion I answered the question in this House about what we have done as regards the subordinate staff. I said on 22nd

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March last that disciplinary action has been taken against a sub-inspector and two constables in two cases. The orders of Government in other cases will issue on receipt of the Inspector-General's report following the departmental enquiry held by him at Mangalore. In reply to a further question as to the nature of the action taken, I said:

"The sub-inspector was reduced from the fourth grade to the fifth grade for six months and the constables' increments were withheld for six months. The report about the Superintendent of Police has been received and is being considered."

If my hon. Friend wants to know what has been done with regard to the Superintendent of Police, I may tell him that he was reduced by three places in the gradation list of the District Superintendents in the Presidency.

11-30 a.m. Mr. U. C. SUBRAHMANYA BHATT:—"May I know as to what the charges are regarding which he was found guilty?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"The hon. Members know the reasons why the Government had to take disciplinary action. It is stated in general terms in the printed answer, namely: 'The necessary disciplinary action has been taken against the Police officers whom the Government considered to have been at fault in dealing with manifestations of the Civil Disobedience Movement'."

Report of the Inspector-General of Police in regard to Police excesses in Mangalore.

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

(a) whether he will lay on the table of the House the report of the Inspector-General of Police following the departmental enquiry held by him at Mangalore in regard to Police excesses; and

(b) whether the Government have passed any orders on this report?

A.—(a) & (b) The attention of the hon. Member is invited to the answer to question No. 48.

Selection of candidates for the posts of Sub-Inspectors and Deputy Superintendents of Police.

* 50 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Home Member be pleased to state—

(a) how many have been selected for the posts of Sub-Inspectors of Police and Deputy Superintendents of Police since 1st January 1932; and

(b) to which community each of such men belongs?

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A.—(a) & (b) A statement^a showing the number of Sub-Inspectors and Deputy Superintendents of Police selected since 1st January 1932 and the communities to which they belong is appended.

Mr. V. P. NARAYANA NAMBIYAR:—"May I know why no member of the Depressed Classes was selected as Deputy Superintendent of Police? Is it because of paucity of candidates?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"According to the rule of communal rotation perhaps the chance for a member of the Depressed Classes did not come after 1st January 1932."

Number of murders in Salem district in 1932.

* 51 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Home Member be pleased to state—

(a) what the number of murders is which took place in each taluk in Salem district in the year 1932; and

(b) how many in each taluk ended in conviction, how many were acquitted and how many are still pending?

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

UNSTARRED QUESTION

Depressed Classes

Inclusion of the Thattan community of British Malabar in the list of Depressed Classes.

52 Q.—Rao Sahib Pandit GANALA RAMAMURTI: Will the hon. the Home Member be pleased to state whether the Government ever considered the question of including the name of the Thattan community of British Malabar in the list of depressed classes, if so, to what effect?

A.—No.

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

NON-OFFICIAL BUSINESS.

* The hon. the PRESIDENT:—"I understand that Mr. Devadasan is not moving his adjournment motion regarding the admission of the so-called untouchables into coffee clubs, etc., of which he has given previous notice. Mr. Basheer Ahmed Sayeed who has also given notice of an adjournment motion may raise the question to-morrow."

^a Printed as Appendix III on page 138 infra.

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II.—A BILL FURTHER TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920, AND THE MADRAS LOCAL BOARDS ACT, 1920, FOR CERTAIN PURPOSES (BILL NO. 25 OF 1931).

* Mr. F. BIRLEY:—“ Mr. President, Sir, I beg to present the Report * of the Select Committee on the Bill further to amend the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920, for certain purposes (Bill No. 25 of 1931) and move—

‘ that the Bill, as amended by the Select Committee, be taken into consideration.’

“ Mr. President, Sir, I think I am right in saying that it is generally accepted both in this House and outside it that the present situation in regard to the taxation of motor vehicles in the Madras Presidency is, to say the least of it, unsatisfactory. I may say that when I introduced this Bill almost exactly a year ago, I did so not because I thought it was perfect but because I thought that as it grew older it might help at least to alleviate the very heavy burden of taxation from the shoulders of a very harassed industry. During the past year the Bill has been so badly mutilated that only the other day even its own godfathers threatened to disown it. It started with the intention of limiting the rate of district board taxation on motor buses to Rs. 100. But in the Select Committee it was bullied, worried, torn from limb to limb; and it is surprising that the Bill is alive to-day after the treatment it received in the Select Committee. And even now, in spite of the fact that during the Select Committee period myself and other sponsors of the Bill gave way as far as we possibly could give way, the Bill in its present form is the very least that the bus industry can possibly accept.

“ Mr. President, I shall not tire the House by reiterating the long arguments urged on the principle that taxation of motor buses should be so fixed as to provide the revenue required by the taxing authorities, the district boards and municipalities, without any reference to the power or the ability of the industry to bear that taxation. I shall content myself by saying that I hold what appears to me to be the very reasonable view that this form of transport should be taxed but that, in fixing the basis of taxation, all material circumstances should be taken into accounts. And I think it will be generally agreed that a very material circumstance is the ability of the industry to bear the tax. At present the average licence fee levied by the district boards throughout the 25 district board areas of the Presidency is approximately Rs. 1,150 per bus. In four districts it exceeds Rs. 2,000 a bus. On the basis recommended by this Bill as it has been revised by the Select Committee, the average licence fee will be approximately Rs. 880 and in no district will it exceed Rs. 1,000. Now, Sir, I told you that the interests concerned when initiating this Bill suggested a licence fee of Rs. 100, and in the Select Committee that Rs. 100 has been added to by Rs. 780. The interests that I was representing in the Select Committee reluctantly agreed step by step until at last it has risen from Rs. 100 to an average of Rs. 880. Rs. 880 is the average

* Printed as Appendix IV at pages 139-145 infra.

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licence that the district boards will be able to levy if this Bill becomes law. At this point I would draw attention to the fact that if this Bill is not passed in existing circumstances the only limit the district boards have to their authority to tax is the sky, there is no roof, and there is no limit. And what this Bill hopes to do is to put a limit and that limit is agreed to be a very reasonable limit. As a matter of fact, I think, I have made it clear now that, from the bus-owners' point of view, this Bill leaves very much to be desired, and I understand that from the district boards' point of view it also leaves much to be desired. Personally not having any direct interest either way, I think both are right. Bus-owners will have to reconcile themselves to the fact that the district boards must have revenue; and on the other hand, the district boards will have to reconcile themselves to the fact that the owning of buses is after all a commercial enterprise with other objects than those of providing revenue to the district boards. The people who invest money and run buses are also hoping to make a living out of them which, in the present circumstances, I am credibly informed, is quite impossible. I would also remind hon. Members of this House that the revenue derived by the district boards from motor vehicles is not limited to the taxes levied by these boards, to which this Bill refers. The district boards also receive their share of the provincial taxation on motor vehicles and the licence fees which will be legalized by this Bill are in principle only intended to cover the cost of registration and the supervision of the buses. It is not intended to be a source of revenue. The revenue comes from the contribution they receive from provincial motor taxation. I think, taking these considerations into account, it must be agreed that while the maximum scale which the Bill permits is excessive as licence fees, the bus owning interests will look on them as a relief from the almost savage rate of taxation that now prevails in many districts. There is a large body of opinion that considers that this Bill should embody the principle that a licence fee should be nothing more than a nominal fee. While I have a deal of sympathy with this point of view, it is quite impossible for me to reconcile it with the necessity to give the district boards the authority to obtain a reasonable revenue from the buses that are using their roads. In conclusion, I would repeat that I do not consider that this Bill is by any means a final settlement of the present difficulty in regard to motor taxation; looked at from the bus-owners' point of view, it is a very small step in the right direction and it must not be looked upon as anything but a palliative measure.”

Mr. ABDUL HAMEED KHAN:—“ Mr. President, Sir, in seconding the motion of the hon. Member, representing the Madras Chamber of Commerce, Mr. Birley, I wish to say this much that, as he has stated, there has been for a long time a question raised by those who interpreted the term ‘ licence fee ’ as meaning the amount intended to meet the expenditure involved in supervising and not in order to add to the revenue of the parties concerned, the district boards and municipalities. There have been differing judgments on this question, but certainly the opinion generally agreed upon is that the licence fee should not be construed to mean any additional revenue to the district boards and

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municipalities either for general purposes or for the mere purpose of maintaining the roads. When such was the case at a time when the question of abolishing tolls was considered, this question was brought up over and over again, and the then hon. Chief Minister, Mr. B. Muniswami Nayudu, was kind enough to assure us, members of the Conference and the Committee that he would look into the question and see whether it would not be possible for bringing into existence one consolidated tax in order to give relief to owners of buses and other commercial vehicles which are plying in the various district board and municipal areas.

11-45 a.m. "Unfortunately we were not able to achieve the object for which we were all aiming. In the meantime there was a change in the Ministry and the hon. the Chief Minister, the Raja Sahib of Bobbili, has been tackling the question and the Government has not yet come to the conclusion with regard to either the restoration of the tolls or the taxation of carts or any relief to the owners of motor vehicles which use the roads.

"Sir, the other question which is trotted out over and over again is that in these days of hardship and financial stringency nothing should be done by the Government which will result in increasing the rates of the local bodies. Well, I would say in this connexion, Sir, that the initial mistake was made by the Government in abolishing the tolls in order to please a few persons. (A voice: 'It is a good thing.') It is with the abolition of the tolls that the trouble came and now we have to seek ways and means of increasing the revenue of the district boards and the only way that the Government thinks of doing so is to see that the unfortunate bus-owners are over-taxed and taxed over and over again. It is in order to give relief to these unfortunate persons that this Bill was introduced by Mr. Birley and the object of the promoters of this Bill, as has been referred to by Mr. Birley, was to make definite the meaning of licensing fees and it would have been reasonable if the Select Committee had agreed to the relief by levying the licence fees up to a maximum of Rs. 100. But unfortunately the Select Committee had also to deal with the situation as it existed. It could not have taken any steps by which the rules of the local bodies could have been revised all on a sudden although the principle involved in this Bill had to be given the go-by in order that some adjustment may be made between those who thought that the licence fees should be merely licence fees and not calculated as a revenue and those who want to retain the revenues of district boards intact and increase it. It was only as a matter of compromise that the Select Committee endeavoured to reach these conclusions and I am sure, Sir, the presidents of local bodies who are in this Council and members of local bodies who are interested in their local bodies will agree and support the Government which has committed itself to the report of the Select Committee inasmuch as the Raja Sahib of Bobbili as well as Mr. Conran Smith who were on the committee have agreed to the report and I am sure that they will not go back upon any word of the Select Committee and that they would consistently pursue the same policy and not change anything in their report. Therefore, Sir, I hope that

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the hon. Members of this Council who are also presidents and members of district boards will accept this measure as a compromise measure and not raise questions of reductions of revenues affecting their respective local bodies. They will find from the report that what has been done is not to reduce their revenue considerably. There is no doubt that some district boards will lose the present revenue to some extent but there are others which will have an increasing revenue. There are certain district boards which are levying a licence fee of Rs. 400, Rs. 450 and Rs. 460 and even less. Those district boards are given the option of raising their licence fees much higher than what they are able to do at present. It will be their concern whether they can afford to increase the licence fee more than what they are getting at present. But at the same time the object of the promoters of the Bill and the Members of the Select Committee was to see that some unanimity was introduced with regard to these licensing fees. As it at present obtains the district board can raise the licensing fees to any extent. In some cases it has gone up to Rs. 3,000. In the neighbouring district of Chingleput the bus-owner has to pay a licence fee of a thousand rupees in addition to the provincial tax which he has to pay at present. It has not been possible for owners of buses and other commercial vehicles to run this trade with any profit. They have to get on and put these buses on the road because they have no other option. Such being the case I hope no hon. Member who is a member or the president of the district board will raise the question of revenues of local bodies in considering this Bill. I hope, Sir, the House will accept the report as it is with a few minor consequential changes that may be necessary."

* The hon. the RAJA OF BOBBILI:—"The amendments * which stand in my name attempt to meet some of the objections raised by the district

* Clause 3 (3) (a).

The hon. the RAJA OF BOBBILI:—
In clause 3 for item (a) of sub-section (3) of section 166, substitute the following item, namely:—

"(a) in the case of a motor vehicle carrying passengers for hire—

- (i) with seating accommodation for not more than seven passengers, including the driver and the conductor, if any,
- (ii) with seating accommodation for eight or more passengers including the driver and the conductor, if any, and plying on routes or portions of routes in the district not exceeding thirty miles in length,
- (iii) with seating accommodation for eight or more passengers including the driver and the conductor, if any, and plying on routes or portions of routes in the district, exceeding thirty miles in length.

Seven rupees eight annas per seat (excluding the seat for the driver and the seat for the conductor, if any) for each quarter or portion thereof.

Ten rupees per seat (excluding the seat for the driver and the seat for the conductor, if any) for each quarter or portion thereof."

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boards. As has been pointed out by the Government in the proposed amendment, the present average rates of all the districts should not be raised. As the House no doubt is aware, the varying rates in different districts have been iniquitous. The principle of the Bill is to place a reasonable maximum on the rates which the district boards are permitted to levy. As representations have been made that the amendment standing in my name in actual practice results in raising the present averages in the districts, I do not propose to move it. In this connexion I wish to state that there is an apprehension in the minds of non-official Members that these proposals might result in a serious loss of revenue to local bodies. At present, Sir, under the Madras Motor Vehicles Act the maximum fixed per seat is Rs. 10. But Government have been levying only Rs. 7-8-0 per seat. And in actual working of the present Bill, if it is found that the local bodies are put to a serious loss, then Government propose to make good the loss as far as possible by levying the maximum rates which are permitted under the existing Act. Of course another objection may be raised that the loss to the various district boards will be uneven and disproportionate by raising the rate of the provincial tax as the proceeds will go only to the common pool and the districts would not be benefited or compensated in accordance with the proportion of the loss they incur. Without committing the Government I might say if after examination it is found that the loss suffered by the various districts is found to be disproportionate we will endeavour to evolve a system by which the extra tax realized by Government is distributed to various districts in proportion to the loss actually incurred. For these reasons, Sir, I do not propose to move the amendment standing in my name."

* Mr. V. T. ARASU:—"I rise to oppose the motion moved by the learned Member, Mr. Birley. We, in this House, are accustomed to hear statements from Members of Government when private measures of this kind come up before the Council. After hearing definite statements regarding the financial implications of the measure, I am surprised to find that the hon. the Chief Minister has not chosen to let this House know what effect this measure is going to have on the finances of the local bodies. The Government can very easily collect exact figures. They know the exact number of vehicles licensed in each district and the total amounts collected by the respective district boards. When these information are available, I wonder why the Government have not taken the pains to study the exact amount that is being collected by the various district boards by way of licensing fees, and what they will get if this Bill is passed into law. I feel that unless the Government is going to give an assurance to the House that the local bodies are not going to suffer any loss by passing this Bill into law I am afraid I will have to cast my vote against this Bill being taken into consideration."

* Mr. BASHEER AHMED SAYEED:—"I am surprised at the attitude adopted by my Friend, Mr. V. T. Arasu. I think, Sir, that this legislation has long been overdue. In fact when we took up the question

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of the abolition of the tolls, simultaneously with that this question might have been dealt with and the decision arrived at. Somehow it was omitted in the great hurry in which the Motor Vehicles Taxation Act was passed. Later on it was brought to the notice of the House by repeated representations and interpellations on the floor of the House that serious hardship was being caused to the bus-owners in the payment of licence fees which knew no limits.

"This matter has been brought before this Council through reports made by Select Committees, and also through questions and answers it was elicited that in certain district boards the fee went up to about Rs. 3,000 per motor bus, and that it was in no district less than a thousand rupees. That being the case and finding that transport facilities had increasingly diminished on account of exorbitant and arbitrary licence fees imposed by district boards, it was thought necessary that there must be some maximum imposed with regard to the levy of this licence fee. The Bill was introduced by Mr. Birley; it went through the Select Committee, and the Select Committee's report is before the House. My Friend, Mr. Arasu, is not able to say in what respects the Bill does not come up to expectations. Sir, for one thing, the bus trade has suffered seriously on account of the licence fee. Secondly, the levy of a licence fee with a view to making an income to the district board was immoral and illegal. The legality was challenged in courts and the courts have given some relief. So, in order to remedy the present situation, it was thought desirable—and it was so in fact—that an amendment of the Local Boards Act and the District Municipalities Act should be made, and such an amendment is now before the Council. *Prima facie*, it may be that some boards may suffer in their income. But the question has to be settled whether the licence fee should be made a source of income by the district boards and municipalities. In certain cases, bus-owners had to pay double taxation, a certain amount to the municipal council within whose limits the bus was running and a bigger amount to the district board in which also it went; and if there was another district board through whose limit the bus had to run, there was a third payment of licence fee to be made. All this is great inconvenience to the bus-owners and also to the public who are resorting to that kind of conveyance.

"There is also another aspect to be taken into consideration. The buses ply for the convenience of the travelling public. The number of buses had now diminished in large numbers. What do we find in many places? There is much overcrowding in the buses that run, as some of the buses went out of the road. Where there were 100 buses, only 40 or 50 buses are now running. That was a serious state of affairs. That was traceable to the very heavy licence fee imposed by district boards and municipalities. It is necessary in the interest of the public, in the interest of the bus-owners and in the interest of the motor vehicle trade—to be plain I say in the interest of the motor vehicle trade which ultimately leads to the convenience of the public because the larger the number of buses the easier it is for people to transport themselves

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from place to place—that a maximum should be fixed. If the bus-owners are able to run the buses on low maintenance charges, it will lead to lower rates being charged to passengers, thus increasing bus traffic. This is also obviously a great convenience. My Friend, Mr. Arasu, seems to have no information on that aspect of the question. There may be some force in the argument that at the beginning the district boards and municipalities will suffer a little by the fall in their income from licence fee. Even if this fee is to be called an income, I wish to point out that the larger the number of buses the greater would be the licence fee collected by the district boards and municipalities. After all, Sir, what is sought to be done is to bring into existence a uniform rate of licence fee in all districts. We are only fixing the maximum. It is open to the boards to apprehend that the loss of income will be very great to fix the maximum fee. All that is sought by this amendment is that they shall not exceed that maximum. There should be some reasonable maximum for the levy of licence fee. We do not want that there should be many more suits and appeals in the courts including the highest appellate court against this imposition of licence fee and thereby the district boards and municipalities to suffer by payment of exorbitant costs to the parties. In order to save all this trouble, I think the Bill, as reported on by the Select Committee, should be disposed of as early as possible.”

* Sriman M. G. PATNAIK Mahasayo:—“Mr. President, I oppose the motion before the House. The thing is that unfortunately the Government does not wish to give a lead to the Council with regard to this question. Firstly, they ought to be in a position to say how the different local bodies will be affected by the amendment that is sought to be introduced by some people. The second thing is—probably it is too late for me to say so—that from the beginning I am of opinion that the very principle upon which this measure is based is unsound, and this is intended to benefit not the boards, not the bus-owners, not the bus-using public but only those people who deal in motor vehicles. It is only for their benefit that this measure is put forward in this Council. Of course, it is rather unfortunate that my Friends, Messrs. Hameed Khan and Basheer Ahmed, who seem to have nationalistic views in all other matters, do not perceive that they are playing into the hands of people who are seeking to take money from the people. (Mr. Basheer Ahmed Sayeed: ‘Question.’) Let us see whether the people will be benefited. Let us consider that in the first instance. Of course, Mr. Hameed Khan went to the length of saying that the abolition of tolls was a mistake. But of course you must remember that this measure also was introduced into this Council under the auspices of the very body which wanted the abolition of tolls, who thought that they would have better trade in motor vehicles. To their great discomfiture, in spite of the abolition of tolls, their aim could not be realized and the motor trade did not prosper. Now, they have adopted another method by trying to reduce the licence fee. Of course,

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no doubt, in some districts the licence fee has been much lower than what has been fixed by the Select Committee. But still they wanted to fix the licence fee at only Rs. 100. Therefore, mainly with a view to a larger sale of motor vehicles, this Bill has been introduced.

“Then, let us take the case of bus-owners. Well, it is said that bus-owners are made to pay very large licence fees and that if the fee is high they may not be able to run the buses. It is not exactly that. Just consider what will happen if you reduce the licence fee. The result will be that a larger number of buses will come into the road and there will be unhealthy competition. What do we find now? They are allowed to charge a particular rate. How many bus-owners are able to charge that particular rate? They are forced to reduce that rate. The charge from Berhampur to Aska is fixed at Rs. 1-14-0. However they are able to charge only eight annas and even less sometimes. It is due to the unhealthy competition which compels them to reduce the rates. The result will, of course, be that more buses will be purchased by thoughtless people who do not know how to invest their money, and when these buses are put on the road in the hope of getting some profit, they find in a short time that they are unable to run the buses themselves. Therefore, if you reduce the licence fee, the immediate result will be that more buses will be purchased which will ultimately ruin the bus-owners themselves because of the greater competition. So, that aspect of the question we should not lose sight of.

“Let us see whether the people will be benefited. Suppose the rates are reduced on account of unhealthy competition. No doubt poor people will get into the buses. But what will be the ultimate result? Poor people who were never in the habit of going in such conveyances will be tempted to travel in the buses on account of the low charges and thus they will waste their money which might be used more usefully by them. If they have got a few annas in their hands, on account of sheer laziness they will get into the buses instead of travelling otherwise, without caring whether that money is necessary for the maintenance of the families. Therefore, I say it will not benefit the people at all. These buses cannot run for any length of time because the bus-owners themselves will be ruined in course of time on account of the competition. So, the fee should be reasonably high so as not to tempt too many buses being put on the road and so that there will be fewer buses on the road, and so that people who are generally accustomed to use such conveyances may use them, instead of poor people being tempted by the cheap rate. If that is done, people who were using carts and other conveyances will not abandon them. Do you want that carts and handies should go out of the road? (Mr. Basheer Ahmed Sayeed: ‘That is very good.’) That is a very nationalistic view! Again if you put motor lorries at a cheap rate on the road, these carts which are now carrying heavy loads will not be there. Practically, the country traffic will be taken off the hands of the village cartmen. That is, of course, ruinous to the people in villages.

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"There is another principle on which I strongly condemn this measure. I think this Council ought not to interfere with the discretion of the local boards. The local boards are representatives of the people of the district. They know what the wants of the district are. If those people adopt a measure by a majority, I do not see why this Council should interfere with it. Well, if there are very high rates in certain districts and low rates in other districts, it goes to show that the wants of the people and the ability of the people to pay the amount are taken into consideration. I may bring to the notice of the Council that much stress was laid by the hon. Member, Mr. Birley, on 'the ability to pay.' I also lay stress upon that.

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p.m. "Their ability to pay must be deemed to have been taken into consideration by the local board which imposes a particular rate of licensing fee. Therefore, this Council without knowing the circumstances of each district ought not to fetter the discretion of local bodies by a measure of this kind. Then there will be financial dislocation and all that. Of course in some districts, the licence fee is levied at the high rate of 2,000 and 3,000 rupees. Now with regard to each bus, if the licence fee is reduced by 2,000 or 2,200 on account of this measure, then how will that board run? Moreover, every board now has to spend more money on the road, because the roads must be kept always in good repair. Otherwise there would be trouble, and buses cannot run. In these circumstances, I think the Council will be wrong in accepting the Bill at all. The discretion of the boards should not in the least be fettered. We should not presume that we know the needs of the people better than the people of the districts themselves."

* Rao Bahadur A. T. PANNIRSELVAM:—"Mr. President, I feel I shall be correctly representing the feelings of the local boards, in particular, the district boards, when I say that the effect of this legislation would cause a grave disturbance to the financial equilibrium of district boards and thus give room for much disquiet and anxiety on the part of many a district board. Doubtless the statement made by the hon. the Chief Minister in the House just now, that he will endeavour to compensate the district boards for the loss which they are likely to incur by the passing of this measure may be a source of some consolation, but how far even the Chief Minister, with the reserve powers vested in him under the Act, will be able to better the resources of the district boards is very problematical. Apart from that, I wish particularly to refer or demur to the point raised by the hon. Mover of this motion and also the hon. Seconder, as to whether licence fees are to prove a source of revenue to the local boards or not. I cannot imagine wherefrom they got the idea that the district boards are not to use this source of revenue available to them. (Mr. Basheer Ahmed Sayeed: Court's decisions.) They are entitled to use this licence fee as a source of revenue. I believe there are occasions when the Government themselves have advised the local boards to increase the licensing fees if they thought that the damage done to any particular roads necessitated such a course.

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"There is also another aspect to be considered in dealing with this legislation and that is the aspect dealt with by Mr. Patnaik. How far are we going to restrict the growth and development of self-government in this country? We took considerable pains in passing what are called local self-government measures, the District Municipalities Act and the Local Boards Act, with a view to establishing local self-government and training our people in the art of governing themselves. The slogan is oft repeated, in season and out of season, about the sense of responsibility to be developed in the villager and the man living in outlying districts. But are we not, time after time, by making amendments to the Local Boards Act, interfering with the discretion of the local boards? What will this measure amount to except to restrict the discretion which has been vested in the district boards in the matter of fixing the licence fee? And after all, even in the existing Act, is it unfettered discretion? Is it not by the framing of by-laws that we have to fix the fee that could be levied on motor vehicles? And does any by-law become legally enforceable or valid unless it is approved by the Government? Already in framing rules to regulate our own conduct, to regulate our own source of income, we are subject to one restriction. Doubtless it is a wholesome restriction, and I am sure the local boards do not want that restriction to be thrown aside, and that is the restriction of having the approval of Government before any by-law is brought into force. But, if you are going to strengthen these fetters and cut down the powers given to the local boards under the Act, where are you going to stop? A reference was made to the fact that there was considerable difference in the rate of fees levied between district board and district board. May I take this opportunity of pointing out, Sir, that it is not merely between district board and district board that this variation exists? There is variation between one road and another in the same district. In the Tanjore district there is variation between one road and another and there is also a difference in the rates of fees levied. The reason for such variations is not due to a want of any sense of responsibility, but it is due to the fact that the local boards knowing local conditions, knowing the traffic passing that way and knowing the obligation imposed on them in the matter of keeping the roads in good repair, taking all matters into consideration, they levy the fees which vary from road to road. As far as Tanjore is concerned, there are, I believe, half a dozen roads and half a dozen rates. That does not show that they have no sense of responsibility about them. Laying down one uniform flat rate of Rs. 7-8-0 or Rs. 10 per seat as maximum will not work. There are roads in which a man will get an average income of Rs. 150 per day and there are roads where a man cannot get even Rs. 50 a day.

"Then, reference was made to the illegal or iniquitous levy of fees adopted by the local boards. I believe I have been here long enough to realize that with certain Members of the House who have never seen the inside of a local body, it is a fashion to hold them up to ridicule,

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people who have never been outside Madras city, always speaking from a high pedestal condemn the standards of taxation, standards of financial relationship and other standards of the poor and toiling district boards and local boards. This has become a fashion, so much so that we can well afford to ignore them for the time being. But I would only point out that this is going to be an interference with the powers which the local boards have been exercising, according to me, with a very high sense of responsibility. And if the bus trade has not prospered, as one would like it to, particularly as the motor trade would like it to prosper, I would say the cause has to be sought elsewhere than in the rates of fees levied by the district boards. I would trace the cause to the facilities the motor trade affords to any person who can come up to Madras, with say, thousand rupees. He can take away a bus worth Rs. 4,000 or Rs. 5,000 the balance to be paid on the instalment system. Other reasons for the difficult days of the motor trade are unhealthy competition and things like that which have been dealt with by previous speakers. I would only close by saying that before we pass any legislation affecting the resources of local boards, we must look at things from various angles, we should not confine our attention only to the prosperity of the motor trade and perhaps also of the bus-owner. We must not forget the fact that just yesterday, during the interpellation period, we were considerably perturbed on the want of financial stability of the local boards. So, we should not do anything to unstabilize the already tottering position of the local boards."

* Rao Bahadur T. M. NARAYANASWAMI PILLAI:—"Mr. President, Sir, if I rise at all, I rise only to voice forth the feelings of local bodies in this respect. We thought that, on the amendment given notice of by the hon. Chief Minister, he would certainly take up the cause of local bodies and try to avert the danger that is conceded to be threatening local bodies. But after what he has said, we, who represent local bodies, have no alternative but to oppose this measure. Everybody concedes that the finances would be dangerously affected. I do not know how my Friend, Mr. Pannirselvam, would try to interpret the words of the Chief Minister as affording some sort of consolation; on the other hand his words have begun to fill me with all sorts of apprehensions. I also join with Mr. Pannirselvam in demurring to the point raised by the Mover, viz., that the licence fees in the case of local bodies should be considered, not as a source of revenue but as a sort of compensation for the work of supervision supposed to be done by local bodies. If that were so, we should be glad to relieve ourselves from the burden of supervision. There are enough agencies under Government upon whom this burden may be thrown. But this has all along been considered as a source of revenue; and if there is one virtue in the present system it is this: that it gives room for the variations in the several districts to be given effect to at present. There is a serious danger in the adoption of the one uniform rate for the whole of the Presidency. As was very clearly explained, the importance of each

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road, the heaviness of traffic and the damage to the road have all to be taken into consideration. If in any case the Local Government should consider that the licensing fee to be levied is undoubtedly high or trespasses on the canons of good taxation, they are already armed with powers to ask the local body to lessen the rate.

"On the other hand, what is it that we are now going in for? The 12-30 present system provides for varying degrees of taxation according to the varying conditions of districts and roads while leaving to the Government the power to make the local bodies conform to the right level of taxation. The Bill we are now considering would give no room for varying degrees of taxation suitable to the varying conditions of the districts. Therefore, Sir, I am compelled to oppose the motion. P.m.

"Now, let us look into the history of this question. What has happened during these three years to compel these persons to come forward with this measure? Let us take the position before the introduction of the Motor Vehicles Taxation Act. Is it said that the Motor Vehicles Taxation Act has thrown an unduly severe burden of taxation so as to necessitate a Bill of this kind? Nowhere has it been said that that is the case. As a matter of fact, my own feeling is that the motor vehicles tax which was imposed in the place of toll-fees, is in no way higher than what these motor vehicle owners would have paid if the tolls had existed. I am clearly of the opinion that the level of taxation imposed by the Act is clearly lower than what it was under the old arrangement. Now, a bus-owner running his bus in one district only was paying Rs. 2 a day which comes to Rs. 720 a year, but he has now to pay under the Act only a smaller amount. The Motor Vehicles Taxation Act has not increased it; and as far as I am aware, during the last two or three years no district board has raised the licensing fees. All attempts during these two or three years have been to reduce the tax on motor buses. This shows that nothing has been done till now so as to adversely affect the motor trade or the motor traffic.

"Now probably, on account of the all-embracing economic depression, when even the railways are not prosperous, the motor trade is also having its share. But is it only the motor industry that is suffering? Are not the other industries also suffering? What about the agricultural industry which embraces the entire population? Who has come forward to reduce the level of taxation borne by that industry? Sir, this motor industry is after all one which is confined to a very small section and which is not one which intimately concerns the welfare of the agricultural population. And when we take into account the serious dangers which threaten the finances of local bodies, we have no choice but to oppose this Bill."

* Mr. J. A. DAVIS:—"Sir, now that Government has withdrawn its amendment and have recently issued orders that the licence fees should cover only the expenditure incurred for licensing and ought not to be made a source of revenue, I do not think anything is going

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to be achieved by this Bill. We are told that in the majority of municipalities the income now on a motor vehicle is something like Rs. 1,000 and that this measure will reduce it to Rs. 850. Further, it is a pity that this measure is going to be a handle for interfering with the rights of local bodies. If you are going to do something really good, there will be no objection. The introduction and passing of the Motor Vehicles Taxation Act was an initial mistake. All local bodies are seriously suffering on account of that Act. There is no use of our now trying to patch up the mistake by amending Bills of this kind. If the Bill is really going to do some good, we could have supported it. But that is not going to be the case as we see from the Mover's own statement. Therefore, it is inadvisable to take away from local bodies the discretion that is vested in them. Local bodies are more and more officialized and this is another step in that direction. I therefore consider that the Bill should not be passed and, if passed, it will be to no purpose."

* Mr. T. C. SRINIVASA AYYANGAR:—"The real point that emerges is that the finances of the local bodies will be seriously affected by the passage of this Bill. And after the statement made by the hon. Minister that he is unable to give figures regarding the various district boards as to how they will be affected, one would have naturally expected that the Government themselves would move for the postponement of consideration of this business for some time. (A voice: 'No.') A certain Friend says 'No.' His experience, I am afraid, is confined to the city of Madras. He has no knowledge of the extent of damage and deterioration the heavy motor traffic has caused to the roads in the districts necessitating very frequent repairs at greater and greater cost. Therefore in a financial measure like this when the reactions are likely to be great, one must move cautiously. I believe the Government must tell us what their alternative is to restore the equilibrium in the finances of the local bodies which are sure to be affected by a measure of this kind. In the absence of that information, it is difficult to make up one's mind. The question is of considerable importance and there is no reason why the matter should be hurried."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"The Bill proposes to fix the maximum limit for levying licence fees. I consider that the rates of fees now levied are unduly low. My hon. Friends, Messrs. Pannirselvam and Narayanaswami Pillai, stated that even under the existing Act the Government had power under the by-laws to restrict the levy of licence fees by the local bodies. I may say that the by-laws have not the same authority as a statute. Further, as the Department of Local Self-Government is in the hands of a popular Minister he is perhaps unwilling to act on those by-laws and fix the limit. I wonder whether the Government have considered the implications of this Bill at all. Before passing this Bill we must take the practical aspects of it into consideration and see how it will affect the existing state of affairs. I ask Mr. Birley whether there has been any dearth of buses

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on any particular road in any district and whether there has been any complaint from any district or any section of the public that owing to heavy taxation buses could not ply on any particular road and that the charges levied for traffic have been very exorbitant. As a matter of fact, the rates seem to be unduly low, as Mr. Patnaik pointed out. This certainly seems to be the case, because the railway companies and the Government have begun to realize that buses are competing very successfully with the railways. This shows that, if there is anything wrong, it is not due to licence fees. This is clear from the fact that there are too many buses and not too few. When there are so many buses plying for hire, paying heavy rates of licensing fees as in Chingleput or Kistna, I cannot understand the necessity for a measure of this kind. In this connexion I must thank Mr. Birley for his honest statement that this Bill is more or less proposed in the interests of the bus industry. Now I would ask the hon. Minister whether he wants to support the motor industry and strangle the finances of the local bodies? This Bill, while it may improve the condition of the motor industry, would ruin the finances of the local bodies. As such, I would ask the Minister not to be a party to it. In fact, I would say that that should be the last aim of any Minister for Local Self-Government.

"Now coming to the remarks made by Mr. Patnaik, I must say that in some respects he overestimated the rate and in some others he underestimated it. He stated that the rate, according to the present Bill, will be Rs. 800. I am afraid it is a little bit exaggerated. In no local body we have buses carrying 25 passengers excluding the conductor and the driver. I request you to consider, Sir, how Rs. 600 will compare with the Rs. 2,000 or Rs. 2,500 which is being charged by the Chingleput or Kistna or Tanjore District Boards. What will be their position if Rs. 2,000 becomes Rs. 600? If a local body has now been getting Rs. 3,00,000 from this source, after this Bill is passed, it will get only a third of it. What will be the state of the administration of that local body if its finances are reduced to that miserable extent? The Motor Vehicles Taxation Act brought down their income by more than 50 per cent and if you now reduce it further by another 50 per cent, what will be the financial position of the local bodies? I want to know whether the Government or the hon. the Chief Minister or his energetic Secretary feel that the local bodies will be in a position to carry on the administration efficiently if their income is further reduced by this Bill. When I said Rs. 600 and odd I forgot to mention that it will be much less than that, because under the provisions of the Bill, if any bus plies in two districts, the licence fee will be two-thirds and one-third for the two local bodies respectively. The average will, therefore, be less than Rs. 600 and odd.

"So, Sir, with these few words I appeal to the hon. the Chief Minister in the interests of the general public and also in the interests of the minor district boards not to accept this measure. I am afraid that, if this Bill is passed into law, it will be the last straw to break

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the finances of the district boards. If it is the intention of the Government to demonstrate that the administration of the local bodies has been a failure, then they can accept this Bill. But, if it is the intention of the Government to make the local bodies stand at the stage in which they are, if not to improve them, then I am sure the Government will not accept this Bill."

* Mr. SAMI VENKATACHALAM CHETTI:—"Sir, representing the City of Madras as I do, according to the representatives of the mufassal districts, I have no knowledge of inside of the local board politics. However, I venture to suggest that this measure, far from injuring the interests of the local bodies, is in a way calculated to stabilize the uncertain position which the local boards are having in levying licence fees. We have had the benefit of experience of my hon. Friend representing Coimbatore, Diwan Bahadur C. S. Ratnasabhupati Mudaliyar in the Select Committee and I think I am not betraying the confidence of the Select Committee and if I say that he did not then object to this measure and state that this will be 'last straw on the camel's back'."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"As a matter of personal explanation, Sir. Even in the Select Committee I opposed it, and I also dissented. But unfortunately the report was not signed by me and if it had been signed by me, I would have added my dissenting minute. There was a Committee appointed by the Government and while on that Committee I opposed this measure. But in another Committee I merely said that the rates recommended by the Government were very low."

* Mr. SAMI VENKATACHALAM CHETTI:—"I quite sympathize with the plight of the local bodies which have got to surrender a portion of their income to which they have long been accustomed. But it cannot be denied that certain pronouncements were made by Government—and they were also supported by the presidents of local bodies—in which they said that they were committed to a policy of consolidating all kinds of taxation so far as motor vehicles were concerned. It will be within the recollection of my hon. Friend from Tanjore that, when the Motor Vehicles Taxation Act was under discussion, there was some understanding between the Government and the representatives of the people with regard to the complaints made by several people as to the large amount of licence fees collected by the district boards, and that early steps would be taken to consult the district boards so that they might come to some arrangement with regard to the levying of licence fees on motor vehicles so that no particular section of the people had any room for complaint. It is one thing to say that the district boards will suffer on account of the revenues they will have to surrender if they lessen the licence fees and it is quite another thing to say that they (the district boards) should not be asked to lessen their licence fees on that score. My hon. Friend, Mr. Pannirselvam, is too much acquainted with the system of taxation and finance in other countries to be told

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that in no other countries excepting perhaps the Madras Presidency licence fees are considered to be additional sources of taxation to any local body. I would like to draw the attention of my hon. Friend to the pronouncement made by an hon. High Court Judge. I was going just to refer to it when my hon. Friend, Mr. C. S. Ratnasabhupati Mudaliyar, said that there had been no complaints from bus-owners that licence fees were heavy and therefore no question had arisen for introducing this measure. I am afraid he has forgotten the history of licence fees. There have been too many complaints against the levying of licence fees, so much so that some bus-owners took the matter in appeal to the High Court and I may for the benefit of my hon. Friend, Mr. Pannirselvam, read the extracts from the judgment of an hon. Judge of the High Court. This is what he says:—

"The general and reasonable principle behind a licence fee imposed therefore is that in so far as a district board is 'out of pocket' by the extra cost imposed on its resource due to the activities of the business which it permits by its licence to be carried on it is entitled to recoup it by such a fee. This principle is subject to the other principle that the fee shall not be imposed merely in order to obtain revenue but must bear a definite and well-recognized relation to the board's out of pocket expenses."

"Several speeches have been made by hon. Members of this House as to whether licence fees are too high and whether they should be lowered or not. Even now the Government have the power, if they are so minded, to lessen the licence fee in a certain proportion with regard to the various local bodies. But then, as has been pointed out by my hon. Friend Mr. C. S. Ratnasabhupati Mudaliyar, that would place the Government in a very delicate position of trying to make a distinction between one district board and another and thus expose them to the criticism that the hon. the Chief Minister is favourably disposed towards a particular local body. In order to avoid that kind of misunderstanding it is very desirable that the matter should be left entirely to the local bodies concerned. The fear that local bodies will lose their revenue if they lessen the licence fees is not well founded. Granting that the revenues will fall, I am afraid in the first instance they ought not to have agreed to the abolition of tolls which we opposed. Mr. Pannirselvam, Sir, may I say, was one of those who supported the abolition of tolls? It is the abolition of tolls that led us to one difficulty or another. Of course I quite sympathize with the local bodies in their loss of revenue on account of the abolition of tolls. But that ought not to be compensated by a double taxation on motor vehicles. A comparison of taxation on motor vehicles in this country with that in other countries will demonstrate the injustice of very high taxation on motor vehicles in this country. One of the reasons advanced for not lowering the licence fees is that people cannot afford to buy buses because on account of the cheapness of travelling, the bus-owners will be losing their income and so much so they will not be inclined to buy buses. That is a very ingenious argument. That kind of argument can also be used the other way. If the villager wants to enjoy more convenience

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he will not mind paying a few annas more or a few annas less. That is a very important question and it cannot be compared with the heavy licence fees upon motor buses. It is said that the loss on account of the lessening of licence fees will affect the local boards much. A careful perusal of the figures will show that the average licensing fees will work at Rs. 880 as against Rs. 1,109. There will be a loss of Rs. 229 only. If the hon. Minister will look into the matter and if he is convinced that certain district boards will suffer on account of this measure, then he may try to compensate them. Apart from that, the reduction in the licensing fees will increase the number of buses and that may bring in additional revenue. In any case if this Bill goes through, we can watch the developments which the local bodies will be faced with and then, if possible, the Government can bring in a comprehensive Bill for raising the provincial taxation so far as the local bodies are concerned."

* Dr. P. SUBBARAYAN:—"I think the hon. Minister for Local Self-Government knew that this Bill was going to be taken into consideration this morning and we on this side of the House would have been more satisfied if he would have given us figures exactly to show in what way the finances of the local bodies would be affected. I believe he has not got such figures. Many presidents of local bodies who have been connected with them for a long time have been telling us that if this measure is passed into law, they will largely be affected. They have already been complaining that the passing of the Motor Vehicles Taxation Act has led to a large decrease in their income. If this decrease of revenue in regard to their licence fees is also to be put on the Statute Book, there is no doubt whatever that their finances will be largely affected. Mr. Sami Venkatachalam Chetti quoted that the average licence fees that the local bodies are getting are Rs. 1,190, but he does not take into consideration that there are roads and roads in this Province which have got to be maintained at a high cost of repair. I think my hon. Friend has not travelled wide on roads in this Province. If he has done that, he would realize exactly the difficulties with which the local bodies are confronted. The soil in this Province varies from district to district. If he travels in what is called black cotton soil, he will understand the difficulties of a particular local body which has got to maintain the roads in that area, especially when there is a heavy bus traffic. I believe before the introduction of bus, it was not necessary for the local bodies to repair the roads except once in two years. Now the local bodies concerned have got to relay their roads once in six months, and these roads are situated in localities where road metal is not easily obtainable. Metal has got to come from long distances and in such cases the price which the local bodies have got to pay is very high. I am sure even my hon. Friends who support the motor industry would not deny this fact that the heavy bus traffic makes it necessary for the local bodies to keep their roads in good repair. Therefore I

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would like to put it like this: even in the interests of the motor industry I do not think you would like to kill the goose that lays the golden egg. If the roads are to be kept in good repair and if the local bodies' finances are to be kept in the same state as they are, then they will not be able to repair their roads if this measure is passed into law and if their income is reduced. So far as the local bodies are concerned, several of their roads have become quite useless for bus traffic, and there will be no use of issuing licence because the roads will not be fit for bus traffic. Therefore the sale of buses is bound to go down. If we turn to the history of road making in this Province we will find that most of the roads will have to be made in either black cotton soil or loamy soil and buses will not be able to ply on such roads. Therefore even if the level of taxation is made low, it will not be possible for the bus-owners to run their buses on these roads. Nor would it be in the interests of the motor industry itself, because without proper roads they will not be able to sell their buses. With a view to coming to a proper agreement with the local bodies concerned, the Government should exert their influence to bring about such an agreement as to make it possible for local bodies to understand the implications that would result by the passing of this measure.

"Therefore, as far as I am concerned, I feel I must oppose this measure, because we cannot afford to make the finances of local bodies worse than they are to-day. They are already feeling the pinch owing to the economic depression. If really we want the local bodies to carry on the services they do at present—because after all they are the people who serve the interests of the rural population and as has been said time and again, 90 per cent of our people live in rural areas—we should be loath to pass any measure which will, in any way, affect adversely the finances of the local bodies. It is on the financial prosperity of the local bodies that the prosperity of the rural areas depends. The local bodies cannot spread the modern amenities of sanitation, medical aid and education unless their finances are in good condition. Therefore, I would deprecate any measure which would have the effect of taking away from the rural population the amenities they have at present. Therefore, unless some agreement is arrived at with these local bodies, unless the local bodies can feel safe about their finances, I would personally oppose the measure."

Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Sir, after listening to the discussion so far in the House and the attitude taken by the Government, it seems to me that it will not be proper to proceed with this measure further at this stage. The Government have admitted they have not got the figures with reference to the probable loss to the local bodies by passing this measure. But they have stated they would be able to compensate the local bodies with the help of their reserve power to increase the rate of provincial tax. Sir, more than

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one member connected with a district board and almost every member coming from outside Madras have opposed this measure, and said that the Government would not be able to help them. Moreover the Government have not got accurate up-to-date data regarding the probable loss to the local bodies by passing this measure. Further examination of the implications of this Bill is necessary before the Government can definitely say whether they can make good the loss that is likely to be caused to the local bodies. Therefore, it is not advisable to rush through this measure now and it should be postponed to the next meeting of the Council. Otherwise, every Member coming from outside Madras will be constrained to oppose this measure. The Government will have to see whether they cannot do something to meet the demands of both the parties—the motor industry and the local bodies. It is with that object that I want that this measure should be postponed.

"I want to say a word with reference to those who want to proceed with this measure at once. They have been saying that in the interests of the people generally a reduction of the taxation ought to be made. Of course, Dr. Subbarayan has replied to that by pointing out that unless the local bodies were put in a sound financial position to enable them to maintain the roads in good condition, the motor industry will not prosper. Therefore, it is in their own interests, if we wait for some time so that we may have the facts and figures before us to judge whether the measure will help the bus trade or not. It is in that view I move—

that the further consideration of this business be adjourned to the next meeting of the Council."

* Mr. YAKUB HASAN:—"Mr. President Sir, I second the motion of Mr. Ramalingam Chettiyar, for the adjournment of the further consideration of the Bill to the next session of the Council. When this question comes before us for further consideration, I hope, Sir, the House will be placed in possession of facts and figures that will enable it to come to a better conclusion than what would be possible to-day. I am myself in difficulty how to vote in this matter. The hon. the Chief Minister threw out a bait to the presidents and members of district boards to induce them to support this measure. He said that if by passing this Bill the revenues of the district boards were reduced as a result, then the Government will come to their help and raise the tax under the Motor Taxation Act from its present rate of Rs. 7-8-0 to the maximum rate of Rs. 10. If this is to be done, I do not see that the relief that is intended by this measure to be given to the bus-owners will be real relief, for by fixing the maximum rate of licence fees as provided in the present Bill, the buses will be paying less as licence fees, but they will be paying more in the form of taxation. The result will be that the buses will not in any way be benefited to any extent. The passing of the Motor Taxation

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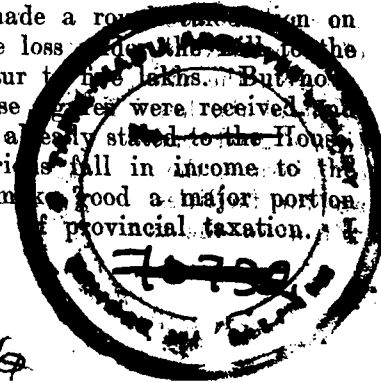
Act was the greatest mistake that the present Ministry has made and this measure was only brought so that the great harm that was done to the motor transport industry may be undone to some extent. There is no use of applying such half-hearted remedies. The real mischief was done by passing the Motor Taxation Act and the real remedy will be that the Act should be repealed and the *status-quo ante* be restored when the district boards were charging tolls as they liked and levying licence fees as they liked. Yet there were no complaints at all and the motor transport industry was flourishing. No complaint was made about the heaviness of the licence fees or tolls. In order to avoid the little inconvenience that motorists were feeling at the toll-gates they agitated against it and no agitators have ever suffered the consequences of their agitation. In my opinion the Government would be very well advised in bringing at the next meeting a Bill repealing the Motor Vehicles Taxation Act. No other remedy will meet the case.

"It was said that this Bill had been brought more in the interests of those who deal in motor vehicles. It is a calumny to say that. I cannot understand that there should be any Member of this House to make such a serious libel against any body of merchants. What is the motor transit industry? Motor bus chassis are imported mostly from America, only very few come from Great Britain; most of them come from America and other places. The bodies are built in India. Most of the materials used is Indian and so much labour is put by Indians and it is Indians who own these buses. If any profits are being made, the money goes into the pockets of Indians. Among the dealers also of these buses there are many Indians. It is only a little money that goes out of India as the price for the chassis and the engines and nothing else. As long as India is not able to make these, we will have to go to foreign countries for them. Otherwise the motor transport business is purely an Indian business and if this industry suffers it is Indians who suffer and only a few Europeans who are dealing in motor cars. Therefore I have much pleasure in seconding this motion for adjournment of the further consideration of this Bill."

* The hon. the RAJA OF BOBBILI:—"Sir, much has been said about the fact that the Government have not been able to place accurate figures before the House. When the Bill was first referred to a Select Committee, the Government addressed the local bodies and received up-to-date figures at that time. They made a rough calculation on the data available and estimated that the loss to the local bodies of the various district boards would be about four to five lakhs. But now it is nearly four to five months since those figures were received and they have become out of date. As I have already stated to the House, I anticipate that in case there is a serious fall in income to the district boards, it will be possible to make good a major portion, if not the whole by increasing the rates of provincial taxation. I

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Believe, Sir, already the law of diminishing returns has been operating. Even if we adjourn the consideration of this measure to the next meeting, we will not be in possession of more accurate information than we have at present. I therefore desire that as already a great deal of time has been spent by the Select Committee on this measure the House should take this opportunity to express its opinion on the proposals."

* Mr. T. S. RAMASWAMI AYYAR:—"Sir, I desire to support the motion of Mr. Birley that the Bill be taken into consideration at once."

* The hon. the PRESIDENT:—"I think it is much better to put the adjournment motion to the vote of the House before we go on to discuss the main motion."

* Mr. T. S. RAMASWAMI AYYAR:—"Sir, I desire to oppose the motion for adjournment. Certainly I am one of those who feel that hasty legislation should not be resorted to, but the measure before us cannot by any means be called hasty legislation. This Bill was published in the *Fort St. George Gazette* in English on 17th November 1931; the Select Committee met on 10th February 1933 and the final report was adopted on 10th March last. Now we are in August and I do not think that anybody can complain that we are rushing through this Bill. On the other hand, the matter is very simple. The facts are all available; of course it is a pity that the latest figures are not available from the various districts. Whatever that may be, it is high time that we decided the question whether it should be the policy of the Government to allow the local bodies to look to the motor industry as a source of revenue.

1-15 P.M. "As has been decided by the Courts, licensing fee should never be considered as a source of revenue. Of course as regards the out-of-pocket expenses which the local bodies incur, they are entitled to be re-imbursed. But then the motorist can very well ask back 'what are the facilities afforded to me.' Will I be able to get my money's worth from the Government?" We have all talked about the rights and privileges of the local bodies; we have considered the question of the motor trade. We have not considered the question of the user of the motor car. As regards ordinary cars, which are owned by private individuals, their question has been settled. The ordinary motorist knows now that he has got to pay a certain fee as tax to the provincial revenues, about Rs. 25 a quarter. What about the poor man? He cannot afford to own a car; he is very much talked of in connexion with rural reconstruction. How are we helping the villager; the villager does not get any facilities. If it is a question of hospitals, hospitals are built in the headquarters; if it is a question of good roads, we have them only in the cities. If it is a question of railways, they do not go into the interior of the districts. What are the facilities afforded to the villager? Does he get anything in return for the taxes he pays? Even as a user of motor-buses, does

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he get back a return for the money he pays? The user of the bus has indirectly to pay all the money the bus-owner has to pay. The first thing that we have to consider is that the Government is getting its revenue not from the licensing fee, not even from the provincial tax, but from the petrol tax. Something like 10 annas per gallon of petrol is taken from the user of the motor-buses . . . "

Mr. V. T. ARASU:—"On a point of order, may I know if the hon. Member is speaking on the motion before the House, that the consideration of the Bill be adjourned?"

* The hon. the PRESIDENT:—"The hon. Member will do well to confine his remarks to the motion before the House, namely, the adjournment motion."

Mr. T. S. RAMASWAMI AYYAR:—"I was saying that a matter like this should be considered expeditiously by the House. It is for this purpose that I was referring to those points. It is our duty as legislators to consider the question now and come to a decision. We should not put off the consideration of the question. If it is a question of the private motor car owners, or if it is a question of the motor trade, or if it is a question of the local boards' financial position being affected, we are prepared to rush through legislation. But if it is a question of the poor ryot or agriculturist, who is the user of the buses, we postpone it. It is the bus alone which goes into the interior of the districts, which is the conveyance of the poor people. The bus is the poor man's conveyance and it is a speedy conveyance. I hope therefore that this matter will not be put off. If it is a question of adjusting the rates, certainly it is open to Members to give notice of amendments. If the sum of Rs. 7 or Rs. 8 is considered too low, it is open to a Member to suggest Rs. 8 or Rs. 9 or whatever it is. Personally I feel that at least in one respect, the maximum fee is too low in the case of lorries owned by private individuals. That is a matter of detail. It is not a matter of general principle affecting the Bill. I think it is incumbent upon us to decide the question now."

* Diwan Bahadur B. MUNISWAMI NAYUDU:—"Sir, I am sorry for the attitude taken up by the Government towards this very reasonable request from this side of the House that this Bill which is introduced by a private Member, should be given the chance of being considered in all its various aspects. I think the hon. Minister gauged the depth of feeling of Members even on his side, who were and who are presidents of district boards now. Hon. Members, Messrs. Pan-nirselvam and Ratnasabhapati Mudaliyar, who have spoken against this Bill, expressed grave apprehensions about the possible loss that will accrue to the local bodies from the experience they have had in the past. Nothing can be said against them that they want that the matter should be considered unfairly as against the interests of bus-owners and bus-traders. They speak with experience. They

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are not now the presidents of the district boards to think that by continuing this kind of agitation, they could go on continuing as presidents. There are others, for instance, Mr. Narayanaswami Pillai of Trichinopoly, who are still presidents of district boards and who are not satisfied. His opposition could not be considered as factious opposition from the Opposition Benches. They have stated that they do not know exactly where this legislation will lead to; they have their own apprehensions as to what extent the local boards will be put to loss. The amendment tabled by the hon. the Chief Minister has been withdrawn by him after hearing the various representations made by trade interests. There are Members here who are interested in local bodies; there are others like Mr. Ramaswami Ayyar who are interested in the villages. The hon. Member, Mr. Narayanaswami Pillai, expressed great concern at the fact that the Government withdrew their amendment. Therefore he said that he had no other alternative but to oppose the Bill. We may consider whether there is any other alternative proposal. We have also to consider whether the district boards will suffer or not. All that we want is to have some more time for those who are interested in the matter and for those who are interested in local bodies, both directly and indirectly, to consider over the matter carefully. We are anxious that the principle of the Bill should not be jeopardized, and as the hon. the Leader of the Opposition said, some opportunity should be given to all the interests concerned to put their heads together and to see to what extent the Bill can be amended and improved. My hon. Friend, Mr. Ramaswami Ayyar, in fact stated the case for adjournment when he said that in his opinion the maximum limit in the schedule was low and that it should be raised if possible. That is why we ask for adjournment. The Government had tabled an amendment after considering the representations made by the various local bodies and if the Government at the last moment withdraw their motion and if we are not able to make a change which can take the place of that amendment, we are entitled to ask for adjournment, so that the hon. the Chief Minister may be able to tackle the question taking into consideration the feeling of the Members from his own ranks and of those who are in charge of local bodies and put forward adequate proposals in consultation with Members. Yesterday the Members interested in the motor trade approached the hon. Minister to consider to what extent his amendment would be prejudicial to them. At the same time I thought that the hon. the Chief Minister, as one responsible for the administration of local bodies, would have taken care to consult the Members of his party who are in charge of local bodies and to find out whether his action would be approved by them. Evidently he did not consult them or he was not able to come to a satisfactory decision. We only want that some time may be given for all the parties to see that things are set right. My hon. Friend, Mr. Ratnasabhapaty Mudaliyar, said that, if the rates are put a little higher, it may be possible for the local bodies to accept them. I therefore think that there is a very good case for adjournment

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of the consideration of the Bill. But if the hon. Minister wishes to rush through the Bill in spite of the opposition of the Members on his side, it is left to him to do so."

The House then adjourned for lunch.

After Lunch (2-30 p.m.)

* The hon. the PRESIDENT:—"The discussion on the motion for the adjournment of the business might continue. (After a pause.) I think the House is now ready for a vote.

"The question is that the further consideration of this business be adjourned to the next meeting of the Council."

The motion was put to the House and declared lost. Mr. P. V. Krishnayya Choudari demanded a poll and it was taken with the following result:—

Ayes.

- | | |
|---------------------------------------|------------------------------------|
| 1 Mr. V. M. Ramaswami Mudaliyar. | 15 Mr. U. C. Subrahmanya Bhatt. |
| 2 " P. Bayappa Reddi. | 16 " P. Madhusoodhanan Thangal. |
| 3 " G. Lakshmana Reddi. | 17 Diwan Bahadur B. Muniswami |
| 4 Dr. P. Subbarayan. | Nayudu. |
| 5 Mr. Yakub Hasan. | 18 Mr. K. P. Raman Menon. |
| 6 " K. R. Venkatarama Ayyar. | 19 Diwan Bahadur C. S. Ratnasabha- |
| 7 Rao Bahadur T. A. Ramalingam | pati Mudaliyar |
| Chettiyyar. | 20 Mr. M. S. Shreshta. |
| 8 Mr. V. T. Arasu. | 21 " C. Indriah. |
| 9 " M. A. Manikkavelu Nayakar. | 22 Sriman M. G. Patnaik Mahasayo. |
| 10 " A. B. Shetty. | 23 Mr. J. Kuppuswami Choudari. |
| 11 " P. Peddi Raju. | 24 " P. V. Krishnayya Choudari. |
| 12 " K. A. Nachiyappa Gounder. | 25 " G. Sriramulu. |
| 13 Ahmed Miran Sahib Bahadur. | 26 Rao Bahadur T. M. Narayana- |
| 14 Mr. A. Pl. N. V. Nadimuthu Pillai. | swami Pillai. |

Noes.

- | | |
|------------------------------------|--------------------------------------|
| 1 The hon. Sir Mahomed Usman. | 19 Rao Sahib N. Siva Raj. |
| 2 " Diwan Bahadur Sir M. | 20 Subadar-Major S. A. Nanjappa |
| Krishnan Nayar. | Bahadur. |
| 3 " Sir Archibald Campbell. | 21 Rao Bahadur R. Srinivasan. |
| 4 " Mr. H. G. Stokes. | 22 Rao Sahib V. I. Muniswami Pillai. |
| 5 " Mr. P. T. Rajan. | 23 Mr. B. P. Sesha Reddi. |
| 6 " the Raja of Bobbili. | 24 " P. C. Moses. |
| 7 Rao Bahadur G. Jagannadha Raju. | 25 " P. V. Rajagopala Pillai. |
| 8 Mrs. K. Alamelumanga Thayaramma. | 26 " P. K. Ramachandra Padayachi. |
| 9 Rao Bahadur V. N. Viswanatha | 27 Rao Sahib V. Dharmalingam Pillai |
| Rao. | 28 Mr. A. Harischandrudu. |
| 10 Mr. J. A. Thorne. | 29 " K. Kesava Ramamurti. |
| 11 " H. M. Hood. | 30 Rao Sahib D. V. Narasimhaswami. |
| 12 " C. E. Jones. | 31 Swami A. S. Sahajanandham. |
| 13 " R. Madanagopal Nayudu. | 32 Mr. H. M. Jagannadham. |
| 14 " E. Conran Smith. | 33 Rao Sahib P. Subrahmanyam Chetti. |
| 15 " T. Sundararao Nayudu. | 34 Mr. M. A. Muthiah Chettiyyar. |
| 16 Khan Sahib Syed Tajudin Sahib | 35 " A. V. Bhanaji Rao. |
| Bahadur. | 36 Diwan Bahadur A. M. Murugappa |
| 17 Mr. M. D. T. Ranganatha Mudali- | Chettiyyar. |
| yar. | 37 The Zamindar of Mirzapuram. |
| 18 Mr. K. C. M. Venkatachala Red- | 38 The Zamindar of Bodinayakkanur. |
| diyar. | |

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Noes—cont.

39 Mr. A. Ranganatha Mudaliyar.	45 Mr. R. Foulkes.
40 Rao Bahadur C. Natesa Mudaliyar.	46 „ C. Krishnan.
41 Mr. C. R. Parthasarathi Ayyangar.	47 „ Sami Venkatachalam Chetti.
42 „ F. Birley.	48 „ Bashoer Ahmed Sayeed.
43 „ W. W. Ladden.	49 „ T. S. Ramaswami Ayyar.
44 „ R. M. Palat.	50 „ Abdul Hameed Khan.

Ayes 26. Noes 50.

The motion was lost.

* The hon. the PRESIDENT:—“ The discussion on the main motion will now continue.”

* Mr. T. S. RAMASWAMI AYYAR:—“ Mr. President, Sir, I desire to support the main motion that the Bill be taken into consideration. I do not propose to reiterate the arguments that I advanced when I spoke against the motion for adjournment. It is enough for my purpose to state that the Legislative Council as a body that is committed to a policy of improving the amenities of the people, should try to see that the poor man gets his conveyance. As regards the rates that have been fixed, they have been fixed by the Select Committee after going into the question in detail. I find from the note of the Select Committee that except my hon. Friend, Mr. Muniswami Nayudu, all the Members have voted in favour of the Committee's report *in toto*. My friend, Mr. Muniswami Nayudu, merely states that he is in favour of the principle of the Bill but that he thinks that the rates proposed as maxima should be increased. I do certainly agree with him in some of the details; for instance, with regard to the lorries owned by private individuals, the maximum fixed in the Bill is very low. They have fixed it at something like Rs. 1-4-0, which I should say is much too low; for lorries do as much harm to the roads as buses. It may be that lorries are useful in an agricultural country where the agricultural produce has to be taken long distances for marketing. But, at the same time, there must be a sense of proportion in these matters, and the rates fixed in the Bill are certainly very low. I therefore think that as between the Members of the House on both sides, it should be possible to agree to certain rates and make certain alterations in the rates. I appeal to the Mover of the Bill himself and to the other Members to come to an arrangement with regard to the raising of the rates where they are very low. Except for that, I think we should vote for the Bill as it stands. The Bill is going to help the building up of communications in the mufassal. It is suggested that the Madras Members do not feel the troubles that afflict the mufassal local boards. I am not quite sure if the mufassal Members themselves are aware of the ways in which their finances could be improved. It is often said that the finances of the local bodies are at a low ebb.

2-45 p.m. “ I wish to take this opportunity to say that the cause for the finances of the local bodies being at a low ebb is not the want of money coming in out of licence fees. In some cases it is the want of efficiency

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in management. I do not say that in all cases there is inefficient management. But I do want members of local bodies to see that their finances are managed properly, that their budgets are cast well and that their expenditure is also curtailed. If greater control is exercised by local bodies over their finances, I am quite sure they would not need high licence fees. Merely because they are in a difficult plight, they cannot try to get out of it by enhancing the motor tax. It was only the other day that we accused the Government of not being sympathetic to ryots and agriculturists. We said when the agriculturist is not able to get his income from the land, it is the duty of the Government to come to his rescue and reduce the tax. When we have by an almost unanimous vote urged the reduction of the land tax, even though the Government were badly in need of finances, how is it possible now, when the poor man is not able to pay the tax on the motor bus, to say that because the finances of the local bodies are in a bad plight, the bus owner should pay whether he is able to do so or not. That should not be the maxim that should guide us in this matter. I am confident that the House will see that in a matter of this kind, it is not enough merely to look to the finances of the local bodies alone. It is of course necessary to see that the finances of the local bodies are improved and assured. But by enhancing the motor tax we are not going to help them. They must try to see that revenues are expanded properly. We have also got the assurance from the hon. the Chief Minister that if there is any loss incurred by local bodies caused by this change in taxation, the Government will reimburse them. As I said before, we should not consider that this is going to be a source of revenue. As regards the revenue, it is obtained by the petrol tax, and we have also got the provincial tax which goes to the provincial exchequer. With these only the roads should be maintained properly. If we are not able to do that with the income derived from petrol tax and provincial tax, I do not think it is worth while for us to keep the roads at all. It is the duty of the Government to see that these roads are maintained from these two sources of income. If other incomes are derived by local bodies by licence fees, it should be merely for the purpose of having control over the buses, or to enable them to exercise that control efficiently. I have therefore great pleasure in supporting this motion for consideration of the Bill.”

Rao Bahadur P. C. MUTHU CHETTIYAR then spoke in Tamil:—

“ கனவான்களே ! லேவென்ஸ்பீசு பஸ் விஷயமாக :—இப்போது இரண்டு விதமாக அனுதாபிக்கிறார்கள். ஒன்று, லோகல் போர்டு வரும்படி வரவேண்டியதைப்பற்றி, மற்றொன்று, ஜனங்கள் அதிகமாய் கொடுக்கவேண்டியதைப்பற்றி, இவை இரண்டும் வாஸ்தவமாய் கருதப்படவேண்டியவைகள்தான், ஆனால் எப்படி இவை இரண்டும் கேஷமத்துக்கு வரக்கூடுமென்பதைப்பற்றி நான் சந்தேகிக்கிறேன். இந்த ஹவுஸில் கற்றறிந்த யாவரும் கவனிக்கவேண்டியவை மோட்டார் என்னும் பஸ் பெயரையுடையவைகள் இந்த கண்டிபிரிக்கு வராதிருக்க யோசனை செய்வார்களா ? அப்படியானால் கண்டிபிரி பணங்கள் மீதமாகும், ரோட்டுகள் கெடாதிருக்கும், ஜனங்கள் நன்மையடைவார்கள்.

[Mr. P. C. Muthu Chettiyar]

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“மோட்டார் வாங்குவதும் விற்பனையும் முக்கியமல்ல. இன்னும் சிறிது காலத்தில் மோட்டாருக்கே விலையில்லாது இலவசமாக வரப்போகிறது. ஆனால் ஒரு கண்டிஷனோடு கிடைக்கும். மாசத்திற்கு 500, 1,000 மைல்கள் சவாரி செய்யா விடில் கிரையத்தை கொடுக்கவேண்டுமென ஓர் கண்டிஷன் ஏற்படும். அதினால், ஆயில், ஸ்பேர் பார்ட்டு, டயர்கள் இது ஏராளமாக விற்பனையாகவேண்டும். இது தான் முக்கிய நோக்கம். இதில்தான் ஏராளமான பணங்கள் விரையமாகின்றன. இதை யடைபவர்களிடம் ரோட்டுகளின் பூர்ண சிலவுகளை ரோட்டு போர்டு யோசனை செய்து வசூலிக்க யோசனை செய்யவேண்டும். ஆனால் கம்பெனிகள் ஆள்பாரம் பூமியிலே என்றமாதிரி புத்திமான்கள் சாமான்களில் உயர்த்தாது செய்ய கண்டிஷனிருக்கவேண்டும்.

“இதை விட்டுவிட்டு மோட்டார் நடத்துபவர்களுக்கு அதிகம் ஏற்படுத்தினால் ஜனங்களுக்கு ரேடை அதிகமாக்கிவிடுகிறார்கள். இதில் என்ன அனுதாபம்.

“லோகல் போர்டுக்கு பணம் அதிகமாக வேண்டுமென்கிறார்கள். அதிகமாக கிடைப்பதிலிருந்து ஏராளமான கண்ட்ராக்குவிடலாம். நல்லதே.

“லோகல் போர்டாருக்கு மட்டில் நோ கான்பிடன்சு மோஷன் கொண்டு வர விவஸ்தையில்லாத ஒரு செக்ஷனை ஆன்ர்பிள் மினிஸ்ட்டர்களும் கவர்ன்மெண்டும் ஏற்படுத்தியிருக்கும்போது லோகல் போர்டுகள் எப்படி நன்மையடையும். அது ஒழியவே யோசனைதோணி அவர்கள் பவரில் சிலெக்ட் கமிட்டியும் சிபார்சு செய்து இருக்கும் அந்த செக்ஷன்களை அடியோடு எடுத்துவிடாதவரையில் லோகல் போர்டு பண வரவு தேடும் முயற்சி சரியல்ல. வீணை சொல்லமுடியாத தொந்திரவை விளைவிக்கும் அந்த செக்ஷனை பூர்ணமாக எடுத்துவிடாதவரையில் ஜனங்களுக்கு கொடுத்த செல்ப் கவர்ன்மெண்ட் என்னும் சுதந்திரம் போலியாகும்.

“எலெக்ஷன்களுக்கும் வீணைசிலவின்றி நியாயமாகும் ஆனரபிள் சீப் மினிஸ்ட்ரவர்கள் மிஸ்டர் பர்லி துரையவர்கள் பேசும் பில் பாசாக வேண்டுமென லோகல் போர்டுக்கு பண கமிட்டிக்கு இதர பிரைவேட் சர்வீசுக்கு புரொவின்களாக வரியை ஜாஸ்தி செய்ய யோசனை தெரிவிக்கிறார்கள். அது தகுதியா, ஒரு காலும் பொருந்தாது. ஜம்பத்துக்கு வைத்திருப்பவர்களை தாக்குகிறேனென்றிருர். ஆனால் அவர்கள் சிலவும் வீண்தானே. அப்படிப்பட்ட வீணைசிலவை துணிபவர்களுக்கு ஏன் அதிகப்படுத்தப்படாது என்று யோசனை செய்யலாம். அதுக்கும் ஓர் அறிவிப்புதான்.

“ஆனரபிள் மெம்பர் நமது நண்பர் யாகூப் ஹுசைனவர்கள் மற்றொரு யோசனை தெரிவிக்கிறார்கள். அதாவது கற்றரிந்தவர்கள் சேர்ந்து டோல் கேட்டு நிபந்தனையை எடுத்துவிட்டு ஏற்படுத்தியுள்ள சட்டத்தைமாற்றி பழைய சட்டத்தையே உபயோகித்து டோல்வரி ஏற்படுத்திவிடலாமென்கிறார்கள்.

“அப்படியானால் கற்றரிந்த மினிஸ்ட்டர்கள் தீர்க்காலோசனையில்லாது செய்த காரியமா. கோலம் போடுவது அழிக்கிறது என்றால் தகுதியாகாது.

“முற்காலத்தில் செய்துள்ள சட்டங்கள் 30, 40 வருஷங்கள் வரையிலும் மாற்றமில்லாது வந்திருக்கின்றன. என்ன பெருமையுடையது. இப்போதிய மாதிரி மாசம் ஒரு மாருதல் வருகிறது சரியா.

“ஆகையால் டோல்கேட்டு என்பது இனி மறந்துவிடத்தக்கது. அதை சிந்திக்கலாகாது. ஜனங்களுக்கும் முக்கியமாயுள்ள விவசாயிகளுக்கும் ஒருபோதும் அங்கீகரிக்கமுடியாதவைகள்.

“ஆகையால் இவ்விரண்டு அபிப்பிராயங்களையும் ஒப்பமுடியாதென ஹவுஸ் தீர்மானிக்க பிரார்த்திக்கிறேன்.”

The motion that the Bill No. 25 of 1931 be taken into consideration was then put to the House and declared carried.

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Mr. V. T. Arasu demanded a poll and the House divided thus:— 3 p.m.

Ayes.

- 1 The hon. Sir Mahomed Usman.
- 2 „ Diwan Bahadur Sir M. Krishnan Nayar.
- 3 „ Sir Archibald Campbell.
- 4 „ Mr. H. G. Stokes.
- 5 „ Diwan Bahadur S. Kumara-swami Reddiyar.
- 6 „ Mr. P. T. Rajan.
- 7 „ The Rajah of Bobbili.
- 8 Rao Bahadur G. Jagannadha Raju.
- 9 Mrs. K. Alamelumangathayaramma.
- 10 Rao Bahadur V. N. Viswanatha Rao.
- 11 Mr. J. A. Thorne.
- 12 „ H. M. Hood.
- 13 „ C. E. Jones.
- 14 „ R. Madanagopal Nayudu.
- 15 „ E. Conran Smith.
- 16 „ T. Sundara Rao Nayudu.
- 17 Khan Sahib Syed Tajudin Sahib Bahadur.
- 18 Mr. M. D. T. Ranganatha Mudaliyar.
- 19 „ K. C. M. Venkatachala Reddiyar.
- 20 „ G. Ranganatha Mudaliyar.
- 21 „ M. Devadasan.
- 22 Rao Sahib N. Siva Raj.
- 23 Subadar-Major S. A. Nanjappa Bahadur.
- 24 Rao Bahadur R. Srinivasan.
- 25 Rao Sahib V. I. Muniswami Pillai.
- 26 Mr. M. Vedachala Mudaliyar.
- 27 „ B. P. Sesha Reddi.
- 28 „ P. V. Rajagopal Pillai.

Noes.

- 1 Mr. T. Narasa Reddi.
- 2 Dr. P. Subbarayan.
- 3 Mr. K. R. Venkatarama Ayyar.
- 4 Rao Bahadur T. A. Ramalinga Chettiyar.
- 5 Mr. T. C. Srinivasa Ayyangar.
- 6 „ V. T. Arasu.
- 7 Rao Bahadur P. C. Muthu Chettiyar.
- 8 Mr. P. Peddi Raju.
- 9 „ K. Ahmed Miran Sahib.
- 10 „ A. Pl. N. V. Nadimuthu Pillai.
- 11 Pattagar of Palayakottai.
- 12 Mr. P. Madhusoodhanan Thangal.
- 13 Diwan Bahadur B. Muniswami Nayudu.

- 29 Mr. P. Bayappa Reddi.
- 30 „ P. K. Ramachandra Padayachi.
- 31 „ G. Lakshmana Reddi.
- 32 Rao Sahib V. Dharmalingam Pillai.
- 33 The Zamindar of Mirzapuram.
- 34 The Zamindar of Bodinayakkanur.
- 35 Mr. M. A. Muthiah Chettiyar.
- 36 „ A. V. Bhanaji Rao.
- 37 Diwan Bahadur A. M. M. Murugappa Chettiyar.
- 38 Mr. Daniel Thomas.
- 39 Swami A. S. Sahajanandam.
- 40 Rao Sahib P. Subrahmanyam Chetti.
- 41 Diwan Bahadur A. Appadurai Pillai.
- 42 Rao Sahib D. V. Narasimhaswami.
- 43 Mr. A. Harischandrudu.
- 44 „ K. Kesava Ramamurti Nayudu.
- 45 „ S. M. K. Beyabani Sahib.
- 46 „ Sami Venkatachalam Chetti.
- 47 „ T. S. Ramaswami Ayyar.
- 48 „ Abdul Hameed Khan.
- 49 „ Basheer Ahmed Sayeed.
- 50 Mr. K. A. Nachiyappa Gounder.
- 51 „ M. S. Sreshtha.
- 52 Rao Bahadur C. Natesa Mudaliyar.
- 53 Mr. C. Basu Dev.
- 54 „ F. Birley.
- 55 „ W. O. Wright.
- 56 „ W. W. Ladden.
- 57 „ R. Foulkes.
- 58 „ F. J. Stanes.
- 59 „ W. K. M. Langley.
- 60 „ C. Krishnan.

Neutral.

- 1 Mr. V. M. Ramaswami Mudaliyar.
- 2 Rao Bahadur A. T. Pannirselvam.
- 3 Mr. M. A. Manikkavelu Nayakar.
- 4 „ A. B. Shetty.
- 5 Mr. U. C. Subrahmanva Bhatt.
- 6 Diwan Bahadur C. S. Ratnasabhapati Mudaliyar.

Ayes 60.

Noes 27.

Neutral 6.

The motion was carried.

The Bill was then taken into consideration.

[1st August 1933]

Clause 1.

Clause 1 of the Bill was put and carried.

Clause 2.

* Mr. V. T. ARASU:—"I move—

'that in clause 2, sub-section (3), for the words "twelve annas" in the second column, the words "one rupee four annas" be substituted.'

"My object in moving this amendment is that the rate now fixed, viz., twelve annas is too low. This can be very safely raised to Rs. 1-4-0 without in any way jeopardizing the motor industry about which much has been said just a while ago."

RAO BAHADUR P. C. MUTHU CHETTIYAR:—"I second it."

MR. F. BIRLEY:—"I oppose the amendment. If this amendment is carried it destroys entirely the whole purpose of the Bill."

The amendment was put and lost.

* Mr. V. T. ARASU:—"I move—

'that in clause 2, sub-section (3) (b) for the words "one rupee four annas" in the second column, the words "forty rupees" be substituted.'

"As has been pointed out by more than one speaker the rate fixed for private lorries is ridiculously low. That is the word used by one of the supporters of the measure, I mean, Mr. T. S. Ramaswami Ayyar. Lorries which are supposed to ply for hire are asked to pay Rs. 50. I cannot understand why the private lorries alone should pay Rs. 1-4-0. The disparity is very great. There is also another difficulty. There will be very great difficulty in deciding whether a lorry plies for hire or whether it is private. As merely an instance, I will point out the lorries used by the Burma Shell Company. They have a large number of lorries in municipalities. The unladen weight of any of these lorries is very much higher than any of the lorries that are usually let out for hire. It is natural that these heavy lorries of the Burma Shell would damage the roads more than the lighter ones plying for hire. Why should they, the Burma Shell, pay only Rs. 1-4-0, whereas the owner of a lorry plying for hire should be asked to pay about Rs. 50? As I pointed there will be very great difficulty in deciding whether a lorry is private or whether it is plying for hire. Take for instance those owned by Messrs. Wrenn Bennett & Co. I have known them transporting the furniture of their clients from one place to another, for a consideration. They do such service frequently, perhaps more frequently than those who ply their lorries for hire. Under what category will those lorries come? Will they be classed as private lorries or as plying for hire? I would also quote one other instance. Now there are so many toddy contractors who own lorries for transporting toddy from one place to another. Under what category would they come?"

1st August 1933]

[Mr. V. T. Arasu]

Are they private lorries or lorries for hire? In order to avoid these difficulties and to remove the disparity in the rates, and to make them equal, I move that the amount be fixed at Rs. 40 which is the mean of the rates for the various classes of lorries given in this Bill."

* Sriman M. G. PATNAIK Mahasayo:—"I have great pleasure in seconding the motion. So far as damage to roads is concerned, I see no difference between the lorry which plies for hire and another which does not ply for hire. No doubt ordinarily a certain lorry which goes for fare on particular occasions may be termed a lorry plying for hire. If we go deeper into the matter we find there is no difference between the lorry that plies for hire on particular occasions and another which belongs to a firm and carries things sold. A man who owns a lorry plying for hire on particular occasions makes some investment and wants to gain some profit. So also firms invest part of the capital in lorries and take into consideration the cost of transport when handing over goods. The firm charges more for the transport of the thing from the headquarters to any other place, than they would do for delivery at the office. So I do not see how there can be any difference on principle between lorries which ply for hire and lorries which go in the name of private lorries, but the charges for which are included in the cost of the thing sold. Therefore, the distinction is artificial and the difference is very little. Therefore I say the clause adopted by the Select Committee is quite unreasonable. Therefore the proposition of my Friend should be adopted."

* Mr. F. BIRLEY:—"Mr. President, I am afraid I cannot accept the amendment. This licensing fee is merely a nominal fee in order to have control over the lorry. Taxation is imposed by the Provincial Government and the lorry pays its tax to the Local Government. The fact that firms make large profits has no bearing on the subject. They pay their income-tax to the Central Government. Re. 1-4-0 is a nominal fee which is suitable merely to give the district board control over the lorry."

The amendment was put and declared carried.

A poll was demanded and the House divided thus:

3-15
p.m.

Ayes.

- | | |
|---|---------------------------------------|
| 1 Mr. M. D. T. Ranganatha Mudaliyar. | 13 Mr. V. T. Arasu. |
| 2 " V. M. Ramaswami Mudaliyar. | 14 Rao Bahadur P. C. Muthu Chetti- |
| 3 " B. P. Sessa Reddi. | 15 Mr. M. A. Manickavelu Nayakar. |
| 4 " P. Bayappa Reddi. | 16 " A. B. Shetty. |
| 5 " G. Lakshmana Reddi. | 17 " G. Simhachalam. |
| 6 Rao Bahadur T. M. Narayanaswami Pillai. | 18 " P. Peddiraju. |
| 7 Dr. P. Subbarayan. | 19 " Ahmed Meeran. |
| 8 Mr. Yakub Hasan. | 20 " K. A. Nachiyappa Gounder. |
| 9 " K. R. Venkatarama Ayyar. | 21 " A. Pl. N. V. Nadimuthu Pillai. |
| 10 Rao Bahadur T. A. Ramalingam Chettiyyar. | 22 Pattagar of Palayakottai. |
| 11 Mr. T. C. Srinivasa Ayyangar. | 23 Mr. U. C. Subrahmanya Bhatt. |
| 12 " T. S. Ramaswami Ayyar. | 24 Diwan Bahadur B. Muniswami Nayudu. |
| | 25 Mr. K. P. Raman Menon. |

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Ayes—cont.

26 Diwan Bahadur C. S. Ratnasabha- pati Mudaliyar.	32 Mr. P. V. Krishnayya Choudari.
27 Mr. G. R. Premayya.	33 Rai Sahib C. Kolanda Reddi.
28 Sriman M. G. Patnaik Mahasayo.	34 Mr. M. B. Rangaswami Reddi.
29 Mr. C. Indrayya.	35 „ G. Sriramulu.
30 „ J. Kuppuswami.	36 Rao Bahadur R. K. Venugopal Nayudu.
31 „ Mahboob Ali Baig.	

Noes.

1 The hon. Sir Mahomed Usman.	25 Mr. P. V. Rajagopal Pillai.
2 „ Diwan Bahadur Sir M. Krishnan Nayar.	26 „ P. K. Ramachandra Pada- yachi.
3 „ Sir Archibald Campbell.	27 Zamindar of Bodinayakanur.
4 „ Mr. H. G. Stokes.	28 Mr. M. A. Muthiah Chettiyar.
5 „ Diwan Bahadur S. Kumara- swami Reddiyar.	29 „ A. V. Bhanaji Rao.
6 „ Mr. P. T. Rajan.	30 „ J. A. Davis.
7 „ The Raja of Bobbili.	31 „ Daniel Thomas.
8 Mr. C. E. Jones.	32 „ H. M. Jagannatham.
9 „ J. A. Thorne.	33 Rao Sahib P. Subrahmanyam Chetti.
10 „ H. M. Hood.	34 Rao Bahadur V. N. Viswanatha Rao.
11 „ R. Madanagopal Nayudu.	35 Diwan Bahadur A. Appadurai Pillai.
12 „ E. Conran Smith.	36 Rao Sahib D. V. Narasimhaswami.
13 „ T. Sundara Rao Nayudu.	37 Mr. K. Kesavaramamurti.
14 Khan Sahib Syed Tajudin Sahib Bahadur.	38 „ S. M. K. Beyabani Sahib.
15 Mr. T. Narasa Reddi.	39 Sami Venkatachalam Chetti.
16 Rao Bahadur A. T. Pannirselvam.	40 Mr. V. P. Narayanan Nambiyar.
17 Mr. K. C. M. Venkatachala Reddi- yar.	41 „ Abdul Hameed Khan.
18 „ G. Ranganatha Mudaliyar.	42 „ M. S. Sreshta.
19 Rao Bahadur R. Srinivasan.	43 „ R. M. Palat.
20 Rao Sahib N. Siva Raj.	44 Rao Bahadur C. Natesa Mudaliyar.
21 Subadar Major S. A. Nanjappa Bahadur.	45 Mr. C. Basu Dev.
22 Rao Sahib V. I. Muniswami Pillai.	46 „ F. Birley.
23 Mr. M. Vedachala Mudaliyar.	47 „ W. O. Wright.
24 „ P. C. Moses.	48 „ R. Foulkes.
	49 „ F. J. Stanes.
	50 „ W. K. M. Langley.
	51 „ W. W. Ladden.
	52 Zamindar of Mirzapuram.

Ayes 36. Noes 52.

The amendment was lost.

Mr. ABDUL HAMEED KHAN:—“ Mr. President, I move the amendment that stands in my name to the following effect:—

‘ that in clause 2, sub-section (4), after the words “ at a time ”, the words “ at the option of the owner of the vehicle ” be added.’

“ I move this amendment in order to give the right to the owner of the vehicle to utilize the advantage of this section so that he might get the licence fee granted for one or more quarters not at the sweet will and pleasure of the chairman of a municipality but as required by him. Owners of these vehicles are put to a good deal of inconvenience, and in very many cases they are unable to pay up the licence fee entirely for the whole year all at once. We find from the Select Committee report that we have already given that facility to the owners of the vehicles. But

[1st August 1933] [Mr. Abdul Hameed Khan]

there is a little lacuna in the language used, inasmuch as the right of deciding whether the licence should be granted for one or more quarters at a time will be exercised by the authorities and it is not left to the owner of the vehicle. I therefore hope that this House will accept this very harmless amendment.”

Mr. BASHEER AHMED SAYEED:—“ I second it.”

Mr. F. BIRLEY:—“ I am glad to accept that amendment.”

The amendment was put and carried.

Clause 2, as amended, was then put and carried.

Clause 3.

* Mr. V. T. ARASU:—“ Mr. President, I move—

‘ that in clause 3, sub-section (3) (b), for the words “ one rupee four annas ” in the second column, the words “ one hundred rupees ” be substituted.’

“ The effect of this amendment is just the same as the one just now rejected by this House. But there is this difference. The one that was rejected pertained to municipalities, whereas this one pertains to the district boards. In this case I am suggesting a higher fee, viz., Rs. 100, as the area of a district board is very much bigger than the area of a district municipality. However, I am prepared to accept any amendment fixing the fee at a lower figure. As amended the clause would read as follows:—

*‘ (b) In the case of a motor One hundred rupees for each
lorry not plying for quarter or portion thereof.’ ”*
hire.

Rao Bahadur P. C. MUTHU CHETTIYAR:—“ I second it.”

* Mr. T. S. RAMASWAMI AYYAR:—“ Sir, I desire to move an amendment to Mr. Arasu’s amendment, viz.—

‘ that “ Ten rupees ” be substituted for “ one hundred rupees ”.’

“ My reason for proposing this amendment is this. Originally Rs. 1-4-0 was fixed, and I take it that many Members of the House felt that Rs. 1-4-0 was too low a figure for a motor lorry not plying for hire. True if it is a private lorry, it should not be charged as much as a lorry plying for hire. At the same time, there is a certain amount of strain on the roads used by these private lorries.

“ Mr. Arasu by fixing the figure at Rs. 40 in a previous amendment in the District Municipalities Act was not able to carry the House with him because Rs. 40 was considered too big a figure. As I suggested in an earlier stage of the debate, if Government have been able to come to certain terms and thus to a compromise, it would have been possible to have a unanimous vote. One Member of the Select Committee has suggested Rs. 1-4-0. Many of us feel that it is too low. Now, Mr. Arasu wants to have it at Rs. 100 by his amendment. Many of us are not able to agree to the amendment. I therefore suggest as a compromise that it

[Mr. T. S. Ramaswami Ayyar] [1st August 1933]

should be Rs. 10 a quarter. I think, Sir, that is a fair figure. It is not too high a figure in the case of private lorries, because lorries plying for hire have to pay as much as Rs. 100 and even Rs. 160. In the case of lorries owned by individuals and used for private purposes, taking into consideration the wear and tear of the roads caused by some of these lorries having to run on the roads and also taking into consideration the fact that the lorries serve a useful purpose in an agricultural country like ours, I would suggest Rs. 10 as a reasonable compromise. I therefore am of opinion that the House would certainly take it to be reasonable and accept it.

"There is only one observation I desire to make. It may be thought that in a previous instance with regard to district municipalities where Mr. Arasu wanted to increase the figure to Rs. 40 we left it at Rs. 1-4-0, and that in regard to local board areas if we pass this figure it will be inconsistent with the earlier figure. For that, my only suggestion is that after passing this amendment fixing Rs. 10, when the third reading of the Bill comes up it will be possible for us, if the House will allow it, to substitute Rs. 10 in the other case also."

Mr. YAKUB HASAN:—"I second it."

The hon. the RAJA OF BOBBILI:—"I may mention for the information of my hon. Friend that the present Bill does not seek to reduce the existing rate. The present rate is Rs. 1-4-0."

* Mr. F. BIRLEY:—"Mr. President, Sir, I am sorry I cannot accept the reasons given by my hon. Friend, Mr. Ramaswami Ayyar, for his amendment, because it is a question of principle. The present licence fee is Rs. 1-4-0 and there is no reason why it should be increased. The same argument that I used before with regard to the taxation of owners of private lorries applies equally in this case. The licence fee is a licence fee within the literal meaning of the expression, and is merely a fee to give the district board or the municipality control over the licensing of the vehicle. As for taxation of the vehicle for the use of the road, they pay Rs. 600 per annum to the Provincial Government, and that is the tax on the vehicle. With regard to the alleged enormous profits made by the firms which use these lorries, as I said before, these profits are taxed by the Central Government of India by means of income-tax. It seems to me quite unnecessary to take into account the fact that the firms using these lorries make profits, because that is entirely irrelevant to the question at issue. Mr. President, I am afraid I cannot accept the amendment."

3-30 p.m. Mr. V. T. ARASU:—"For my part I am willing to accept the amendment of Mr. Ramaswami Ayyar. In doing so I should like to make an observation by way of reply to Mr. Birley. Mr. Birley has pointed out, as also the hon. Minister, that the existing rate is Rs. 1-4-0 and therefore there is no need for amending it. If you are amending any particular legislative measure, we level it up or level it down. Here it is pointed out that the figure is too low; therefore is it not necessary,

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when an amending measure is before the House, to level up and bring the figure in line with the rates proposed for lorries which are plying for hire? Mr. Birley has laid considerable emphasis on the point that the owners of these private lorries pay taxes to the general revenues. He is probably not aware of the fact that the owners of lorries for hire are also contributing to the general revenues indirectly through the Local Government as motor vehicle taxation. Therefore, there is no point in saying that the owners of private lorries alone pay to the general revenues and therefore should be exempt from licensing fee. It is like paying income-tax.

"I withdraw my amendment and accept the one proposed by Mr. Ramaswami Ayyar."

Mr. Arasu's amendment was, by leave, withdrawn.

* Mr. E. CONRAN SMITH:—"I think the discussion has ignored the important distinction that exists between a lorry plying for hire and any other lorry. That distinction is recognized already in section 166 of the Act. A motor plying for hire whether a bus carrying persons or a motor lorry carrying goods has to stop at scheduled places, and run on a scheduled route, picking up and setting down passengers or goods, and it is just that distinction between a motor vehicle plying for hire and an ordinary lorry which the Government has recognized. Plying for hire has therefore a technical meaning. Government have many times examined this question on representations made to them, and have definitely decided that the correct definition of the term is what I have stated. There must be a scheduled route and fixed stopping places in the case of lorries plying for hire. This does not apply in the case of other lorries. I would recommend to this Council therefore to leave the existing rate as it is."

* The hon. the PRESIDENT:—"The question is: In clause 3, sub-section (3) (b), for the words 'one rupee four annas' in the second column, the words 'ten rupees' be substituted."

The amendment was lost.

* Mr. M. A. MUTHIAH CHETTIYAR:—"I move—

'In clause 3, sub-clause (i), in line 2, for the expression "sub-section (6)" substitute the expression "sub-section (7); and".'

'In sub-clause (ii) after new sub-section (5) insert the following sub-section, namely:—

"(6) (a) If, during the period of currency of a licence, a motor vehicle is destroyed or removed from the road on account of its being unfit for further service and is replaced by another vehicle falling under the same class of sub-section (3), no fee shall be levied for the grant of a licence for the latter vehicle in respect of the remaining portion of the said period."

[Mr. M. A. Muthiah Chettiyar] [1st August 1933]

“(b) Where the licence fee for any motor vehicle has been paid for any period and the vehicle has not been used during the whole of that period or a continuous part thereof not being less than one month, a refund of the fee at such rates as may from time to time be determined by regulations made by the district board with the previous approval of the Local Government shall be payable subject to such conditions as may be specified in such regulations.”

“Sir, I do not intend making a long speech. This is only a copy of similar provisions in the Motor Vehicles Taxation Act, and the object of clause 6 (a) is to see that one person does not pay twice during any one quarter for running one bus. Clause 6 (b) is intended to give relief in cases where vehicles are not used for a considerable period during a quarter.

“I hope the House will accept the amendment.”

Mr. T. SUNDARA RAO NAYUDU:—“I second it.”

* Mr. BASHIR AHMED SAYEED:—“I rise to suggest for the consideration of the House the difference that we ought to keep in view when we consider this amendment. The Motor Vehicles Taxation Act deals with cases of taxation, and in taxation it is quite proper that there should be refunds and rebates allowed to the tax-payer. But I think the same principle cannot be extended to the fees charged for issue of licenses. The levy of license fee stands on quite a different footing from the levy of taxes, particularly of the nature of a provincial tax like the motor vehicles tax. That being the case the same principle and the same clause could not be incorporated in a measure like this, where it is merely the levy of a license fee. Apart from that, there is also great risk of the local boards using a good deal of the little income that they will be getting by the levy of license fees. Already there has been an uproar against the rates of licensing fee imposed by this Bill. If you are going to further provide for refunds and rebates, I think the position will be still worse. I do not think, in the interests of the local boards and also in the interests of the administration of the department issuing licenses, it is advisable that we should bring in such an amendment, I do not think there is any great necessity or justification for an amendment of this kind. I can well understand if in a measure of taxation we provide for such a rebate. But in the case of licenses issued every year or quarter, it would have been much better if the licenses are defined for the period of a year or portion of the year. All licenses in municipalities or local boards either in this country or elsewhere are governed by the annual or half-yearly license fee. Mostly they happen to be annual. Already we have diverted from the well-established principle of having licenses for the year. Now we are going further down and say that even in this quarterly payment of license fee we should make some concession. Either from the point of administration or of income it will not be in the interests of the local boards.”

1st August 1933]

* Mr. V. M. RAMASWAMI MUDALIYAR:—“A sympathetic local board may show a concession of this nature to motor bus owners. I have just to point out one difficulty with which the local boards would be faced if a compulsory provision of this nature is enacted. I desire that the Government should remember that in the case of local boards there is practically no checking authority to scrutinize their licenses. At present the competition and rivalry between bus-owners which is the only means of checking brings in most of the revenue. There are still a large number of buses which are run without licenses from one quarter to another. That being the difficulty the district boards are placed under, namely, that they have not any machinery to check just as the Government have, it will be making the task and the position of the district board very delicate and difficult if it has also to take up the work of adjustment proposed in the first part of the amendment. The difficulty will be all the greater if the second part of the amendment is accepted. May I ask if no provision is made for the checking of licenses who is to decide this question of finding out whether a motor bus ran on the road for less than a month or more than a month? These are some of the principal difficulties which the local boards would be faced with almost every day. I would therefore urge on the Mover of this amendment to delete that portion of the second clause. With regard to the first clause I have no serious objection. If the second clause is accepted there is no knowing where the finances of the district boards will stand; there will be an upsetting of the financial arrangements. For these reasons I must oppose the latter part of the amendment about refund or rebate being given.

3-45
P.m.

“So, with your permission, I propose an amendment to delete from the amendment of Mr. Muthiah Chettiyar the second clause beginning with the words—

“(b) where the licence fee for any motor vehicle has been paid for any period and the vehicle has not been used during the whole of that period or a continuous part thereof, not being less than one month, a refund of the fee at such rates as may from time to time be determined by regulations made by the district board with the previous approval of the Local Government shall be payable subject to such conditions as may be specified in such regulations’.”

Mr. M. A. MUTHIAH CHETTIYAR:—“I have no objection to accept the amendment.”

Mr. T. S. RAMASWAMI AYYAR:—“I want to speak on the amendment of Mr. M. A. Muthiah Chettiyar.”

Mr. SAMI VENKATACHALAM CHETTI:—“If the vote is taken on the amendment for the deletion of the sub-clause in Mr. Muthiah Chettiyar's amendment, discussion could be confined to the remaining portion of it.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“I believe the Mover of the main amendment has accepted my amendment.”

[1st August 1933]

Mr. BASHEER AHMED SAYEED:—"Mr. President, I wish to point out at this stage that legislation is not made by an hon. Member proposing and another hon. Member accepting."

* The hon. the PRESIDENT:—"I think the House knows it very well." (Laughter.)

* Mr. T. S. RAMASWAMI AYYAR:—"With your permission, Sir, I would speak on both the amendments. Sir, I am constrained to oppose the amendments for this reason that though they are really intended to help people in the case of destruction or replacement, placing such amendments on the Statute Book is undesirable as it might lead to abuse by the bus-owners. It is said that if a motor vehicle is removed from the road and another vehicle is put on the road by the same owner, relief should be given to the owner. The amendment seeks to effectuate this purpose by saying that something like an aggregate payment will entitle a man to keep on the road his vehicles one after another. On paper it might sound correct, but in working the Act it will mean great difficulty for people who control the licensing business to find out exactly when a motor vehicle goes out of the road and when another takes its place. Suppose the owner of a vehicle has it on the road for two months and he then puts another also on the road for two months in the same quarter. That will mean that for one month both the vehicles will be plying on the road. If the owner says that only one of his vehicles was on the road for one month and another for another month, how are the authorities to have accurate information? The other portions of the Act give certainly some relief to the people, whose vehicles have been on the road only for a certain period. There is a provision that in the case of vehicles which do not ply for more than 15 days or so, license fee shall not be charged for the whole quarter. Why should this provision be inserted now? As it will lead to a certain amount of misunderstanding and even fraud, I am not for placing it on the Statute Book. I am therefore constrained to oppose this amendment."

Mr. V. M. Ramaswami Mudaliyar's amendment was then put and carried.

Mr. Muthiah Chettiyar's amendment, as amended, was also put and carried.

The hon. the RAJA OF BOBBILI:—"Sir, I move—

"In the explanation to sub-section (3) of section 166, for the words "Madras Motor Vehicles Act," substitute the words "Madras Motor Vehicles Taxation Act"."

Mr. T. SUNDARA RAO NAYUDU:—"I second it."

The amendment was put and carried.

Clause 3, as amended, was then put and carried.

The Preamble was put and carried.

* Mr. F. BIRLEY:—"Mr. President, Sir, I am very grateful to the hon. Members of this House who have supported this Bill."

1st August 1933] [Mr. F. Birley]

I have a great deal of sympathy with certain criticisms made but I have none with the view that the local boards should be given a free hand to tax at their discretion."

Mr. V. T. ARASU:—"On a point of order, Mr. President, may I know what the motion before the House is?"

* The hon. the PRESIDENT:—"I think the hon. Member is going to move that the Bill be passed into law." (Laughter.)

* Mr. F. BIRLEY:—"Mr. President, with these few words, I formally move that the Bill, as amended, be passed into law." (Renewed laughter.)

Mr. SAMI VENKATACHALAM CHETTI:—"I second it."

The motion was put and carried and the Bill, as amended, was passed into law.

[Rao Sahib Pandit Ganala Ramamurti was not in his place when he was called by the hon. the President to move that the Artisans Bill (Bill No. 22 of 1932) be circulated for the purpose of eliciting public opinion thereon.]

III.—THE MADRAS PUBLIC LIBRARIES BILL.

Mr. BASHEER AHMED SAYEED:—"I rise to ask for leave to introduce the Madras Public Libraries Bill. Sir, the public has, I believe, been acquainted already with the nature of the Bill, the scope of it and the purpose for which it is intended to be introduced in this Presidency. In our Province, there are already some sections in certain Local Boards and Municipalities Acts enabling the local bodies to establish or to contribute to libraries. But, Sir, what is required is to afford further facilities to local boards and municipalities."

* The hon. the PRESIDENT:—"I thought that the hon. Member was only going to ask for leave to introduce, but not make a speech. In case objection is taken to the granting of leave, then probably the hon. Member would have been quite in order to make a speech upon the merits of his Bill."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"May I know whether a Bill cannot be introduced with a preliminary speech?"

* The hon. the PRESIDENT:—"A Bill is not to be introduced with a speech, at the stage of asking for leave to introduce."

Mr. BASHEER AHMED SAYEED:—"If that is your ruling, Mr. President, I merely ask the permission of the House to introduce the Madras Libraries Bill."

Mr. K. A. NACHIYAPPA GOUNDER:—"I second it."

The motion was put and carried.

Mr. BASHEER AHMED SAYEED:—"I introduce the Bill, Sir."

* The hon. the PRESIDENT:—"The hon. Member can make a speech at greater length after the Bill is published."

Mr. BASHEER AHMED SAYEED:—"Cannot a Member explain the scope of a Bill in introducing it?"

* The hon. the PRESIDENT:—"No."

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IV.—THE MADRAS MATERNITY BENEFIT BILL.

Mr. V. M. RAMASWAMI MUDALIYAR:—"I beg to move for permission to introduce the Madras Maternity Benefit Bill."

Mr. T. NARASA REDDI:—"I second the motion."

The motion was put and carried.

Mr. V. M. RAMASWAMI MUDALIYAR:—"I beg to introduce the Bill."

V.—THE MADRAS ALIYASANTANA BILL (MR. K. P. RAMAN MENON).

Mr. K. P. RAMAN MENON:—"I beg to move for leave to introduce the Madras Aliyasantana Bill."

Mr. M. S. SRESHTA:—"I second it."

The motion was put and carried.

Mr. K. P. RAMAN MENON:—"I introduce the Madras Aliyasantana Bill."

VI.—THE MADRAS ALIYASANTANA BILL (MR. A. B. SHETTY).

Mr. A. B. SHETTY:—"I beg to move for leave to introduce the Madras Aliyasantana Bill."

Mr. R. M. PALAT:—"I second it."

The motion was put and carried.

Mr. A. B. SHETTY:—"I introduce the Madras Aliyasantana Bill."

VII.—A BILL TO AMEND THE MADRAS ESTATES LAND ACT, 1908.

Mr. SAMI VENKATACHALAM CHETTI:—"I move for leave to introduce a Bill to amend the Madras Estates Land Act, 1908."

Mr. T. C. SRINIVASA AYYANGAR:—"I second it."

4 p.m. * The hon. the RAJA OF BOBBILI:—"Sir, in rising to propose an adjournment to the motion before the House, I wish to make the following statement on behalf of my Party with your permission. Hon. Members are aware that an official Bill to amend the Madras Estates Land Act was introduced in this Council by the hon. the Revenue Member on the 26th January 1932."

* Mr. V. T. ARASU:—"On a point of order, Mr. President, may I know whether the hon. the Chief Minister is at liberty to make a statement at this stage?"

* The hon. the PRESIDENT:—"In amplification of the motion that he is moving he is making a statement."

Mr. SAMI VENKATACHALAM CHETTI:—"May I know whether he is making a statement, or speaking in support of the motion that he has moved. That makes a lot of difference. If he is going to make only a statement under the Standing Order which contemplates the making of such a statement, he has only to make a short statement which may be replied."

* The hon. the PRESIDENT:—"That short statement is being made."

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* Mr. SAMI VENKATACHALAM CHETTI:—"Is that so? So, he is not speaking in support of the adjournment motion that he has moved?"

* The hon. the PRESIDENT:—"As I have already said, in amplification of the motion that he is moving he is making a statement."

Mr. T. S. RAMASWAMI AYYAR:—"May I know if there is any convention, when an hon. Member seeks the leave of the House to introduce a Bill, that there should be no speech on a motion for adjournment?"

* The hon. the PRESIDENT:—"I do not think that convention has been followed consistently in this House."

* The hon. the RAJA OF BOBBILI:—"Hon. Members are aware that an official Bill to amend the Madras Estates Land Act was introduced in this Council by the hon. the Revenue Member on the 26th January 1932. In doing so, Sir Archibald Campbell had made it abundantly clear that the measure was intended to set right certain difficulties which have been found in the working of the Estates Land Act of 1908, and that it was not intended to confer any new rights or powers upon either the zamindars or the ryots. At that time, my hon. Friend, Diwan Bahadur Muniswami Nayudu Garu, stated as follows:—

"Sir, I propose to say a few words with regard to the Bill itself. Objection has been taken by persons interested in the ryots that the Bill does not go as far as it should, and that it is not comprehensive in any sense. The necessity for an amending Bill has been felt a very long time ago. It is stated that this is not the proper time to bring forward a Bill of this sort, that it may be left to the new Council which will be more popular and representative than it is now, and that this Bill should be withdrawn. I would only say that there are a very large number of outstanding questions in connexion with the Estates Land Act which concern the actual working of the Act and which concern the rights claimed by the tenants and by the landlords. There are others which are of a very controversial nature and I am sure that this House would not like that such questions should be taken up by the Government themselves either on behalf of the zamindars or on behalf of the tenants. Many such contentious points have been laid aside and this Bill is confined to those which may not be said to be very contentious but which would facilitate the proper working of the Act. The Bill is restricted to matters dealing mostly with procedure and which are non-contentious. . . . It would be open to the Select Committee to consider to what extent the interests of both the landlords and the tenants might be safeguarded and to see that nothing is done to jeopardise the interests of either the one or the other parties. The main purpose of the Bill is to clear up certain difficulties which are felt in regard to the working of the Act. I appeal therefore to the House and say that, in allowing this Bill to go before a Select Committee, they might see that all non-contentious questions are settled and that all contentious matters affecting either the landlords or the tenants are postponed."

"The Bill was referred to a Select Committee and I am sure my hon. Friend, Mr. Muniswami Nayudu, would endorse my remarks when I state that both the representatives of the tenants and the zamindars in the Committee approached the problems in a spirit of good will and produced a report which was almost unanimous, but for a short dissenting minute by the Leader of the Opposition. The Bill, as modified by the Select Committee, was republished. At this stage, those who claim to represent the ryots put forward the view that no measure seeking to amend the Estates Land Act could be brought forward during the lifetime of the present Council. While feeling that the proper adjustment of the relation between the zamindars and the ryot is

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essentially a domestic problem and that it was a mistake to suppose that the problem will solve itself by the establishment of Responsible Government in this country or by transfer of power from British to Indian hands, yet, the zamindari representatives, in the interests of amicable relationship, agreed to fall in with the view point of the tenants. Owing to this understanding the Madras Landholders' Association, which had drafted an amending Bill, decided to drop the matter.

"When the hon. the Revenue Member sought to move for the consideration of the Select Committee Report on the 30th January 1933, representations were made to Government from all the parties in the Council that earnest attempts should be made by both parties to come to an agreed settlement and that the consideration of the Government measure should be postponed. In accordance with this general desire, the hon. the Revenue Member did not proceed with the further stages of the Bill. But unfortunately contrary to all expectations at that time various attempts are being made to push forward non-official measures embodying the demands of the tenants. I beg to point out to this hon. House there are two parties to this question and I wish once more to appeal to both the leaders of the landholders and of the ryots and, in doing so, I cannot do better than quote the words of the hon. the Revenue Member when he presented the report of the Select Committee:—

"The prosperity of the landholders and the ryots are so inseparably intermingled that the welfare of the one depends upon the welfare of the other and that it is not possible for one party to carry out any measures which will materially affect the welfare of the other without affecting its own welfare. Their best interests will be served by mutual co-operation and good will. I am sure this will be appreciated by all parties of this House and will always be borne in mind."

"The main criticism against the official Bill is that from the ryots' point of view it does not go far enough. But I am afraid that such criticism is out of place as the objects and reasons of the Bill make it clear beyond any possibility of doubt that the scope of the Bill is limited to the removal of the difficulties found in the actual working of the Act of 1908. I can state, without fear of contradiction, that the Select Committee did not make any changes which were calculated to adversely affect the interests of the ryots. As a proof of their confidence that it is eminently desirable and possible to arrive at an agreed solution of this longstanding question, the representatives of the landholders have joined with those of the tenants in making a joint request to Government to postpone the consideration of the official Bill.

"In connexion with this legislation to amend the Madras Estates Land Act, I had some informal talks with a few representative landholders and certain representatives of the ryots in order to ascertain whether there is any reasonable prospect of an agreed measure being pushed through the Legislative Council which will safeguard the interests of the landholders as well as the ryots. I had a long discussion with Mr. Ramdas Pantulu who is the President of the Zamin Ryots' Association and I was assured by many of those whom I had thus consulted that it is possible to reconcile the claims of the landholders and the ryots to bring about an amicable settlement of the outstanding

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differences if an earnest endeavour is made in a spirit of give and take. The Justice Party has this unique advantage over other parties. It has always tried to reconcile and harmonize apparently conflicting interests. It is the one party that can claim among its ranks the rich and the poor alike, the capitalist and the labourer, the landlord and the tenant—all merging in one harmonious whole, all striving not for individual privilege, but for the privileges of the community at large, each willing and eager to sacrifice something of his own interest for the larger interests of the country. In harmonizing the interests of all sections and classes, in adjusting their apparently conflicting rights to the benefit of both and in the promotion of the common good lies not merely the work but also the strength of this party. I am sure it will be recognized that the main principle and object underlying the Estates Land Act is to safeguard the rights of the cultivating tenants. But what has been the result in the actual working of the Act? In actual practice the occupancy right has been passing into the hands of the middlemen whose only interest in the land is to extract the highest possible rent and the cultivating tenants are being reduced to the position of serfs. Surely this was not the intention of the framers of the original Act nor is this process in the interests of the masses. My party is certainly not in favour of creating a new class of intermediate landholders. In the Bill now sought to be introduced no attempt has been made to safeguard the rights of the cultivating tenants and to prevent lands passing from the hands of the agricultural classes. We believe that the time has now come to seriously consider the question of incorporating some of the provisions of the Punjab Land Alienation Act and ameliorate the sufferings of the tenants in whole man villages.

"In this connexion I may also state that all those to whom I have sent invitations have been kind enough to write to me approving my idea for a conference of representatives of both the interests to try and settle once for all the various longstanding questions concerning both the landlords and the tenants. I am also assured by Mr. Ramdas Pantulu who I believe drafted the Bill which is now sought to be introduced that if we are to go into these longstanding questions and settle them once and for all, it will be very difficult because the scope of the Bill is too narrow to permit of such a procedure. He has also suggested to me in the interests of both the parties if an earnest attempt is going to be made it is desirable that pending settlement of these questions the consideration of both the official and non-official Bills may be adjourned for a short time.

"I believe I have now proved in a general way that the Bill of my hon. Friend, Mr. Sami Venkatachalam Chetti, does not make any attempt to solve the real problem, viz., the safeguarding of the rights of the tillers of the soil who form the backbone of India. I therefore earnestly and sincerely appeal on behalf of my party to the sponsors of this measure not to proceed with it until the next meeting of the Council. So far as the zamindars are concerned, subject to the rights of private property they are prepared to go to the fullest extent to meet the view point of tenants.

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"Let us therefore proceed with the Conference which I have called for with the consent of both parties and settle once for all this long-standing and vexatious problem. Some differences there may be but the points of agreement are many and after my recent discussions with the representatives of the tenants and zamindars, I am fully confident that, given a spirit of good will on both sides, we would be able to evolve an agreed solution with the help of God. To-day India is on the eve of great constitutional changes and it is necessary that we should tackle this problem with a view to a final solution. Both parties must be prepared to make sacrifices to come to an agreed solution by mutual consent. We will be thus doing the greatest service to our country at this critical juncture. I sincerely hope and trust that my appeal will meet with adequate response and appreciation."

* The hon. the PRESIDENT:—"Will the hon. Minister read out his adjournment motion?"

The hon. the RAJA OF BOBBILI:—"I beg to move—

that the consideration of this business be adjourned to the next meeting of the Council."

Mr. K. R. VENKATARAMA AYYAR:—"Mr. President, Sir, so far as I have been able to examine the Standing Orders governing a motion such as has been moved by my hon. Friend, Mr. Sami Venkatachalam Chetti, I find that the Council has only two courses open to it: either it can give leave to the hon. Member to introduce his Bill or some Member of the House can oppose the motion asking for leave. There can be no intermediate course to which the House can resort. I understand that the suggestion in the long statement of the hon. the Chief Minister is an invitation in a spirit of goodwill to my hon. Friend, Mr. Sami Venkatachalam Chetti, to defer making his motion for the present or to withdraw the motion he has made and take the assurance given by the hon. the Chief Minister in the spirit in which he has given it. Of course, it is for him to accept that suggestion or not. If he does not, the House has to treat the Chief Minister's motion as one of opposition to Mr. Sami Venkatachalam Chetti's motion or else to ignore it altogether."

* The hon. the PRESIDENT:—"I do not think the hon. Member is correct in his interpretation of the Standing Orders. Standing Order No. 33 clearly lays down that—

A motion that any meeting or business be adjourned or postponed or that the Council pass to the business next in order in the statement of business may be moved at any time and without previous notice.

"Now there is a business pending before the House and that is the motion of Mr. Sami Venkatachalam Chetti for leave to introduce a certain Bill. In reply to that the hon. the Raja of Bobbili is entitled to move a distinct motion for the adjournment of that particular business."

* Mr. YAKUB HASAN:—"Mr. President, Sir, it would have been a more straightforward course if the hon. the Chief Minister had opposed the motion for leave to introduce the Bill. On the other hand, he has

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asked the Mover, Mr. Sami Venkatachalam Chetti, to postpone his motion to the next meeting and informed the House that he and his party are now engaged in preparing a Bill which they would bring before the House and that they are trying to arrive at a compromise which will be acceptable to all the parties concerned. But what I want to ask is this: why should it be thought that what the hon. the Raja of Bobbili intends to do, cannot be achieved equally well by Mr. Sami Venkatachalam Chetti? At present, we have not got the Bill of Mr. Sami Venkatachalam Chetti before us and he has only asked us for leave to introduce a certain Bill. When the Bill actually comes before the House we can judge whether it will be acceptable to all the parties concerned or not and whether Mr. Sami Venkatachalam Chetti has been successful in arriving at a compromise satisfactory to all the parties. Why should not Mr. Sami Venkatachalam Chetti, a member of the Nationalist Party, be allowed to bring in a Bill and be given all the necessary facilities to shape it in such a way that it will be acceptable to all concerned? Why should the hon. the Chief Minister think that he and his party alone should have the privilege and the credit of bringing forward a Bill of this sort? I think, in a matter of this kind, a non-official Member will be in a better position to bring forward a Bill acceptable to all parties than the party in power. It has been said that attempts were made and they were not successful. Therefore, why should the Government repeat those attempts? Let them allow a non-official Member like Mr. Sami Venkatachalam Chetti to introduce a Bill and let the hon. the Chief Minister put into action the spirit that has animated his statement by giving his help and the help of his party to Mr. Sami Venkatachalam Chetti to shape the Bill in proper form. Finally I appeal to the House to give leave to Mr. Sami Venkatachalam Chetti to introduce the Bill and not be carried away by the statement read out to us by the hon. the Chief Minister."

* Diwan Bahadur B. MUNISWAMI NAYUDU:—"Mr. President, on behalf of the ryots, let me express my thanks to the hon. the Raja of Bobbili for the gesture he has made in promising to try to introduce as early as possible a Bill which will be acceptable both to the landlords and the tenants. I take it that he is sincere also in the invitation he has issued for a conference. I was unfortunately not able to attend the first meeting of the Conference, for which I express my regret and I promised my full co-operation in the further stages of the Conference. At the same time, we should have to take note of the way in which we have to conduct our business in this House. Sir, the chances of a private Member pushing forward a private Bill to a conclusion are very slender. It will be remembered that when the Government introduced a Bill on this question, the objection raised on behalf of the tenants was that the Bill was not sufficiently comprehensive and therefore ought not to be allowed to go forward and that the Government should be asked to introduce a more comprehensive measure. The hon. Raja Saheb referred to my speech on that occasion in which I appealed to the House to allow the Bill to go forward on the ground that it sought to correct certain glaring defects which had to be corrected

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immediately and that it avoided as far as possible controversial matters which were reserved to a more appropriate occasion. That suggestion was made by me at a time, when in the usual course of things it was expected that the term of the Legislative Council would expire at the end of the year and that a new Council under a new Constitution would come into existence very soon and that that new Council would be representative of the people much more than the present Council. In fact, when the Select Committee made its report and when the question of presenting the report of the Select Committee to the House and asking it to take the Bill into consideration came up, it was felt that the whole question might well be taken up in a comprehensive measure and even then the feeling was that by the end of the year, this Council would cease to exist. But now, it is clear from what is taking place elsewhere, that this Council may continue for two years at least, if not for more. Therefore the possibility of this question being tackled to the satisfaction of any party, be it the Government or to the landlords represented by the Raja Saheb or the tenants whoever he may consider to be their representative—the chances of such a Bill being introduced as early as possible are remote. It is in these circumstances that my hon. Friend Mr. Sami Venkatachalam Chetti has asked for leave to introduce a Bill which has been drafted on behalf of the tenants. On the eve of the introduction of the Bill the Raja Saheb has called for a conference. I am sure he will agree with me that given the best will in the world, it will take some time before we are able to devise a measure which will be acceptable to both the parties. If, therefore, the Conference proves fruitful of results, it is good. On our part we will do nothing which will hamper any further steps that the Raja Saheb may take, especially in view of the gesture he has shown to-day. If, on the other hand, the conference proves unsuccessful, I equally appeal to him to translate into action the spirit of the gesture he has shown and assure us that he as one of the Members of the Government will give us a chance, will do his best to see that our Bill is pushed through so that it may be placed on the statute book during the lifetime of this Council. If the Bill is given leave now, it will take two months more before we can introduce it and have the first reading taken up and then if necessary refer it to a select committee. Two months' period is a sufficiently long time within which to gauge the opinion of the parties on both sides. If by the next meeting of the Council we go a fairly long way to reach a compromise, I on behalf of my hon. Friend, Mr. Sami Venkatachalam Chetti will give an assurance that we will not proceed with the further stages of the Bill. But if, for any reason, we are able to agree, then, I am sure the Raja Saheb will agree with me that though he might have the power as a Member of the Government to stifle the further progress of the Bill, he should give a case to the private Bill to go forward. He should not oppose the motion asking for leave to introduce the Bill, because there will be time enough for him—may God forbid that—to oppose the Bill during its further stages having regard to the proceedings of the Conference. Under these circumstances, may I appeal to him in the same spirit which has animated his gesture to allow us merely to take leave of the House to introduce

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the Bill on the understanding that the further progress of the Bill would depend on the extent to which at the Conference that is proposed to be called we are able to come to an agreement. The Raja Saheb has said that he is anxious not merely on behalf of the landlords whom he represents, but also on behalf of his Party to settle this question. Sir, on behalf of the tenants I am willing to give an assurance that we do not in any way cavil at the position of the landlords. For the first time, he has thrown out a suggestion that what he is more anxious about is to secure occupancy rights to the actual cultivators of the land and not to allow middlemen to come in and take away the land. It is a very laudable object, no doubt, but to what extent he will be able to give effect to it is a question which will have to be decided at the Conference. If we are able to produce an agreed Bill it will be satisfactory to all. If it is not possible, then, Sir, we claim we should be shown the mere courtesy of having our Bill discussed and we are prepared to take our chance. I want to say nothing more than this. I have only one more observation to make before I sit down. It seems to me that in the matter of agrarian disputes, any Conference convened at the instance of the Government and composed of the representatives of the landlords and the tenants with the Government holding the scales evenly between them, would be productive of more satisfactory results than a conference called at the instance of one party which is admittedly the stronger party. However, I am prepared to co-operate with the Raja Saheb in his attempts to tackle this question. I also appeal to him in the same spirit in which he has appealed to us, that so far as this Bill is concerned he would give us a chance to take leave of the Council to introduce it, so that if further stages become necessary we might go through those further stages during the lifetime of the Council. These are the few remarks I have to submit and I wish that all the professions of the party opposite may be put into practice."

Mr. SAMI VENKATACHALAM CHETTI:—"Sir, after hearing the appeal made by the hon. the Raja of Bobbili this afternoon asking me to suspend the consideration of this business till the next meeting of the Council, I am considerably handicapped in this matter. I thought that it has been a longstanding convention that no non-official Bill should be opposed at the very first stage. I take it that the hon. the Raja of Bobbili appreciates that convention by the very fact that, without directly opposing the motion for leave to introduce, he has thought it fit to circumvent that convention by a very novel method of asking for the adjournment of the consideration of this business to the next meeting. But I dare say that he will agree with me that the effect of his motion will be the same. Knowing as he does that he has a big party and Government Officers on his side, is it not a strange appeal that he has made to me? The appeal he has made to me is practically one method of coercion; 'if you do not respond to my appeal, I am going to use my party strength and the strength of the Government with whom I am associated at present, to oppose the motion.' In these circumstances it would appear that the appeal made to me is not an appeal (except the word that is used); it is actually an order to me to suspend

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the consideration of this motion. Having regard to that kind of attitude which the hon. the Raja of Bobbili has thought fit to adopt, does it promise that the Conference which he proposes to hold in order to arrive at an agreement on the various points at issue between the landlords and the tenants would achieve good results? In these circumstances I am afraid that it would be very difficult for the parties to come to a common understanding.

"With regard to the various stages of a Bill on this subject, which the hon. the Raja of Bobbili enumerated to the Council, may I remind the Council that the Bill which I now propose to introduce is not new to this Council? Mr. Satyanarayana Choudari representing the Guntur constituency, had once taken permission of the Council to introduce this very Bill after obtaining the sanction of His Excellency the Governor-General. By the time the Bill was ripe for the second stage and for being referred to the Select Committee, the policy of the Government to appoint lawyer Members of this Council to public prosecutorship came into play and my friend, Mr. Satyanarayana Choudari, was made a public prosecutor and consequently he lost his seat. It was by mere accident that Mr. Satyanarayana Choudari was disabled from pursuing the next stage with regard to this Bill. Otherwise, the Bill should have been on the anvil or should have been rejected on the merits of the Bill. Therefore this Bill is not new as the hon. the Raja of Bobbili appears to put it. Therefore, there is absolutely no reason to fear that the introduction of this Bill is going to nullify the attempts made to come to a settlement with regard to the various matters concerning the zamindars and ryots, by the representatives of both parties.

"Secondly, my hon. Friend, the Raja of Bobbili, referred to the small conference which he convened at his bungalow to consider this matter. I was one of those who were invited to be present. When this matter was placed before me, I made an appeal to the hon. the Raja of Bobbili not to oppose the introduction of the Bill in contravention of a long-established convention and I made a promise that I would not proceed with the next stages of the Bill until I am satisfied that the conference which he proposes to convene becomes infructuous or is not convened at all. I take it that any hon. Gentleman, who is reasonably disposed to see that the interests of the zamindars and tenants should be put on a satisfactory footing, should have been satisfied with such an assurance of mine. Taking leave for the introduction of this Bill is not going to affect the attempts which the hon. the Raja of Bobbili will be making in furtherance of the interests of the zamindars and the ryots. The hon. Member referred to some letters which he has received from the Leaders of Parties in this Council. What my hon. Friend, Mr. Muniswami Nayudu said—with which I entirely agree—is that we would co-operate with the hon. the Raja of Bobbili in the conference which he proposes to hold to come to an agreement and to introduce a comprehensive Bill. Mr. Ramadass Pantulu who is the President of the Zamin Ryots Association has written a very long letter to the hon. the Raja of Bobbili, that he would await the settlements that will be

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arrived at by means of the conference. In that letter he also speaks of the possibility of three Bills being referred to the same Select Committee, my Bill, the Government Bill, and the Bill which would be drafted as a result of the deliberations of the proposed conference. It does not disallow the prospect of this Bill going through the second stage. The hon. the Raja of Bobbili has referred to the opinions of those who are not in this Council now. My hon. Friend, Mr. Muniswami Nayudu, gave us the reasons why we agreed to put off the consideration of the Government Bill. That was done as a result of some understanding come to between the leaders of some parties and the Government then. We thought that the prospect of the new Council would be nearer. Moreover there was agitation both on behalf of the zamindars and of the tenants, as to the progress of the Bill.

"The hon. the Raja of Bobbili prides himself of the fact that his party consists of landlords and tenants, capitalists and labourites, rich and poor, and of all communities, except the Brahman. If his party supports the motion made by the hon. the Raja of Bobbili for adjourning the consideration of this business, it is not because the members of his party fully approve of this action. I am afraid there is something very doubtful and suspicious about the position of the party. Does it require to be stated publicly that such a strong party would be used to break the convention that the first stages of a private Member's Bill should not be opposed? I feel that there is heart-burning in that party. If not, may I ask the hon. Members of that party representing the tenants to come out and say whether they are supporting the motion of the hon. the Raja of Bobbili, whole-heartedly? If they support the motion, it is not because they are convinced of the reasonableness of the motion, but because of party discipline. I have got great regard for those who follow party discipline; I admire greatly the loyalty of the men of the party to their leader. But it is not so in this case; the real state of their mind is quite different. As members of the party, they are bound to obey the mandate of the party. In this case, the hon. the Raja of Bobbili has taken undue advantage of the loyalty of the members of his party, who are bound by party discipline.

"Of course it is not my intention to place any impediment in the way of sincere attempts being made to effect a compromise. If he can tell me in what way I can possibly accommodate him in the matter of expediting the conference being held, I shall certainly be glad to do so. But the motion before the House for leave to introduce the Bill should not be opposed. His opposition to my motion would mean that he wants to put off this matter to as distant a date as possible. The next meeting of the Council being in October, he knows perfectly well that any conference however expeditiously its business may be conducted, will not be able to produce a comprehensive Bill before that time. In that case there is no chance for any Bill being brought forward before next August, as in the months of February and March we would be fully engaged with the Budget. The party of the hon. the Raja of Bobbili is not the only party to be consulted in this matter. There is a third party, the Government; we do not know whether they are in

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agreement with the hon. the Raja of Bobbili; we do not know what their attitude is. To-morrow it may be said 'the Raja of Bobbili may have given the assurance; we did not give any such assurance; what right have you to go on with this Bill?' The hon. the Raja of Bobbili may resile from his position by throwing the blame on the Government. Having regard to all these considerations, I appeal to the hon. the Chief Minister not to introduce this novel procedure of adjourning the consideration of this Bill and of opposing the motion for leave to introduce a Bill by a non-official member. I have of course promised him that I shall not proceed with the next stage of the Bill until I know definitely the results of the attempts that will be made by him to come to an agreement.

"Considerations of health prevent me from dragging on this question till to-morrow. My hon. Friend, the hon. the Raja of Bobbili, referred to some of the provisions of the Bill. It is true that all questions which affect the interests of both the parties have not been adequately tackled in the Bill of which I have given notice. I confess, Sir, that I am ignorant of many things which affect the landlord and the tenant. I consider that that is a good reason why my Bill should be allowed to go forward, because there is a third party—a neutral man—who can possibly help both the landlord and the tenant to compose their differences. I beg the hon. the Raja of Bobbili to have regard for a convention which has been long established. If he is going to break this convention, this kind of game can be played by both the parties. We can also play the same game and obstruct even the first stages of any Bill given notice of by an hon. Member on the other side of the House. Conventions are made to be observed by all parties. The convention should not be followed so far as one party is benefited by it and it should not be given the go-by when it is to the advantage of the other party. The hon. the Raja of Bobbili should not say, 'convention or no convention, I will use my strength against the motion,' because, conventions are established to keep the balance against strength. Otherwise there need not be any convention at all; it will be a majority rule. Any non-official member will be in the same position if the Government are going to stand in the way of the first stages of a Bill.

4-45. P.M. "I do not want to import into this discussion anything relating to public opinion in regard to this matter; but it is necessary for me to say to the hon. the Raja of Bobbili that those who are sitting there in that gallery as the representatives of the tenants are now watching the progress of this Bill. They are very keen about seeing that this is settled once for all and it is wrong to say that the tenants are unwilling to co-operate. They are willing to accommodate in respect of all reasonable claims of the zamindars; they only want that their grievances should be looked into carefully and adjusted. After all, all the parties will have to face the electorate sooner or later. In the interests of your own party, may I suggest that it would be far better to grapple these things in this Council itself rather than leave it to a new Council. Whatever might be the optimism with which the hon. the Raja of

1st August 1933] [Mr. Sami Venkatachalam Chetti]

Bobbili is surcharged to-day, I cannot be so sure of the strength of his party after the next election, having regard to the way in which his party is at present composed—i.e., composed of landlords and tenants, capitalists and labourites, rich and poor. I would warn the tenants who are pinning their faith upon the reasonableness of the zamindars. If the zamindar Ministers who represent the so-called popular party, are unable to respond to an appeal made by me, where is the chance of the reasonable appeals of the tenants being responded to by the zamindars?"

Sriman M. G. PATNAICK Mahasaya:—"Of course, Sir, I do not agree with all that my Friend Mr. Venkatachalam Chetti has said. There is nothing sinister in what the hon. the Raja Sahib has stated. I think he is quite serious in trying to effect a compromise. Of course it is all a question merely of *jith*. If the hon. Raja Sahib wants that no leave should be granted for this Bill now, he will probably have his wish fulfilled, with the support of the members of his own party. If the other side wants that leave should be granted, then naturally the controversy comes. Mr. Venkatachalam Chettiar is quite aware of the fact that he cannot proceed with the further stages of the Bill without the co-operation of the other parties in the House. The Raja Sahib's party is a strong party, and therefore he can at any time use that strength against the other party. The Raja Sahib wants to do something really good to both the landholders and the ryots. Therefore I appeal to him to be magnanimous enough to grant the request of my hon. Friend, Mr. Venkatachalam Chetti, that leave be granted to his Bill. Let him not insist upon *jith*."

* Rao Bahadur C. NATESA MUDALIYAR:—"Mr. President, I do not want to give my silent vote on this very important question. I think nobody can appropriate to himself the claim to defend the rights of the tenants in this House, because most of us here are tenants ourselves. I am a tenant of zamin and Government lands. So, I am as much interested as the Opposition or the Justice Party in seeing that the rights of the tenants are preserved. I do not want to give a silent vote on this matter, though of course, I may have to vote with the Justice Party. I am foremost in fighting for the cause of the tenants, because I am a tenant myself in a zamindari land where I am suffering, and I am a tenant in Government land where too I am suffering. We all know that Bills after Bills were introduced in this Council. There was recently a Bill introduced by the Government, which was sought to be amended by the hon. the Revenue Member. All the parties went to him and said 'Do not do it because we are not satisfied with the contents of that Bill.' I may assure the Council that the Raja Sahib was the foremost to see that that Bill was not allowed to enter this House last time. I admired him when he said that when the parties were against it, he won't allow the Bill to proceed. He himself was one of those who were against the introduction of the Bill by the hon. the Revenue Member. Now the Chief Minister says: 'I have called for a conference; the conference has already met; and in that con-

[Mr. C. Natesa Mudaliyar] [1st August 1933]

ference, the representative of the zamin ryots says "I agree to your proposals; let there be some conciliation made between the zamindars and the ryots; let us bring up a consolidated Bill which would be acceptable to both the zamindars and the ryots." I am glad that Mr. Sami Venkatachalam Chettiyar takes so much interest in the ryots; though we are all living in towns, we have got lands in Chingleput district or somewhere near; we are living in a place where people do not know how rice is produced, whether it is from tree, etc. We know that if a private Bill is brought up here, the zamindars or others might do something as a result of which enough of privileges will not be given to the ryots. I myself intended to bring forward in this Council a 'Tenants' Protection Bill, but the then Law Member, the late Sir K. Srinivasa Ayyangar said: 'Don't do that.' He said: 'If you bring in a private Bill, you may not succeed so well as I will succeed with a Government Bill.' So said the late Sir Moir too. Now the Raja Sahib is taking Sir K. Srinivasa Ayyangar's line of reply, and says: 'My Friend Mr. Venkatachalam Chettiyar, don't do that. I will bring in a Bill and I shall satisfy the House. The zamindars will come down to please the tenants.' My Friend Mr. Sami Venkatachalam Chettiyar's bill may not include all the provisions that the tenants require now; and even if it does, those provisions may be thrown out by the other side. I would therefore request Mr. Chettiyar in the interests of the people whom he and I both represent, to drop this Bill now and wait for a month. If the Raja Sahib does not bring in his own Bill before then, we will all of us then join together and see that our friend's Bill is passed. I think more rights can be secured for the tenants by a Bill brought forward by the Raja Sahib. Already Mr. Ramdas Pantulu has said that any Bill contemplated or suggested by us will not even get the minimum privileges for the tenants. So, let us all wait for the Raja Sahib's Bill and support it. But if he does not bring it within one month, then we will support Mr. Sami Venkatachalam Chettiyar's Bill. I request Mr. Chettiyar to postpone the introduction of this Bill for a month.

"So far as the Justice Party is concerned, we have always stood for all the communities and for all classes. Ours is a religio-socio body, political and aristo-democratic party. If Mr. Muniswami Nayudu is to-day the leader of a party, it is of the Justice Democratic Party. If Dr. Subbarayan is to-day the leader of a party, it is of the Justice Nationalist Party (Laughter). So, all parties in the House belong to the Justice party. We can unite at any time we like; and so long as there are no obstructionists here, there is no new party. All belong to the same party. The Raja Sahib wants to safeguard the interests of all parties."

Mr. ABDUL HAMEED KHAN:—"On a point of order, Mr. President. According to Standing Order No. 36, if a motion for leave to introduce is opposed, the President, after permitting a brief explanatory statement from the member who opposes the motion, may without further debate allow the question to be put."

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* The hon. the PRESIDENT:—"I am afraid the hon. Member woke up rather too late. I have already said that Standing Order does not apply to this particular motion."

Mr. ABDUL HAMEED KHAN:—"But this comes under 'legislation'."

* The hon. the PRESIDENT:—"Dr. Natesa Mudaliyar may continue his speech."

* Rao Bahadur C. NATESA MUDALIYAR:—"I was saying that all of us belong to the same party and hold the same political views, although we sit on opposite benches. Of course there may be some small differences, but as a party, the Justice party has revolutionized the whole presidency by its creed. Anybody who safeguards the interests of his own community is a Justice party man; and so, Mr. Chettiyar is also a Justice party man as he spoke of safeguarding the interests of his community some time ago. My suggestion therefore is that we must all join together to bring forward a consolidated Bill. Let us wait for a month and we shall have a consolidated Bill which will be in the interests of the tenants and give them more privileges."

Mr. M. A. MUTHIAH CHETTIYAR:—"I move, Sir, that the question be now put."

* The hon. the PRESIDENT:—"The question is that the question 5 p.m. be now put."

The closure motion was put and declared lost.

A poll was demanded by Mr. Sami Venkatachalam Chettiyar, and the House divided thus:

Ayes.

- | | |
|--|---|
| 1 The hon. Sir Mahomed Usman. | 25 Subadar-Major S. A. Nanjappa Bahadur. |
| 2 " Diwan Bahadur Sir M. Krishnan Nayar. | 26 Rao Sahib V. I. Muniswami Pillai. |
| 3 " Sir Archibald Campbell. | 27 Mr. M. Vedachala Mudaliyar. |
| 4 " Mr. H. G. Stokes. | 28 " B. P. Sessa Reddi. |
| 5 " Diwan Bahadur S. Kumaswami Reddiyar. | 29 " P. C. Moses. |
| 6 " Mr. P. T. Rajan. | 30 " P. V. Rajagopal Pillai. |
| 7 " the Raja of Bobbili. | 31 " P. Bayappa Reddi. |
| 8 Rao Bahadur G. Jagannadha Raju. | 32 Khan Bahadur T. M. Moidoo Sahib Bahadur. |
| 9 Mrs. K. Alamelumangathayaramma. | 33 Mr. G. Lakshmana Reddi. |
| 10 Mr. C. E. Jones. | 34 Rao Sahib V. Dharmalingam Pillai. |
| 11 " J. A. Thorne. | 35 Zamindar of Mirzapuram. |
| 12 " H. M. Hood. | 36 " Bodinayakkanur. |
| 13 " R. Madanagopal Nayudu. | 37 Mr. M. A. Muthiah Chettiyar. |
| 14 " E. Conran Smith. | 38 " A. V. Bhanoji Rao. |
| 15 " T. Sundararao Nayudu. | 39 " Daniel Thomas. |
| 16 Khan Sahib Syed Tajuddin Sahib Bahadur. | 40 Swami A. S. Sahajanandam. |
| 17 Mr. M. D. T. Ranganatha Mudaliyar. | 41 Mr. H. M. Jagannatham. |
| 18 " V. M. Ramaswami Mudaliyar. | 42 Rao Sahib P. Subrahmanyam Chetti. |
| 19 Rao Bahadur A. T. Pannirselvam. | 43 Rao Bahadur V. N. Viswanatha Rao. |
| 20 Mr. K. C. M. Venkatachala Reddiyar. | 44 Diwan Bahadur A. Appadurai Pillai. |
| 21 " G. Ranganatha Mudaliyar. | 45 Rao Sahib D. V. Narasimhaswami. |
| 22 Rao Bahadur R. Srinivasan. | 46 Pandit Ganala Ramamurti. |
| 23 Mr. M. Devadasan. | 47 Mr. A. Harischandrudu. |
| 24 Rao Sahib N. Siva Raj. | 48 " K. Kesavaramamurti. |
| | 49 " S. M. K. Beyabani Sahib. |
| | 50 " G. Simhachalam Pantulu. |
| | 51 Rao Bahadur C. Natesa Mudaliyar. |

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Ayes—cont.

52 Mr. C. Basu Dev.
53 „ F. Birley.
54 „ W. O. Wright.
55 „ W. K. M. Langley.

56 Mr. W. W. Ladden.
57 „ R. M. Palat.
58 „ F. J. Stanes.

Noes.

1 Dr. P. Subbarayan.
2 Mr. Yakub Hasan.
3 „ K. R. Venkatarama Ayyar.
4 „ T. C. Srinivasa Ayyangar.
5 „ Sami Venkatachalam Chetti.
6 „ T. S. Ramaswami Ayyar.
7 „ V. T. Arasu.
8 Khan Bahadur P. Khalif-ul-lah
Sahib Bahadur.
9 Mr. A. B. Shetty.
10 „ Abdul Hameed Khan.
11 „ Basheer Ahmed Sayeed.
12 „ P. Peddiraju.
13 „ Ahmed Meeran.

14 Mr. K. A. Nachiyappa Gounder.
15 Diwan Bahadur B. Muniswami
Nayudu.
16 Mr. K. P. Raman Menon.
17 „ G. R. Premayya.
18 Sriman M. G. Patnaik Mahasayo.
19 Mr. C. Indriah.
20 „ J. Kuppuswami.
21 „ Mahboob Ali Baig.
22 „ P. V. Krishnayya.
23 „ M. B. Rangaswami Reddi.
24 „ G. Sriramulu.
25 Rao Bahadur R. K. Venugopal
Nayudu.

Ayes 58. Noes 25.

The motion was carried.

* The hon. the PRESIDENT:—“ I will now put the hon. the Raja of Bobbili's motion to the vote of the House.

“ The question is that the consideration of this business be adjourned to the next meeting of the Council.”

The motion was put to the House and declared carried.

A poll was demanded, and the House divided thus:

Ayes.

1 The hon. Sir Mahomed Usman.
2 „ Diwan Bahadur Sir M.
Krishnan Navar.
3 „ Sir Archibald Campbell.
4 „ Mr. H. G. Stokes.
5 „ Diwan Bahadur S. Kuma-
raswami Reddiyar.
6 „ Mr. P. T. Raian.
7 „ The Raja of Bobbili.
8 Rao Bahadur G. Jagannadha Raju.
9 Mrs. K. Alamelumangathayaramma.
10 Mr. C. E. Jones.
11 „ J. A. Thorne.
12 „ H. M. Hood.
13 „ R. Madanagopal Nayudu.
14 „ E. Conran Smith.
15 „ T. Sundararao Nayudu.
16 Khan Sahib Syed Tajuddin Sahib
Bahadur.
17 Mr. M. D. T. Ranganatha Mudali-
var.
18 Rao Bahadur A. T. Pannirselvam.
19 Mr. K. C. M. Venkatachala Reddi-
var.
20 „ G. Ranganatha Mudaliyar.
21 Rao Bahadur R. Srinivasan.
22 Mr. M. Devadasan.

23 Rao Sahib N. Siva Raj.
24 Subadar-Major S. A. Nanjappa
Bahadur.
25 Rao Sahib V. I. Muniswami Pillai.
26 Mr. M. Vedachala Mudaliyar.
27 „ B. P. Sessa Reddi.
28 „ P. C. Moses.
29 „ P. V. Rajagopal Pillai.
30 „ P. Bayappa Reddi.
31 Khan Bahadur T. M. Moidoo Sahib
Bahadur.
32 Mr. G. Lakshmana Reddi.
33 Rao Sahib V. Dharmalingam Pillai.
34 Rao Bahadur V. N. Viswanatha Roa.
35 Zamindar of Mirzapuram.
36 „ Bodinayakkanur.
37 Mr. M. A. Muthiah Chettiyar.
38 „ A. V. Bhanoji Rao.
39 „ Daniel Thomas.
40 Swami A. S. Sahajanandam.
41 Mr. H. M. Jagannatham.
42 Rao Sahib P. Subrahmanyam Chetti.
43 Diwan Bahadur A. Appadurai Pillai.
44 Rao Sahib D. V. Narasimhaswami.
45 Rao Sahib Pandit Ganala Rama-
murti.

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Ayes—cont.

46 Mr. A. Harischandrudu.
47 „ K. Kesavaramamurti.
48 „ S. M. K. Beyabani.
49 „ G. Simhachalam.
50 „ R. M. Palat.
51 Rao Bahadur C. Natesa Mudaliyar.

52 Mr. C. Basu Dev.
53 „ F. Birley.
54 „ W. O. Wright.
55 „ R. Foulkes.
56 „ W. K. M. Langley.
57 „ W. W. Ladden.

Noes.

1 Dr. P. Subbarayan.
2 Mr. Yakub Hasan.
3 „ K. R. Venkatarama Ayyar.
4 „ T. C. Srinivasa Ayyangar.
5 „ Sami Venkatachalam Chetti.
6 Khan Bahadur Mahmud Schamnad
Sahib Bahadur.
7 Mr. T. S. Ramaswami Ayyar.
8 „ V. T. Arasu.
9 Khan Bahadur P. Khalif-ul-lah
Sahib Bahadur.
10 Mr. A. B. Shetty.
11 „ Abdul Hameed Khan.
12 „ Basheer Ahmed Sayeed.
13 „ P. Peddiraju.

14 Mr. Ahmed Meeran.
15 „ K. A. Nachiyappa Gounder.
16 Diwan Bahadur B. Muniswami
Nayudu.
17 Mr. K. P. Raman Menon.
18 „ G. R. Premayya.
19 Sriman M. G. Patnaik Mahasayo.
20 Mr. C. Indriah.
21 „ J. Kuppuswami.
22 „ Mahboob Ali Baig.
23 „ P. V. Krishnayya Choudari.
24 „ M. B. Rangaswami Reddi.
25 „ G. Sriramulu.
26 Rao Bahadur R. K. Venugopal
Nayudu.

Ayes 57. Noes 26.

The motion was carried.

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

VIII.—PAPERS LAID ON THE TABLE OF THE HOUSE.

* 1. G.O. No. 680, *Development*, dated 7th June 1933, recording the audit report of the Government Industrial Institute, Madura, for the year ending 31st March 1932.

* 2. G.O. No. 2864, L. & M., dated 17th July 1933, fixing the date of retirement of members of certain panchayats.

* 3. Statement showing additions and reductions in non-voted appropriations sanctioned during the year 1933.

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

[1st August 1933]

APPENDIX I.

[Vide answer to question No. 35 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 1st August 1933, page 70 supra.]

Proceedings of the meeting of the landholders of the Puttur taluk assembled in the Board Higher Elementary School, Puttur, dated 29th April 1933.

At the outset Mr. Kadaba Thimmayya Ariga proposed that M.R.Ry. A. B. Shetty Avargal, M.L.C., do take the chair. The proposal was duly seconded by Mr. K. Govindayya and carried unanimously.

2. Mr. A. B. Shetty having taken the chair the Secretary explained the objects of the meeting. The following resolutions were then carried unanimously:—

- (1) Inasmuch as the prices of the important agricultural products of this taluk, namely, rice and arecanuts have gone down so much so that it is difficult even to pay the assessment in full by sale of the produce, it is hereby resolved that Government be requested to postpone the contemplated resettlement till the prices rise to the former level.
- (2) As the officials of the Settlement department get statements from village officials about changes of classifications of lands on account of improvements made thereon since the last settlement, this meeting prays that Government may be pleased to direct that similar returns be got by the settlement authorities of higher class lands which have deteriorated or are lying fallow since, and that assessment on such lands be reduced according to their present classifications and further pray the Government be pleased not to assess improvements effected on lands.
- (3) This meeting urges that the proposal contained in the report of the People's Committee appointed by the public of the Puttur taluk in 1931 to report on the condition of the sub-ghat villages in the taluk—that the sub-ghat villages forming a belt on the eastern part of the taluk may be constituted into a special group be favourably considered and action taken and concessions granted accordingly.
- (4) This meeting is grieved to hear that it is under contemplation to withdraw the few privileges granted to the public in respect of reserved forests and prays that Government may be pleased not to withdraw these privileges.

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- (5) As the pest called Koleroga to areca trees has appeared in some parts of this taluk and as the Agricultural department advice the spraying by "Bordeaux" mixture" this meeting resolves that Government be requested to order free supply of the mixture recovering only the spraying charges from the garden planters concerned.
- (6) As bushes have grown in many a cattle-grazing area in reserve forests this meeting resolves that Government be requested to have such areas cleared of such growth to facilitate grazing under passes issued by the department.
- (7) This meeting prays that Government be pleased to delete "jack trees and tamarind trees" from the kind of trees required to constitute land as garden at settlement as the produce of such trees does not really bring any appreciable income to the landholders.
- (8) This meeting empowers the Secretary M.R.Ry. B. Mangesh Rao to communicate all the resolutions to the concerned authorities and authorizes him to carry on correspondence with them in pursuance thereof.

APPENDIX II.

[Vide answer to question No. 47 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 1st August 1933, page 78 supra.]

Press Communique of the Government of Madras, Public Department, dated Fort St. George, the 18th July 1933.

The attention of the Government has been drawn to inaccurate and misleading statements which have appeared in a section of the Press to the effect that the Government have issued instructions to their officers to discourage the movement for the uplift of the depressed classes. In the campaign now being conducted for the removal of untouchability an assertion of the right of temple entry is a prominent feature. The claim put forward on behalf of the depressed classes has given rise to a counter-movement generally known as the Sanatanist. In many places the movement and counter-movement have aroused considerable feeling and created a tense atmosphere in which clashes between the opposing partisans may at any time occur, necessitating the intervention of the officers of the Government to prevent breaches of the peace.

In these circumstances it is clearly inadvisable for the officers of the Government to associate themselves publicly with either the movement or counter-movement. Instructions to this effect have accordingly been issued, but to avoid all possibility of misunderstanding, the opportunity

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has been taken to restate the policy of the Government on certain questions affecting the uplift of the depressed classes in the following terms:—

"The Government desire to reiterate that there is no statutory bar against the Depressed classes using the public streets, roads, wells, etc. The attention of the heads of departments is, in this connexion, invited to sections 180-A, 227-A and 259 of the Madras District Municipalities Act, 1920, sections 157-A and 167 of the Madras Local Boards Act, 1920, and to G.O. No. 2660, L. & M., dated the 25th September 1924, in which the Government accepted a resolution of the Legislative Council to the effect that there is no objection to any person or persons belonging to any class or community walking through any public road, street or pathway in any town or village and that there is no objection to any person belonging to the Depressed classes having access to the premises of any public office, well, tank or places of public resort or to places and building where public business is transacted in the same manner and to the same extent as persons belonging to the community of caste Hindus."

G. T. H. BRACKEN,
Chief Secretary.

APPENDIX III.

[Vide answer to question No. 50 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 1st August 1933, page 81 supra.]

Statement showing the number of Sub-Inspectors and Deputy Superintendents of Police selected since January 1932.

Community.	Sub-Inspectors.	Deputy Superintendents of Police.
Non-Brahmans	15	1
Muhammadans	7	1
Anglo-Indians, Christians or Non-Asiatics	7	1
Brahmans	6	..
Depressed classes	4	..
Total	39	3

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APPENDIX IV.

[Vide item II at page 82 supra.]

BILL No. 25 OF 1931

A Bill further to amend the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920, for certain purposes.

To

THE HONOURABLE THE LEGISLATIVE COUNCIL
OF THE GOVERNOR OF MADRAS.

WE, the undersigned members of the Select Committee appointed to consider Mr. Birley's Bill to amend the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920 (Bill No. 25 of 1931), have the honour to submit the following report.

2. The Bill was published in the *Fort St. George Gazette* in English on the 17th November 1931.

3. We met on the 7th and 10th February 1933 at the Committee Room, Fort St. George, for the consideration of the Bill, and on the 10th March we passed our report.

4. We are satisfied that it is necessary to place a maximum limit on the amount of licence fee leviable by local bodies on motor vehicles plying within their territorial limits. After considering various alternative suggestions and the recommendations made by the Special Committee appointed by the Local Government to consider the subject of taxation of motor vehicles in this province, we have arrived at the following decisions:—

(i) As regards motor vehicles carrying passengers for hire, we think that the rate of fee should be fixed with reference to the number of passengers exclusive of the driver and the conductor, which the motor vehicle is intended to carry. In the case of district municipalities, we consider that annas twelve per seat for each quarter or portion thereof of a year, would be a reasonable maximum. In the case of district boards, we consider that Rs. 7-8-0 would be a reasonable maximum.

In the case of motor vehicles which are to be used for hire within the jurisdiction of more than one local body the following principles will apply:—

(a) Every district municipality will be entitled to levy a fee on a motor vehicle in accordance with the

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rates prescribed by the regulations in force in the municipality whether the motor vehicle which is licensed by it is used for hire within the limits of any other local body or not;

(b) where a motor vehicle is used for hire within the limits of more than one district, the district board to which an application for licence is first made will be entitled to levy the full licence fee payable under its regulations. We have made it obligatory that an application for licence should first be made to the district board of the district in which the motor vehicle is garaged;

(c) where an application for a licence in respect of a motor vehicle has already been made to one district board and a subsequent application for licence is made to the district board of another district, the latter will be entitled to levy only two-thirds of the licence fee payable under the regulations in force in its area less one-third of the licence fee already paid to the district board to which the first application was made. The first mentioned district board will pay one-third of the licence fee collected by it to the other district board. Every district board to which a subsequent application for licence is made can levy two-thirds of the licence fee payable under its own regulations.

(ii) As regards lorries, we think that a distinction should be made between a lorry plying for hire and one not plying for hire. With reference to the latter, both in the case of municipalities and in the case of district boards a fixed fee of Re. 1-4-0 per quarter should be levied and this fee should be payable to every local body within whose area it is used. In the case of a motor lorry plying for hire, we consider that a fee graduated in accordance with the unladen weight of a motor vehicle will be the proper fee. The rates which we have fixed will be found in the body of the Bill annexed. If a motor lorry plies for hire within the jurisdiction of more than one local body, the fee will be regulated in accordance with the procedure prescribed for vehicles carrying passengers for hire.

5. The subject of licence fees leviable by local bodies on motor vehicles is one of great difficulty, but we consider that the proposals we have embodied in the Bill are as satisfactory as any that can be devised.

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6. A copy of the Bill as amended by us is enclosed.
7. We consider that it is necessary to republish the Bill.

ABDUL HAMEED KHAN.
R. RANGA RAO (Hon. the Raja of Bobbili).
E. CONRAN SMITH.
F. G. LUKER.
F. BIRLEY.
SAMI VENKATACHALLAM CHETTI.
BASHEER AHMED SAYEED.
T. M. MOIDOO.
B. P. SSHA REDDY.
* B. MUNISAMI NAIDU.

FORT ST. GEORGE,
10th March 1933.

* Subject to a note.

—
Note.

I am in favour of the principle of the Bill. But I think the rates proposed as maxima should be increased.

B. MUNISAMI NAIDU.

[Changes made by the Select Committee are shown in clarendon type.]

A Bill **further** to amend the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920, **for certain purposes.**

BILL No. 25 OF 1931.

[As amended by Select Committee.]

WHEREAS it is expedient **further** to amend the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920, **for the purposes hereinafter appearing**; It is hereby enacted as follows:—

1. (1) This Act **may** be called the Madras District Municipalities and Local Boards (Amendment) Act, 1933.

Madras Act
V of 1920.
Madras Act
XIV of
1920.

Short title
and
commence-
ment.

[1st August 1933]

(2) It shall come into force on such date as the Local Government may, by notification in the "Fort St. George Gazette," appoint.

Amendment
of section
174-A,
Madras Act
V of 1920.

2. In section 174-A of the Madras District Municipalities Act, 1920—

(i) sub-section (5) shall be omitted and sub-section (4) shall be renumbered as sub-section (5); and

(ii) for sub-sections (2) and (3), the following sub-sections shall be substituted, namely:—

" (2) The Municipal Council may, with the previous approval of the Local Government, make regulations specifying the fees on payment of which, and the other conditions (including the rates of fares for passengers and of freight for goods which may be charged) subject to which, such licences may be granted.

(3) The fees chargeable under sub-section (2) shall not exceed the following maxima, namely:—

(a) in the case of a twelve annas per seat motor vehicle carrying passengers for hire. (excluding the seat for the driver and the seat for the conductor for each quarter or portion thereof;

(b) in the case of a one rupee four annas for motor lorry not plying for hire. each quarter or portion thereof; and

(c) in the case of a twenty-five rupees for motor lorry plying for hire— each quarter or portion thereof;

(i) not exceeding 30 cwt. in weight, unladen.

(ii) exceeding 30 cwt. but not exceeding 50 cwt. in weight, unladen. thirty rupees for each quarter or portion thereof;

(iii) exceeding 50 cwt. but not exceeding 70 cwt. in weight, unladen. forty rupees for each quarter or portion thereof;

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(iv) exceeding 70 cwt. in weight, unladen. fifty rupees for each quarter or portion thereof; and

(v) additional fee chargeable in respect of such lorry if it is used for drawing trailers. ten rupees for each trailer for each quarter or portion thereof.

Explanation.—The expressions 'quarter,' 'trailer' and 'unladen weight' in this sub-section shall have the same meaning as in the Madras Motor Vehicles Taxation Act, 1931. Madras Act III of 1931.

(4) Licences may be granted for one or more quarters at a time, provided that the period shall in no case extend beyond the expiry of the year to which it relates."

3. In section 166 of the Madras Local Boards Act, 1920—

(i) sub-section (6) shall be omitted and sub-section (5) shall be renumbered as sub-section (6);

(ii) for sub-sections (2), (3) and (4), the following sub-sections shall be substituted, namely:—

" (2) The district board may, with the previous approval of the Local Government, make regulations specifying the fees on payment of which, and the other conditions (including the rates of fares for passengers and of freight for goods which may be charged) subject to which, such licences may be granted.

(3) The fees chargeable under sub-section (2) shall not exceed the following maxima, namely:—

(a) in the case of a seven rupees eight annas per seat (excluding the seat for the driver and the seat for the conductor, if any), for motor vehicle carrying passengers for hire. each quarter or portion thereof;

(b) in the case of a one rupee four annas for motor lorry not plying for hire. each quarter or portion thereof;

Amendment
of section
166, Madras
Act XIV of
1920.

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(c) in the case of a motor lorry plying for hire—

- | | |
|--|--|
| (i) not exceeding 30 cwt. in weight, unladen. | one hundred rupees for each quarter or portion thereof; |
| (ii) exceeding 30 cwt. but not exceeding 50 cwt. in weight, unladen. | one hundred and ten rupees for each quarter or portion thereof; |
| (iii) exceeding 50 cwt. but not exceeding 70 cwt. in weight, unladen. | one hundred and twenty rupees for each quarter or portion thereof; |
| (iv) exceeding 70 cwt. in weight, unladen. | one hundred and sixty rupees for each quarter or portion thereof; and |
| (v) additional fee chargeable in respect of such lorry if it is used for drawing trailers. | twenty-five rupees for each trailer for each quarter or portion thereof. |

Explanation.—The expressions 'quarter,' 'trailer' and 'unladen weight' in this sub-section shall have the same meaning as in the Madras Motor Vehicles Act, 1931.

(4) The following special provisions shall apply in respect of the licence fees chargeable under sub-section (2) for motor vehicles to be used for hire within the limits of more than one district:—

(i) There shall be paid to the district board of the district in respect of which the application for licence is first made, the full licence fee payable under the regulations of that district board.

Explanation.—Where the motor vehicle is garaged in one of the districts, the application for licence shall first be made to the district board of that district.

(ii) There shall be paid to the district board of the district in respect of which the application for licence is next made, two-thirds of the licence fee payable under the regulations of that district

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board, diminished by one-third of the licence fee paid to the district board of the district referred to in clause (i).

(iii) The district board referred to in clause (i) shall pay one-third of the licence fee received by it under that clause to the district board of the district referred to in clause (ii).

(iv) There shall be paid to the district board of every other district two-thirds of the licence fee payable under the regulations of the district board of such district.

(5) Licences may be granted for one or more quarters at a time, provided that the period shall in no case extend beyond the expiry of the year to which it relates."

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Wednesday, the 2nd August 1933

The House met at eleven of the clock, Mr. President (the hon. Mr. B. RAMACHANDRA REDDI) in the Chair.

PRESENT:

Usman Sahib Bahadur, K.C.I.E., The hon. Khan Bahadur Sir Mahomed.	Manikkavelu Nayakar, Mr. M. A.
Krishnan Nayar, Kt., The hon. Diwan Bahadur Sir M.	Moidoo Sahib Bahadur, Khan Bahadur T. M.
Campbell, K.C.I.E., C.S.I., C.A.F., V.D., I.C.S., The hon. Sir Archibald.	Moses, Mr. P. C.
Stokes, C.S.I., C.I.E., I.C.S., The hon. Mr. H. G.	Mahammad Meera Ravuttar, Mr. K. P. V. S.
Raja of Bobbili, The hon. the Rajan, The hon. Mr. P. T.	Muniswami Nayudu, Diwan Bahadur B. Muniswami Pillai, Rao Sahib V. I.
Kumaraswami Reddiyar, The hon. Diwan Bahadur S.	Murugappa Chettiyar, Diwan Bahadur A. M. M.
Abdul Hameed Khan Sahib Bahadur.	Muthiah Chettiyar, Mr. M. A.
Ahmed Meeran Sahib Bahadur.	Muthu Chettiyar, Rao Bahadur P. C.
Alagannan Chettiyar, Rao Sahib A. S.	Nachiyappa Gounder, Mr. K. A.
Alamelumangathayaramma, Mrs. K.	Nadimuthu Pillai, Mr. A. Pl. N. V.
Appadarai Pillai, Diwan Bahadur A.	Nanjappa Bahadur, Subadar-Major S.A.
Arasu, Mr. V. T.	Narasa Reddi, Mr. T.
Basheer Ahmed Sayeed Sahib Bahadur.	Narasimhaswami, Rao Sahib D. V.
Basu Dev, Mr. C.	Narayanan Nambiyar, Mr. V. P.
Bayappa Reddi, Mr. P.	Narayanaswami Pillai, Rao Bahadur T. M.
Beyabani Sahib Bahadur, S. M. K.	Natesa Mudaliyar, Rao Bahadur C.
Bhanoji Rao, Mr. A. V.	Palat, Mr. R. M.
Birley, Mr. F.	Pannirselvam, Rao Bahadur A. T.
Devadasan, Mr. M.	Parthasarathi Ayyangar, Mr. C. R.
Dharmalingam Pillai, Rao Sahib V.	Patnsik Mahasayo, Sriman M. G.
Duraiswami Reddiyar, Mr. K. M.	Pattabhiramayya, Mr. K.
Ellappa Chettiyar, Diwan Bahadur S.	Pattagar of Palayakottai.
Foulkes, Mr. R.	Peddiraju, Mr. P.
Harischandrudu Nayudu, Mr. A.	Pocker Sahib Bahadur, B.
Hood, I.C.S., Mr. H. M.	Premayya, Mr. G. R.
Indriah, Mr. C.	Rajagopala Pillai, Mr. P. V.
Jagannatha Raju, Rao Bahadur G.	Ramachandra Padayachi, Mr. P. K.
Jagannatham, Mr. H. M.	Ramalingam Chettiyar, Rao Bahadur T. A.
Jayaram Nayudu, Rao Sahib C.	Ramamurti, Rao Sahib Pandit Ganala.
Jones, I.C.S., Mr. C. E.	Raman Menon, Mr. K. P.
Kesavaramamurti Nayudu, Mr. N.	Ramaswami Ayyar, Mr. T. S.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.	Ramaswami Mudaliyar, Mr. V. M.
Kolanda Reddi, Rai Sahib C.	Ranganatha Mudaliyar, Mr. A.
Koti Reddi, Mr. K.	Ranganatha Mudaliyar, Mr. G.
Krishnayya Choudari, Mr. P. V.	Ranganatha Mudaliyar, Mr. M. D. T.
Krishnan, Mr. C.	Rangaswami Reddi, Mr. H. B.
Kuppuswami Choudari, Mr. J.	Ratnasabhapati Mudaliyar, Diwan Bahadur C. S.
Ladden, Mr. W. W.	Sahajanandam, Swami A. S.
Lakshmana Reddi, Mr. G.	Sami Venkatachalam Chetti, Mr.
Langley, Mr. W. K. M.	Sesha Reddi, Mr. B. P.
Madanagopal Nayudu, Mr. R.	Shetty, Mr. A. B.
Mahboob Ali Baig Sahib Bahadur.	Simhachalam, Mr. Gade.
Mahmud Schammad Sahib Bahadur, Khan Bahadur.	Singam Ayyangar, Mr. K.
	Siva Raj, Rao Sahib N.

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PRESENT—cont.

Smith, C.I.E., I.C.S., Mr. E. Conran.	Thangal, Mr. P. M.
Sreshta, Mr. M. S.	Thomas, Mr. Daniel.
Srinivasa Ayyangar, Mr. T. O.	Thorne, C.I.E., I.C.S., Mr. J. A.
Srinivasan, Rao Bahadur R.	Vasudeva Pillai, Mr. V. G.
Sriramulu, Mr. G.	Venkatachala Reddiyar, Mr. K. C. M.
Stanes, Mr. F. J.	Venkatarama Ayyar, Mr. K. R.
Subbarayan, Dr. P.	Venugopal Nayudu, Rao Bahadur R. K.
Subrahmanya Chetti, Rao Sahib P.	Viswanatha Rao, Rao Bahadur V. N.
Subrahmanya Bhatt, Mr. U. C.	Wright, Mr. W. O.
Sundara Rao Nayudu, Mr. T.	Yakub Hasan Sahib Bahadur.
Syed Tajuddin Sahib Bahadur, Khan Sahib.	Zamindar of Bodinayakkanur.
	Zamindar of Mirzapuram.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Administration of Justice

Transfer of the Sankari District Munsif's Court at Salem to Sankari.

* 53 Q.—MR. K. A. NACHIYAPPA GOUNDER: Will the hon. the Law Member be pleased to state—

(a) whether the Government or the High Court received any representations for the transfer of the Sankari District Munsif's Court at Salem to Sankari itself;

(b) if so, what has been done with those representations; and

(c) what objections do the High Court or the Government have for transferring the said court to Sankari itself?

A.—(a) No such representations have been received by the Government and they have no information as to whether any were received by the High Court.

(b) & (c) Do not arise.

Forests

Withdrawal of forest concessions in the reserve areas of South Kanara.

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

(a) in which reserves in South Kanara the Government have so far withdrawn the concessions allowed to the ryots;

(b) in which other reserves they propose to withdraw the concessions hereafter; and

(c) whether they have considered the representations made against such withdrawal?

[2nd August 1933]

A.—(a) Concessions have been withdrawn from the following reserves:—

- | | |
|------------------|-------------------|
| (1) Guruvankota. | (8) Todar. |
| (2) Karniggadde. | (9) Nire. |
| (3) Kursevadde. | (10) Vorwardy. |
| (4) Harkur. | (11) Mavinguly. |
| (5) Chittoor. | (12) Kassankotti. |
| (6) Mudaregadde. | (13) Veeracomba. |
| (7) Hosabettu. | |

- (b) The concessions will be withdrawn gradually in all reserves.
(c) Yes.

MR. A. B. SHETTY:—“May I know, Sir, whether in view of the representations received from the various public bodies in South Kanara, the hon. the Law Member will be pleased to reconsider this matter and see what can be done?”

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“Unless new facts are placed before me, I am not prepared to reconsider the matter.”

MR. U. C. SUBRAHMANYA BHATT:—“May I know, Sir, as to why the Government should have thought of removing these concessions especially at this time when the ryot is suffering acutely from the general depression?”

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“As I stated, Sir, yesterday or the day before, the privileges were considerably abused.”

Representation from the Catholic Association regarding withdrawal of forest concessions to ryots.

* 55 Q.—MR. M. S. SRESHTA: Will the hon. the Law Member be pleased to state—

(a) whether a representation has been received from the South Kanara Catholic Association requesting that the Government Order withdrawing privileges enjoyed by the villagers in certain forests should be cancelled; and

(b) what action has been taken thereon?

A.—(a) Yes.

(b) The representations were carefully considered and it was decided that there were no grounds for cancellation of the order.

MR. M. S. SRESHTA:—“Will the hon. the Law Member be pleased to place on the table the memorandum received from the South Kanara Catholic Association?”

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“All the papers have been placed on the table. They are printed as appendix to the answer.”

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Mr. M. S. SRESHTA:—"That memorandum has not been printed. Will the hon. the Law Member please see that that memorandum is published, if it has not been already ordered to be published?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"Oh, yes. I have no objection."

Prisons and Prisoners

Number of political prisoners confined in jails on the 1st July 1933.

* 56 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Law Member be pleased to state—

(a) what the number is of political prisoners in jails on 1st July 1933;

(b) how many of them are yet to serve a term of more than six months; and

(c) how many of them were convicted in this Presidency and how many of them were brought from outside?

A.—(a) 480.

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

B. POCKER SAHIB Bahadur:—"May I know, Sir, whether it is not possible for the Government to get the information and furnish it to the House?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"Certainly it is possible, but I am afraid that it will not serve any useful purpose to obtain it. If, however, my hon. Friend is very particular, I shall consider the suggestion of getting it."

Inland Waterways

Expenditure on account of the maintenance of the Buckingham canal.

* 57 Q.—Mr. V. T. ARASU: Will the hon. the Member for Revenue be pleased to state—

(a) the number of boats, along with their total tonnage, that were plying for hire in the Buckingham Canal in the years 1900, 1910, 1920 and 1930; and

(b) the amount of money spent by the Government for keeping that canal in a state of repair in the years 1900, 1910, 1920 and 1930?

A.—(a)

Year.	Number of boats— cargo and passenger.	Total tonnage— cargo and passenger.
1900-01 ..	Not available.	159,015
1910-11 ..	Do.	281,943
1920-21 ..	2,012 *	142,284½
1930-31 ..	2,340 *	114,709½

* These figures include all kinds of boats that plied in the canal. Separate figures giving the number of boats that plied for hire, and of those belonging to Government departments and private individuals that did not ply for hire are not available.

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(b)—

Year.	Maintenance charges including special navigation establishment.
	RS.
1900-01	64,326
1910-11	60,244
1920-21	2,07,274
1930-31	2,49,160

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I know whether the Government have made any enquiry as to why there has been a diminution in the tonnage between 1920-21 and 1930-31?"

The hon. Sir ARCHIBALD CAMPBELL:—"No, Sir."

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I ask, Sir, whether the Government have seriously considered the question of improving the facilities for the boats moving about in this canal freely?"

The hon. Sir ARCHIBALD CAMPBELL:—"Certainly. In fact Government have endeavoured to carry out some improvements."

Irrigation

Action taken by the Government on the report of the Palar River Enquiry Committee.

* 58 Q.—Mr. V. M. RAMASWAMI MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) what steps the Government have taken on the preliminary report of the Palar River (failure of freshes) Enquiry Committee; and

(b) whether they propose to call for the meeting of the committee for the purpose of considering the situation?

A.—(a) The attention of the hon. Member is invited to the answer to question No. 546, dated the 3rd November 1931.

(b) The information called for from the Mysore Darbar at the instance of the Committee (vide answer to Question No. 588, dated the 3rd November 1931) has not yet been received. The Mysore Government have accepted a suggestion that a conference should be held between representatives of the Mysore and Madras Governments to settle certain outstanding irrigation disputes between the two Governments. The Palar case will be included among the items to be discussed. The question of calling for a further meeting of the Committee will be considered after the discussion.

[2nd August 1933]

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask, Sir, when the proposed conference of the representatives of the Madras and Mysore Governments will take place? "

The hon. Sir ARCHIBALD CAMPBELL:—" I cannot say exactly. We have written to the Mysore Government on the subject."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask why no answer has been received from the Mysore Government to the enquiry from this Government since the 3rd November 1931? "

The hon. Sir ARCHIBALD CAMPBELL:—" The matter has been under correspondence with the Mysore Government. We hope to have a conference in the matter. Till that conference is held, we are not in a position to take any further steps."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I know whether it is not a fact that the Palar Irrigation Committee submitted only a preliminary report and wanted further facts to be placed before them to come to final conclusions? "

The hon. Sir ARCHIBALD CAMPBELL:—" I believe so, Sir."

Provision of irrigational facilities to the Salem district from the Mettur Reservoir.

* 59 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Member for Revenue be pleased to state—

(a) whether any representations have been received by the Government about the feasibility of providing irrigational facilities to some parts of the Salem district from the Mettur Reservoir by means of pumping;

(b) whether the Government have considered such a scheme before; and, if so, with what result; and

(c) whether the Government propose to investigate into the feasibility or otherwise of such a scheme if they have not done it before; if not, why not?

A.—(a) & (b) No.

(c) The Chief Engineer for Irrigation will be consulted as to whether it is worth while ordering an investigation of the feasibility of the scheme suggested.

Progress of the high level channel scheme.

* 60 Q.—Mr. K. SINGAM AYYANGAR: Will the hon. the Member for Revenue be pleased to state—

(a) the stage at which the high level channel work is at present and whether the land acquisitions are over; and, if not, when they will be completed; and

(b) what the total extent provided in the present estimate for the high level channel scheme to be irrigated upon is?

[2nd August 1933]

A.—(a) About 19 miles of the high level channel have been excavated to the end of June 1933. The land acquisition is likely to be completed by the end of April 1934.

(b) 20,552 acres.

Land Revenue Administration

Pattas to houses in the Chintadripet division.

* 61 Q.—Mr. V. M. RAMASWAMI MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the practice of issuing pattas by the Collector to houses in the Chintadripet division of the Madras City has been discontinued and, if so, why;

(b) to whom such powers have been transferred;

(c) whether any protests or representations have been made against the new procedure;

(d) whether the Government are satisfied that the authority to whom such power has been transferred has made necessary arrangements for properly keeping records, copies, etc.; and

(e) whether it is a fact that the new authority is charging more fees than the Government used to do?

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

The Government have received no protests or representations relating to the procedure followed.

Local Self-Government

Dissolution of the Panchayat Board, Komarapalaiyam, Salem district.

* 62 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) on what grounds the Panchayat Board at Komarapalaiyam in Salem district was dissolved recently;

(b) on whose report such an action was taken;

(c) whether it is on the report of the President, Salem District Board;

(d) whether the Government were aware that the latter was interested in one of the parties there;

(e) whether the sitting president and some member of the panchayat put in their representations and, if so, whether their representations have been considered;

(f) whether it is a fact that the finances of the panchayat were well regulated during the regime of the sitting President Mr. J. K. Kandaswami Chettiyar;

(g) what the panchayat board, the taluk board and the district board said in the matter of dissolution of the said panchayat and whether copies of their resolutions will be placed on the table;

[2nd August 1933]

(k) why was not the matter ordered to be enquired into by an independent and disinterested authority such as the Collector or the Deputy Collector;

(i) who has been appointed as Special Officer after dissolution and on whose recommendation; and

(j) whether it is a fact that ordinarily men in regular service are taken for such offices instead of retired men?

A.—(a) The panchayat board was superseded and not dissolved. The grounds for supersession are set forth in G.O. No. 1473, L. & M., dated 12th April 1933, copy* of which is placed on the table.

(b) & (c) On receipt of several petitions from certain members of the panchayat board regarding the maladministration of the panchayat and serious irregularities on the part of the president and his supporters, Government caused an enquiry to be made by the President, District Board, Salem, and on his report took further action which the situation demanded.

(d) Government have received representations alleging that the enquiry conducted by the president of the district board was vitiated by personal bias.

(e) Yes.

(f) Government are not aware of the fact.

(g) Copies^b of the proceedings of the panchayat board, the taluk board and the district board are placed on the table.

(h) Government did not think that such a course was necessary.

(i) Mr. S. Ramachandra Ayyar, retired Revenue Inspector, was appointed as special officer on the recommendation of the president, district board.

(j) Not necessarily; the most suitable man available is selected for the post.

Alleged irregularities in the administration of the Tanjore Municipality.

* 63 Q.—Mr. V. T. ARASU: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that certain Councillors of the Tanjore Municipality have submitted a memorial to the Government in January or February last alleging certain grave irregularities in the administration of that municipality;

(b) whether the Government have directed the Collector of Tanjore to investigate into the same; and

(c) if so, whether they will place the report submitted by the Collector to the Government on the table of the House?

* Printed as Appendix I on page 237 infra.

^b Printed as Appendix II on pages 233–241 infra.

[2nd August 1933]

A.—(a) Government received a petition early in March last from certain councillors and other citizens of the municipality alleging certain irregularities in the municipal administration.

(b) & (c) The Collector was asked to make a detailed enquiry, only if, after obtaining the Chairman's remarks on the allegations, the Collector was convinced of the truth of at least some of the allegations. Government were satisfied on the report of the Collector, after a preliminary enquiry, that sufficient grounds did not exist for a detailed investigation. They see no need to place this report of the Collector on the table of the house.

B. POCKER SAHIB Bahadur:—"May I know, Sir, whether we are to take it that the word of the Chairman is to be the last word on the subject. I am asking with reference to clauses (b) and (c)?"

The hon. the RAJA OF BOBBILI:—"The Collector on his own enquiries satisfied himself that the allegations are not well founded and Government considered that sufficient grounds did not exist for a detailed investigation."

B. POCKER SAHIB Bahadur:—"Is it not clear from the answer that the Collector has not made any enquiry except to ask for some opinion from the Chairman and that he is precluded by the order of the Government from making any investigation?"

The hon. the RAJA OF BOBBILI:—"He had been asked to make an enquiry if he was satisfied that there was a case for such an enquiry. He has reported to the Government that in his opinion there is no necessity for an enquiry, and the enquiry has been dropped."

B. POCKER SAHIB Bahadur:—"Is it not clear from the answer that the Collector is asked not to make any enquiry unless he is satisfied from the Chairman's remarks alone that there is ground for investigation, that he called for the remarks of the Chairman alone and that there has been no investigation at all?"

The hon. the RAJA OF BOBBILI:—"It is for him to decide whether investigation is necessary. The Collector will be in possession of the facts of the case in order to satisfy himself as to whether there should be an enquiry."

Mr. BASHEER AHMED SAYEED:—"May I know, Sir, what the nature is of the grave irregularities complained of?"

The hon. the RAJA OF BOBBILI:—"I am afraid I must ask for notice if I am to give a list of all the allegations."

B. POCKER SAHIB Bahadur:—"The opinion of the Chairman and that of the Collector thereon conclude the matter, I take it. Is it so?"

The hon. the RAJA OF BOBBILI:—"The Collector reported to the Government that there is no case for an enquiry."

[2nd August 1933]

Resolutions of certain Municipal Councils restricting the issue of licences only to coffee hotels accessible to all castes.

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

(a) whether it is a fact that the Salem, Virudunagar, Pollachi and Coimbatore Municipal Councils have passed resolutions that licences would be issued only to those coffee hotels where everybody may go freely without caste distinction; and

(b) if so, what action was taken by the Government on this matter?

A.—(a) Yes, in the case of the Salem Municipal Council. In the other cases the Government have no information.

(b) The hon. Member is referred to the answer given to clause (c) of Question No. 12.

Rao Sahib V. I. MUNISWAMI PILLAI:—“ In the answer to clause (a) it is stated that in the other cases the Government have no information. Will the Government be pleased to call for the information and let us know whether there has been any breach of the peace as a result of allowing members of the depressed classes into the coffee hotels? ”

The hon. the RAJA OF BOBBILI:—“ I shall call for the information if the hon. Member wants it.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I know whether the hon. Minister, since sending the answer to this question, referred the matter to the Advocate-General as to whether the Councils are competent to pass such resolutions? ”

The hon. the RAJA OF BOBBILI:—“ It has not been possible to do so as the Advocate-General has been absent from Madras.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I ask whether that matter may be put before him when he returns to Madras? ”

The hon. the RAJA OF BOBBILI:—“ I shall certainly do so.”

Education

Reduction in the number of representatives of the Salem Municipal Council on the District Educational Council.

* 65 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether it is a fact that the number of members allowed to represent the Salem Municipal Council on the District Educational Council, Salem, was reduced from two to one;

(b) if so, why and on what considerations;

(c) whether it is a fact that the Municipal Council of Salem has elected a second member for the District Educational Council recently;

(d) when that election was made, what orders the Government have passed in the matter and the date of such orders;

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(e) whether each of the municipalities in the Presidency is allowed to elect only one member to the District Educational Council concerned or whether any of the municipalities are allowed more than one member and, if so, which they are and on what basis; and

(f) whether the number of seats allowed for the taluk boards in the Presidency which are not bifurcated has been reduced to one and, if so, on what basis?

A.—(a) Yes.

(b) Where municipalities formerly elected two members to these Councils their representation has now been reduced to one. This reduction is due to the necessity for giving new taluk boards representation on District Educational Councils without at the same time unduly increasing the size of these Councils.

(c) Yes.

(d) This election was made on 14th October 1932 and on the 8th December following Government passed an *interim* order to the effect that the question of a re-allocation of seats was then under consideration and that orders calling on local authorities to elect the prescribed number of members to the District Educational Council would be issued in due course. Orders having been subsequently passed reducing the number of seats to be filled up by the Salem Municipal Council, among others, to one, the President was informed on 24th April of this year that the particular election by the Municipal Council, Salem, could not be notified.

(e) No mufassal Council is allowed to elect more than one member to the District Educational Council.

(f) Not in all cases. For details as to the representation allowed to individual taluk boards, the attention of the hon. Member is invited to G.O. No. 355, Education, dated the 4th March 1933, which was placed on the table of the House on the 17th March last.

Rao Sahib V. I. MUNISWAMI PILLAI:—“ With reference to the answer to clause (c) may I know why this disability has been put on the Ootacamund Municipal Council by reducing the number of its representation from 2 to 1? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I do not know whether it arises out of this question. If it does, Sir, I want notice.”

Mr. BASHEER AHMED SAYEED:—“ May I know, Sir, how long these district educational councils will continue to function? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ As long as we allow the Elementary Education Act to remain on the statute book as it is.”

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Mr. V. M. RAMASWAMI MUDALIYAR:—" May I know whether it is a fact that members of the district educational councils are not elected at one and the same time but vacancies are filled up irregularly as and when they arise? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I think it is so."

Mr. ABDUL HAMEED KHAN:—" May I know whether the hon. Minister contemplates to bring in a measure in this House to see that these councils are modified or do not exist? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I do not think any such measure is under contemplation."

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know whether the representation given to the taluk boards is adequate to the number of schools they are managing? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" That question was recently examined and we have fixed the number of members with reference to the number of schools under these taluk boards."

Mr. BASHEER AHMED SAYEED:—" Was there any report before the Government at any time suggesting the abolition of these district educational councils? If so, at what stage is the consideration of this report? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" The question was considered by my predecessor, Dr. Subbarayan, and it was decided then that it was undesirable to abolish these district educational councils."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I know whether the Government will consider the question of having the members of the district educational councils elected at the same time as is done in the case of local bodies instead of at irregular intervals? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I shall consider whether this will be a step in the right direction."

Industries

Manufacture of ceramic wares on a commercial scale.

* 66 Q.—Mr. M. S. SRESHTA: Will the hon. the Minister for Education and Excise be pleased to state—

(a) with reference to his answer to question No. 614 (b) of 27th February 1933 (vide page 178 of volume 65, No. 3) whether it has been found that ceramic wares can be made locally on a commercial scale; and

(b) whether porcelain insulators for high voltages can be made locally?

A.—(a) Manufacture on a commercial scale has not been attempted.

(b) This can only be ascertained after further investigation and experiment.

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Mr. M. S. SRESHTA:—" With reference to clause (b) of my question, may I know whether further investigation and experiment will be made? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" It is not possible, Sir. The services of the ceramic expert who was employed hitherto have been dispensed with, as a measure of retrenchment."

Mr. M. S. SRESHTA:—" Does not the hon. Member consider that, in view of the fact that this investigation has not been made, it is desirable to obtain the services of the expert again? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I am afraid not, unless the financial conditions improve."

Manufacture of distemper in South Kanara.

* 67 Q.—Mr. M. S. SRESHTA: Will the hon. the Minister for Education and Excise be pleased to state whether experiments have been made with a view to ascertain whether the clay plentifully available in South Kanara, Malabar and other districts is suitable for the manufacture of distemper?

A.—The answer is in the negative.

Mr. M. S. SRESHTA:—" Is the hon. Member aware that in Ceylon the Public Works Department is making experiments to find out whether distemper cannot be made locally? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I do not know, Sir."

Mr. M. S. SRESHTA:—" Will the hon. Minister be pleased to call for information? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Yes, Sir, if I am satisfied as to its necessity."

[For further list of starred questions, please see pages 161 and 181 infra.]

UNSTARRED QUESTIONS

Administration of Justice

Applications from Viswa-Brahmans for nomination as Honorary Magistrates in the city and in the mufassal.

68 Q.—Rao Sahib Pandit GANALA RAMAMURTI: Will the hon. the Law Member be pleased to state—

(a) how many applications were received by the Government from the members of the Viswa-Brahman community since 1920 in the matter of nomination of the community as Honorary Bench Magistrates in the city and special or Bench Magistrates in the mufassal; and

(b) how many of them were appointed as such along with their names and localities?

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A.—(a) & (b) The collection of the information is extremely difficult and the Government do not consider that any public purpose will be served by it.

Forests

Time-scale of pay for Forest Range Officers.

69 Q.—Mr. M. B. RANGASWAMI REDDI: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that the Government are considering the question of fixing a time-scale of pay to the Forest Range Officers; and
(b) in what stage the question is?

A.—(a) & (b) The Government have considered the question and have fixed a time-scale for the V Grade, the first four grades being on fixed pay.

Prisons and Prisoners

Prevalence of dysentery in the Central Jail at Trichinopoly.

70 Q.—Mr. M. B. RANGASWAMI REDDI: Will the hon. the Law Member be pleased to state—

(a) how many Civil Disobedience prisoners were in Trichinopoly jail in 1932;
(b) how many were affected by dysentery;
(c) how many died;
(d) whether the doctors visited the jails properly when dysentery was prevalent;
(e) if the answer is in the negative, the reason for the same;
(f) whether it is a fact that the prisoners suffering from dysentery were not supplied with bedding for three days;
(g) if so, the reasons therefor;
(h) whether Mr. Neelakanta Ayyar was one of such prisoners;
(i) whether Mr. M. R. Subrahmanya Ayyar of Madura was affected by dysentery;
(j) whether he was released for medical reasons as the result of dysentery by the end of April 1933 before the end of his term of imprisonment;
(k) why he was not properly attended to before;
(l) whether it is a fact that as per jail rules, doctors should sleep in the jail hospitals during nights;
(m) whether water is supplied to prisoners with the help of machinery and the number of pumps installed; and
(n) whether it is a fact that though there are two machines, the prisoners experience much difficulty for bathing?

A.—(a), (d) to (k), (m) & (n) The Government have no information but have called for it.

(b) 32.

(c) 1.

(l) The hon. Member is referred to rule 66 of the Madras Jail Manual.

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Release of Mr. O. T. P. Ramayya Nadar, a Civil Disobedience Prisoner of Virudunagar.

71 Q.—Mr. M. B. RANGASWAMI REDDI: Will the hon. the Law Member be pleased to state—

(a) whether political prisoners have been released before their time without any reason in this Presidency;
(b) if so, how many have been released and under what Act;
(c) why was Mr. O. T. P. Ramayya Nadar, Seventh Dictator, Virudunagar, convicted by the Subdivisional Magistrate, Sattur, for two years' rigorous imprisonment and Rs. 1,000 fine, released all on a sudden;
(d) why was the fine of Rs. 1,000 not refunded proportionately; and
(e) whether his fine has been reduced, and if so, when it will be refunded?

A.—(a) The sentences of some Civil Disobedience prisoners have been suspended. Each case was considered and decided on its merits.
(b) The sentences of 263 Civil Disobedience prisoners were suspended till the 14th July 1933. Action was taken under section 401, Criminal Procedure Code.
(c) The Government carefully considered the case of Mr. O. T. P. Ramayya Nadar and in the exercise of their discretion suspended his sentence.
(d) No portion of the fine was paid or collected.
(e) Does not arise.

[For further unstarred question please see page 180 infra.]

STARRED QUESTIONS

Law and Order—General

Release of political prisoners in the Presidency.

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

(a) the number of political prisoners in the various jails in the Presidency;
(b) the number that was released during the last two months stating the number of those that had completed their terms and those that were released before they completed their term of imprisonment; and
(c) whether the Government are proposing to release the political prisoners before their terms of imprisonment are completed and if so, by what date and whether all of them would be released?

A.—(a) The number of civil disobedience prisoners in jail on the 30th June was 480.

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- (b) The total number released during the months of May and June was 336. Of these, 144 were prematurely released before the expiry of their terms of imprisonment, including 7 who were released on tendering apologies. The remainder, namely 192, were released on the expiry of their terms of imprisonment in the ordinary course.
- (c) The Government will continue to use their discretion in the matter.

Mr. ABDUL HAMEED KHAN:—" May I know, Sir, whether the Government are contemplating the release of the remaining political prisoners at an early date? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" Not at an early date. In fact the Government are considering each case on its own merits."

Mr. ABDUL HAMEED KHAN:—" May I request the hon. the Law Member to consider the case of such of those prisoners, as for instance the members of the Sitanagaram Ashram, who have been sentenced to long terms of imprisonments of three years and so on, as early as possible? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I am afraid I cannot make any promise. I shall consider the suggestion."

Forests

Withdrawal of forest concessions in the South Kanara district.

* 73 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the hon. the Law Member be pleased to state—

(a) whether the Government or the Collector of South Kanara have received representations from the people of Kargal and other villages of Coondapoor taluk and from other villagers of other taluks regarding the cancellation by the Conservator of Forests, Madras, of the privileges enjoyed by the villagers of this district from time immemorial to remove firewood, manure leaves and other forest produce for their daily agricultural and domestic purposes from the reserve forests;

(b) if so, whether the Government will be pleased to place such representations on the table of the House as well as a copy of the proceedings of the Conservator of Forests cancelling the said privileges;

(c) whether it is a fact that when on a former occasion the forest authorities obstructed the villagers in the exercise of their privileges, the Government on the representation of the villagers recognized the said privileges and granted them the concessions of taking green manure leaves, dried leaves, thorn, brushwood and other forest produce from all trees except classified trees in the reserve forests of South Kanara;

(d) if so, whether the Government will be pleased to place a copy of the said Government Order on the table of the House and state how the conditions have now changed; and

(e) why the Chief Conservator of Forests cancelled the said privileges?

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A.—(a) Yes.

(b) Copies * of the representations as well as a copy * of the proceedings of the Chief Conservator of Forests No. 560, dated 17th December 1930, on which the Conservator's proceedings are based are placed on the table.

(c) & (d) If the hon. Member could give more definite details about the representations made his request for further information and for the publication of the orders of Government on those representations will be considered.

(e) The concessions were withdrawn because they were much abused. They were granted on the specific condition that they would be withdrawn if they were abused.

Mr. U. C. SUBRAHMANYA BHATT:—" May I know, Sir, why the Collector of South Kanara refused to grant interview to the petitioners and the landholders? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I am afraid I cannot give an answer to that question, because I have had no communication from the Collector of South Kanara on that point."

Mr. U. C. SUBRAHMANYA BHATT:—" May I know whether the administration of the forests was going on satisfactorily when the concessions were given and were in operation? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" They were working satisfactorily till recently; when the concessions were abused, they were stopped."

Mr. A. B. SHETTY:—" May I request the hon. the Law Member to place on the table the report received from the Chief Conservator regarding the alleged abuse of these concessions? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I shall consider the suggestion. I cannot make a promise."

Mr. U. C. SUBRAHMANYA BHATT:—" May I know what exactly was the nature of the abuses on the part of the villagers? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" They are very many. I shall just give an illustration. One of the concessions given was that people might remove dead fuel from the forests without any payment. They cut down green trees for the purpose of converting them into dead fuel. Again, the forest was set on fire by some of the graziers."

Mr. U. C. SUBRAHMANYA BHATT:—" May I know whether an opportunity will be given to the villagers to prove how far they are innocent in the matter? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" Opportunities were given. A special notification stating that the people were at liberty to send in their representations to Government was published. The department waited to receive these representations. But they were not received in time."

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Mr. U. C. SUBRAHMANYA BHATT:—" May I know whether there was any publication of this notification in the villages? "

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

Prisons and Prisoners

Supply of buttermilk to prisoners in jails.

* 74 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Law Member be pleased to state—

(a) whether orders have been passed for the supply of buttermilk to the prisoners in jails;

(b) if so, whether it is in respect of political prisoners alone or to all the prisoners;

(c) whether a copy of such an order, if any, will be placed on the table;

(d) if orders have not been passed, at what stage the matter is and when final orders are likely to be passed; and

(e) whether there are proposals to supply ghee also to the prisoners, or to the political prisoners at least?

A.—(a) No.

(b) & (c) Do not arise.

(d) The question is under consideration.

(e) Ghee is already provided in the dietary of A and B class prisoners. There is no proposal to supply ghee to C class prisoners.

B. POCKER SAHIB Bahadur:—" May I know how many years it will take for the Government to issue the orders regarding supply of buttermilk to the prisoners in view of the promise of the hon. the Law Member made on the floor of the House at the time of the Budget discussion? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" It will not take years. I want to expedite the matter. I have called for a detailed report from the Inspector-General of Prisons."

Mr. ABDUL HAMEED KHAN:—" I hope that this order will be issued before the last prisoner is released."

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I hope so."

B. POCKER SAHIB Bahadur:—" May I know at least how many months it may take, Sir? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I cannot say."

Land Revenue Administration

Balance of uncollected land revenue districtwar in the Presidency for fasli 1342.

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

(a) what the uncollected balance of land revenue of fasli 1342 is in each district of this Presidency;

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(b) what percentage this sum works out to the total demand in each district; and

(c) what number of processes have been issued for collecting arrears in each district?

A.—(a) & (b) A statement* giving the particulars required is attached.

(c) The Government have not yet received the information.

Alleged grievances of the ryots of Udaiyarpalaiyam zamin.

* 76 Q.—Mr. V. T. ARASU: Will the hon. the Member for Revenue be pleased to state— 11-15 a.m.

(a) whether the Udaiyarpalaiyam zamin ryots have on the 18th of January last submitted a memorial to the Collector of Trichinopoly stating their grievances;

(b) whether the Collector has himself enquired into or at least caused an enquiry to be made into the same; and

(c) if so, whether the Government will be pleased to lay on the table a copy of the memorial submitted by the ryots along with the report of the Collector thereon?

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

(c) The question does not arise.

Mr. BASHEER AHMED SAYEED:—" May I ask whether the Government will call for the information as to whether any memorial has been submitted to the Collector and whether he has taken any action thereon? "

The hon. Sir ARCHIBALD CAMPBELL:—" I do not think it is necessary to call for any further information than what we have already. I am going to Trichinopoly within a few days and I will have a conversation on the subject with the Collector."

Mr. BASHEER AHMED SAYEED:—" May I know whether any opportunities will be given to the zamin ryots to place before the hon. Member their grievances? "

The hon. Sir ARCHIBALD CAMPBELL:—" I have had no request from the ryots to see me on the subject."

Mr. BASHEER AHMED SAYEED:—" In view of the talk the hon. Member is going to have, will he be pleased also to send for some ryots? "

The hon. Sir ARCHIBALD CAMPBELL:—" No, Sir."

Removal of the cut in the salaries of village officers and menials.

* 77 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the hon. the Member for Revenue be pleased to state whether the Government contemplate the removal of the cut in the salaries of village officers and menials at an early date?

[2nd August 1933]

A.—The attention of the hon. Member is invited to the answer to clauses (f) and (g) of question No. 539 answered on 24th February 1933 from which it will be seen that the reduction in the pay of village officers and menials ordered in the Government Order appended to the answer to the said question is to be permanent. The reduction did not apply to village officers and servants who held the posts at the time of the reduction was introduced.

Minor Irrigation

Construction of a permanent structure at Jedarpalayam for the diversion of the waters of the Cauvery into the Jedarpalayam channel.

* 78 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Member for Revenue be pleased to state—

(a) whether there are any proposals to put up a permanent structure at Jedarpalayam in the Namakkal taluk of the Salem district to divert water from the Cauvery into the Jedarpalayam channel;

(b) if so, what they are; and

(c) whether the Government are aware that the existing temporary Korambu there is washed away often and results in failure of water in the channel very often and that too at critical times?

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

(c) The Government are not aware that the facts are as suggested.

Reforms

Elections to the new Reformed Council.

* 79 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Member for Revenue be pleased to state—

(a) when the elections for the new Reformed Legislative Council are likely to come;

(b) when the electoral rolls for the same are to be got ready;

(c) what the qualifications of a voter are for the general as well as the landholders' constituency; and

(d) in what way the constituencies are distributed in each district?

A.—(a) & (b) The Government are not yet in a position to say.

(c) The attention of the hon. Member is invited to section I of Part I of Appendix V to the White Paper.

(d) No definite decision has as yet been arrived at as to the manner in which constituencies should be delimited.

[2nd August 1933]

Mr. ABDUL HAMEED KHAN:—"Is it not a fact, Sir, that the Government of Madras have been consulted as to whether this Government is ready for the purpose of election if the election takes place at the end of this year?"

The hon. Sir ARCHIBALD CAMPBELL:—"I do not recollect any such consultation."

Mr. ABDUL HAMEED KHAN:—"Is the Government in correspondence with the Home Government with regard to the delimitation of constituencies?"

The hon. Sir ARCHIBALD CAMPBELL:—"We have had no more consultation than what is at the disposal of everybody. I think it is a well-known fact that we have prepared, as far as we can, the materials on which constituencies can be limited. It is not possible to take any further measures at the present time."

Mr. ABDUL HAMEED KHAN:—"Will the hon. the Member for Revenue be pleased to place on the table of the House the manner in which Government propose to delimit the constituencies?"

The hon. Sir ARCHIBALD CAMPBELL:—"We have not got any proposals."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"May I know whether this Council will be given an opportunity to consider the proposals of Government?"

The hon. Sir ARCHIBALD CAMPBELL:—"I cannot undertake to promise that."

Mr. BASHEER AHMED SAYEED:—"May I know whether the representatives of the Muslim community in this Council will be consulted before action is taken on the delimitation of constituencies?"

The hon. Sir ARCHIBALD CAMPBELL:—"I cannot make any promise, but the suggestion will be considered."

Mr. ABDUL HAMEED KHAN:—"Is it not a fact that Government have consulted the representatives of other communities on the matter?"

The hon. Sir ARCHIBALD CAMPBELL:—"I am not aware of that, Sir, beyond what was done in connexion with the local Franchise Committee."

Mr. ABDUL HAMEED KHAN:—"May I know whether it is not a fact that the hon. Member has consulted representatives of the Depressed Classes regarding delimitation of constituencies?"

The hon. Sir ARCHIBALD CAMPBELL:—"I have no recollection of having done that."

B. POCKER SAHIB Bahadur:—"Was there any informal consultation between the Chief Secretary and the representatives of the Depressed Classes?"

The hon. Sir ARCHIBALD CAMPBELL:—"I must ask for notice."

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Commerce

Representation by the Malabar Chamber of Commerce in regard to the import of Japanese rice.

* 80 Q.—MR. A. B. SHETTY: Will the hon. the Member for Finance be pleased to state—

(a) what representation has been made to the Government by the Malabar Chamber of Commerce in regard to the attempted import of Japanese rice into the West Coast; and

(b) what action has been taken by the Government in the matter?

A.—(a) & (b) No representation has been received by the Government.

MR. A. B. SHETTY:—“ Was any inquiry made by the Government in regard to this matter? ”

THE HON. MR. H. G. STOKES:—“ I do not think. No, Sir, Government have not made any enquiry.”

MR. A. B. SHETTY:—“ May I know whether the Government will be pleased to make an enquiry? ”

THE HON. MR. H. G. STOKES:—“ Government will consider the suggestion.”

B. POCKER SAHIB Bahadur:—“ Has the Government come to know, Sir, that Japanese rice is being imported? ”

THE HON. MR. H. G. STOKES:—“ No, Sir.”

Provincial Finance

Extent of savings due to revised scales of pay.

* 81 Q.—MR. M. S. SRESHTA: Will the hon. the Member for Finance be pleased to state what saving there will be in the current year by reason of the introduction of the revised scales of pay for the provincial services?

A.—The savings in the current year will be practically ‘ nil ’ in view of the fact that the Government have, in deference to the views of the hon. Members of the Legislative Council expressed in the debate on the revision of salaries on 11th March 1933 allowed the following concessions, which will enable a large number of officers, the scales of pay of whose posts have been revised, to continue on the existing scales:—

- (1) Every officer who was in the service of Government before 15th August 1931 in a substantive, officiating or temporary capacity shall be entitled to the existing scales of pay in respect of any post which he holds or may hold, if he had held such post whether in a substantive, officiating or temporary capacity or had been a probationer therefor at any time before 13th April 1933, irrespective of any break in his tenure of such post.

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- (2) Officers who were not in service on 15th August 1931 will draw the difference between their pay in the old scale on 13th April 1933 and that in the new scale as a personal pay to be absorbed in increments.

MR. M. S. SRESHTA:—“ May I know whether the members of Provincial Services will lose considerably in their prospects by reason of the revision of the scales of salary? ”

THE HON. MR. H. G. STOKES:—“ In the sense that they will not get as much as they used to get.”

MR. M. S. SRESHTA:—“ Is it proposed to pay any compensation to the members of the Provincial Services for the loss of their prospects? ”

THE HON. MR. H. G. STOKES:—“ People who will be affected by the reduction will be the new entrants.”

MR. M. S. SRESHTA:—“ Even with regard to the old entrants when they get promoted they have got to enter on the revised scale? ”

THE HON. MR. H. G. STOKES:—“ They will have to in some cases.”

MR. M. S. SRESHTA:—“ In that case will the Government consider the desirability of paying compensation for the loss of prospects of these members of the Provincial Services? ”

THE HON. MR. H. G. STOKES:—“ No, Sir.”

Local Self-Government

Collection of taxes on motor vehicles.

* 82 Q.—MR. A. B. SHETTY: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the amount of provincial taxation on motor vehicles collected in each district last year; and

(b) the amount of toll compensation paid to each district board last year?

A.—(a) & (b) A statement* is laid on the table of the House.

MR. A. RANGANATHA MUDALIYAR:—“ In the appendix I find that in the case of Ganjam a compensation of Rs. 51,970 has been paid as against a tax collection of Rs. 58,316 while in the case of Vizagapatam only Rs. 87,500 has been given as against a collection of Rs. 1,48,554. May I know the principle on which this distribution was made? ”

THE HON. THE RAJA OF BOBBILI:—“ Sir, the amounts were fixed according to the income each district realized at the time of the passing of the Motor Vehicles Act. I believe that part of the difference is due to the fact that the first column includes amounts paid to municipalities.”

[2nd August 1933]

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—" May I know if the whole of the tax has been collected or whether there are still any arrears left? "

The hon. the RAJA OF BOBBILI:—" There may be small arrears but I do not think there are any substantial arrears."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—" With regard to item No. 28, were the taxes paid on behalf of the non-gazetted police officers or were they anticipated? "

The hon. the RAJA OF BOBBILI:—" So far as I am aware Government have paid. For details I must ask for notice."

Mr. ABDUL HAMEED KHAN:—" May I know how the hon. Minister accounts for the fact that there are certain districts which get more compensation than the amounts collected in their areas? "

The hon. the RAJA OF BOBBILI:—" I am not aware of the fact. I believe these were fixed taking into consideration the income of each local body at the time of the passing of the Act."

Mr. A. RANGANATHA MUDALIYAR:—" May I take it that so far as these amounts are concerned, one and the same uniform principle has been observed in distribution to the local bodies? "

The hon. the RAJA OF BOBBILI:—" There has been no departure, Sir."

Mr. U. C. SUBRAHMANYA BHATT:—" May I know why only Rs. 35,000 were paid to South Kanara while Rs. 1,77,000 were collected from South Kanara? "

The hon. the RAJA OF BOBBILI:—" As already stated, the amount was in respect of previous averages."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—" May I know if the collection exceeds the compensation paid and why there is the disparity? "

The hon. the RAJA OF BOBBILI:—" Sometimes some amounts are paid to municipalities and some amounts for collection expenses and if there is any balance it will be adjusted next year."

Mr. U. C. SUBRAHMANYA BHATT:—" May I know why Rs. 35,000 was the amount fixed for South Kanara? "

The hon. the RAJA OF BOBBILI:—" I must ask for notice."

Mr. ABDUL HAMEED KHAN:—" May I ask whether seven lakhs was collected from the City of Madras? "

The hon. the RAJA OF BOBBILI:—" The question asked for information with regard to the district boards only."

Public Health

Provision of a protected water-supply to the Yedapady Panchayat, Salem district:

* 83 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether there is any proposal to provide a protected water-supply to the Yedapady Panchayat in the Salem district;

[2nd August 1933]

(b) if so, at what stage it is and when it can be achieved; and

(c) what the population of that panchayat is and what the present source of water-supply for that town is?

A.—(a) & (b) The Sanitary Engineer reports that plans and estimates for the Yedapady water-supply scheme were prepared by the District Board Engineer's staff and sent to him for sanction; that they were returned to the District Board Engineer in August 1932, for revision and retransmission to his office and that nothing further has been heard since.

(c) The population of the panchayat is 6,621. The principal sources of water-supply at Yedapady are reported to be two infiltration wells in the bed of the Sarabanga Nadhi.

Religious and Charitable Endowments

Continuance of the 10 per cent cut in the salaries of the Commissioners of the Hindu Religious Endowments Board.

* 84 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the hon. the Minister for Local Self-Government be pleased to state whether it is a fact that the 10 per cent cut in the salaries of Religious Endowments Commissioners is still continued; if so, why?

A.—The question whether the cut in salaries should be continued or removed is under consideration in connexion with the budget of the Hindu Religious Endowments Board for the current fasli. The cut is only 5 per cent.

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know why the Government continued the cut in respect of the salaries of the Commissioners of the Religious Endowments Board when other departments had restored the cut? "

The hon. the RAJA OF BOBBILI:—" The cut has been continued because the financial position of the Board has not sufficiently improved. The matter is now under consideration."

Mr. BASHIR AHMED SAYEED:—" May I know which is the authority that imposes cuts in salary of the Endowments Commissioners? "

The hon. the RAJA OF BOBBILI:—" Government."

Mr. V. M. RAMASWAMI MUDALIYAR:—" Is it not a fact that the finances of the Board would not permit the repayment of the loan taken by the Endowments Board? "

The hon. the RAJA OF BOBBILI:—" After the recent amendment there has been substantial improvement in the financial conditions and the Board will be able to repay the loans."

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know whether the other departments whose cuts have been removed are self-supporting? "

The hon. the RAJA OF BOBBILI:—" The question does not arise."

[2nd August 1933]

Agriculture

Result of the enquiry by the Government into the slump in the price of rice.

* 85 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Public Works be pleased to state the result of the enquiries made by the Government regarding the slump in the price of rice in this Presidency?

A.—It is presumed that the hon. Member refers to the report of the Joint Registrar of Co-operative Societies who was deputed to Tanjore to investigate and report on the improvement of marketing facilities for rice from the Tanjore district. At the instance of the Local Government, the South Indian Railway has reduced the freight rates to Ceylon as a trial measure for six months till 9th October 1933. Intra-provincial rates for distances over 175 miles have also been reduced. The other matters connected with the report are under the consideration of the Government.

Mr. A. B. SHETTY:—“ May I know whether any enquiry has been made in regard to the slump in the price of rice in the Presidency? ”

The hon. Mr. P. T. RAJAN:—“ I want notice.”

Prevalence of coconut pest in South Kanara.

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

(a) whether the coconut pest is now prevalent in South Kanara and, if so, in which places; and

(b) what action the Government are taking in this matter?

A.—(a) The coconut pest is prevalent in a mild form along the coast. In a few villages of the Mangalore, Udipi and Coondapoor taluks a fair amount of damage was noticed before the rains. During the monsoon, the pest is reported to subside to a great extent.

(b) In May last the Government Entomologist visited several centres in the district and the Deputy Director the badly affected area in Mangalore and they advised garden owners to cut and burn the affected leaves. The local demonstrators are carrying on propaganda work for cutting affected leaves.

Mr. A. B. SHETTY:—“ Besides the carrying on of propaganda do the Government propose to take any action to stop the coconut pest in South Kanara? ”

The hon. Mr. P. T. RAJAN:—“ For the time being no other action.”

[2nd August 1933]

Disposal of lands belonging to the Chintaladevi farm.

* 87 Q.—Khan Bahadur YAHYA ALI SAHIB Bahadur: Will the hon. the Minister for Public Works be pleased to state—

(a) whether the lands and buildings pertaining to the Chintaladevi farm in Nellore district have been disposed of; and

(b) if so, at what cost; and, if not, why not?

A.—(a) No.

(b) The farm lands have been leased out temporarily and the inspection bungalow handed over to the Public Works Department. The final disposal of the land and buildings has been deferred as the offers received for the land were not satisfactory.

Mr. A. RANGANATHA MUDALIYAR:—“ May I know what arrangement is under contemplation better than what has been existing till now? ”

The hon. Mr. P. T. RAJAN:—“ If people are in a position to offer better terms, the matter will be considered.”

Mr. A. RANGANATHA MUDALIYAR:—“ Have the Government published their intention that they are open to better offers? ”

The hon. Mr. P. T. RAJAN:—“ I believe on two occasions offers were made to Government but could not be accepted.”

Mr. A. RANGANATHA MUDALIYAR:—“ After rejecting these offers may I know whether the Government are still open to receive offers and have made known the fact to the public? ”

The hon. Mr. P. T. RAJAN:—“ The Government is always prepared to receive offers, Sir.”

Civil Veterinary Department

Veterinary Officers employed in the Salem district.

* 88 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Minister for Public Works be pleased to state—

(a) how many veterinary hospitals are working in Salem district and in which places;

(b) how many touring Veterinary Officers are employed in that district and which the headquarter of each of such officers is;

(c) what the minimum number of days is a touring Veterinary Officer has to tour in a month; by whom their diaries are checked and their work inspected; and

(d) how many veterinary hospitals and touring Veterinary Officers are there in each district?

A.—(a) Four. Veterinary hospital at Salem and Veterinary dispensaries at Namakkal, Tiruchengodu and Krishnagiri.

(b) Four. Salem, Namakkal, Dharmapuri and Hosur. The Assistant in charge of the Veterinary dispensary at Tiruchengodu is also touring in that taluk.

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(c) The Assistant should tour for at least 20 days in a month. The District Veterinary Officer checks his diary, and inspects his work.

(d) The attention of the hon. Member is invited to Appendices III and IV to the Administration Report of the Madras Civil Veterinary Department.

Co-operation

Principles guiding the selection of Sub-Deputy Registrars of Co-operative Societies.

* 89 Q.—MR. M. DEVADASAN: Will the hon. the Minister for Public Works be pleased to state—

(a) whether there was a selection of Sub-Deputy Registrars of Co-operative Societies;

(b) if so, when; and

(c) what the principle is of the selection of the candidates for the posts?

A.—(a) & (b) The hon. Member presumably refers to selection by the Madras Services Commission of candidates for direct recruitment as Sub-Deputy Registrars of Co-operative Societies. The recent selection was made by the Commission early in 1933.

(c) 50 per cent of the permanent vacancies in the grade of Sub-Deputy Registrars are filled up by direct recruitment and the remaining 50 per cent by promotion from the class of senior inspectors. The selection is made subject to the terms and conditions specified in the rules relating to the service and in accordance with rule 5 of general rules for Subordinate Services relating to communal rotation.

Selection of Sub-Deputy Registrars of Co-operative Societies from among the Depressed Class Christians.

* 90 Q.—MR. M. DEVADASAN: Will the hon. the Minister for Public Works be pleased to state—

(a) how many candidates applied for the recent selection of Sub-Deputy Registrars of Co-operative Societies;

(b) how many of them were Christians;

(c) how many of them were depressed classes;

(d) who were the candidates chosen;

(e) whether any members of the depressed classes were chosen for the appointments;

(f) whether there were depressed class Christians among the candidates; and

(g) if so, why they were not selected?

[2nd August 1933]

A.—(a) The selection was open to communities other than the Brahman and the Non-Brahman (Hindu). The total number of qualified applicants was 80.

(b) The number of qualified Christians including Anglo-Indians was 47.

(c) There was only one qualified candidate from the Depressed Classes among the applicants.

(d) & (e) The following candidates were selected by the Madras Services Commission:—

Muhammadans—

(1) Muhammad Himayathullah.

(2) Makhdoom Mohiuddin.

Indian Christians, Anglo-Indians or Non-Asiatics—

(1) C. Joseph Reddi.

(2) V. G. Mohimohan.

Any other community including depressed classes—

(1) V. K. Appandarajan.

(2) G. C. Narasimhulu.

(f) & (g) Government have not the information.

MR. M. D. DEVADASAN:—“I find in answer to (d) and (e), there is one Joseph Reddi. May I know whether he is a Christian?”

The hon. Mr. P. T. RAJAN:—“From the name one can come to that conclusion.”

MR. M. DEVADASAN:—“May I know, Sir, whether Reddi is a Christian?”

The hon. Mr. P. T. RAJAN:—“Joseph is a Christian name.”

MR. P. V. KRISHNAYYA CHOUDARI:—“May I know whether Malas and Madigas can become Christians?”

The hon. Mr. P. T. RAJAN:—“They can become Christians if they want.”

MR. P. V. KRISHNAYYA CHOUDARI:—“Similarly, cannot a Reddi become a Christian?”

MR. M. DEVADASAN:—“Will the Government call for information with reference to (f) and (g)?”

The hon. Mr. P. T. RAJAN:—“It is very difficult to get information from all the candidates.”

MR. M. DEVADASAN:—“May I know whether the Government are aware that there is great discontent among the Depressed Class Christians that their claims have been ignored?”

The hon. Mr. P. T. RAJAN:—“Government are not aware of it.”

[2nd August 1933]

Junior Inspectors of Co-operative Societies ousted from service in 1931 and 1932.

* 91 Q.—Mr. M. DEVADASAN: Will the hon. the Minister for Public Works be pleased to state—

(a) how many Junior Inspectors of Co-operative Societies were sent out of service in 1931 and 1932 on the ground that they were not appointed by the Public Services Commission;

(b) whether the inspectors made an appeal to the Government against their removal from service; and

(c) what the Government have done in the matter?

A.—(a) Thirty-four men were ousted from service in May 1932; none in 1931.

(b) Six of them submitted memorials to Government.

(c) The appointments of the junior inspectors referred to in this question were made by the Registrar in the interval between the date of issue of Statutory Rules for the Madras Co-operative Subordinate Service, viz., 14th July 1930, and the date of publication of list of selected candidates by the Madras Services Commission, viz., December 1931. To regularize the appointments and to mitigate the hardship entailed to the candidates who were eligible and qualified for appointment under the Statutory Rules, the Government amended the rules so as to ratify the appointments made by the Registrar up till 22nd July 1931, the date on which the Commission issued notification inviting applications.

Selection of Junior Inspectors of Co-operative Societies in the year 1933.

* 92 Q.—Mr. M. DEVADASAN: Will the hon. the Minister for Public Works be pleased to state whether there was a selection of Junior Inspectors of Co-operative Societies this year?

A.—Yes. The hon. Member's attention is invited to the list of candidates selected by the Madras Services Commission for appointment as Junior Inspectors of Co-operative Societies, published at pages 290-292 of Part I-B of the *Fort St. George Gazette*, dated 27th June 1933.

Mr. M. DEVADASAN:—"May I know, Sir, why there should be appointment of fresh men when 34 men had already been sent out?"

The hon. Mr. P. T. RAJAN:—"Those men were sent out because they were not properly qualified."

Mr. M. DEVADASAN:—"May I know whether all the 34 men sent out were not qualified?"

The hon. Mr. P. T. RAJAN:—"All the men were not sent out. Some were qualified, others were not."

[2nd August 1933]

Mr. M. DEVADASAN:—"May I know whether the Government will be pleased to reconsider the case of the men sent out from service?"

The hon. Mr. P. T. RAJAN:—"Out of 34 men, 17 men were appointed later on and the other 17 will not be appointed because they are not qualified."

Selection of members of the Depressed Classes as Junior Inspectors of Co-operative Societies in 1933.

* 93 Q.—Mr. M. DEVADASAN: Will the hon. the Minister for Public Works be pleased to state—

(a) how many candidates applied for the selection of Junior Inspectors of Co-operative Societies this year;

(b) whether Christians and depressed classes applied for the same;

(c) if so, how many from each category;

(d) how many of the candidates were chosen for the posts; and

(e) whether members of the depressed classes were chosen?

A.—(a) The selection was open to all communities and the total number of qualified applicants was 308.

(b) & (c) Yes—23 qualified applicants from the Indian Christian, Anglo-Indian or Non-Asiatic community and two from the depressed class communities.

(d) & (e) The hon. Member's attention is invited to the list of candidates selected by Madras Services Commission published at pages 290-292 of Part I-B of the *Fort St. George Gazette*, dated 27th June 1933.

Education

Application by a Muslim lady for Foreign scholarship.

* 94 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether any Muslim lady in this Presidency applied for any foreign scholarship; and

(b) if so, whether the Government have granted the same?

A.—(a) & (b) No such application has been received by the Government.

B. POKKER SAHIB Bahadur:—"Has the Director of Public Instruction received any such application from a Muslim lady for foreign scholarship?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I have no information."

S. M. K. BEYABANI SAHIB Bahadur:—"Was any application received this year or in the previous year from any Muslim lady for any other scholarship?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"No such application has been received at all. The question does not refer to other scholarships."

11-30
a.m.

[2nd August 1933]

Working of the Presidency Training and Secondary School for Girls in Egmore

* 95 Q.—MR. ABDUL HAMEED KHAN: Will the hon. the Minister for Education and Excise be pleased to state—

(a) the annual cost to the province in maintaining the Presidency Training and Secondary School for Girls in Egmore;

(b) the total number of pupils attending the school;

(c) the total number of girls studying in the IV, V, and VI Forms respectively;

(d) the total number of applicants for admission in those three forms in June 1933, the number of girls admitted, and the number refused admission;

(e) whether there is a complaint that there is not sufficient accommodation in the higher forms in the school to meet the growing demand for admission, and if so, what steps the Government propose to take to increase the accommodation;

(f) the name and qualifications of the present Superintendent of the School;

(g) for how many years she has been serving in the school either as Superintendent or in any other capacity;

(h) whether she has ever served in any capacity outside Madras city;

(i) whether there is any other person in the department who has been serving for so many years in the same school continuously; and

(j) whether there is no other person in the department who is competent to be Superintendent of this school?

A:—(a) to (c), The hon. Member is referred to the Subsidiary tables appended to Volume II of the annual report on Public Instruction.

(d) The information is not available. It has been called for.

(e) No such complaint has been made to Government.

(f) Srimathi G. Parukutti Ammal, B.A., L.T.

(g) Nineteen years.

(h) No.

(i) The information is not readily available.

(j) The question whether there is any other person in the department competent to fill the post of Superintendent of the school will be considered when the necessity for transferring the present incumbent arises.

MR. ABDUL HAMEED KHAN:—“ May I know whether the Government have not considered the necessity of increasing the accommodation in that school in view of the fact that there is a larger demand for admission of girls with the increase in education? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ No such request has been made by anybody. ”

[2nd August 1933]

MR. ABDUL HAMEED KHAN:—“ Has not the Superintendent made such a request? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ Not to the Government. ”

MR. ABDUL HAMEED KHAN:—“ Was it not brought to the notice of Government that there has been a stubborn refusal made by the Superintendent to admit girls on account of want of accommodation in the school? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I refer the hon. Member to the answer to the question on the paper. ”

MR. ABDUL HAMEED KHAN:—“ What are the special qualifications of this Lady Superintendent that the Government have gone out of the way to keep her for the last 19 years in the same school without transferring her? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ The Government have not gone out of the way. ”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ Is there a case of any other candidate like this which has been retained in the same school for so many years, at least for ten years? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I cannot say. ”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ Now that she has been there for the last 19 years, will the Government consider the question of transferring her to some other place? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ If the Director thinks it necessary. ”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ May I know why preferential treatment has been given only to this lady, while other candidates have applied for being posted in Madras on account of their husbands being employed here? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ The Government are not aware of any such thing. ”

MR. ABDUL HAMEED KHAN:—“ Will the hon. Minister be pleased to give information as to how many times headmistresses have been changed in this school since this lady was appointed Superintendent? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I cannot say. ”

MR. ABDUL HAMEED KHAN:—“ Is the hon. Minister aware, or will he inquire if he is not aware, that successive headmistresses left the school on account of the fact that this lady has been treating them very badly? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I am not aware. ”

[2nd August 1933]

B. POKKER SAHIB Bahadur:—"Is there any rule that the Superintendent should not be transferred if she has been doing her work well?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"No."

Proposal to give an agricultural bias to pupil-teachers undergoing training.

* 96 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether the Government have had under consideration any proposal to give a course of training to pupil-teachers with a view to give an agricultural bias to the teaching in elementary schools;

(b) whether the Taliparamba agricultural middle school building was proposed to be utilized for this purpose; and

(c) whether the Government have come to any final decision in regard to this matter?

A.—(a) Yes.

(b) Taliparamba has been proposed as a centre where the training could be given.

(c) Not yet.

Mr. A. B. SHETTY:—"May I know how long the question has been under consideration and when a decision will be come to?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"The matter has been under consideration for about two years. There are some difficulties in the way of coming to a decision."

Restoration of the grants to taluk boards for the maintenance of schools.

* 97 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether the reduction of grants to taluk boards for the maintenance of schools, made as a measure of retrenchment, has been restored; and

(b) if so, whether wholly or partly and, if the latter, by how much?

A.—(a) Yes; there will be no reduction in the current year.

(b) Wholly.

[For further list of starred questions, please see next page.]

UNSTARRED QUESTION

Medical Administration

Staff of the Government School of Indian Medicine classified according to communities.

98 Q.—Diwan Bahadur A. APPADURAI PILLAI: Will the hon. the Minister for Local Self-Government be pleased to state the strength of the present staff of the Government School of Indian Medicine, exclusive of clerical and menial staff, arranged according to communities?

[2nd August 1933]

1.—The staff of the Indian Medical School, excluding clerks and menials, consists of nine Non-Brahman Hindus, nine Brahmans and four Muhammadaus.

STARRED QUESTIONS

Public Service

Denial of promotion as Deputy Tahsildars to clerks in the Revenue Department, South Kanara, on the ground of age-bar.

* 99 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the hon. the Member for Revenue be pleased to state—

(a) whether any of the clerks in the Revenue Department with third-class Magistrate's powers conferred on them in South Kanara have not been promoted to the Deputy Tahsildar's post on the ground that they are beyond 40 years;

(b) whether it is a fact that their chances of promotion were lost owing to any wrongful promotion of their juniors to the Deputy Tahsildar's post contrary to the concerned Government Order thus depriving their legitimate rights of promotion; and

(c) what action the Government propose to take to remedy their right grievance?

A.—The Government have not the information. The Government have received no appeal or memorial from any person alleging any such grievance.

Mr. U. C. SUBRAHMANYA BHATT:—"May I know whether the hon. Member will call for the information?"

The hon. Sir ARCHIBALD CAMPBELL:—"No, Sir. I do not think it is necessary to do so. If persons are aggrieved, they can appeal to the proper authorities."

Local Self-Government

Supply of water from Mettur Reservoir to Salem Municipality.

* 100 Q.—Diwan Bahadur S. ELLAPPA CHETTIYAR:—"Will the hon. the Minister for Local Self-Government be pleased to state—

(a) at what stage the water-supply scheme of Salem Municipality from Mettur Reservoir is; and

(b) whether the execution of the scheme will be taken up during this financial year?

A.—(a) The financing of the scheme is under the consideration of the Government and a reference is being made to the Municipal Council in that connexion.

(b) No.

[2nd August 1933]

Subadar-Major S. A. NANJAPPA Bahadur:—“ May I know how long the scheme of water-supply to Salem town from Mettur-dam has been under the consideration of Government? ”

The hon. the RAJA OF BOBBILI:—“ I am afraid I cannot answer that offhand. But I may state for the information of the hon. Member that the main outlines of the scheme have been settled, and the Government have addressed or are addressing the Municipal Council whether they are agreeable to the terms proposed. ”

Subadar-Major S. A. NANJAPPA Bahadur:—“ Has the Municipal Council spent any money to survey the land from Mettur to Salem town? ”

The hon. the RAJA OF BOBBILI:—“ I must ask for notice. ”

Mr. BASHEER AHMED SAYEED:—“ May I ask whether the scheme consists of the transfer of the Mettur water-works to the Salem Municipality or whether it is a different scheme from that? ”

The hon. the RAJA OF BOBBILI:—“ The scheme is to bring water from the Mettur reservoir. ”

Mr. BASHEER AHMED SAYEED:—“ May I ask whether the Government has considered the question of transferring the present Mettur water-works to the Salem Municipality? ”

The hon. the RAJA OF BOBBILI:—“ No, Sir. ”

Mr. BASHEER AHMED SAYEED:—“ May I ask whether the Government will take the opinion of the Salem Municipal Council on that question of transferring the present Mettur water-works to the Salem Municipality at any reasonable cost? ”

The hon. the RAJA OF BOBBILI:—“ I do not see what connexion there is between Salem Municipal Council and Mettur water-works. ”

Mr. BASHEER AHMED SAYEED:—“ Certain water-works machinery at Mettur such as the pumping plant and the filtration plant costing about Rs. 4 lakhs is ready there and available. I want to know whether the Government will ascertain from the Salem Municipal Council whether they are prepared to take over the ready-made plant for the supply of water to Salem town? ”

The hon. the RAJA OF BOBBILI:—“ That is a very small plant, and I do not think it will be adequate for the purpose of Salem town. ”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ May I know whether the idea of the scheme is going to be to pump out water by electric power? ”

The hon. the RAJA OF BOBBILI:—“ By electric power. ”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ If it is by electric power, what is the rate charged to municipalities for supply of power? ”

The hon. the RAJA OF BOBBILI:—“ Special rates are sanctioned. I cannot say offhand what exactly is the rate. ”

[2nd August 1933]

Subadar-Major S. A. NANJAPPA Bahadur:—“ May I ask whether the Government think that the supply of water from the Bahansrahi tank to the Salem Town has been a total failure? ”

The hon. the RAJA OF BOBBILI:—“ The Government are aware that the present arrangements for the supply of water are not adequate with the increase of population in Salem town. That is the reason for finding out a new source of supply. ”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ May I know whether Government will be pleased to supply electric power at special rate to other municipalities? ”

Mr. BASHEER AHMED SAYEED:—“ May I know whether it is a fact that the Salem Municipality was willing to take over the water-works plant at Mettur if given to them free of cost? ”

The hon. the RAJA OF BOBBILI:—“ I am not aware of that. As I have already stated, that plant is quite unsuitable and inadequate. Therefore, there is no use of considering that question. ”

Population of Salem town and the number of Depressed Class members.

* 101 Q.—Mr. M. DEVADASAN: Will the hon. the Minister for Local Self-Government be pleased to state—

- (a) what the total population of the Salem Municipal town is; and
- (b) what the population of the depressed classes in the said town is?

A.—(a) 102,179.
(b) 5,791.

Resolution of Salem Municipal Council regarding the admission of untouchables in coffee clubs.

* 102 Q.—Mr. M. DEVADASAN: Will the hon. the Minister for Local Self-Government be pleased to state—

- (a) on what date the resolution of the Municipal Council of Salem advocating the admission of the so-called untouchables to the sweet-meat shops and coffee clubs was passed; and
- (b) when the resolution was cancelled by the Government?

A.—(a) 17th February 1933.
(b) 23rd May 1933.

Petitions for and against the resolution of the Salem Municipal Council regarding admission of untouchables in coffee clubs.

* 103 Q.—Mr. M. DEVADASAN: Will the hon. the Minister for Local Self-Government be pleased to state—

- (a) whether the resolution of the Salem Municipal Council advocating the admission of the so-called untouchables to sweet-meat shops and coffee clubs was objected to by Hotels Proprietors' Association, and if so, when it was done;

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(b) whether the petition of the Hotels' Proprietors' Association will be placed on the table of this House along with the report of the District Magistrate;

(c) what the total number of coffee clubs and sweetmeat shops in the Salem Municipality is;

(d) how many of the proprietors have signed the objection petition;

(e) when the Coffee Hotels' Proprietors' Association was formed;

(f) whether the District Magistrate of Salem consulted the so-called untouchables before he recommended the suspension of the resolution; and

(g) whether he received petitions in favour of the resolution of the municipal council from the public?

1. —(a) Yes on the 17th March 1933.

(b) Yes (vide Appendix VI at pages 251-253 infra).

(c), (e), (f) & (g) The Government have no information.

(d) Forty-six.

Mr. M. DEVADASAN:—“ Will the Government be pleased to call for information at least in respect of clause (c) of the question? ”

The hon. the RAJA OF BOBBILI:—“ I shall consider the matter.”

Rao Sahib V. I. MUNISWAMI PILLAI:—“ May I know whether the Government examined all the items in the memorials and ascertained whether they are true? ”

The hon. the RAJA OF BOBBILI:—“ They have been forwarded to the Collector, and the Government have passed their order mainly on the recommendation of the District Magistrate.”

Mr. M. DEVADASAN:—“ Is it not necessary for the Collector to serve notices on the poor people who are affected by passing an order of this kind? ”

The hon. the RAJA OF BOBBILI:—“ I think the District Magistrate did not think it necessary.”

Mr. M. DEVADASAN:—“ May I know whether the Government have any objection to asking the municipal council to amend the resolution requiring hotel-keepers to make arrangements for catering to all classes and communities? ”

The hon. the RAJA OF BOBBILI:—“ I think that if the resolution is modified to make separate arrangements for various communities, there may not be any insurmountable difficulty in enforcing it.”

Mr. SAMI VENKATACHALAM CHETTI:—“ Do the Government think that coffee-hotels are public places? ”

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The hon. the RAJA OF BOBBILI:—“ I have already said in reply to questions the other day that the Government had not yet had the opportunity of consulting the Advocate-General. My own opinion is that there is a difference between a public place and a coffee hotel.”

Mr. YAKUB HASAN:—“ Is there any case of the Harijans entering a coffee-hotel and causing any disturbance on that account? ”

The hon. the RAJA OF BOBBILI:—“ I have no information.”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ Are the Government aware that one municipal council passed a resolution that one of the conditions for the issue of a licence to coffee-hotels is that there should be no prohibition against the Adi-Dravidas and Panchamas entering them? ”

The hon. the RAJA OF BOBBILI:—“ I have no information.”

Mr. A. RANGANATHA MUDALIYAR:—“ May I know whether the bye-law has been extended to European clubs also? ” (Laughter).

Protest against the rescission of the resolution of the Salem Municipal Council re: admission of untouchables in coffee clubs.

* 104 Q.—Mr. M. DEVADASAN: Will the hon. the Minister for Local Self-Government be pleased to state whether any protests have been received by the Government against their order suspending the resolution of the Salem Municipal Council advocating the admission of the so-called untouchables in sweetmeat shops and coffee clubs and if so, what was done thereupon by the Government?

A.—The only protest received is that from the Salem Municipal Council itself. It is under consideration.

Mr. M. DEVADASAN:—“ May I know whether Government are justified in passing an order of this kind without consulting the wishes of the people? ”

The hon. the RAJA OF BOBBILI:—“ As already stated in answer to a previous question, the Government thought it desirable on the information available.”

Mr. M. DEVADASAN:—“ By passing an order of this kind, do they not encourage caste people to oppress the depressed classes? ”

The hon. the RAJA OF BOBBILI:—“ The Government have absolutely no such intention.”

Rao Sahib V. I. MUNISWAMI PILLAI:—“ With reference to the answer given to the question, will the Government be pleased to place on the table of the House the result of their consideration? ”

The hon. the RAJA OF BOBBILI:—“ Yes, Sir.”

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

II.—ADJOURNMENT MOTION REGARDING THE ORDER OF DISBANDMENT AND RE-EMPLOYMENT OF PERSONS IN PUBLIC SERVICE ON ACCOUNT OF RETRENCHMENT.

Mr. BASHEER AHMED SAYEED:—"Mr. President, Sir, under Rule 11 of the Madras Legislative Council Rules, I move—

that the business of the Council be adjourned for the purpose of discussing a definite matter of urgent public importance, to wit: G.O. No. 277, Public (Services) Department, dated the 29th March 1933, regarding the order of disbandment and re-employment of persons in public service on account of retrenchment.

Mr. V. P. NARAYANAN NAMBIYAR:—"I second it."

* The hon. the PRESIDENT:—"Will the hon. Member point out how the matter is urgent?"

Mr. BASHEER AHMED SAYEED:—"Sir, the original rules were published in 1932 March. Subsequently, that is, very recently after the last session of the Council, on the 29th March 1933, the rules have been amended so as to modify the order in which retrenchment was to be given effect to. Since then, the Government has been sending away men, and there is still a very large number of men that are about to be sent out in various departments of the Government service. It is a continuing injury to the officers concerned. There is this urgency that unless some action is taken and the matter is brought home to Government, they will be sending away further men which will be numberless. That is the urgency."

* The hon. the PRESIDENT:—"I think the motion is in order. Does any hon. Member object?"

No objection having been taken, the motion will be taken up for discussion at 4 p.m. to-day."

III.—HOUSE COMMITTEE.

* The hon. the PRESIDENT:—"I have to inform the House that the following six candidates were nominated for election to the House Committee."

Mr. P. Madhusoodhanan Thangal.

Mrs. Alamelumangathayammal.

Mr. T. Sundara Rao Nayudu.

Rao Bahadur C. Natesa Mudaliyar.

Mr. H. M. Jagannatham.

Rao Sahib V. I. Muniswami Pillai.

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[The President]

As the number of candidates nominated for election is equal to the number of vacancies to be filled up, viz., six, I hereby declare them duly elected.

"In addition to the above, I nominate, under Standing Order No. 84, Mr. M. S. Sreshta and Mr. Pocker Sahib as Members of the Committee. The Deputy President will be the Chairman of the Committee."

IV.—A BILL TO AMEND THE MADRAS NURSES AND MIDWIVES ACT, 1926.

11-45 a.m.

* The hon. the PRESIDENT:—"I appoint Rao Bahadur C. Natesa Mudaliyar to be the Chairman of the Select Committee appointed to consider the Bill to amend the Madras Nurses and Midwives Act, 1926 (Bill No. 8 of 1933)."

NON-OFFICIAL BUSINESS.

V.—RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST. ESTABLISHMENT OF A BROADCASTING SERVICE FOR THIS PRESIDENCY.

The hon. the PRESIDENT:—"Discussion on the following resolution of Mr. A. B. Shetty will be resumed, viz.—

'This Council recommends to the Government to take early steps to establish a broadcasting service for this Presidency.'

* Mr. T. S. RAMASWAMI AYYAR:—"Mr. President, I rise to support the resolution^a moved by my hon. Friend, Mr. Shetty. The attention of the Government has been drawn to the need for a broadcasting station more than once. If I remember right, more than two years ago, during the discussion of the Budget, it was pointed out that Government should bestow their attention on the starting of a broadcast service. Madras, in spite of the fact that there is very good scope for broadcast, has not been given the facilities for the starting of a broadcasting station. The Corporation of Madras with its slender resources has however tried its utmost to run a broadcasting station. The difficulties it is confronted with are that the station is not a powerful one and sufficient funds are not available. If Government would really take up this question seriously, I am quite confident it would be possible to establish a more powerful station and the necessary finances would also be available. The Madras Corporation last year passed a resolution stating that they would like to have a licence for running a more powerful station and also asked the Government for a grant. It is common knowledge that the Corporation in spite of handicaps has been running a station which is fairly popular. We see every evening people collecting in large numbers at the Marina to hear the music that is broadcast. The Corporation also broadcasts news. Of course it is not possible for the Corporation with its limited finances to give good music. Now with the starting of the Empire Broadcasting Service it is possible for stations not only to broadcast themselves but to receive and relay. During recent years, great improvements have been made with regard to the apparatus of receiving sets, so that even in the case of receiving sets with

^a Vide Proceedings of the Council, dated 24th January 1933.

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batteries, it is possible to have good reception. Now we are having electricity in all our towns and after the introduction of hydro-electric schemes, many of the municipalities in our Presidency will be able to have electricity supplied to their citizens. This will facilitate the reception of news that is broadcast.

“Calcutta has been running a good broadcasting station. The Government of India took over the broadcasting on the 1st April 1930. It was in the beginning no doubt not a paying proposition. For in the first few years the income from the licence-holders was not enough, and I understand that in the first year there was a loss of about 2 lakhs of rupees. In the second year, the loss was not much, it was about a lakh and odd; but in the last speech that the Director of the broadcasting station at Calcutta gave on 1st April 1933, he said that broadcasting had a great future, and as regards Calcutta, instead of the finances being on the deficit side, they were hopeful of getting some surplus. The Director of the Calcutta station says that the accounts ending with March 1933 will show that the broadcast for the first time since its inception in India has worked without loss. He also points out that in spite of the fact that Government has been receiving more money towards their broadcasting fund, the money is got more as customs duty than as licence-fee. That really shows that the licensing system is not working properly. If Government really bestowed its attention on having greater check on the licence system, it would be possible for them to get more income, because if there is greater revenue from customs duty it naturally implies that more sets are being brought into the country; and it means there must be more licences, but as a matter of fact the licence income seems to be stationary; therefore there is need for legislation on the subject. I think it is necessary that we should ask the Government of India to legislate that the possession of unlicensed receiving sets would be illegal. Then it will be possible to get more licence fees.

“I was referring to the financial aspect of it. We have found that it has been possible for the Government of India to run a broadcast station in Calcutta without loss. I am quite sure it will be possible for Madras to run a similar station without loss; perhaps they may be able to make some profit on it. Now, we are getting reception from powerful stations outside Madras. The reception from Colombo is good, but that from Calcutta is not so good and clear. Though Madras station is weak it is found that sometimes it is heard even by stations as distant as Allahabad. Though Madras cannot guarantee service for such long distances, yet with a more powerful set I am quite sure we shall be able to give greater and better service in our Presidency. I therefore feel strongly that it is up to the Madras Government to take up the matter in earnest. The need for a good broadcasting station cannot be overestimated. In a country like India where we want to remove illiteracy, broadcast will certainly play a very great part. It may be that the villagers are not able to read and write, but I am quite sure when a broadcast talk is given the villager who hears it in his

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distant village will be able to understand what is given out. I envisage the time when the Madras Government with its broadcasting station will be able to send out not only music, but also everyday news which will be received by almost every village; if it is possible for the Government to supply receiving sets to all the post offices, I am sure that the postmaster, himself alone or with the help of the village schoolmaster, will be able to work a receiving set at stated hours every day. The villagers would flock to the post office and hear talks broadcast from a central place like Madras. We are now on the eve of reforms and we are anxious that there should be more people who should be enfranchised. If we want to educate the people about their political rights and on the need to exercise these rights at the polling booth, it is absolutely necessary that we should tell them how to do so and also give them information of the events that take place in the country. Again, the Radio will be very useful to the agriculturist; he will know from time to time the prices of foodstuffs and the condition of the market. Then it will not be possible for the middlemen to make profits at the cost of the agriculturists. We are anxious that the agriculturist should not suffer by the prices going low. The broadcast will certainly help in the spread of knowledge which will be useful to the agriculturist to get better prices.

“Again the agriculturist will know when he can expect the monsoon, and if there are heavy floods he will be warned that he should be careful about the river banks and see that they are not breached. He will also know when to begin his cultivation. These are of course matters of detail. We are anxious that our people should get more education on scientific lines. If we are going to educate the whole population by teaching them how to read and write it will take a very long time, but with a broadcast service the process may be very much simplified. Even Government should feel that it is a useful weapon in their own hands for the purpose of sending out correct news where wrong news is spread in the country. I am therefore confident that broadcast will certainly play a very great part in the progress of the country. I have very great pleasure in supporting the resolution and I am quite sure Government will take up the question seriously and evolve a scheme at a very early date.”

* Mr. M. S. SRESHTA:—“Mr. President, Sir, the arguments in 12
favour of broadcasting have been so clearly stated by the hon. Mover noon.
of the resolution, Mr. Shetty, and my hon. Friend, Mr. Ramaswami Ayyar, that I need not go in any detail into the matter. But, there are certain aspects of the question which I should like to touch upon. In the first place, the invention of wireless has placed in the hands of the public immense possibilities for their advancements and in the hands of the Government an instrument of very great power. Ours would be considered a backward Province if we do not avail ourselves of the vast usefulness of this invention. I see no good reason why broadcasting which has been introduced in some other Provinces should not be introduced in Madras. The question of taking advantage of this

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invention and establishing a broadcasting station at Ceylon was taken up there some 4 or 5 years ago. It was my good fortune to be the Chairman of the Committee which was appointed by Government to go into the question whether broadcasting should be introduced and if so whether it should be taken up by the Government or whether it should be subsidized. The Committee reported that it would be desirable that Government themselves should take up this broadcasting unlike the arrangement in Bombay. The recommendations of the Committee were accepted by the Government and for the last four or five years broadcasting has been going on in Ceylon. In this connexion I may quote the following from a pamphlet bearing on the subject:—

'The experience of Ceylon is also instructive. The service was initiated in 1925 and was conducted under the auspices of the Government. The funds voted for its development were, however, extremely limited and the organization of the programmes had to be arranged almost entirely on a voluntary basis.'

"Even now the organization of programmes is carried on on a voluntary basis. That is to say, leading artistes are asked to contribute and speakers are asked to broadcast speeches. No payments are made. The artistes are given merely some refreshments. Therefore only a very small amount is needed. This is the case in Ceylon where the artistes fall into line with the public feeling and give free performances. Whether it will be possible in Madras or not I do not know. But it is certainly worth while to make the experiment. I do not know much about the technical aspects of the question and so I would not tread on that dangerous ground. But I think broadcasting in the Madras Presidency would be easier than in Bombay and Ceylon on account of the fact that there would probably be an absence of atmospherics between the Western Ghats and the East Coast. I therefore think that there is a great future for broadcasting in this Presidency. Whether for Government, or police or educational purposes, broadcasting would be extremely useful. As a matter of fact, I think Lord Lothian in one of his speeches said that now that we are going to extend the franchise, broadcasting would be essential. How will you educate the masses without broadcasting?

"One advantage of broadcasting that has not been so far mentioned is that it will knit together the town and the village. It has been an old cry that the towns are growing at the expense of the villages. If we broadcast from the towns we can bring to the villages the amenities of towns. From that point of view therefore it is desirable that broadcasting should be introduced as early as possible.

"Of course the question of finance is an embarrassing one and the hon. the Finance Member would say that though broadcasting is a useful thing the finances at the present time do not permit its introduction. If that is the case, I would point out that it is not necessary to spend any large amount for the purpose. In Ceylon broadcasting almost pays its way and there is no reason why in Madras, if the experiment is started on a small scale, any great expenditure should be incurred. The pamphlet I quoted from already says that piecemeal introduction of

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broadcasting service covering comparatively small areas would not be expensive. It will be possible to start one station somewhere in Madras. No doubt, if we start it in Madras there will be complaints from districts; but it will be possible to ward off those attacks by pointing out that more stations would be established if the experiment succeeded. We have in Madras a studio at the Madras Corporation which cannot be heard in the outlying districts. But if we have a big transmitting station at Madras it would serve a larger area. Now, Ceylon can be heard very distinctly at Madras, more distinctly than Bombay. It will be possible also by means of the transmitting station to relay. It would not cost very much. If this is done it will be possible indeed to undertake the experiment on a larger scale here than in Ceylon. I am afraid that if our Province is backward in this matter, we shall soon find that we lag behind Mysore where they will soon start broadcasting. If we have a broadcasting station here, we should have an advisory board consisting of people representing the Police, Education, Press and Trades and Commerce. There should also be a Government Engineer on the Board. The members will not be paid anything. It will be an honorary body. A Government official, say a Secretary to Government or a Deputy Secretary would be the President of the Board and the other members, as I said, will represent the various interests. It will be the duty of this Board to decide what should be broadcast and what not. This difficult question is causing considerable difficulty even in England where one party feels that another party is given too much privilege and one religious denomination feels that another religious denomination is given preference. All these difficulties will be solved if the Board is established as suggested by me. But it is desirable to have the experience of some one connected with broadcasting in other Provinces. I would earnestly suggest that an expert be brought down from Ceylon where the experiment has been tried with conspicuous success. Even if it is necessary to get the services of an expert from England, this may be done. The cost would be small compared with the advantages that will result. We should not adopt the policy of losing a ship for a half penny worth of tar. This experiment which is of advantage to the country should be tried."

* Rao Sahib V. I. MUNISWAMI PILLAI:—"Sir, though I do not support wholeheartedly the broadcasting, I have my own doubts as to the success of these things. Sir, during the discussion of the Budget I pointed out the inadvisability of the Government giving loans to local bodies not knowing whether the experiments would be a success or not. The Ootacamund Municipality took a loan of Rs. 5,000 from the Government to erect a broadcasting station there although many councillors objected to it. Broadcasting would be a success if the atmospheric conditions are good. In the case of a district like the Nilgiris, unless one could find out beforehand whether the atmospherics would be favourable or not, there is no use trying an experiment. It was not for many months that Ootacamund enjoyed the set that it bought for Rs. 4,000 together with the building. Of course, municipalities like Coimbatore

[Mr. V. I. Muniswami Pillai] [2nd August. 1933]

are probably suitable places for broadcasting. We do not know whether other places would be quite suitable for the purpose. I would therefore appeal to the Government to take into consideration the climatic conditions prevailing in various districts and see whether broadcasting will be successful, before deciding to have a broadcasting scheme. Unless this is done, I am afraid, the money the Government might come forward with, will not be well spent. Moreover, at a time like this when we are expecting elections and other things, I am sure broadcasting might go a long way to help the candidates that are seeking election to the various bodies in the political field. At the same time one must know whether the money spent for this purpose will be equally and well spent so that all the districts may enjoy the benefits of broadcasting. Of course our (Nilgiris) district having proved a failure in broadcasting is not at all the reason for my opposing this motion. I only want the Government to investigate the whole question of finance in relation to the results in this Presidency of broadcasting."

12-15 p.m. * Mrs. K. ALAMELUMANGATHAYARAMMA then addressed the House in Tamil and the following is the English rendering of the same:—

"Mr. President, Sir, with great pleasure I rise to support the proposition for the development of broadcasting in our province. Many of the hon. Members who preceded me have spoken on the benefits of broadcasting and it is needless for me to dilate further on the same. The Madras Corporation took the initiative in installing broadcasting stations in various parts of the city especially in the Marina and the public parks, where many thousands of citizens are spending an enjoyable evening daily. The radio at the Marina is the main attraction to many thousands of men and women, who flock to the beach daily in the evenings and spend some hours in the refreshing sea breeze. There they get not only music but also good air which is quite essential to the healthy life of every citizen. The benefits of broadcasting are shared equally by all, whether they be rich or poor, educated or illiterate, men or women. It is needless for me to say that by the broadcasting and the radio many have become lovers of music and also got an aptitude for learning that finest art. The radio has become an indispensable necessity to every modern city and village. The Corporation of Madras is broadcasting at present only programmes of music daily and it would be highly beneficial if the Corporation could arrange to broadcast matters of educative and commercial value. Though the Corporation of Madras has launched a scheme of elementary education in the city and is also pursuing a policy of opening at least an elementary school in every ward, yet we find that many hundreds of children and adults are still uneducated. The broadcasting can be utilized as the best medium of educating boys, youths and adults, by arranging educated men and women to deliver instructive lectures on subjects of educative value. There is also a Tamil proverb that hearing is much better than learning. Even in matters of social reform, radio is an invaluable asset. In matters such as rural development, broadcasting

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can be of utmost help to the authorities. By installing a transmitting radio set in a central district, matters of social, commercial and educational value can be broadcast even in vernacular languages to villages within a radius of twenty to twenty-five miles. If municipalities and local boards are not in a position to instal radio sets in all important places within their jurisdiction, it is the duty of the Government to come to their rescue by giving liberal grants. I support this resolution whole-heartedly."

Mr. R. MADANAGOPAL NAYUDU:—"I rise to support the motion before the House. In doing so, I should like to make it clear that the Madras Corporation did its level best in having the broadcasting service extended up to a distance of 100 miles, but they met with certain difficulties in the hands of the Madras Government from the point of view of finance. The Corporation is really anxious that the advantages of broadcasting service should be available to every village in the Presidency. As has been pointed out by previous speakers various advantages are derived from this service. We can now expect nothing at the hands of the Government of India for our broadcasting service in this City. But the examples of Bombay and Bengal ought to be sufficient for our local Government to press the Imperial Government on this matter and see that the Corporation of Madras is encouraged in a limited time to have a broadcasting service, in the first instance at least up to a distance of 100 miles. We should all certainly be glad if the benefit is derived by the whole Presidency, and if the distance is not limited only up to 100 miles. I therefore have great pleasure in supporting this motion."

* Mr. M. DEVADASAN:—"Mr. President, Sir, I feel that I should oppose this motion. I must say that it is too early for us to have a broadcasting service all over the Presidency. The Government have been carrying on the administration of our province with difficulty. They have not only cut the expenditure all round, but also they have asked many of our men in service under Government to go out of their employment. They have also retrenched expenditure on education, including elementary education. What is the state of the people living in the mufassal? Are they in a position to appreciate broadcasting if we introduce it in the mufassal? Most of the people living in the mufassal are groaning under poverty and they have not got sufficient educational facilities. Most of the schools in the mufassal have been closed for want of financial help either from the local bodies or the Government. I received a pamphlet from the so-called well-wishers of India in England advocating the introduction of broadcasting service all over India and stating that if every village were to spend Rs. 120 for installation of this set and incur a further expenditure of Rs. 60 every year towards maintenance, each village can have this service. If broadcasting service is introduced under the conditions obtaining now, it will be very difficult for the villagers. Already we have moved the Government saying that the people were unable to bear the existing taxation and Government

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have been pleased to reduce the taxation to a certain extent in certain districts. We are not able to meet very many necessary items of expenditure. We are not able to spend enough for the promotion of elementary education, which is the only remedy for removing illiteracy among the masses. What is absolutely necessary for us is the introduction of free compulsory elementary education. This broadcasting service is intended only for some educated people who do not have any better business in life. The problem of unemployment is very much keener than before. If broadcasting service is introduced, it will dislocate the business of the villagers. Ordinary people cannot be attending to this broadcasting. They cannot afford to waste their precious time. We all know that even ordinary people in villages do not attend to their business, and if this service is introduced, it will create more idleness among them. They will turn away from their usual avocations and indulge in enjoying this service. My hon. Friend, Mr. Sreshta, said that Ceylon is more suitable for this broadcasting service. Ceylon is not the proper test for introducing the service in our Province also. Mr. Sreshta has been in Ceylon for a long time and therefore he quotes Ceylon as an example. But I should point out that in Ceylon the standard of life of the people is different from what is obtaining here. With these words I oppose the proposition."

* Mr. K. KOTI REDDI:—"I had no idea to speak on this motion because I thought there would be no opposition to a resolution of this type. I am sorry to say that I find some opposition to this resolution. This broadcasting service will be more beneficial to the uneducated people in the mufassal than it is to the people living in towns. It is recognized throughout the world that the most effective way of educating the illiterate people in the mufassal is by having broadcasting service. If we want to reach the masses it is really very difficult for educated people who want to educate them and give instruction to them on various subjects. I believe my friend who opposed this motion was more keen on spending for elementary education. But what is the state of elementary education in our country? We are spending more than one crore of rupees for elementary education but with what result? The amount of illiteracy is not much reduced. The pupils reach only up to the 1st, 2nd or the 3rd standard and most of them are not able to reach the 4th standard and above. And most of the money spent is a huge waste. If we introduce the system of broadcasting in mufassal, we will have the means of educating the people there. Education does not mean the 3 R's only. Education really means the imparting of knowledge in any manner. Broadcasting is the best means of doing that. It is absolutely wrong to think that broadcasting is intended only as luxury. If really a system of broadcasting is introduced, it will be useful for imparting knowledge to the people on various subjects. I do not know why our friends are thinking of broadcasting being introduced only in towns. It ought really be the other way. We do not want to confine the broadcasting service to towns only, but we want to extend it to mufassal also so that people in the mufassal may

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be given something to occupy themselves during their leisure hours. There are certain rural communities who are idle during certain periods of a year. If this broadcasting service is introduced and by this means they are made to listen to lectures or music produced through this service, it will be a great help to such people. Instead of scheming on various things, the villagers can much better spend their time in listening to music or lectures. My hon. Friend who preceded me is very much mistaken in thinking that this service is not intended for illiterate people. It is exactly for the reason that the leisure hours of such people may be better spent by their listening to lectures and music that this broadcasting service is sought to be introduced. With regard to the Agency which should undertake this service, whether it should be a municipality or the Government, or some other body, I do not think that is a point for discussion now. So if this broadcasting service is introduced in mufassal, the leisured time of the people, instead of their scheming on so many things, as I said already, will be better spent and thus afford instruction and amusement."

* The hon. Mr. H. G. STOKES:—"Mr. President, Sir, I should like, at the outset, to say that the Government fully realize the importance of broadcasting and its great value in disseminating knowledge and providing amusement to the people all over the Presidency, especially those who have little or no opportunity of enjoying these benefits. I need not digress on the importance of the subject, because so many speakers have dwelt upon it, that I think it requires no demonstration from me. I will only say that the Government are fully in sympathy with that point of view and I would like to say further that both the Government and the House are under a debt of gratitude to my hon. Friend, Mr. Shetty, for having raised this important subject. Having said that, I do not think it is necessary for me to discuss the arguments advanced by my hon. Friend, Mr. Devadasan, against the idea of having a broadcasting system at all. I think my hon. Friend, Mr. Koti Reddi, has shown sufficiently clearly that in many respects the opposition of Mr. Devadasan was based on misunderstanding. Because so far from broadcasting proving useless to the illiterate, it is exactly because he is illiterate it would be useful to him. So far from its being a luxury and cause of idleness, it would cause him to employ his hours of leisure in a more profitable manner than he does at present, because he can, in the evenings when he returns from the fields after grazing his cattle and so on, turn to broadcasting. That is the time when he would be spending his time idly, possibly in the toddy shop. I think therefore the opposition from the point of view of my hon. Friend, Mr. Devadasan, on the ground that broadcasting will benefit primarily the literate and the educated classes is based on misapprehension.

"At the same time, the whole question is quite new to us—to this House, to myself and to the Government. We have had considerable difficulty in deciding exactly how we should set about the examination of the whole project. We have received from the Chairman of the European

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Association some time ago a general report on the subject containing very valuable suggestions. We hope when we come to closer grips with the question we shall be greatly assisted by the suggestions they have made. Of course, as I have said, the difficulties are considerable, but I do not think they are insuperable and I feel especially that we should examine the financial aspects of the matter most carefully so that we may avoid any waste of money.

"One important question which will have to be considered is whether the agency for managing this broadcasting system should be Government or whether it should be left to individual or local bodies. Provisionally I am of opinion, although it is not the final opinion of the Government, that the general control ought to be in the hands of the Government, for various reasons. One reason is that the Government only will be able to provide the necessary funds. A further reason is that if you allow broadcasting systems to grow up haphazard, there is certainly a danger—this is one of the points that the memorandum of the European Association lays stress on—that we may get a number of small stations near to one another which will interfere with one another and possibly the villager at large would not benefit to the extent to which he would benefit by a more unified and centralized system.

"Then as regards reception, I take it that we must concentrate on collective rather than on individual private reception. One reason for that is the number of people who could afford private receiving sets is comparatively limited. Of course there would be nothing to prevent anybody who could afford it to go in for a receiving set. But what we contemplate is that local bodies and village panchayats who realize the benefits of broadcasting would see their way to instal such sets. Those are rather details which will have to be considered at a later stage. Of course as one speaker pointed out,—I think it was Mr. Muniswami Pillai—the finances of the scheme will have to be carefully gone into. Personally I do not think it would be worth the Government's while to undertake a very small or restricted scheme.

"It seems to me that if Government are going to take it up, it will have to be a fairly wide scheme which would serve at any rate the major part of the Presidency and that could only be undertaken in stages. So far as we can gauge at present, the cost of the scheme is ultimately going to be a big commitment. Therefore I quite agree with the speaker who emphasised that the financial aspect of the matter should receive close attention.

"The existing arrangement, so far as I understand, regarding the revenues of broadcasting, seems to be rather one-sided. The principal revenue from broadcasting is in the shape of import duties and licence fees, both of which are fixed by the Central Government. That point will have to be considered in consultation with the Central Government. If the Province is going to launch an expensive scheme of broadcasting, it will be reasonable that we should get a reasonable share in the receipts.

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"I mention all these points to indicate that the examination of this subject must take some time and for this reason we have not been able to arrive at a stage at which we can put forward a specific scheme for the consideration of the Council. Nor can I undertake, as the resolution requests me to do, to take early steps to establish a broadcasting system. If my hon. Friend, Mr. Shetty, had worded his resolution that the Government should take early steps to investigate the possibility of establishing such a system, I should gladly have accepted his resolution. I do not know whether he would be willing to modify the wording of his resolution in that manner. If he would be willing to do so and if you, Sir, and if the House permit that resolution to be so modified, I should be glad to accept it in the modified form.

"I think, Sir, I have said enough to make the House understand that we do appreciate the importance of the subject and that we will proceed to examine it in a sympathetic spirit in the hope that it will be possible to evolve practical proposals without undue delay. I may say that since the hon. Member moved his resolution in January last, we have not been idle. In the first instance, owing to the helplessness we feel in regard to the technical side of the matter, we have written to our Chief Electrical Engineer now on leave in England (Major Howard) to inquire on what terms we could obtain the services of an expert in this line for six months or possibly for a year to come out here and advise us as to the best method of going about the scheme, particularly, for instance, on such matters as the best type of apparatus, the most suitable wave-lengths and all that sort of thing. Because I am given to understand that one of the great difficulties of introducing a system over a wide area such as the Madras Presidency lies in the extraordinary differences of climate, for instance, in the east coast as compared with the west coast, in the plains as compared with the hills and so on. Our idea therefore, is to obtain the services of an expert who will make a sort of survey of the Presidency to begin with, possibly carrying with him a portable transmitter and other machinery and advise us as to the lines on which we will have to proceed and actually work out a scheme for us. That will give us some idea of what it is going to cost us and enable us to see whether the thing is really within our financial capabilities at all. We have not yet received any reply from Major Howard. We understand that he has got into touch with the Broadcasting Corporation there and we hope shortly to receive his reply on the subject. I have nothing more to add in reply to the resolution which has been moved. As I said, if my hon. Friend would agree to modify the resolution in the manner I suggested, I would be prepared to accept it."

Mr. ABDUL HAMEED KHAN:—"Mr. President, I beg to move the following amendment to the resolution, namely:—

"for the word, "establish" in line 2, substitute the words,
"investigate the possibility of establishing".

"I hope, Sir, that the hon. the Finance Member will find it possible to accept the resolution and not only accept it but take early steps, as

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he has himself kindly promised, to investigate the possibility of establishing a broadcasting system as early as possible. There is no doubt that the financial difficulties are there and as the Government have stated they have not so far investigated the question. But we have before us the examples of other countries where a broadcasting service is working successfully. It ought not to be difficult for the Government if they make up their minds to establish a broadcasting system in this province as early as possible and bring it into working order."

Mr. A. B. SHETTY:—"I accept the amendment, Sir."

* The hon. the PRESIDENT:—"The question is, for the word 'establish' in line 2, substitute the words 'investigate the possibility of establishing'."

Mr. A. B. SHETTY:—"I accept the amendment, Sir."

The amendment was put and carried.

The resolution, as amended, was put and carried.

CREATION OF AN ANDHRA PROVINCE.

12-45 p.m. * Mr. A. HARISCHANDRUDU:—"Mr. President, Sir, I beg to move the resolution standing against my name—

'this Council recommends to the Government that they may be pleased to urge upon the Government of India and the Secretary of State the great and urgent necessity of creating the Andhra Province simultaneously with the inauguration of the new Constitution in India.'

"In commending my resolution to the House, it will be unnecessary for me to speak at great length as the hon. Members are intimately acquainted with the discussions that have been carried on from time to time both inside as well as outside the House on the subject of the need for the creation of an Andhra Province. Ever since the Andhra Conference was organized in 1913 about 20 years ago, this question came to occupy the primary attention of the public of the Andhra Desa and in almost every annual session a resolution in favour of the establishment of a Province was passed. The Conference has always been representative in character and some of the foremost leaders of the province, men like the late Raja of Panagal and Sir B. N. Sarma and those like Messrs. C. R. Reddi and Diwan Bahadur M. Ramachandra Rao Pantulu presided over the annual sessions and the opinion of such public men like the hon. the Raja of Bobbili deserves weighty considerations at the hands of all. The Standing Committee of the Conference has been carrying on systematic propaganda on the subject and is educating the public and it has collected a large amount of data to demonstrate the soundness of the proposal. On successive occasions resolutions on the subject were moved in this very House, and found support from a large majority of the Members. Both in the Imperial Legislative Assembly and the Council of State, the proposal received the

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acceptance of a fairly large section. It was a prominent subject at the time of the discussions on the Reforms of 1919 and well-informed statesmen like Lionel Curtis supported it. More recently, prominence was given to it in the enquiries of the Simon Commission and the Government of India despatch on their recommendations. Our Chief Minister, the Raja Sahib of Bobbili himself brought the question to the notice of the Round Table Conference in a most well-reasoned and eloquent memorandum while there were representations from other equally responsible quarters to the Conference.

"A study of the above discussions shows that the principle of the creation of an Andhra Province has been approved by all those that could speak with authority on it. The principle is so simple to follow and so sound in its essentials that lengthy arguments in its favour are not required. It is however necessary to show how in the ancient Indian polity, the Andhra was always a separate unit independent of the neighbouring units like Calinga, Dravida and Karnataka. In the traditional list of the Kingdoms and States that constituted the country, the Andhra Kingdom occupied a prominent place. Even in the middle ages, it continued under the name of Telingana to be a separate State with Warangal as capital. In the days of the Vizianagar Empire it was administered separately by a Viceroy. Until the establishment of the British Dominion in the latter part of the 18th century, there was no period when the Andhra ceased to be a unit by itself or when it was tacked to the Tamil and Karnataka districts for administrative purposes. The establishment of common administrative authority over the Andhra, the Tamil, the Malayalam and the Kanarese speaking peoples of South India, was a mere accident and an accident that has proved detrimental to all of them. This unhistorical, untraditional and unnatural contribution has been resented all these years though expression was given to it by the Andhras only 20 years back. The creation of an Andhra Province is merely the revival of a state of affairs which existed in the country from time immemorial and which was found to work quite satisfactorily for ages.

"At this stage it may be asked if it is necessary and desirable that the special needs of the Andhras as such should be taken into consideration in the carrying on of the administration of the province and if they have any special needs at all. The answer to this depends on whether there are any substantial reasons for concluding that there is a strong feeling among the Andhras that as a people there are fundamental differences between them and the non-Andhras in the Presidency, that this feeling deserves respect and consideration and that the best way of showing this respect and consideration is by constituting the Andhra districts into a separate province. I do not have the slightest hesitation in stating that there is such a feeling present among the Andhras. Connected as all the Andhras are by the strongest tie of a common language, which carried with it a common inheritance in the form of culture, traditions and ideals, they feel that they form a homogeneous group or sub-nationality and that in several important respects they are

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different from the Tamils, the Malayalis, etc. There is not much more in common between them and the other people in the Madras Province than there is between them and the Oriyas, or the Maharashtras or the Bengalis, and that it is unnatural to keep them tied to the other peoples in Madras. As this separatist feeling is present, it becomes impossible for them to identify their interests in purely provincial matters with those of the Tamils and others. They think that it is reasonable to have the public services in the Andhra districts manned entirely by the Andhras, that the taxes paid by the Andhras should be spent first on the needs of the Andhra country and that irrespective of what is done or not done to Tamil, Kanarese or Malayalam, their language and literature should be developed. Can any one seriously argue that all this will be possible if they are in a province where they are one sub-nationality among a number of such sub-nationalities? It is this that makes the need for creating a separate Andhra Province very real and urgent.

"Some may say that it is not desirable to take this separatist feeling into consideration even if it exists. But this is an unstatesmanlike attitude. For, in a matter like this, what one has to consider is the size of the country which is proposed to be constituted into a separate province, numerical strength of the people and their resources. It is well-known that the Andhra districts come to about 85,000 square miles and it is much larger than the area of Assam, Sindh, Utkal, Bihar and the North-West Frontier and that it will be slightly larger than Bengal, and nearly as large as the Punjab. Its population is 18 millions. It exceeds that of Assam, Baluchistan, Burma, Central Provinces and Berar and nearly equal to that of the Punjab. It has rich resources in the shape of extensive lands of great fertility, rich forests, large rivers, minerals and an immense scope for all kinds of development. In the matter of revenue it exceeds that of Central Provinces and Berar, Assam, Bihar and Orissa and equals that of the Punjab. The Andhra Province does not stand in need of any subvention from the Central Government like the proposed Sindh and Utkal Provinces. A people occupying such an area and with such potentialities and numbering 18 millions cannot be considered a small community whose feelings do not deserve consideration. Moreover even on the basis of the existing figures, it will be able to command a revenue of nearly nine crores of rupees with possibilities of increase when once a separate provincial administration is established and the economic and human resources of the area are well developed.

"It may be thought that there is nothing now to prevent the Andhras from making their influence grow in political circles and from their seeing that the Andhra districts receive as fair a treatment at the hands of the Government as the other districts in the Presidency. Such a course is neither possible nor practicable. A Government responsible for the administration of this large area cannot look at things from the standpoint of this section or that section. It will not pay attention to the varying needs of different parts. To the Government it will be a matter

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of indifference whether an irrigation project is started in the extreme south or the extreme north. The province as a whole is the unit which it will always keep under consideration and it will have a tendency to brush aside as irrelevant all arguments put forward from the standpoint of particular sections or groups. It is, therefore, clear that there is no prospect of the special needs of the Andhras being cared for so long as they are not under a separate administration of their own.

"It was under these circumstances that the different sub-nationalities living in the Madras Presidency began to examine how far the work undertaken by the Government was proving beneficial to each of them and whether it was possible for a Provincial Government exercising control over a heterogeneous population to satisfy equitably the legitimate aspirations of each section of such a population. The Andhras have found from experience that in neither of these two directions was the treatment they were receiving satisfactory. Due to purely predominant non-Andhra element at the headquarters, the Government has been attracted more to the non-Andhra districts than to the Andhra districts. Take, for instance, the Secretariat establishment. We do not find a single Andhra in the higher ranks. In the lower grades you may be able to find a couple of clerks and that too in some departments. In everything the start was first made in the non-Andhra element and naturally the people there had more opportunities of becoming richer, more educated and more influential in the administration of the country. They gained an upper hand in the public services. They could persuade the Government to spend more funds on irrigation and hydro-electric schemes in the non-Andhra districts. They secured nearer their home, the only Engineering College, the only Agricultural College, the only Law College, the only Women's College and most of the technical and professional schools and institutions. Under modern conditions no people can raise themselves to higher status until they have adequate educational facilities. In this province such facilities were provided for in only one part and even when it was possible they were not distributed on a regional basis. The Andhras were therefore left behind in carrying on the battle of life and this is bound to be the case so long as there is one administration common to them and to several other sub-nationalities.

"The causes of this resentment resulting in a desire to have a separate province are easily understood. It is due to a changing conception of the State and the functions of Government in modern times. At the time when the British rule was established in the country, there was a good deal of anarchy and confusion when people could not enjoy even the ordinary blessings of peace, order and security. These elementary blessings were conferred by the British and for a long time the ideal which they set before themselves did not go very much beyond the preservation of peace and order. The people also did not look to the Government for anything else. The establishment of an efficient Police and collection of revenue are functions of a mechanical character in the discharge of which the traditions, the culture and civilization of the

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people or their varying economic requirements play no part. No inconvenience arises if a number of sub-nationalities are grouped together under one administration. But as time went on, the British felt that their true work lies not in the preservation of peace alone, but in the promotion of the general welfare of the people, the development of economic resources of the country, the removal of social evils, the establishment of educational institutions, the carrying out of improvements in agriculture, irrigation, industries, and other nation-building activities. The people of the country also began to test the work of Government with reference to progress in these directions and not merely on the basis of mere peace and order. The State came to be looked upon as a social service institution and the expectation was formed that through it the welfare of all sections of the people should be promoted.

“Not only from the point of view of the Andhras, but from that of the country as a whole, the organization of a separate Andhra Province is imperative. The India that is to come into existence will be a democratic India. But democracy in the sense in which it is now understood is new to the country and its successful working requires provinces based on linguistic principles which are small in size, compact and homogeneous in respect of their populations. The intimate contact between the electorate and the representative which is the essence of a democratic form of Government will be possible only when the area is comparatively small. The functioning of the legislature on proper lines requires a common outlook on essentials which is possible only when the members belong to a homogeneous community with differences in language or ideals or traditions. As important as these is the organization of parties in the legislature on real political lines and not on linguistic or other alien considerations. But in a province like that of Madras of the present day, parties are bound to be organized on linguistic lines if the existing state of affairs is continued and questions will be looked at from the Andhra, the Tamil and the Malayali standpoint which will in the long run prove injurious to a healthy political life. The only way in which these dangers can be avoided is by creating the Andhra districts into a separate province, small and compact in size and homogeneous in respect of its population. This has been recognized and advocated by eminent authorities as Lord Curzon and Lionel Curtis. Sir Lionel Curtis who had much to do with the Montford Scheme of Reforms was shrewd enough to observe that the only proper and effective way of making responsible Government successful is to reconstitute the provinces in India on purely linguistic basis.

“There are some who think that this will add another element of disunion and discord to the numerous elements that have already found their place in our country. But this is to lose sight of the nature of political unity that is possible in our country and the lines on which it should be promoted. In a country with a number of major languages and sub-nationalities, the only kind of unity possible is one that is based

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on a recognition of the existence of differences in language and nationalities. To proceed as if they are non-existent or to ignore them will be a great folly. Statesmanship consists in building on such materials. There is no reason to think that the hostility, if any, between the Andhras and the Tamils will become intense the moment the former have a separate province of their own and that they will remain friends if only they are artificially tacked on to the wheels of the same administrative chariot. On the other hand there will be more of mutual rivalry and ill-feeling if this artificial and unnatural union is continued. And the larger unity of the country will not in any way be effected by an increase in the number of provinces by two or three. If the separation of Sind from Bombay or of Orissa from Behar or of Assam from the old Province of Bengal has not created or is not going to create more of discord or unity, there is no reason to think that it will have such an effect if a new Andhra Province is established.

“As regards cost of administration, the cost should not stand in the way of the creation of new provinces. It has been said that the creation of a separate province will entail extra expenditure on the people. What is to be considered in this connexion is not the question of extra expenditure, but that of extra advantages in the area which forms part of the new province. To say that this is a period of depression is not correct; because the depression is only temporary. If, on the other hand, it is going to be permanent, then the expenditure can be easily adjusted proportionately. So, the depression should not stand in the way of the creation of new provinces. Sir, depression did not stand in the way of the creation of the North-West Frontier Province or of Orissa.

“I hope that I have been able to convince the House that the creation of an Andhra Province is a matter of great necessity. But, in my opinion, it is not merely one of necessity but the need for it is urgent and immediate. It has to be created with the inauguration of the new Constitution of India. The coming Constitution is transforming the whole character of Indian polity, and a time when such momentous changes are taking place is just the time for settling the number and nature of the provinces that should constitute the country and become the units of a Federal India. His Majesty's Secretary of State for India has definitely stated that under the new Constitution, the power to create new provinces will not be given to the Federal Government. So that, if the Andhra Province is not now created, the question will have to be deferred till the proposed Constitution Act is again amended. This amounts to postponing the question to the Greek Calends. The agitation for the Andhra Province has been going on for twenty years now. The volume of public opinion in its favour is large. The people concerned are prepared for it. This is therefore the most opportune time for it. If it is not done now, there is the danger that the Andhra public would feel keenly disappointed and that the new scheme of Government will have to meet with constant opposition from the Andhra representatives on the legislature and the Andhra political organizations outside. The province will be thrown into the turmoils of a fierce political ferment

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on this subject and the peaceful working of the Reforms becomes an impossibility. The only way to avert such a danger is to proceed to the creation of an Andhra Province without any further delay.

"The urgency of the matter has become all the greater in view of the evidence given by the hon. the Secretary of State, Sir Samuel Hoare, before the Parliamentary Joint Committee on the White Paper. He expressed his opinion that he did not like to have a Boundaries Commission set up implying thereby that he viewed with disfavour any move for the redistribution of provinces, and the little provision that is made in section 52 of the present Government of India Act is going to be removed under the proposed Constitution. It is a matter for serious concern that the Secretary of State should have adopted an attitude like this. But it can be easily understood that it is chiefly due to his not having realized how strong the feeling is among the Andhras in favour of a separate province. It therefore becomes all the more necessary for the hon. Members of this House and especially those who claim to represent the Andhra districts to treat this subject as one of great urgency and to take a dispassionate view of the matter so that the authorities in London might pay sufficient attention to it. I assure you that I am not actuated by feelings of racial hatred. A sacred and onerous burden rests upon the shoulders of every Member of this House to fulfil the legitimate and just aspirations of their people. In view of these considerations, I fervently appeal to the hon. Members to stand by the legitimate aspiration of the Andhra nation and support my resolution."

Mr. A. V. BHANOJI RAO:—"Mr. President, Sir, I have very great pleasure in seconding this resolution moved by my hon Friend. He has left very little for me to speak on this particular resolution. He surveyed from the Himalayas to Cape Comorin, taking all the districts and discussing all their merits and defects. But I think there are one or two points that the House should take note of. The first point is that this House has passed two resolutions recommending the creation of a separate Andhra Province; but nothing has come out of them. I am afraid the Government have not taken sufficient interest in the creation of the Andhra Province. If they had only taken interest as in the case of the other provinces, for instance, the Bihar and Orissa, by this time we would have had our quota, along with the beginning of the new Constitution. I am sure this resolution fulfils our intentions to bring before the Government the necessity for having provinces on a linguistic basis. My friend, Mr. Harischandrudu, has already spoken on the advantages of having provinces on a linguistic basis and it is time that such provinces were created, having regard to the statement made by the Secretary of State lately, and also to the great difficulties that will have to be met with after the coming of the Constitutional Reforms, if such arrangements are not made at the earliest possible moment. As we all know, new provinces have been created, even though there were found to be many difficulties, financial and otherwise, in the way of having a separate administration. Perhaps it is due to the fact that they are nearer to the

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celestial heights of Simla that they have had an opportunity of having their own provinces coming into existence, before the other areas which feel the necessity therefor. I am sure hon. Gentlemen in this House will take a dispassionate view of the whole question. It is not a question of Andhra or Tamil; I for one fully believe that it is only proper that there should be provinces on a linguistic basis, and the quicker they are created, the better for their administration. If we do not agitate at this moment, I am afraid we will not have our provinces on a linguistic basis at all even in the future. I hope hon. Members will support this resolution on this one ground at least, that there ought to be provinces on a linguistic basis in India."

* The hon. the PRESIDENT:—"The motion before the House is—
'this Council recommends to the Government that they may be pleased to urge upon the Government of India and the Secretary of State the great and urgent necessity of creating the Andhra Province simultaneously with the inauguration of the new Constitution in India.'"

* Mr. R. M. PALAT:—"Sir, there are two amendments standing in my name; one of them is that this question be revived after the Reforms have been inaugurated, and the second is to add the words 'and a Kerala Province' after the words 'Andhra Province.' I shall now move the second one first and speak about the creation of a Kerala Province. Sir, most of the arguments which were used . . ."

* The hon. the PRESIDENT:—"Let me point out to the hon. Member that the other amendment that he has given notice of is for resolution No. 24 on the agenda and not for this resolution."

* Mr. R. M. PALAT:—"I am sorry, Sir, I shall leave it, then. I shall now merely speak about the formation of the Kerala Province. Most of the arguments used for the formation of an Andhra Province apply equally well as regards the formation of a Kerala Province. In fact, our case is really much stronger than that of the Andhra Province. Sir, the first argument advanced against us, is that we need not have a separate province; because we should all try to gradually coalesce into one and that Madras as capital would do. As regards that argument, my reply is this: In that case, Delhi will do just as well, and the whole of India may coalesce into one State, and we may all form part of a Central Government. But wherever there is a cultural and linguistic group which is sufficiently different from the other groups forming part of the same Presidency or State, it is entitled, I believe, to become a different province or State by itself. This has been acknowledged by the Government of India Act in a provision which says that the Governor-General may, under certain circumstances, allow the formation of new provinces. At the other end, we have the Congress which has also said that Kerala should be a separate province. Sir, the United States of America, which has about half the population of India, has got 48 States forming that Dominion. Although we have double that population here, we have only fifteen States. They have so many States because they

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think that the smaller the State the more easily could the State look after the needs of the people and could react to those needs more quickly. Sir, we have the settlement question now in Malabar; and if we had a separate Governor, or if the Collector of Malabar were the Commissioner or the Governor of Malabar, he could more easily be influenced because he would be the man on the spot, and he would know our needs far more than a Government which is three or four hundred miles away from us. Again, Sir, as regards appointments, etc., we have heard in this Council that Malayalis are getting too many appointments. If that is the view of the people here, and if they regard us as belonging to a different nationality, we have every claim to separate ourselves. I may also point out that since the Reforms came, the number of appointments that we have got in the Transferred Half is practically nil. Almost every appointment that we got was by promotion from the services. There has not been a single Malayali Minister, nor has there been a single Malayali Secretary after the Reforms came in. (An hon. Member: The Law Member is a Malayali gentleman.) I say that is all on the Reserved Half; and when we have no more Reserved Half, we do not expect that we will get the same justice done to us as we have been getting all along, while there has been the Reserved Half. The only Malayali who has been in the Cabinet since the Reforms came in is Sir M. Krishnan Nayar and he is on the Reserved Half and not on the Transferred Half. Therefore, Sir, from another point of view also, the Andhras with their larger numbers could always command a certain following in this Council while the Malayalis who are very few and who form only one district in the whole Presidency, cannot bring sufficient pressure to bear on a completely self-governing Madras Province, as the Andhras could do. When the Reserved Half was there, it was looking after the affairs of the whole Presidency unaffected by the votes in this Council and merit counted, which I do not think counts so much now in spite of all that is being said.

"Then again, Sir, the tendency throughout the world is for the formation of minor provinces. We know, Sir, that in the European countries, linguistic and racial ideas form an important factor; and in Scandinavia for instance, Norway has been allowed to separate itself and become a separate unit. We feel that we would be much better looked after in a small State; we would rather look after our own affairs than get a few jobs in Madras; and we would much rather go to our own country than come here for those jobs. The happiness of our people is far more to us than a ministership or two here, and a couple of judgeships. From that point of view—I suppose every Malayali here will support me—of the happiness of the people of Malabar as a separate State, I should think that Malabar is dearer to us than a few jobs outside our district."

Mr. P. MADHUSOODHANAN THANGAL:—"I second it."

* The hon. the PRESIDENT:—"The amendment is:

"Add the words "and a Kerala Province" after the words "Andhra Province."

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* Mr. U. C. SUBRAHMANYA BHATT:—"Mr. President, Sir, the amendment which I have given notice of and which I now beg to move is: 1.15 p.m.

'To add the words "and a Karnataka Province" after the words "Andhra Province" occurring in this resolution.'

"My aim in giving notice of this amendment is that all people that speak a particular language wherever they are, provided they are in a contiguous situation, should form themselves into a separate entity and have a voice in the government of their districts. The districts which I would like to include within the Karnataka Province in the Presidency of Madras are South Kanara and Bellary, and in the Bombay Presidency they are North Kanara, Hubli, Dharwar, Belgaum and Bijapur, and also Coorg from the Government of India. All these districts put together will form a contiguous area for administrative purposes. They are predominantly Kanarese-speaking areas and I believe they are sufficiently large and would be sufficiently self-supporting financially also. These districts in all have got a population of over 5 millions which, I think, would be fairly large enough for the constitution of a separate Karnataka Province. I do not think it is necessary for me to enumerate here all the difficulties which the Kanarese-speaking people are subject to. If the Andhra people have got a strong case for the formation of an Andhra Province, I may say at once that the Kanarese-speaking people have got a still stronger case for the formation of a Karnataka Province. So far as the Andhra people are concerned, they have at least this much in their favour that they are all within one province and that they are fairly large and can make their voice felt as often we see they can make themselves felt even in this Council. But, so far as the Kanarese-speaking people are concerned, they are divided among various administrations and everywhere they are in a minority. In the Bombay Presidency they are about 19 per cent, and in the Madras Presidency they are about 6 or 7 per cent, though, no doubt, in Coorg they have got a separate administration. So the Kanarese-speaking people, being in a minority, are always hampered in the matter of a separate province for themselves. The Kanarese-speaking people are cut up into so many different communities in each administration so much so Karnataka is like a body which is dismembered and each part is always in search of its soul. The agony of such a body can very well be realized by the Government and everybody concerned. I need not and I cannot sufficiently describe the agony which the Kanarese-speaking people are put to on account of this dismemberment. I therefore need not dwell very much on the necessity of the Karnataka Province. This question has been under the consideration of the Kanarese-speaking people for over 20 years. And time after time they have given expression to this opinion of theirs from various platforms. The Government of India also have recognized that hereafter provinces should be distributed on a linguistic basis. As early as 1912 in the Coronation Despatches of the Viceroy and also the Secretary of State they have adopted this as the guiding principle. In 1919 the Montagu-Chelmsford Report also clearly sets out, as also the

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Government of India Act, that when any people speaking a particular language express their desire through their legislature that they should have a separate Government and a separate province, the Viceroy should give expression to it. It is embodied in section 52-A of the Government of India Act which says:

'The Governor-General in Council may, after obtaining an expression of opinion from the Local Government and the local legislature affected, by notification, with the sanction of His Majesty previously signified by the Secretary of State in Council, constitute a new Governor's Province under the administration of a Deputy Governor to be appointed by the Governor-General and may in such case apply, with such modifications as appear necessary or desirable, all or any of the provisions of this Act relating to Governors' Provinces or provinces under a Lieutenant Governor or Chief Commissioner, to any such new province or part of a province.'

"The Kanarese-speaking people, Sir, have about the year 1926 in the Karnataka Unification Conference which was held at Belgaum I believe under the presidency of my hon. Friend, Mr. Ranganatha Mudaliyar, and to which representatives both from Bombay and Madras attended, unequivocally given expression to this view and this feeling that a Karnataka Province is an absolute necessity and that it should be brought into existence. Then again, Sir, in about 1926, the then hon. Dr. U. Rama Rao moved a resolution in the Council of State to the effect that a Karnataka Province should be brought into being immediately. He was then informed, Sir, as the report of the discussions would show, by the spokesman of the Government that it was a matter which ought to be first moved in the local legislature.

"Then again in 1929 on August 8 a resolution was moved in this Council by Mr. P. Siva Rao, the then Member for Bellary, supported by all the Members from South Kanara as well as by all the Members from Bellary, and it was carried unanimously. But still, Sir, nothing has been done in the direction of the creation of a Karnataka Province.

"Then again, Sir, this matter was also placed before the All-Parties Conference which produced the Nehru Report, and the advocates of the Karnataka Province placed all the material before them and convinced them of the necessity for a separate Karnataka Province. The Nehru Report gives the first place for the creation of a Karnataka Province. This is what they say in that Report:—

'As regards this question, we cannot of course decide it finally. We feel that the advocates of unification have *prima facie* established their right. If I am asked to say which is the most important principle to be taken into consideration in the formation of a new province, I would answer most unhesitatingly language unity for more reasons than one.'

"Such being the case, in spite of all this expression of opinion on the part of the Karnataka people through their legislatures, the Madras Government do not seem to have supported it. The part played by the Madras Government reminds me of a proverb in Kanarese which says that even if God is willing to give something to the worshipper, the wily priest intervenes and prevents God from granting the boon. Though the Viceroy and the authorities higher than the Madras Government were willing to create a separate province, the Madras Government like that wily priest who stood in the way of granting the boon, prevented step by step the creation of a Karnataka Province and have not taken any steps in this direction. What I would submit is that the Madras

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Government should take a more lenient and sympathetic view of the case and I would appeal to the hon. the Revenue Member who is in charge of this department to consider the difficulties under which the Kanarese-speaking people are labouring not only in this province but in the other provinces also and give effect to their long-standing grievance and bring about this unification which has been a long cherished desire of these people. Besides, the question of the creation of a Karnataka Province has been given a further impetus and importance by the question of the future of Coorg. Coorg which is a predominantly Kanarese-speaking district would have joined Madras if it was assured a separate district administration. But, when the Coorg Government consulted the Madras Government the latter would not give that assurance. Now, therefore, they are thinking of joining Mysore. One day or other a Karnataka Province is to be formed. If Coorg joins Mysore now, it would be a distinct loss to any future Karnataka Province. Hence I would add, Sir, that if this question is not given the earnest and immediate consideration which it deserves Karnataka would stand to lose a very valuable and important part of it, viz., Coorg."

Mr. C. INDRAIYA:—"I second it."

Mr. P. V. KRISHNAYYA CHODARI:—"Mr. President, Sir, I beg to move my amendment to the resolution—

'For the words "simultaneously with the inauguration of the new constitution in India," substitute the words "and for this purpose, this Council further recommends the appointment of a committee for investigating the financial obligations involved in the creation of the Andhra Province, fixing the boundaries and the capital of the new province and other connected matters".'

"Sir, at the outset, I want to make my position quite clear. I do not intend my amendment to be of a dilatory nature or in any way to shelve the question of the Andhra Province. I feel, Sir, that the question of the Andhra Province depends largely on sentiment; and sentiment like religion, has been in history, one of the greatest motive powers which has always swayed the masses of a country to the highest pitch of enthusiasm and action. I do not, in any manner, wish to stand in the way of this sentiment for the creation of an Andhra Province. The desirability of re-constituting provinces on a linguistic basis has been recognized for a long time by the foremost political organizations in the country; and the Simon Commission have set their seal of approval on such a demand, especially for the creation of an Andhra Province. But, Sir, I do not want a resolution of this type to be rushed through this Council in a hurry; I want that this subject should be discussed from all points of view and that a definite, well-thought-out scheme should be placed before His Majesty's Government, so that such a demand might at once receive sympathetic and favourable consideration at the hands of the Joint Parliamentary Committee, the Secretary of State for India and the Imperial Parliament."

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"My next point, Sir, is that the question of the Andhra Province need not be unnecessarily tacked on to the inauguration of the new Constitution in India and hence my proposal to omit the words to that effect at the end of the original resolution. Again, I do not want to be misunderstood as saying that this question should not be decided in time to be brought into effect at the inauguration of the new Reforms. But, I desire to point out in this connexion that fears have been expressed in certain quarters, and I feel there is reason behind them, that no cause should be given for further delay in the ushering in of the Reformed Constitution by bringing in fresh points for decision at this late stage; and our cause would in no way lose its strength, simply because we do not press for the creation of the new province simultaneously with the introduction of the new Constitution.

"I have already stated, Sir, that the move for a separate Andhra Province is largely based upon sentiment and that it is not my intention to oppose that sentiment in any manner; but, Sir, as a representative of the ryots in this Council, and as a ryot myself, it is my duty to see that in achieving our demand, no financial burdens of a crushing nature are imposed upon the cultivators of the soil. Sind and Orissa will be object lessons to us in this matter. We are yet to know whether their separation as independent provinces will place them in a more favourable position than at present with regard to finance and whether they will confer any greater benefit on the masses inhabiting those provinces. My impression is that their financial position would not be very happy. I know, that in the matters of extent of territory, population and the richness of the soil as well as its inhabitants, the Andhras stand in a more favourable position than those provinces. Yet, Sir, I think that this question of finance is worthy of serious consideration at the hands of an expert committee.

"Again, Sir, the questions of the boundary and the capital for the Andhra Province are not such as can be decided subsequent to its creation, but must be decided upon fairly unanimously prior to pressing our demand. I have in my mind the unfortunate experiences we had with regard to fixing the headquarters of the Andhra University and the subsequent decision of the Ceded districts and Chittoor to keep out and continue to be included in the Madras University. It should be remembered also in this connexion, that a complete scheme, with all the details worked out, would evoke greater sympathy and carry conviction to the minds of the Secretary of State for India and the Imperial Parliament.

"As I have already stated, Sir, I do not intend my amendment to be of a dilatory nature which would shelve the question for the present. So I would request the Government, if my amendment is accepted by this House, to immediately appoint a committee for this purpose, with powers to tour and take evidence wherever necessary, a committee representative of all the interests concerned and the personnel of which would command the confidence of the people in the Andhra country. This committee will produce a complete picture of the new province demanded by this resolution; and both the Andhras and the Imperial

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Parliament can face the problem with full knowledge of its implications. Sir, I want hon. Members of this House to remember that this is not the first time when similar resolutions were discussed in this Council. Previous Councils have passed such resolutions but nothing has come out of them. We want a better result this time and we desire that this resolution should receive earnest attention at the hands of the Government. For these considerations, Sir, I beg to move my amendment, which I have already read out at the beginning, and request all sides of the House to support it."

The amendment was duly seconded.

The House then adjourned for lunch.

(After Lunch 2-35 p.m.)

* Mr. K. KOTI REDDI:—"I move—

'Add at the end of the resolution, the words "with Madras as its capital".'

"It may be necessary that if some other amendments moved already are carried out in this Council, the position of the words I now moved will have to be changed. Sir, before dealing with the question of the capital of the Andhra Province I may be permitted to say a few words with regard to the necessity and desirability of having a province for the Andhras and for the matter of that the Kanarese and Malayalam speaking people also and may I add Tamil. The necessity for dividing this large country into more provinces has been recognized time after time not only by Moderates, not only by Congressmen but many a time by the Government themselves. So long ago as 1911 in the famous Despatch of Lord Hardinge, reference has been made to the boundaries of various provinces to the effect that they were formed with no intelligible principle and that if administration were to be carried on more efficiently there was necessity for changing the boundaries. Subsequent to that, Sir, when the constitutional changes during 1917 and 1918 were thought of, reference has been made by Lionel Curtis to this defect and he suggested that it would be advisable that the provinces should be smaller and be based on a linguistic basis. Reference to that aspect of the problem has been made by the Montford Report. It is necessary for me to quote from that Report in extenso. The Report says:

'We are impressed with the artificial, and often inconvenient character of existing administrative units. We have seen how historical reasons brought them about. We cannot doubt that the business of the Government would be simplified if administrative units were both smaller and more homogenous. It is also a strong argument in favour of linguistic or racial units of Government that, by making it possible to conduct the business of legislation in the vernacular they would contribute to draw into the arena of public affairs men who were not acquainted with English.'

"Then, Sir, provision is made in the Government of India Act. Reference has already been made to section 52. And although in this Council two resolutions have been passed in favour of constituting an Andhra Province it seems to me that the Local Government has not taken sufficient steps in order to give effect to these resolutions. No doubt they may say that they had taken a neutral attitude and had

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only sent up the Reports of the Council. I may refer to another committee which cannot be accused of being too nationalistic and which cannot be accused of being inexperienced. It would be of interest to know that the committee consisted of Sir Alexander Muddiman, Sir Muhammad Shafi, Maharaja of Burdwan, Sir Tej Bahadur Sapru, Sir Arthur Froom, Sir Sivaswami Ayyar, Sir Moncrief Smith, Mr. Jinna and Dr. Parajpye. Most of them are experienced administrators and some of them are Government officials. This is what they say at page 51:

'These units have been shaped as explained in the Montagu-Chelmsford Report by the military, political or administrative exigencies or conveniences of the moment and with small regard to the natural affinities or wishes of the people.'

"Again, Sir, they say that the number of such units should be small: 'We are now considering the difficulties in the working of Responsible Government in India, and we feel that these difficulties are much enhanced by reason of the large size of several provinces, their artificial and unnatural boundaries and the want of homogeneity in their populations.' This was said so long ago as 1924. Subsequent to that event the Government of India in their statement submitted to the Statutory Commission practically admitted the soundness of the principle of dividing this province into much smaller homogenous units. Reference was made to them in the first volume of the Statutory Commission.

"It seems to me, Sir, that there is some misapprehension with regard to the proposal of provinces on linguistic basis. It is said that because we want provinces on linguistic basis, the results of that will be this country will be cut up into a very large number of provinces. Secondly, it is said that because it is not possible to bring all the area speaking one language under one province, you cannot have a province. One objection to the idea of dividing this country on linguistic basis is that the Indian States also consisted people speaking those languages. Because in Hyderabad and Mysore there are some Telugu-speaking people, how can we have a province of people speaking Telugu? From the fact that we want provinces based on linguistic considerations, it does not necessarily follow that all the Telugu-speaking people should be in one province. I maintain, that for good reasons, a particular area speaking one language may be divided into two provinces. If it is too large I do not see, Sir, any reason why the particular area speaking one language should not be divided into two provinces. Only the converse, viz., that in one province there can be many languages, is not true. Because we cannot have a province for all the Telugu speaking people, to say let us not have any province at all is not sound. We really believe that we are going to develop democratic institutions in the future. What is democracy if you cannot see that the average man who contributes tax to the coffers takes sufficient interest in the administration of the country? Can you really expect the administration to be carried on efficiently if the speeches that are made in this Council in English are not understood by the people? Can you really expect that I ask you, Sir, especially in future under the new Reforms? Many a time I have referred in this Council to the difficulty experienced in

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account of the administration being carried on in the English language. It is deplorable when we see the result of it in the Telugu-speaking areas. Take, for example, elementary education. Inspectors who do not know Telugu—probably they may have passed some Telugu test for the purpose of satisfying the service rules—these inspectors have to examine in Telugu the pupils studying in our elementary schools, and the inspection ends only in sham. It is the result of having a polyglot province, a province speaking so many languages. I think the linguistic principle is a very sound principle to be followed in the delimitation of provinces. An administration based on linguistic considerations will certainly be more efficient than it is now. I lay stress not only on linguistic considerations, but there are other considerations also. One of these considerations is this. Especially when we are going to develop a Federal Government for certain purposes and autonomous provinces for certain other purposes, I am certain that it is better to have much smaller area for each province. Madras is too big an area for a province under the Federation. Under the Federal scheme, the functions of the provinces will be separated from those of the Government at the Centre."

* The hon. the PRESIDENT:—"The hon. Member has exceeded his time-limit."

MR. K. KOTI REDDI:—"With a few more words, I shall close. I have explained to you the necessity of having provinces of a much smaller area than you find now as in the Madras Presidency.

"With regard to my amendment to make Madras as the capital of the Andhra Province, some of my friends may look upon it with wonder or with some other feeling which I do not want to describe. But, I consider, Sir, that we have sufficient reasons for having Madras as the capital of the proposed Andhra Province. First of all, I may say that so far as Madras is concerned, every language unit of this Presidency has as much claim for Madras as the other. When the East India Company came and established its fort here, Madras was a fishing village, and it has now grown into a big city with more than six lakhs of people. I say therefore that Madras belongs to all the people of the Presidency, whether Tamils or Telugus. Secondly, we have the historical reason that it is the Andhra King that gave the territory of Madras to the British. For this reason, we have a claim for Madras as much as any other people. Madras has other advantages from the point of view of Andhradesa. Many buildings are here which can be used for the capital. Otherwise, how are you going to compensate us for having spent so much money on buildings if Madras is not going to be the capital? By this I do not mean that I want my Tamil brethren to go out of Madras. A part of Madras can be set apart for the purpose of headquarters of the Andhra Province. In Madras, we Telugus can live together with Tamils and others and rub shoulders with each other like brethren, as Dr. Natesa Mudaliyar wanted. It is possible to have Madras as the capital for two provinces. With these words, Sir, I move my amendment."

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MR. SAMI VENKATACHALAM CHETTI:—"I rise, Sir, to second the amendment made by my hon. Friend Mr. Koti Reddi. In doing so, I have got a few observations to make. I am in a position of having to choose one of too many good things. Each amendment which has been proposed by various speakers is good enough. Nobody can possibly take exception to an amendment that districts in which Kanarese population live should be made a separate province. Again, can you possibly object to sentiments expressed with regard to having a separate Kerala Province? Therefore, one is in a very difficult position to choose which amendment has got to be supported. But if we go into the matter a little more deeply, we shall be able to find out that various claims have been made on behalf of various provinces of subsequent origin. The first claim for a linguistic province emanated from the Andhras, and they had by this time been able to convince the people belonging to other districts and people using other languages that their claim is well-founded and that the consideration of the question of the formation of a separate province that is purely Andhra should be first tackled. Perhaps, this question has come up before this Council many times before. Even the Round Table Conference and the Joint Select Committee view this proposition with favour. Though the Provincial Government was at one time in favour of recommending the formation of a separate Andhra Province, and though the Raja of Bobbili who leads the biggest party in this Council was a very enthusiastic supporter of that cause, subsequently it would appear that his view underwent some change, and that is why this motion is again revived in this Council. But I am glad to find that even among his own ranks there is a divergence of opinion with regard to the opinion expressed by the Raja of Bobbili recently. Therefore, we may take it for certain that the claim of the Andhras for a province of their own, in spite of the changing opinion of the Raja of Bobbili, stands on a really firm foundation. I do not think it is going to be impractical politics. As for the near future, I am inclined to view the whole discussion as merely academic (laughter). But the passing of a resolution in favour of an Andhra Province will certainly strengthen the sentiment and the desire of the Andhras to have a province of their own.

"Now, if Madras is not going to be the capital for such an Andhra Province, as my hon. Friend, Mr. Koti Reddi, wants it to be, the Andhras will be faced with two difficulties. In the first place, the difficulty as has been pointed out by Mr. Muniswami Nayudu, is that Chittoor and Ceded districts will secede from the new Andhra Province, and that will not be pressed if Madras is made the capital, as any other place if made capital would be far away from the Ceded districts and Chittoor, as in the case of the Andhra University that memorable event of establishing the University centre at Vizagapatam has given rise to many suspicions in the minds of people who inhabit the Ceded districts and Chittoor. If Madras should be made the capital, that fear would be considerably allayed. Also, if Madras is made the capital, it will minimise the cost of building big public offices, and the new Andhra

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Province will not be mulcted of large sums of money in initial outlay for establishing the capital. With these few observations, I desire to second the amendment of my Friend, Mr. Koti Reddi."

* MR. A. RANGANATHA MUDALIYAR:—"Mr. President, from the several speeches we have been treated to in this Council, it is clear that so far as the principle is concerned, namely, of having the province redistributed on a linguistic basis it commends itself to the Members of this House. If there are any who do not think so, they will be very few indeed. There are obvious advantages connected with the administration of a province which has the common tie of a common language. The real point which has been given expression to by various speakers is how far that principle can be given effect to. As a matter of fact, we have not faced the issue squarely till now, and I think it is time that we did so and decided whether it was practicable to have the province redistributed on a linguistic basis. We shall say whether it could be brought about, or whether there are any and if so what obstacles there are in the way. If these difficulties can possibly be surmounted, it will be worthwhile to overcome them. For that purpose, I ask the Government to appoint a Committee of officials and non-officials to go into the matter thoroughly and report on the practicability of having the province redistributed on a linguistic basis and I propose for the acceptance of this House the amendment which is in my name, namely—

'For the words between "pleased" in line 2 and "with" in line 4, substitute the following:—

"to appoint a committee of officials and non-officials to report on the re-distribution of this Presidency on a linguistic basis."

"I do not think, Sir, I need say more on the point."

* MR. YAKUB HASAN:—"In seconding this amendment, I beg to make a few observations, Sir. The difference of language also, we must remember, connotes difference of culture. All the provinces in India except the Madras Presidency, the Bombay Presidency and the Central Provinces, have become homogenous by this time. Orissa was taken away from Bengal and tacked on to Bihar. Now it is being taken away from Bihar also, so that Bihar will become a purely Bihari province and Orissa will be a purely Orissa province. From the Bombay Presidency, Sind will be taken away, and only Gujarat, Maharashtra and Carnatic will remain in the Bombay Presidency. Here in Madras, we have got so many linguistic provinces brought under one administration called the Madras Presidency. Sir, the time has come for these provinces of Madras and Bombay to be reconstructed and redivided into different provinces on the basis of the language.

"As I said at the beginning of my speech, this difference of language 3 p.m. connotes difference of culture. Bengal has got its own culture which is quite different from the Hindustani or Gujarati culture. So also, throughout the world, every culture is connected with a language and it is the difference of language that makes the difference of culture.

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All people are developing themselves on their own national lines. India being a sub-continent, so many languages are spoken and there are so many different cultures. At the same time, there is one supreme culture which I call the Hindustani culture; the other cultures are sub-cultures. All provinces must develop on their own provincial lines. There is also something in the name. People like to be proud of their country. Bengalis are proud that they are Bengalis; they have got one homogenous province and they are developing on lines which are characteristically Bengali. Andhras like to have a province to call their own; so also Tamils. But nobody can be proud of the Madras Presidency, for what does it connote? It means a mixture of different people living under one administration. There is nothing to make Andhras, Tamils or Malayalis to feel as if they form one people and have one culture. They have got different cultures and are speaking different languages. Each wants to develop in its own way, and it must be given the opportunity. We have got now the Andhra University. That was a very good thing that was done. Because there is Andhra University, practically the Madras University has become Tamil University; it ought to convert itself into a Tamil University. When the Telugu districts are taken from it, Madras will become a Tamilian province. The argument that some provinces will be small and therefore they will not be financially strong enough to have a separate administration, that argument has never appealed to me. In the case of Sind, we have been agitating for its separation on the linguistic basis, not because it contains a larger Muslim population. On linguistic ground alone, I at least supported that proposition. Now, Sind has to be separated in spite of the fact there are some financial difficulties about it. We must have cheaper administration; if a province cannot be a Governor's province, let it be under a Commissioner. Coorg is a Commissioner's province with a legislative council of its own. I do not see why Kerala should not be a small province by itself. The question of smallness or largeness should not trouble us at all. I find Sind has got a population of 3 millions, whereas Malabar has got a population of more than 3½ millions. Karnataka has got 2½ millions. I do not see why Kerala also should not become a separate province. Either South Kanara should be added to Bombay Presidency or North Kanara should be included in the Madras Presidency if Karnataka cannot be formed a separate province. To divide Karnataka between two provinces, viz., between Bombay and Madras, is not at all proper. On these grounds, I second the proposition that redistribution of districts should take place on linguistic basis and that a Committee should be appointed to go thoroughly into the question."

* The hon. the PRESIDENT:—"The main resolution as well as all the amendments are for the discussion of the House."

"I have to remind the House that we have to take up the adjournment motion at 4 o'clock. We have only 55 minutes before us, and if the House is desirous of having a vote on the subject to-day, we shall have to close it much earlier, at 3-45 or so. I think there are several

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hon. Members who are anxious to speak on this motion. So it depends on how the Members arrange among themselves to speak on this motion."

Mr. K. P. RAMAN MENON:—"So far as I have followed this debate I find hardly two gentlemen agree to a proposition though Mr. Ranganatha Mudaliyar said that very few gentlemen here would disagree with his. I am one of those who totally disagree with the faulty view taken by several speakers with regard to the dismemberment of the Madras Presidency, that there are cultural differences between Telugu people, Tamil people, Kanarese people and Malayalam people. I fail to see such cultural differences. What are the fundamentals of cultural differences? I take all to be of one stock, that is, the Dravidian stock. All these languages are born from one common stock. As far as I can see, there are only two cultures predominant in India, i.e., the Hindu culture and the Muhammadan culture. How is an Andhra Muhammadan different from a Tamil Muhammadan or a Malayali Muhammadan, or how is an Andhra Hindu different from a Tamil or Malayali Hindu? How are the customs of Muhammadans speaking one language different from those speaking some other language? And how are the customs of Hindus in one part of the Presidency different from those living in other parts? With reference to the Marumakkattayam customs in Malabar I may say that Marumakkattayam was not a monopoly of the Malayalis. I was recently reading a book on Malasia; even in such a distant place there is the system of inheritance through women. That is one of those remnants of ancient society which has stuck to the Malabar people and which fortunately is sought to be wiped out by the measure which was passed in this Council last year."

"I believe I have met the arguments put forward as to culture. I may add one more reason with reference to the cultural claims. For example, the songs that are sung by the Hindus in Malabar are the songs composed in Telugu by Tyagaraja who lived in Tamil area. We appreciate them and some of us have gone even to the length of studying Telugu for the purpose of understanding the meaning of those songs."

"Then there is another matter, I want to refer to. Mr. Harischandrudu made a complaint with reference to the paucity of Andhras in the Secretariat. It may be so in other places also. I am sick of this cry about appointments. After all, most of the resolutions in this Council and the speeches delivered are with reference to the distribution of appointments. It is very sickening to find gentleman after gentleman rising in their place and saying, 'my community has not got this appointment, my community has not got that appointment,' and so on. Why? Because they have failed to take advantage of circumstances happening around them. People who have taken advantage of circumstances will come to the forefront. I do not for a moment think that Andhradesa is lacking in intelligence. I believe they are on a par with any other people in the world and are able to hold their own. I personally think the complaint made that in the Andhradesa the Tamil people are holding all higher appointments in the services, that cannot bear scrutiny, just like the other complaint of the Tamil people with reference to others."

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[Mr. K. P. Raman Menon]

"Then turning to what my friend Mr. Palat has said, he also repeated this cultural difficulty. He referred to the United States of America. Taking the history of the United States, they started with thirteen States which had one language culture, that is, the English language; other States were annexed in course of time and they adopted the same culture. America expanded itself westward and reached the Pacific Ocean, and the remaining portions were annexed one after another and formed separate States. There is absolutely no comparison between these States and the Madras Presidency.

Then my hon. Friend, Mr. Palat, referred to the question of recent resettlement in Malabar and he seemed to be very optimistic in the matter. He said that the Collector of Malabar could remedy the grievous wrong that has been done with regard to the enhancement of taxes. But I do not agree with him in thinking that the Collector of Malabar would have looked on the question with a more lenient eye than the Government of Madras. On what do the Government of Madras proceed? On the reports of the Collectors. They get reports from the various officers concerned and it is only after the reports are carefully studied they pass orders. So, the man on the spot is really responsible for the Malabar settlement. Does he think that it will profit Malabar if it is cut off from the Madras Presidency and put in the hands of an officer answering to the description of Collector? Does he think that the two great measures that we have been able to put on the statute book, that is, the Malabar Tenancy Act and the Marumakkattayam Partition Act could have been *fait accompli* if Malabar was a province by itself? Certainly, the smaller the area, the more liability there is for a small oligarchy to run the whole State, and it is quite natural to suppose that the forces of reaction would be very strong, and I for one would think that but for the valuable assistance we had got from our Tamil and Telugu friends here who had that mental detachment to look upon these things without any local prejudice, we would not have been in a position to carry on these two measures which have elevated the condition of the people of Malabar to a very great extent. I certainly think we would not have been able to do that but for their assistance; and if we were only in a Malabar province we would have been stewing in our own juice.

"Mr. Palat raised the question of appointments. Here Harischandrudu says that Malabar is over-represented in the services in Madras and other places outside Malabar.

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"Mr. Palat complains on the other hand that it is likely that Malabar would suffer. But I am perfectly hopeful, Sir, and I take an optimistic view that, as a matter of fact, my community and the other communities in Malabar will be able to take care of themselves whether Malabar is cast with the Madras Presidency or even with the Bombay Presidency. It is not a material point, as I said.

"I would conclude by saying that if people in the Legislative Assembly complained and are complaining about the separation of Burma from India, if they think that it is exploiting for some ulterior

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purpose, why should we want to dismember our Presidency and at the same time join others in complaining that Burma should not be separated as it is part of the Indian Empire, and Indians have interests there. Similarly, if the Madras Presidency is to be dismembered and cut up, what is to happen to our common interests and our common progress? I would therefore deprecate the idea of any such separation.

"Similarly, I would also deprecate the idea of thinking on tribal lines. If we do so, we would be setting back the hands of the clock by one hundred years. What has English education done to us? A great benefit that it has done us is to unify us in spirit and in sentiment. Now we have one common goal. If any attempt is made to create separate standards of life, etc., it will be nullifying the effects of the English education we have had for the last one hundred years. If we go into the subject more deeply, I submit we can find various arguments based on historic truth against the motion for separation.

"Again, we do not know where this separation craze will stop. To-morrow the Tamil parts might say that they would like to go back to the ancient times. Pandiyas and Cholas might like to have separate provinces and if this process of disintegration goes on, North Malabar might like to be created a province and South Malabar might say the same thing. In fact, Malabar could be split into fourteen little provinces with a little sovereign at the head of each. I submit, Sir, this process must be discouraged and the House will, I believe, put down this attempt with a strong hand."

* Rao Bahadur C. NATESA MUDALIYAR:—"Mr. President, I really sympathise with Mr. Harischandrudu for wanting a separate province. It is the economic condition that makes even nations and countries fight against one another. It is a great mistake on the part of the Madras Services Commission to have dumped a number of Malayalees and the Tamils into the Telugu areas. I find that in nine of the Telugu and Ceded districts, of the 44 supplemental minor ministerial appointments made in the year 1932, 31 of them were Malayalees, ten Tamils, only one Telugu and two Kanarese-speaking people. This state of affairs will irritate anybody. It is the duty of the hon. the Revenue Member to see that some genuine attempt is made to remove this irregularity and create better feeling. (A voice: Not appoint Malabar people?) No. Malayalees are our own people. (Laughter.) Why not send away the Malayalees and Tamils to the Tamil districts and bring in Telugu people to the Telugu parts? There are a number of Telugu graduates trying for appointments for the last three or four years. I know the names of many of them. The Madras Services Commission ought to have done this, but it has not done so. That is why I tabled a resolution to abolish the Commission once for all. Why should it irritate our Andhra brethren by sending so many non-Andhras there?"

"Sir, I may tell Mr. Harischandrudu that we are getting on well now and that there is no need for disturbing our relationships. The only problem facing us is that the Telugu people want their share in the administration. And so do the others. We must face the problem

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and solve it satisfactorily, in the manner we did with regard to admission to the Medical College. In regard to the admission to this College, the hon. the Raja of Bobbili in the Local Self-Government Department desired that 50 per cent of the admissions should go to the candidates from Telugu-speaking districts and it was done. With regard to admission to the Medical School also, we selected candidates from each district. If this practice is adopted in regard to appointments by proper arrangements being made by the Government to that end, there will be no difficulty; otherwise there will be trouble like this. In this connexion I must thank my hon. Friend Mr. Raman Menon, who traced the ancestry of us all to the Dravidian stock. Yes, we are all of the Dravidian stock. But if the Telugus want their proper share in the administration, they must be given satisfaction. All people, Tamils, Telugus, Malayalees, Kanarese-speaking ones, Muhammadans, Christians, and others should have their share of the Secretariat and other departments. Of course all these people are not anxious for jobs as my hon. Friend Mr. Raman Menon said. They do not want these appointments for the money value thereof; but they want them for the sake of the power the appointments connote. They want to occupy these key positions so that they may be useful to the people in their districts. I request therefore that in the key positions the communities should be represented so that there may be mutual respect and mutual trust for one another among the various communities. If this will be assured, I can request Mr. Harischandrudu not to press his motion.

"Sir, I am very glad that Mr. Raman Menon spoke out lucidly on the question of culture. As he said, we have a common culture, an almost common language and a common interest. People speaking Tamil, Telugu, Malayalam, Kanarese and Maharashtra languages come from the same stock, the Dravidian stock. The Andhras are a chief branch of that Dravidian race. Five thousand years ago when there was an invasion by the Aryans, the Andhras who were occupying the territory between Guzerat and the Ganges valley, were assisted by the Chera, Chola and Pandya kings of the South and defeated the invaders. History supports my statement. So the historian says, Aryans were not able to conquer the Dravidians as barbarous invaders, but they did so as religious hermits. Similarly, about 600 years ago, when there was the threat of another invasion all the kings belonging to the Dravidian stock, made a small zamindar their head and their emperor, the Emperor of Bijayanagar, and submitted themselves to be under his suzerainty. The commander-in-chief of the Emperor of Bijayanagar, Krishnadevaraya was a Tamil Mudaliyar. (Laughter.) (Mr. Sami Venkatachalam Chetti: He was a Telugu Mudaliyar, Sir.) (Renewed laughter.) Let him be any Mudaliyar. So, what I am saying is that for the last 5,000 years we, Tamils and Telugus have been living together harmoniously. I am speaking of a historic fact. If you go to the Connemara Library, you can verify my statement and also from the volumes on 'Castes and Tribes of Southern India' by Thurston. Sir, we have lived together so long. We have one culture and one language in reality. (Tamil, Telugu, Malayalam, Kanarese and Maharashtra languages have all got

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the same root words; only the terminations differ. For instance in Telugu, the termination is 'do' (దొ). Except this difference in termination, all these languages are the same. For example the words for 'Thalai' (தலை), 'Kannu' (கண்ணு), 'Mookku' (மூக்கு), 'Chevi' (செவி) are the same in all these languages. Only the terminations are different. Now, what the child begins to learn from its infancy is the same in all these languages, i.e., 'Amma' (அம்மா), 'Appah' (அப்பா), 'Akka' (அக்கா), etc. I am mentioning these to show Mr. Harischandrudu that we are not separate. We have the same customs, the same religion, the same culture, the same language and the same outlook. We cannot be separated. I really congratulate the British Government for having constituted all this territory into one Presidency! But I do not know why they divided Karnataka between Bombay and our Presidency. That, however, is a different question. As I was saying, all our languages have the same root words. Take the word 'Avan' (அவன்) in Tamil. In phonetics அவன் becomes வன் ; and with the Telugu termination 'do' (దొ) it becomes 'Vandu' (వాండు). (వాండు) is pure gramyam and it conveys the same meaning as 'Avan' (அவன்) in Tamil. As they wanted to make the Telugu language light, they pronounced the word as (వండు) but half a cypher is put between వ and ం , that is, Ardhanuswara. Those who know all the languages will be in a position to support my contention to indicate the suppression of full cypher. If the word is written without half a cypher (ardhanuswara) it is a spelling mistake. So was the case with *ural* in Tamil, *rolu* in Telugu. And so is the case with all the Tamil, Telugu, Malayalam and Kanarese words. When even our languages are the same, I cannot understand why separation is asked for. In some districts there are both Tamils and Telugus and though both have separate headmen, Desayees for Telugus and Nattans for Tamils, when Tamils celebrate marriages and other ceremonies they invite and pay first respect to 'Desayees', the headmen of the Telugus and Telugus do the same with regard to Tamils. When we are thus interconnected, I ask Mr. Harischandrudu, how or why he wants separation. Is he going to ask to be separated from his relations in the southern parts? There are so many Reddi gentlemen from the extreme north connected by blood with those in the extreme south. (Laughter.) Are you going to say that the hon. Mr. Kumaraswami Reddiyar shall have nothing to do with the Reddies of the north? And, between you Mr. President and Mr. M. K. Reddi, why should there be any barriers? It is impossible to conceive of separation under these circumstances and I wonder how Mr. Ranganatha Mudaliyar wants a committee to consider this question. Taking all these circumstances into consideration I would request Mr. Harischandrudu to withdraw his resolution." (Cries of 'The hon. the Revenue Member'.)

* The hon. the PRESIDENT:—"I see that there are more than 20 hon. Members anxious to speak on this motion. If the House is anxious to take a vote on this question to-day, I will have immediately to call upon the Revenue Member to speak."

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Mr. ABDUL HAMEED KHAN:—"It is too early to call upon the hon. the Revenue Member to reply."

* The hon. the PRESIDENT:—"If that is the sense of the House, I would call upon Mr. Hameed Khan to continue the debate."

Mr. ABDUL HAMEED KHAN:—"Sir, I believe that this question of the separation of the Andhradesa from the rest of the Presidency has been considered twice or thrice in this very House and votes taken in order that the Madras Government might represent the wishes of the Andhra people to the Government of India and see that they received the serious attention of that Government."

3-30 p.m. "Unfortunately it seems to me that the Government of Madras have not represented to the Home Government the feelings that exist among the Andhras for the establishment of a separate Andhra Province. When once the principle has been accepted both by the Government and the Congress and the latter has also in its constitution recognized the formation of provinces on a linguistic basis, viz., the Andhra Province, the Kerala Province and so forth, I do not think that Government should stand in the way of any people forming their own Province. When the people of certain provinces ask for a separate province without any division among themselves, we ought not to stand in their way and they should be given a separate province just like Sind or Bihar and Orissa. Whenever the question of the creation of certain new provinces is brought forward, the question of finance is brought in season and out of season by the Government. There are cases where financial questions ought to be looked into but does not the question of finance affect the formation of other provinces also, viz., Orissa, Sind and so forth. Of course there are many other considerations in constituting a separate province for the Andhradesa. There is no doubt that our administration has become very costly because we have got such a large area to be administered. The other thing is that we have got certain small provinces for the administration of which the cost will certainly go down if we separate them into new provinces. So if we separate these provinces, it will be possible for each province to adjust its expenditure according to its income."

"Another point that I would like to emphasize in this connexion is that hereafter in the legislatures the language that will be spoken will be the language of the people and we will be able to conduct our transactions in the Councils in the language of the people; so that we will have real democracy and not autocracy. The language of the respective Legislatures will be either Tamil, Telugu or Malayalam, as the case may be. In order to make democracy real and in order to make a large number of people take real interest in the administration of their province, it is necessary that our province should be divided on a linguistic basis. Of course the question will arise that Urdu language will suffer. I am sure it will not as long as it remains the second language of the people and it is encouraged by a majority of the people. Of course some of my hon. Colleagues added by way of amendments the formation of two or more provinces thus making the

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proposition in a way, ridiculous. The formation of a separate Andhra Province on account of its size stands on a different footing from that of other provinces. In the case of Kerala or Karnataka we have got very many difficulties. In the first instance if we are able to create at least one province, the claims of other districts for forming separate provinces can be considered later on. Instead of that, if we come forward now with proposals for the formation of so many other provinces also, neither this Government, nor the Imperial Government nor the Joint Select Committee will attach any importance to such proposals but would relegate them to the limbo of the future. Therefore I am sorry that hon. Members have thought fit to confuse the issues by bringing in these amendments. Of course my hon. Friend, Mr. Ranganatha Mudaliyar, in his own diplomatic and statesmanlike manner has brought forward an amendment asking for the appointment of a Committee to report on the redistribution of this Presidency on a linguistic basis. I think in a way he has brought forward in his amendment the idea of the hon. the Chief Minister. I do not think it is necessary to go into that question now. When once the principle is accepted, it will not be very difficult for us to have a separate province in the case of Andhradesa as it has been done in the case of Bihar and Orissa or Sind, the details of administration being left to be decided by the province according to its own convenience. Therefore I hope the Council will pass this resolution for the formation of a separate Andhra Province."

Sriman M. G. PATNAIK Mahasaya:—"Sir, with regard to the question of formation of provinces on a linguistic basis, it has been said that there is only one culture, viz., the Dravidian culture so far as the Andhra Province is concerned. Now the question is 'are the Andhras prepared for the formation of a new province of their own?' One will have to address himself to that question. Now the hon. the Raja Sahib of Bobbili who is said to have approached the Under Secretary of State for the formation of an Andhra Province is not now believed to have such an idea. That is one point. Take the case of the Andhra University. That University was established for the benefit of the whole of the Andhra districts, for all the Andhra people. Mr. Yakub Hasan made a mistake in saying that the Andhra University was intended to serve only some of the Andhra districts. If a particular community is anxious to have a university or a province of its own, it ought not to mind any inconvenience that is caused. The Andhras do not want to have a province of their own at the expense of their convenience or amenities. My hon. Friend, Mr. Koti Reddi, was very vehement and eloquent about the formation of the Andhra University. Now will he explain why one district after another cut itself away from the jurisdiction of the Andhra University? Can he explain why that was done? If the Andhra culture was so very important, why should they cut away from the Andhra University?"

Mr. K. KOTI REDDI:—"There are other universities with which they can affiliate themselves more conveniently."

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Sriman M. G. PATNAIK Mahasaya:—“There may be 20,000 universities but you want one university to develop your culture. But you say ‘We cannot go so far; we want to be detached.’ So you are not prepared to put up with a slight inconvenience. That is the point I want to make.

“So far as my hon. Friend, Mr. Bhanoji Rao, is concerned his position is quite clear. He already wanted to have Vizagapatam as the seat of the Andhra University because it has got a Medical College. So if an Andhra Province is formed, he would naturally like to have the headquarters of the Andhra Government at Vizagapatam. It is all from a selfish point of view that this resolution is brought forward. On the other hand Mr. Harischandrudu may want that Bezvada should be the capital of the Andhra Province. The position of Ganjam is a different one. Now a portion of Ganjam is going to be tacked on to Orissa and in the consequent redistribution a portion of Vizagapatam will have to go in with Ganjam and Vizagapatam will go further down to West Godavari. Are the people of East Godavari prepared to lose a portion in favour of Vizagapatam and again are the people of East Godavari going to agree to two taluks being tacked on to West Godavari? If this is not done, what is real patriotism. Otherwise, I cannot understand how this resolution has been brought forward. It must have been brought forward with some selfish motive or other. So far as the Andhras are concerned, they are not prepared to have a province of their own. But so far as the Kanarese people are concerned, there are some reasons for their having a separate province of their own. Therefore, I think their case ought to be very sympathetically considered. It is said that Andhras are not getting their due share of appointments in the public service. It is true that there are some difficulties in their way, but they can be got over by applying other remedies. My hon. Friend, Mr. Natesa Mudaliyar, said out of irritation that certain appointments were not given to the Andhras. Mr. Harischandrudu has brought forward this resolution and I think he is quite right. All this has come out of irritation, and not out of a deep feeling of patriotism for the formation of a new province.”

Mr. C. R. PARTHASARATHI AYYANGAR:—“Sir, I think it is high time that we should cry halt to our movements for the formation of separate provinces on a linguistic basis, until we have accomplished our real objective, viz., the consolidation of a united India. Unless our educated people and our leaders feel that we are Indians first—and it has got a greater significance, greater importance and greater consequence than the idea of forming a separate Andhra, Karnataka or Kerala Province, there is no salvation for India. We must realize that in practice, and I do not think it advisable, for some time to come, to think about the formation of separate provinces. If people really mean business, then they must not consider about the Andhra Province now. They must feel that the interests of the whole country, viz., India should be given the first preference to any particular area, viz., either the Andhradesa or the Kerala or the Karnataka. I do not want you to consider about the formation of Andhra Province now. You may think of it afterwards.

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You must try to weld the whole of India into one homogeneous whole. That is the proper way of dealing with the question. The Englishman does not realize that the interests of England and India are one. Therefore we will have to wait until we get from him the recognition that all India is one. I hope that the examination of the White Paper to consolidate and weld India into one homogeneous whole has come to a successful termination and when Federated India becomes a *fait accompli*, then it will be time enough for us to think of dividing our Presidency or the whole of India on a linguistic basis.

“Therefore the more important thing, it seems to me, is to educate the people, to make them think that they are Indians first and then only the Andhras, Karnatakas and so on. Until that is done, discussions of this kind will be merely of academical value. There are a number of Andhras in the Central Provinces, in Berar and in Mysore; are you going to take them also into your Andhra Province? If really the Andhras want to contribute something special, something of their own individuality to Indian culture, there is plenty of time to consider that question, there is plenty of time to decide whether an Andhra Province is necessary for that. Let us first of all get united, think of ourselves as Indians and then there is sufficient time for us to think of our individual cultures and civilization. That is the rule of nature. I want to ask: are we able to give anything to the world or to the Empire at large? What is our contribution? The way in which the hon. Member, Mr. Harischandrudu, has gone about the question is topsy-turvy. He says, we want a separate province because we want a separate university, we want a separate high court and so on. All that is good, no doubt, but is it not thinking of yourself first and then of the country? That is a state of affairs which nature does not contemplate and we cannot contemplate that state of affairs too, namely, myself first and my country last. That is a state of affairs which speaks of an abnormal state of mind and it should not be allowed to develop. Therefore, I submit to the House whether this question of an Andhra Province should be considered now or postponed to a later time. Of course, the Andhras are a very emotional people and they are easily carried away by their emotion. They are very good people and they have their own contribution in due time to make. On the other hand, our Tamilian friends are not emotional, they know what they do and they are intellectual. Unless there is a fusion of the two—emotion and intellect—each will be imperfect without the other. In India let there be a free mixing of the special qualities of the several people—the Malayalis, the Karnatakas, the Andhras, the Tamilians and so forth, the people of the north and the people of the south. Let us see what the result is. Till then any question of a separate province for any of these people will be of academic interest. Let me say plainly that if anyone now talks of ‘my province, my community’ and so on, it would show nothing but his selfishness. He wants something for himself and not for his country. So long as his own self-interest is not submerged in the bigger interests of the country as a whole or even the whole Empire, the time will not be ripe for consideration of the question of separate provinces.”

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MR. T. S. RAMASWAMI AYYAR :—“ Sir, the Andhras want a separate province and they are certainly entitled to have one. At the same time, I will only ask them whether this is the opportune moment to raise this question. We now find that it is with the greatest difficulty that the constitution is being framed for the future Government of India and even as it is, it looks as if the constitution will not be ready as early as we originally expected. In spite of the great trouble taken by all the parties, even Provincial Autonomy, which was expected in 1933 and later in 1934, is not likely to be introduced till 1935. I think that the hon. Member, Mr. Muniswami Nayudu, told us the other day that he expected the election, to take place in 1935. If things are going to get delayed like that, we should not be a party to further delay on our account. If the question about the provinces is raised to-day it will be a matter for the Joint Parliamentary Committee to consider and it will not be possible for them to come to an early decision. Perhaps a commission will have to be appointed to find out how this question could be tackled. The financial implications will have to be looked into. When the Commission's report is received by the Joint Parliamentary Committee, the question will have to be examined from the political standpoint how the franchise is to be adjusted, how the province is to be formed, what its financial and other relations should be with the Central Government and so on. All these questions cannot be solved in a single day. As I said before, I certainly sympathize with the claim that the Andhras should have a province of their own. In view of the fact that there will be a provision in the Federal Constitution to the effect that provinces may get divided if there is a demand for it, I ask the Andhras to consider whether the issue need be raised immediately and whether by so doing they would not be delaying the constitution that is to come. The country is now chafing at the delay in introducing the new constitution and we cannot blame anybody if we ourselves put obstacles in the way of framing the new constitution. It is only this aspect of the matter that I want to put before the Council. If I have risen to speak on this question at all, it is not to oppose the formation of an Andhra Province. I certainly sympathize with the Andhras in their attempt to form a province for themselves, but I ask whether it will not be possible for them to raise this question at a later stage after the new Constitution has been brought into being.

“ One more observation, Sir. Now we find that in the whole of India the general wish is for unity. It is felt that we are unnecessarily disunited. It is said there was no need for Burma being separated from India. Why then this great hurry for subdivisions? I therefore suggest that the whole question might be raised at a more opportune moment.”

MR. MAHBOOB ALI BAIG :—“ Mr. President, Sir, it is too late in the day to resist the claim of the Andhras to have a province of their own, for it has already been recognized by all sections of people and by the Government also as long ago as 1911. The claim seems to be just irresistible. I consider it unnecessary for me to go over the same ground covered by the previous speakers. The various conferences and the local bodies have repeatedly made this claim. This Council itself has given

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its considered opinion more than once. I believe, Sir, neither the Government nor any responsible official or non-official has in the past opposed the claim on the ground of finance, or the smallness of area or population, or inadequacy of the material resources or lack of a sufficient number of efficient administrators or lack of homogeneity in the population. To whatever religion the people belong, they have always felt alike the handicap of belonging to a larger Madras Province. I shall not deal with the various causes of irritation enumerated by the Chief Minister in his reply to the critics which he published in the local newspapers last month, but one thing seems to be clear: in attempting to meet his critics, the Raja Saheb gave up his case when he said that it was for the elected members of this Council belonging to the various linguistic areas to get together and frame an agreed scheme and that the Government would certainly consider all these matters. But why, I ask, should this patchwork, this unsatisfactory and inadequate remedy be resorted to? There are elements of discontent and smooth working of the Government might be difficult. It would give cause for anxiety to the Governor and his Ministers. Surely, Sir, this remedy is shortsighted and hesitating. Although, Sir, the Raja Saheb gave a formal recognition in the first part of his article to the claim of the Andhras and advised them to postpone their claim in the larger interests of the country, namely, the necessity of making a common cause with the whole of India in claiming reforms, yet, Sir, I believe in the end, he sought to discountenance the claim by advising them to rest content with the make-shift arrangement which has been referred to above. The question is now how best arrangements could be made for the Andhras to share the loaves and fishes of office or how best arrangements could be made to spend Government revenues on a population basis for the benefit of the Andhra districts, but the question is how best the Andhras could manage their own affairs. That is a matter which goes to the very root of the establishment of autonomous units in the Indian Federation. Knowing as I do, the mind of the Andhras, I have no hesitation in saying that the Andhras will not be satisfied with anything short of an autonomous province which will enable them to work out their own destinies as one of the units of the Indian Federation under the sovereignty of His Majesty the King Emperor.”

As it was 4 o'clock, the debate on this subject was stopped and the adjournment motion was taken up.

II.—ADJOURNMENT MOTION REGARDING THE ORDER OF DISBANDMENT AND RE-EMPLOYMENT OF PERSONS IN PUBLIC SERVICE ON ACCOUNT OF RETRENCHMENT—*cont.* 4 p.m.

MR. BASHEER AHMED SAYEED :—“ Mr. President, Sir, I move—
“ that the business of the House do stand adjourned for the purpose of discussing a definite matter on urgent public importance to wit, G.O. No. 277, Public (Services) Department, dated 29th March 1933, regarding the order of disbandment and re-employment of persons in public service on account of retrenchment.”

“ I might state even at the outset that this motion of adjournment is not intended to record any vote of censure on the Government or on the policy which they appear to have adopted hitherto. On the other hand

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I wish to make it clear that the idea underlying this motion is to elicit the sympathy of the Government with regard to the unfortunate class of Government servants who are seriously affected by the recent order of the Government issued on 29th March 1933 modifying the old order of the 31st March 1932. Hon. Members of this House are aware that with a view to effect retrenchment in the services of the Local Government, the Government issued G.O. No. 486, dated 31st March 1932, on the question of retrenchment of personnel, order of disbandment and of re-employment. The rules contained in that Government Order state that a certain order should be followed in the matter of the retrenchment of personnel in the various services. The Government Order of 31st March 1932 has been given effect to in very many departments and several Government servants have been sent out by reason of that order. Later on, all on a sudden, on the 29th March 1933, G.O. No. 277 was passed—Retrenchment and re-employment rules, 1932. The old Government Order has thus been changed by the new order. The modification relates to one category of officers hurt by retrenchment and those officers come under category 4 of the old Government Order of 1932. The fourth category relates to persons who have completed 25 years of service qualifying for pension, and who are liable under the Pension Rules applicable to them to be retired without compensation. Now the effect of the recent amendment made on the 29th March 1933 is that the fourth category of people are not to be affected and they are to be brought under the fifth category—persons not coming under any of the above categories in order of juniority; the net result of the modification is that a number of young men, efficient men, and well-trained men are thrown out of employment. I might say that with particular reference to the medical, educational and such other departments, this rule has worked serious hardship. I ask the Government whether they have come to a final decision whether, for administrative reasons, it is desirable or not to retain these younger and junior men and to send out the senior men who have put in 25 years of service and have earned their pension. I am informed that the Local Government are not responsible for this amendment but that the Government of India are not agreeable to the proposal of the Local Government; they say that the rule made by the Government of this province is not in conformity with Article 465-A of the Civil Service Regulations. That article gives unlimited power to the Local Government to send away any person who has put in 25 years of service in the interests of public service; but the Government of India say that it does not warrant sending away these men on account of retrenchment. It seems to be a matter for interpretation between the Local Government and the Government of India. It is true that the Local Government has to bow to the interpretation put upon it by the Government of India. But, may I ask whether the Local Government invited the attention of the Government of India and asked them why they sanctioned these very rules when they were originally framed and submitted to them for sanction in 1932? I think that these retrenchment rules which involve sending away of permanent men in service who have acquired a right in Government service were framed after a consideration of Civil Service Regulations, Article 465-A. When these rules

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were sent up to the Government of India for sanction, I ask whether the Government of India invited the attention of this Local Government and pointed out that these rules were *ultra vires* and that they should not be given effect to. If the attention of the Local Government had been drawn to the *ultra vires* nature of the rules that were framed by them that people who have put in 25 years of service are liable to be retired without compensation, probably this Government would not have framed those rules at all. If it is a question of the interpretation of 'public interest' I ask the Local Government and the Government of India through the Local Government whether it is not in the public interest if, on account of financial stringency and the financial distress which faced this Presidency in the year 1930-31, men who have already become entitled to draw pension are sent away with or without compensation. If the point of view of the Government of India is that such people are not to be sent away until they complete 30 years of service, then it is open to the Government of India to insist upon the Local Government to pay compensation and retire them. If that contingency ever arose, the Government of Madras would be only too willing to pay such compensation as these officers are entitled to and to retire them. To say that the Local Government should not retire these men who have put in 25 years of service and who are entitled to pension, even with compensation, and that they should send away junior men who have had greater opportunities of better training and who are more efficient than these old men, it will be a great hardship. It may be argued that the Classification Rules that were brought into effect in the year 1926 protect these persons who were in service before 1926. It is of course just that these persons should be protected. But, may I ask what about those persons who came after 1926 and who expected that their tenure of service also would be secure? Should they not also be protected? Are not these people entitled to protection? Why should not these people who have put in four or five years of service be given some protection? I do not know whether the Government are aware what the state of affairs will be if people who are getting Rs. 200, 250, 300 and 350 are thrown out of their present posts and new men are appointed carrying a small salary of Rs. 80 or Rs. 90. I think the Legislative Council as also the Government have a right to minimise as far as possible unemployment in this province. Is it not in conformity with the policy of reducing unemployment as far as possible to retain younger men who are better qualified than the older men and to send away the older men? After all, what is the hardship if people who have put in 25 years of service are asked to retire? They have put in 25 years of service and under the new Pension Rules they can elect to retire. If they are asked to retire by the Government and if the pension they would get would be only 25/60 of their salary, what is the hardship to which these people would be put, if they are going to get additional compensation? If the Government feel bound to give protection to those who entered service before 1926, before the Classification Rules came into effect, the Government are bound under the same principle and on the same policy, to give protection also to those who were entertained after the year 1926 and prior to the

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passing of the Government Order now in question. I do not know if the hon. the Finance Member or the Revenue Member addressed the Government of India about the propriety of sending away these men who have put in 25 years of service on payment of compensation. If the Government of India were informed that these people can be retired on payment of compensation, I think there is every chance of that Government saying that they have no objection. I would earnestly ask the hon. the Revenue Member to address the Government of India once again if the file is not closed. Even if the file is closed I would suggest that, as the matter is very important and urgent, the Government of India might be informed that this Government is willing to pay compensation to these people. The Government of India may not object then. If the views expressed on the floor of this House and if this Government's views are placed before the Government of India, they will have no objection to allow the retirement of those persons who have put in 25 years of service. I think that this Government will have no objection to pay compensation to such class of people and that the amount of compensation that will have to be paid will not be more than Rs. 50,000 or Rs. 60,000. Even if it exceeds a lakh of rupees, I think this can be done in the larger interests of economy, in the larger interests of finance, and in the still larger interests of efficiency of the services and of relief from unemployment. It is better that we retain these junior men who have been thrown out of employment. Certain number of posts have been abolished already. The Local Government should have considered at that time whether these posts could be abolished or not under the powers vested in them. The Government of India did not object to the abolition of these posts then; nor did they object to the rules issued in G.O. No. 486 in the year 1932. Therefore it is not open now to the Government of India to object to the Local Government retiring the people I am referring to, with compensation if necessary and with pension. I therefore say that the hon. the Finance Member and the Revenue Member should reconsider the whole question and ask the Government of India to permit them to retire people who have put in 25 years of service and to retain the junior men. Otherwise there will be great dissatisfaction in the services and the efficiency of the services will be greatly affected. What does it matter to the Government of India if people who have to retire perhaps two years later, are asked to retire now on the same pension and without any loss to them? I have no doubt that the Government of Madras have already done something to the extent to which it was possible, to protect the junior men in the services. If there is anything more to be done, I think that it will be done. I think there is a good deal that the Local Government can still do in the matter; they can bring it to the notice of the Government of India that their orders are not really in the public interests, that several appointments in several departments have already been abolished and that, if people within 25 years of service are not to be sent away, junior men will have to be sent away. The Government of India may be informed that the situation is really very serious and they may be asked to reconsider

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their decision and to permit this Government to retire men with 25 years of service with compensation irrespective of the amount of compensation that may be involved.

"I am sure, Sir, the hon. Finance Member will not grudge a lakh of rupees or thereabout to be paid to such of the officers as have put in twenty-five years' service and who are to be retired. I understand that in many services the rules have been given effect to in such a manner as not to send away junior men, but have been brought into effect only as and when vacancies arise on account of retirement in the normal course. In the Medical department or in the Education department particularly, I would earnestly appeal to the Government to give effect to the amended rules so as not to send away junior men, but to give effect to them as and when vacancies arise in the usual course. It is possible that within the course of two or three years, a number of people will retire, and if this Government Order is given effect to in such cases, I am sure there will be a great relief to the junior officers who are now being thrown out into the streets. I would request the Government to consider this aspect of the question. If it is not possible for the Government to do anything better, they can at least give effect to the new rules only when vacancies arise. The whole position should be reviewed by the Government, correspondence might be entered into with the Government of India about the very serious situation in which the junior men are placed and steps taken to redress the grievances as early as possible."

4-15
p.m.

Dr. P. SUBBARAYAN:—"Mr. President, I rise to second this resolution moved by my friend, Mr. Basheer Ahmed Sayeed. I am sure the Government realize that a great deal of injustice is being done to the junior officers in the various services which this Government Order proposes to deal with; because if the retrenchment order is given effect to and the junior officers are thrown out, from the calculations I have made, it will be 1939 or 1940 before these men will have a chance of being re-employed. No doubt the Government have laid down the principle that new recruitment should not take place until these men who have lost their employment owing to retrenchment are found employment. But they must also realize that all these men who have been recently recruited are quite young, and they came into the service with the prospect of getting on in service. If now they are sent away, they will be unemployed. I am sure the Government themselves realize the great unemployment that now persists among the educated classes. Whatever may be said, that these classes do depend upon Government service to a large extent is a fact well known to the Government. To be quite frank, I am glad that the communal rotation was introduced because of the serious unemployment and to redress the inequalities among the various communities in this province. By sending away these junior officers, you would really be affecting this communal rotation, because the senior men in the service all belong to one particular community; for, in the circumstances that existed in the province at that time, it was only possible to recruit members of one particular community to the various services concerned. But now other young men have got into

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the services, and I do not think it will be wrong if men who have served for 25 years and more are sent away according to the original policy of the Government of Madras. But unfortunately, the Government of India have now ruled that it is not possible to send these men away except by paying them compensation. I can quite understand and sympathize with that part of the proposition. Therefore there are two alternatives really open to the Provincial Government now. That is, they must either be prepared to pay compensation to the men who have served for 25 years or more and less than 30 years and send them away; or else, drop this policy of retrenchment till the time has arrived to limit these appointments to the number that has been laid down. To take the Medical department in particular, I believe the number of assistant surgeons to-day on the cadre is about 214; and if the proposals of the Government are to be given effect to, about 34 of them would have to be sent away. If the Government of India's policy is to be followed, 34 most junior men will now lose their appointments. It will be rather hard on the doctors who have staked their all on Government service and have entered it, if they are sent away now. I would therefore recommend to the Government that they should either make up their mind to send away men at the top with compensation according to the orders of the Government of India or stop their policy of retrenchment till the number 180 is reached, i.e., stop all recruitment till the number 180 is reached. I believe, Sir, it is in the hands of the Government to carry out the wishes of this Council, because not only we on this side of the House but also the Members on the other side are quite willing to support this proposition. I hope the hon. the Revenue Member, taking into consideration the strong feeling that exists in this House, will find a way out of this problem and satisfy also the young men who have been recently recruited."

The hon. the PRESIDENT:—"The motion before the House is—

'that the business of the House be adjourned'."

MR. ABDUL HAMEED KHAN:—"Mr. President, Sir, of course the hon. the Mover and the Secunder have made a very strong case on behalf of the junior men employed in the service of Government in order that they might be retained, that, if necessary, people who have put in a service of 25 years and more be retired and that justice be done to the younger people. I agree that in the circumstances in which we are placed, on account of the policy of retrenchment pursued by the Government, it will certainly be necessary to consider various aspects of the question. From the financial point of view, the Government will of course run to the idea that the easiest thing for them to do is to send away people who have been entertained recently and people employed on low salaries or salaries which are not as high as at the top of the services. That seems to be the policy, as I understand, of the Government of Madras. Of course, to send away the men at the top with their pension and also to retain the younger men, would amount as it were, to incurring double expenditure; so perhaps in order to reduce the expenditure of the Government, they seem to pursue this policy of sending away the younger

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men and retaining the people at the top. But, Sir, I am afraid it is not the proper policy; it may appear on the face of it to be a laudable policy especially having regard to the finances of the province. But if you think over the matter deeply, you will find that it is not the right policy. You will no doubt satisfy the present financial necessities by sending away the younger men and retaining the old; but certainly—and I would emphasize this point over and over again—you will be discouraging a large number of youths of the country upon whom the country depends not only for other things, but also for its services. If you want a large number of intelligent young men, young men highly qualified, to be ready for the services, you ought to encourage them. As it is, the unemployment problem is increasing day by day; and if you are going to add to the trouble by sending away highly educated and cultured young men who are ready to take up any appointment in the services, you will be pursuing a very shortsighted policy. I do not say this in the interests of any individuals. It may be possible for some persons to emphasize this principle in the interests of this person or that person, in order perhaps that another person might come in. I do not agree with that view; I stand here for the principle that you ought not to send away young men and deplete the services thereby; for otherwise, a time will come very soon when after all the people at the top have retired, you will not find really useful, intelligent, qualified and efficient men to take their places. I therefore think that the Government should reconsider this question. I know that the Provincial Government have to accept the interpretation of the Government of India with regard to retirement of persons who have put in 25 years of service. They elected to do so in the year 1916 when they were asked to accept the retirement of people after 25 years' service; the Madras Government then thought that it was within their power to send away persons after putting 25 years' service. I understand that recently the Government of India have given a new interpretation that in the interests of public service, only these junior gentlemen could be retired. I fail to understand how when the finances of a province are concerned, this question is not one of public interest. The Government of India ought to be apprised of the fact that the question of retrenchment ought to be treated as a matter of public interest. If the Government of India are made to understand that it is the feeling in this province that young men ought not to be treated in the way in which they will have to be treated if this Government Order is given effect to, I am sure they will recognize the hardship involved. I therefore hope that even if the Government of Madras feel that they are powerless in the matter they will bring home to the Government of India the feeling in this province; they will be doing a great justice to the services and to the younger men if they impress upon the Government of India this aspect of the question and see that the younger men are not sent away. Otherwise, as the hon. Secunder said, these young men will have to wait till 1938 or 1940 before they can be recruited over again for the services. It does not mean that there will not be another set of younger men to take up their places. Certainly one can understand that by sending away such a large number of people you will be creating a feeling

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of insecurity in the services. The younger men will begin to feel that the services are not as secure as they used to be, and you will not be able to get that class of people for your services as you require. You want really efficient and really qualified men. If you do not give the younger men the assurance that their services will not be terminated at your will and pleasure, you will not be able to get such efficient men. You will have to depend upon second and third rate people. You will not do so, I am sure, as you want to carry on the administration efficiently. If you want to do that, please, for God's sake, do not treat the young men in this discouraging manner."

* Rao Bahadur C. NATESA MUDALIYAR:—"Mr. President, Sir, I have nothing to add to what has been said on the other side of the House, especially by Dr. Subbarayan. The retrenchment proposals have taken away a number of juniors belonging to various communities. The Government Order relating to communal rotation has been applied only a few years ago, and those who have been taken into the service under the operation of this Government Order are most affected by retrenchment, because it is only those that entered service recently on account of the communal Government Order that are sent home on account of retrenchment. So that the position now is as it stood before the communal Government Order was applied. So, Sir, I request the hon. the Revenue Member to see that as far as possible those persons that have put in 25 years' service are sent away and the juniors retained, especially in the Medical department. They say that in that department about 20 assistant surgeons will have to go away if this suggestion is not given effect to. Of course it is left to the hon. Member and the Cabinet to see that, in extraordinary circumstances, a gentleman who served for 25 years is retained."

* The hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, in carrying out the policy of retrenchment which had to be adopted two years ago, it was absolutely necessary to reduce our establishment. And every reduction of establishment means that some one has to leave our service who otherwise would not do so and some one must therefore be put to some hardship; that is inevitable. The order in which we should dispense with the services of our employees was very carefully considered and we drew up certain rules. As remarked by the hon. Mover of this motion, objection was taken by the Government of India to a particular category of persons being sent away, namely, those who have completed 25 years of service and who are as such liable to be given notice, as we thought, under a note which is appended to Article 465-A of the Civil Service Regulations. That note reads as follows:

'Government retains absolute right to retire any officer after he has completed 25 years' qualifying service without giving any reasons and no claim to special compensation on this account will be entertained. This right will not be exercised except when it is in the public interest to dispense with the further services of an officer.'

"The ruling of the Government of India amounted in effect to this, that that note is not applicable to cases in which we are merely trying to reduce the strength of an establishment,

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"I should like to point out how the note affects each person brought under its operation. In the first place the note in question applies only to gazetted officers and it has no application to non-gazetted officers. I mention that because my hon. Friend, Dr. Subbarayan, spoke of a very large number of persons who were sent out of our service. I may say the number of gazetted officers whose services have been dispensed with is not large.

"In the second place, the effect on a person who is sent away under this note is as follows: Normally, he would not be compelled to retire until he reaches the age of 55. He may complete 25 years' service when he is, say, 52 years old. If an officer has completed 25 years of qualifying service, he is entitled to what is usually called a full pension of 30/60 of his emoluments. He does not get any higher proportion of his pay by serving any longer. But he loses in two ways. In the first place, he might be getting full pay for a longer period instead of being on leave preparatory to retirement or drawing his pension after retirement before he reaches the age of 55 years. In the second place, his pay if he continues in service may increase during his two or three years' further service and he would then get a higher pension on retirement.

"As regards the retrenchment of juniors and the effect it has on the communal rotation rule, we have provided in our rules that the juniors whose services have been dispensed with shall be given the option of coming back if they like in the reverse order in which their services were dispensed with. They get preference over any other candidate for the particular service in which they were retrenched. And they may also be admitted to similar units if no similar people are to be taken back into those units. So we have done all we can in the matter of re-employing these younger men whose services we have to dispense with for the time being. We have also provided that any interruption in service due to the discharge of these persons who are subsequently re-employed should not operate against them, as their service prior to such interruption will be given credit in calculating their period of total service. That is to say, such persons suffer on re-employment no disability by their temporary discharge. I may also state that any probation undergone by any person before discharge shall count towards the total period of probation which he is required to undergo under the rules governing the service.

"So, Sir, I think we have gone as far as we can to mitigate the adverse effect which these rules have upon junior officers whose services are dispensed with for the time being. Now we are asked that we should reconsider this question and see whether we cannot address the Government of India again or take measures to dispense with the services of officers of over 25 years' service and under 55 years of age, paying them compensation if necessary. That question is under re-examination in the Secretariat at the present moment and we will certainly take into consideration the suggestions and remarks which have been made by hon. Members this evening."

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Mr. BASHEER AHMED SAYEED:—"Sir, in view of the assurance given by the hon. the Revenue Member that the question of addressing the Government of India once again and also the case for retaining the juniors are receiving attention, I do not wish to press the motion."

The motion was, by leave, withdrawn.

VI.—ACTS ASSENTED TO BY HIS EXCELLENCY THE
GOVERNOR-GENERAL.

* The hon. the PRESIDENT:—"I have to announce that the following Acts received the assent of His Excellency the Governor-General on the dates mentioned against each:—

Name of the Act.	Date of assent.
1. The Madras Marumakkattayam Act of 1932	12th April 1933.
2. The Madras Nambudri Act of 1932	12th April 1933.

"The House will now adjourn and meet again on Monday, the 30th October 1933, at 11 a.m."

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

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APPENDIX I.

[Vide answer to question No. 62 (a) asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 2nd August 1933, page 154 supra.]

G.O. Ms. No. 1473, L. & M., dated the 12th April 1933.

The President, District Board, Salem, has made an enquiry, at the instance of the Government, into the affairs of the Kumarapalayam panchayat. The enquiry has shown that the president's party and the opposition on the panchayat board are equally balanced, that the administration is practically at a standstill except for such business as the president and his party continue to dispose of at meetings held without the knowledge of the members of the opposition, that the president has been guilty of several serious irregularities and abuses of power and that he has dismissed the entire establishment of the panchayat.

2. It is clear that the panchayat board which is unable to exercise any effective check on the vagaries of its president and which is too pre-occupied with party strife to be able to discharge its duties to the villagers, has rendered itself incompetent to perform the duties imposed on it by law. Therefore the Kumarapalayam Panchayat Board, the Tiruchengodu Taluk Board and the Salem District Board are hereby called upon, under sub-section (2) of section 45-A of the Madras Local Boards Act, 1920, to show cause, so as to reach the Government within fifteen days from the date of this order, why the panchayat board should not be superseded for a period of one year under section 45-A (1) of the Act.

(By order of the Government, Ministry of Local Self-Government)

E. CONRAN SMITH,
Secretary to Government.

To the President, Panchayat Board, Kumarapalayam.
" President, Taluk Board, Tiruchengodu.
" President, District Board, Salem.
Copy to the Collector of Salem.
" Inspector of Municipal Councils and Local Boards.

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APPENDIX II

[Vide answer to question No. 62 (g) asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 2nd August 1933, page 154 supra.]

Proceedings of the Komarapalaiyam Panchayat Board at its urgent meeting held on Monday, the 24th April 1933, at 2 p.m. in the premises of the Komarapalaiyam Panchayat Board.

PRESENT :

M.R.Ry. J. K. Kandaswami Chettiyar Avargal (*President*).

K. V. Venkatasubba Ayyar Avargal and eight others (*Members*).

Read the G.O. No. 1473, L. & M., dated 12th April 1933, asking this Board to show cause why this Board should not be superseded for one year.

Resolution.—M.R.Ry. L. K. Lakshmana Chettiyar placed a written proposal seconded by G. Marimuthu Chettiyar, Vice-President, and supported by J. S. A. Subramania Chettiyar, K. V. Venkatasubba Ayyar and Muthukumara Mudaliyar at 2 p.m. to-day stating that ever since the new Board was constituted the President without functioning the executive powers of this Board as per law and discharging duties on his own accord and that without any reason dismissed this Board's servants including the scavengers and that he did not take interest in the income of the Board and in several ways caused loss to the Board and if that members pointed out the same he did not pay attention and that he, with the aid of the four members, rejected the resolutions of the other five members and that he issued notices to his *side* members and taking the advantages of the absence of members and in inconvenient day he frequently convened meetings and that villagers had not expected any benefit by this Board possessing party feelings and as this causes dishonour and contempt to the villagers and that Board is to be dissolved for one year in compliance of the G.O. No. 1473, L. & M., dated 12th April 1933.

The president and four members submit the following causes in support of the good administration of this Board:—

- (1) The budget for the year 1933-34 was passed by a majority including the opposition member.
- (2) House-tax scale for the year 1933-34 was passed and sanctioned by ten members unanimously.
- (3) On economical ground this Board cut the salaries and has earned a saving of Rs. 1,749.
- (4) The old servants were dismissed by the President for acts of disobedience and neglect of duties and that the newly appointed low-paid servants collected the taxes satisfactorily and the liabilities of the old Board were cleared up to Rs. 1,250 and that the balance of pay for three months were now paid to menials.

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(5) The old Board had allowed the clerk, S. V. Appavu Pillai, to reside in the office building and illegally agreed for three years in a registration document for a higher rent of Rs. 11 per mensem and that was cancelled by the new Board and a building on Rs. 7 per mensem as rent is got up and the clerk, Appavu Pillai, was evicted from the office building.

(6) We are prepared to prove that meeting notices to all members to all meetings were circulated.

(7) As per advice of the Health Officer two new model latrines are constructed to the benefit of the villagers.

(8) The old Board managed the petromax lighting and the new Board let it on contract and has effected a saving of Rs. 720 per annum.

(9) The old Board leased the Weekly Market for Rs. 630 in public auction for the year 1932-33 but now the new Board for the year 1933-34 leased the same in auction for Rs. 1,634. Further there are high income in other leases.

(10) The President and the Board discharge its functions according to law which facts may be verified by the benign Government by appointing a Government Officer for a further enquiry to understand the real things.

(11) The enquiry of the President, District Board, was incomplete and that there were ill-feeling in the District Board election between the hon. Diwan Bahadur Ellappa Chettiyar and this Board President with four members which is a result of the present situation.

(12) There was no disturbance either in the Board meetings or in the village.

(13) After the reduction of salaries on 24th December 1932 to show sympathy petitions were submitted to the Government on 27th December 1932 and 30th December 1932.

(14) We are of opinion that full details can be seen from the replies of our President to the President, District Board, on 26th February 1933, and we humbly request that the Government will be pleased to peruse the same.

(15) This new Board was constituted on 20th June 1932 and till now did only good and there is no criminal case. Granting that there is equal party feeling neither the President nor this Board had done any illegal act. Therefore the Government will be pleased to peruse the statement attached and it will then be just and lawful to come to a decision.

We are of opinion that it will not be beneficial to the rate-payers if a special officer is appointed under section 45-A after the supersession of this Panchayat Board as it will result in high expenses.

We submit these causes with unanimity including President M.R.Ry. J. K. Kandaswami Chettiyar, K. K. Arumuga Mudaliyar, K. K. Palaniswami Chettiyar, Venkatachalam and Mr. K. Thammanna Chettiyar.

24th April 1933.

J. K. KANDASWAMI CHETTIYAR.

[2nd August 1933]

Extract from the Proceedings of the Tiruchengodu Taluk Board passed at its meeting held at Sankari on Tuesday, the 2nd May, 1933, at 2 p.m.

PRESENT:

M.R.Ry. L. Sengottuvela Gounder Avargal, President, and 19 others.

1. Read G.O. Ms. No. 1473, L. & M., dated 12th April 1933, calling upon this Board to show cause why the Komarapalayam Panchayat Board should not be superseded for a period of one year under section 45-A (1) of the Act in the circumstances stated therein.

Resolution.—Resolved that the Panchayat Board be superseded for one year. M.R.Ry. K. A. Nachiyappa Gounder Avargal dissenting.

Reason for dissent.—It would have been better if the Government have deputed either the Collector or the Revenue Divisional Officer, who are not concerned with the Local Fund administration, to make enquiries in the matter and then passed orders after receipt of their reports, since there are party factions in the Panchayat Board, Komarapalayam, and the President, District Board, was expected to show partiality between the factious parties.

L. SENGOTTUVELA GOUNDER,
President.

Extract from the Proceedings of the special meeting of the Salem District Board held on 29th April 1933.

PRESENT:

* * * *

[Non-delegated—Board—Komarapalayam Panchayat Board—Supersession—Notice to show cause against—Issued by Government.]

1. G.O. Ms. No. 1473, L. & M., dated 12th April 1933, calling on the Komarapalayam Panchayat Board, the Tiruchengodu Taluk Board and the Salem District Board under sub-section (2) of section 45-A of the Madras Local Boards Act, 1920, to show cause within 15 days from the date of receipt of the Government Order why the Panchayat should not be superseded for a period of one year under section 45-A (1) of the Act.

Note.—The petitions, dated 27th December 1932 and 30th December 1932 and telegram, dated 29th December 1932, from certain members of the Komarapalayam Panchayat Board containing allegations against the President of that Panchayat Board were transferred in Government Memorandum No. 122-1-A-2, L. & M., dated 19th January 1933, to the President, District Board, Salem, for disposal or report if necessary.

Again petition, dated 23rd January 1933, from certain members of the Panchayat Board and petition, dated 24th January 1933, from N. V. Appavu Pillai, clerk, Panchayat Board, and telegrams, dated 30th January 1933 and 4th February 1933, from M.R.Ry. Lakshmana Chettiyar, member, Komarapalayam Panchayat Board, and from

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M.R.Ry. Palani-swami Chettiyar, representative of the Komarapalayam tax-payers, respectively, were referred in Government Memorandum No. 4485-A-1/A-2, dated 7th February 1933, to the President, District Board, for early enquiry and report.

Petitions were also received by the President, District Board, direct and through the Collector of Salem and the Inspector of Local Boards, all containing allegations against the President and some members of the Panchayat Board. Thereupon the President, District Board, held an enquiry into the matter at Komarapalayam one day and at Salem on another day. On these two occasions both the parties with their vakils were present. The result of the enquiry was reported to Government along with the petitions and telegrams referred to him by the Government. The Government have now observed that the President of District Board's enquiry has shown that the President's party and the opposition on the Panchayat Board are equally balanced and that the administration is practically at a stand-still except for such business as the President and his party continue to dispose of at meetings held without the knowledge of the members of the opposition that the President has been guilty of several serious irregularities and abuses of power and that he has dismissed the entire establishment of the Panchayat Board which is unable to exercise any effective check on the vagaries of its President and which is too pre-occupied with party strife to be able to discharge its duties to the villagers has rendered itself incompetent to perform the duties imposed on it by law.

Resolution.—In the circumstances stated in the note and in the interest of the villagers this Board has no objection to the supersession of the Komarapalayam Panchayat Board.

APPENDIX III.

[Vide answer to question No. 73 asked by Mr. U. C. Subrahmanya Bhatt at the meeting of the Legislative Council held on the 2nd August 1933, page 163 supra.]

I

Letter, dated 20th July 1933, from B. Thimmannacharya, landlord, Brahmar, South Kanara, to the hon. the Law Member.

In a general meeting of the villagers of Kergal, Nandanavan, Kambadakone, Heranjalu, Kirimanjeshwara, Uppunda, Bijur, etc., assembled at Nayakanakatte on the 11th of July 1933, the villagers thereof, after passing certain resolutions setting forth their grievances in respect of the recent notification by the District Forest Officer, North Mangalore, in the District Gazette of 24th January 1933, have authorised and instructed me, as their elected President, to submit a copy of the proceedings to you for kind consideration. The copy is herewith enclosed.

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The Proceedings No. 560, dated 16th December 1932, of the Chief Conservator of Forests, Madras, published in the above notification, entails serious suffering to those villagers as it seeks to deprive them of the use of the only forest on the waste products of which the cultivation of vast fields in those villages depends.

Favour of early action is solicited.

Enclosure.

Proceedings of the General Body meeting held on 11th July 1933 at Naikanakatte of No. 9, Kergal village of Coondapoor taluk, of the occupants of Kergal, Nandanavana, Kambadakone, Heranjalu, Kirimanjeshwar, Uppunda, Bijur and other villages.

PRESENT:

Koderi Narayana Karantha and others, in all, 305 persons.

1. Proposed by Naikanakatte Krishna Bhatta and seconded by Koderi Narayana Karantha, that M.R.Ry. Brahmavar Timmannacharya be elected to be the president of the meeting, he being a wargdar of the locality and having experience of the same. He was unanimously elected as president.

2. Read notice published by the Forest Officer in *South Kanara Gazette* of 11th January 1933 about the proceedings of the Conservator of Forests, Madras, dated 16th December 1932, No. 569, that the concessions granted to the public to remove forest produce from reserve forests have been cancelled. The people of this locality have been from time immemorial bringing firewood, manure leaves and other forest produce for their daily agricultural and domestic purposes from Kusigudde, Guruvanakote and other adjoining reserve forests. Recently the Government has converted the forests into reserve forests ostensibly for the purpose of helping the public and has been obstructing step by step the use of such reserve forests by the public. The people through their representatives in Council agitated in regard to the same and the former Chief Conservator who knew very well the difficulties of ryots here had given free permission to bring green manure leaves, dried leaves, thorn, brushwood and other forest produce from all trees except classified trees. The present Chief Conservator, however, without enquiry has entirely cancelled all the aforesaid rights.

3. The meeting with great sorrow condemn the aforesaid notification cancelling the concessions as the same not only caused great hardship to cultivation but even the firewood required by people for their daily use has been made unavailable. When on account of the great distress the price of foodstuffs has gone down and people are experiencing great difficulties even in the proper and timely payment of assessment due to the Government, this order is sure to discourage all cultivation, and there is even the danger of lands going fallow. The notification which prohibits the people for taking the forest produce from which the Government gets not a single pie and which gets destroyed in the forest is really very hard, which no civilized Government ought to support.

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4. This meeting regrets that the District Collector has not passed any orders till now either in the proceedings of the people of Baindur locality that sent to him or on the representations of the deputation that waited on the Collector when he came to Baindur.

5. The meeting feels that this notification will surely give rise to a lot of ill-feeling between the Government and the people and result also in unnecessary agitation and reprisals and hence the meeting humbly prays that the Local Government may be pleased immediately to cancel the notification and make the forest produce available to people as before.

6. The president of this meeting is hereby authorized to send copies of the proceedings of this meeting to the District Collector, the District Forest Officer, the Chief Conservator and Conservator of Forests, the hon. the Law Member to the Government of Madras, the President of South Kanara Landholders' Association and also the Legislative Council Members representing the district and to all the papers of the district.

NAIKANAKATTE,
11th July 1933.

TIMMANNACHARYA,
President.

II

Letter from M.R.Ry. K. R. KARANT Avargal, B.A., LL.B., Honorary Secretary, South Kanara Landholders' Association, Mangalore, to the Secretary to Government, Development Department, No. 39, dated 2nd March 1933.

I am enclosing herewith a copy of the proceedings of a public meeting of landholders held under the auspices of the South Kanara Landholders' Association at Mangalore, on 22nd February 1933 and I beg to draw your particular attention to resolution No. III contained therein. I shall thank you to acknowledge receipt of the same and kindly communicate to me the action which Government may be pleased to take on the matter.

Enclosure.

Proceedings of a public meeting of Landholders held under the auspices of the Landholders' Association, South Kanara, at 5-30 p.m., on Wednesday, the 22nd February 1933.

Mr. J. A. Saldanha, B.A., LL.B., retired Assistant Sessions Judge and ex-M.L.C., was unanimously voted to the Chair.

Mr. K. R. Karant, Secretary to the South Kanara Landholders' Association and Convener of the meeting, explained the objects of the meeting.

III. Proposed by Mr. B. Manjaya Hegde, B.A., B.L., and seconded by Mr. M. N. Chowta, B.A., B.L., and unanimously passed.

"That this meeting strongly protests against the proposed policy of the gradual withdrawal of the concessions to the cultivators in the reserve forests of Government in the district, enunciated

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in the proceedings of the Chief Conservator of Forests, Ms. No. 560, dated 17th December, 1932, and communicated to the Secretary of the Landholders' Association, by the District Forest Officer of North Mangalore, and the actual withdrawal of the concessions in some of the reserves from 1st April 1933.

IV. Proposed by Mr. B. Mahabala Shetty, B.A., B.L., and seconded by Mr. A. M. Mathias and passed unanimously.

"That a deputation consisting of the following gentlemen and others who may be co-opted by them and led by Mr. K. R. Karant, do wait upon the District Collector, to represent the grievances of the landholders of the district in regard to the matters contained in the above resolutions.

V. Proposed by Mr. A. M. Mathias and seconded by Mr. M. Shankernarayana Rao, B.A., B.L., that this meeting authorizes the Secretary of the Landholders' Association to communicate the proceedings of this meeting to Government, the local authorities and the M.L.Cs. of the district and the press.

Members of the deputation.

(1) Mr. A. B. Shetty, M.L.C., (2) Mr. M. S. Sreshta, M.L.C., (3) Khan Bahadur Mahmud Schamnad, M.L.C., (4) Mr. U. C. Bhat, M.L.C., (5) Mr. K. R. Karant, (6) Mr. M. Shankernarayana Rao, (7) Mr. J. A. Saldanha, (8) Diwan Bahadur N. Subba Rao, (9) Mr. V. K. Nambesan, (10) Mr. K. S. Adiga and (11) Dr. K. Vittal Shetty.

J. A. SALDANHA,
Chairman.

III

Petition from the ryots and cultivators of Hospet and Todar villages, to the Secretary to Government, Development Department.

[Cancellation of forest rights and concessions.]

We the ryots and cultivators of the villages of Hospet and Todar villages respectively beg to pray that the cancellation of the rights and concessions in the Reserve Forest of Hosabettu and Todar villages may be suspended until an official or non-official inquiry is held with a previous notice of the charges against them. Because no such previous notice had been given to them and the order of Conservator of January 1933 cancelling the rights and concessions came to them as a surprise. We respectfully submit that such drastic measure are calculated to add considerably to our terrible sufferings in these days of woeful distress. We beg to urge that whatever be the charges on which the cancellation are based, as a body the villagers concerned are innocent. It is alleged that a number of classified trees have been found cut. But most of them are dried trees, or dried branches of trees. Many other cuttings can be explained if an opportunity is

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given to us. It appears that the Forest Department is under the impression that we have got large areas of Kumki lands. We beg to submit that they are far from adequate for the purposes of manure and other uses of cultivators. Hence, we obtained from Government the recognition of our immemorial rights in reserve forest to green manure leaves for manure and poles for planting beetle leaves-creepers. They are of absolute necessity just in the summer before the rains to be got from the reserve forests, without which we shall be reduced to a most pitiable condition. Hence our humble prayer for the suspension of the orders of Government pending an inquiry into the charges against us. We append a note explaining the origin and growth of the above-mentioned rights and privileges, which will prove how absolutely necessary they are for the maintenance of cultivation in our villages. If Government persist in their policy of cutting off our rights and concessions in reserve forests, we shall be driven from our villages each and every one, allowing the conversion of our once most flourishing villages into a grand dense jungle fit only for the rapid increase of wild animals. May Government be pleased in the name of humanity to have pity upon us poor cultivators.

We beg to remain, your most obedient servants.

We submit this memorial through the Secretary of the Landholders' Association of South Kanara, for being forwarded to the Government with a note of the history of forest rights and concessions by J. A. Saldanha, ex-M.L.C., Hosabettu Church, 2nd April 1933.

Adiraja Kadamba, Landholder, Hosabettu
and others.

Enclosure.

Forest grievances of cultivators in South Kanara.

[Note below petition of the villagers of Todar and Hosabettu villages, dated 2nd April 1933, by Mr. J. A. Saldanha, ex-M.L.C.]

The petition is submitted with a typewritten copy of it with reference to the previous correspondence and notes. A reference is also invited to proceedings in the Legislative Council specially those reported in XLI, 211-245 and LIII, 170 and 231. The main points for being urged are—

- (1) The rights of cultivators in villages to green leaves manure from adjoining reserve forests has been recognized from time immemorial and that without any fees, unlike in other districts, probably because of the ancient rights of village cultivators in forests and concession to cut brushwood beyond the Kumaki lands follows as a matter of course, restricted as it is within a certain distance.
- (2) No apparent ground is given for the cancellation of the privileges. If there have been abuses on the part of the people, no warning was given to them, nor notice to show cause against their cancellation.

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(3) The Todar and Hosabettu forests were formerly and have always been maintained for fuel purposes. But in the order of cancellation they are for the first time described as sandalwood reserves. Sandalwood plantation has been banished from this district as unsuitable and unremunerative. No change of the policy of the department has been notified. If there is a change in its policy, it may be expected to be carried out without prejudice to the rights and necessities of the cultivators in maintaining their fields and gardens—an inheritance of ages of immense labour and expenditure of money.

(4) The drastic manner in which the orders are carried out with only two or three months' notice savours of barbarous cruelty, not to speak of the injustice involved, especially in these days of terrible distress, which is more acutely felt in the interior villages than on the coast. It is hoped therefore that the pitiful and pathetic cry of the poor villagers will meet with fair and merciful treatment on the part of Government.

MANGALORE,
10th April 1933.

J. A. SALDANHA.

IV

Letter from the Honorary Secretary, the Catholic Association of South Kanara, to the Secretary to Government, Development Department, dated Mangalore, the 1st May 1933, No. 27.

I am directed to submit for your information and favour of necessary action the following resolution passed by the general body of the South Kanara Catholic Association:—

"That this meeting views with great concern the withdrawal of the privileges and concessions granted to the villagers in reserve forests, especially Todar and Hosabettu, and urge that the orders may be suspended pending an enquiry after due notice to the people concerned."

A memorandum is being prepared showing the grounds on which the existing concessions should not be withdrawn. I am desired to request that meanwhile no final orders may be passed on the subject.

V

Abstract translation of petition from the ryots of Baindur, etc., villages.

The petition, which is in Kanarese, is a report of the proceedings of a public meeting held at Baindur (South Kanara district) on the 30th April 1933 under the presidentship of M.R.Ry. Yedteru Kristappa Shetty, in which the ryots of Baindur and the adjoining villages complain that the Forest department has all of a sudden withdrawn from the 1st April the concessions under which the local cultivators and the members of the public were allowed to remove from the reserve forests

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the dry fuel, dry leaves, green manure, brambles, etc., required for agricultural and domestic purposes, without the payment of any fee, that this concession had been introduced only about two or three years ago after the justice of the claim to these materials had been recognized after many long years of agitation, that the withdrawal of the concessions operates as a very great hardship which is apt to drive the ryots to despair and cause them to leave their lands uncultivated and create great disaffection among the ryots and that it behoves the benign Government to remove this hardship by restoring the concessions which have been cruelly withdrawn when the ryots are already suffering great distress.

The reports add that the president is authorized to submit copies thereof to the Hon'ble the Law Member, the representatives of South Kanara in the Legislative Council and to the newspapers of the district.

VI

Letter from Mr. J. A. SALDANHA, to the Hon'ble the Law Member, dated 10th June 1933.

The question of withdrawal of the concessions in reserved forests allowed to cultivators, especially those of Hosabettu and Todar in South Kanara, has been before you for some time. I had submitted a note on representation of the cultivators of the last-mentioned two villages in April 1933 to the Secretary to Government, Development Department (Forests), and have sent one recently—a copy of which in print—I beg to submit in connexion with a memorandum submitted by the President of the South Kanara Catholic Association in drawing which I had some hand. In sending my printed note, I may lay stress on these points—

- (1) The ryots of South Kanara enjoy the concessions especially the privilege of taking green manure leaves free of payment of fees as an exemption to the general rule in the Presidency on account of the exceptional conditions of this district, which are well described in the South Kanara Manual and in I.L.R. Mad., 257, at pages 260, 264, 279, 280 and 295.
- (2) The privilege of free grant of green leaves cannot be intermixed with forest village panchayat system, as it was attempted to be as pointed out by Mr. Tireman in his speech on 15th April 1924 (Legislative Council Proceedings, XVII, page 730).
- (3) That system was reported to be satisfactory till 1930-31 in 1932.
- (4) There could not have occurred such extensive and serious abuses as to necessitate withdrawal of the concessions as well as the cancellation of the forest village panchayat system.

Our district includes Catholic cultivators, especially at Hosabettu and Todar, much concerned in the demand. Hence my appeal.

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VII

Proceedings of the Chief Conservator of Forests, No. 560 Ms., dated 17th December 1932.

[Forest concessions—South Kanara—Withdrawal—Orders passed.]

After repeated requests the Government have eventually agreed to the gradual withdrawal of the special concessions in South Kanara beginning from next year and have ordered that the following reserves should be closed to the concessions to start with:—

- (i) Six of the much abused reserves of the Coondapoor range of North Mangalore which lie farthest from the sea.
- (ii) The following six sandalwood reserves in the North Mangalore division:—
 - (i) Hosabettu.
 - (ii) Todar.
 - (iii) Nire.
 - (iv) Vorwady.
 - (v) Mavinguly.
 - (vi) Kassankatti.
- (iii) The Veeracamba reserve forest in South Mangalore.

As it is desirable that the people in the locality should be given reasonable warning of the intended closure of the reserves, the District Forest Officers concerned should notify immediately to the people affected the proposed withdrawal of the concessions by beat of tom-tom in the villages and by publication in the district gazette. The concessions should be withdrawn from 1st April 1933, after issuing the preliminary warning and notification.

2. The District Forest Officers are requested to submit reports on any representations that may be made against the withdrawal through the Collector and Conservator not later than 1st March 1933.

VIII

Extract of the proceedings of the meeting of the landholders of the Puttur taluk assembled in the Board Higher Elementary School, Puttur, dated the 29th April 1933.

6. This meeting is grieved to hear that it is under contemplation to withdraw the few privileges granted to the public in respect of reserved forests and prays that Government may be pleased not to withdraw these privileges.

[Resolution No. 6—Forest privileges—Withdrawal threatened—Relief prayed.]

This resolution only prays that certain forest privileges graciously given by Government should not be withdrawn as is rumoured to be under contemplation. It is possible, nay likely, that a very plausible case may be made out by the Forest department in support of such

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withdrawal. With a trained staff, this is easily done. It is only a question of heart and attitude with them but the peoples' side of the matter has to be heard before action has to be taken. If only such an opportunity is given the reason for withdrawal of concessions can be met. Forest grievances are fouling the atmosphere of rural parts and clouding the view of the people as to Government's intentions. The withdrawal of even the few privileges given will fill the heart of the people with bitterness and make their daily life and living most miserable and irksome. The submission is to save the people from all this suffering and misery.

APPENDIX IV.

[Vide answer to question No. 75 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 2nd August 1933, page 165 supra.]

Statement No. III.

Districts.	Net current balance excluding the land revenue, the collection of which has been suspended or postponed.	Per centage of net balance excluding the collections suspended or postponed to the demand up to the end of June 1933.	Districts.	Net current balance excluding the land revenue, the collection of which has been suspended or postponed.	Percentage of net balance excluding the collections suspended or postponed to the demand up to the end of June 1933.
(1)	(2)	(3)	(1)	(2)	(3)
	RS.			RS.	
Ganjam ..	26,761	1.1	South Arcot ..	1,98,091	3.3
Vizagapatam ..	19,380	0.7	Tanjore ..	67,396	0.8
Godavari, East ..	76,432	1.3	Trichinopoly ..	9,615	0.3
Godavari, West ..	8,117	0.2	Madura ..	21,383	0.6
Kistna ..	35,886	0.8	Ramnad ..	2,62,228	13.5
Guntur ..	23,681	0.4	Tinnevely ..	8,417	0.3
Nellore ..	23,238	0.7	Coimbatore ..	6,120	0.2
Cuddapah ..	7,035	0.4	The Nilgiris ..	1,024	0.5
Anantapur ..	3,331	0.2	Salem ..	15,405	0.5
Bellary ..	21,156	0.9	South Kanara ..	95,301	3.4
Kurnool ..	240	0.01	Malabar ..	23,178	0.5
Madras ..	502	0.1			
Chingleput ..	21,966	0.8	Total ..	10,67,205	1.2
Chittoor ..	45,822	3.1			
North Arcot ..	45,500	1.2			

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APPENDIX V.

[Vide answer to question No. 82 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 2nd August 1933, page 169 supra.]

Statement showing the amount of tax collected under the Madras Motor Vehicles Taxation Act in each district during 1932-33 and the amount of compensation paid to each district board during that year.

Serial number and name of district.	Amount of tax collected during 1932-33.	Name of district board.	Amount of compensation paid in 1932-33.
	RS.		RS.
1 Ganjam	58,316	Ganjam	51,970
2 Vizagapatam	1,48,554	Vizagapatam	87,500
3 East Godavari	1,04,967	East Godavari	82,197
4 West Godavari	48,425	West Godavari	37,651
5 Kistna	88,337	Kistna	51,439
6 Guntur	95,470	Guntur	46,136
7 Nellore	73,297	Nellore	25,455
8 Cuddapah	40,945	Cuddapah	33,939
9 Anantapur	44,305	Anantapur	28,106
10 Bellary	87,816	Bellary	25,455
11 Kurnool	57,482	Kurnool	49,318
12 Chingleput	58,390	Chingleput	78,485
13 Chittoor	52,320	Chittoor	31,818
14 North Arcot	1,25,345	North Arcot	73,712
15 South Arcot	71,649	South Arcot	91,212
16 Tanjore	1,76,662	Tanjore	1,10,833
17 Trichinopoly	1,52,187	Trichinopoly	1,07,651
18 Madura	2,46,417	Madura	2,02,576
19 Ramnad	2,00,970	Ramnad	1,50,606
20 Tinnevely	1,41,262	Tinnevely	1,24,091
21 Coimbatore	3,37,168	Coimbatore	1,70,738
22 Nilgiris	1,79,684	Nilgiris	69,470
23 Salem	1,95,435	Salem	1,44,773
24 South Kanara	1,77,740	South Kanara	35,000
25 Malabar	2,67,012	Malabar	1,21,040
26 Madras	7,77,449		..
27 At Madras City by book adjustment.	24,067		..
28 On account of taxes paid by Government on behalf of non-gazetted Police officers including taxation staff.	6,298		..

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APPENDIX VI.

[Vide answer to question No. 103 asked by Mr. M. Devadasan at the meeting of the Legislative Council held on the 2nd August 1933, page 184 supra.]

Letter from Mr. R. Ananda Rao, Salem, on behalf of the Salem Sheevapet Coffee-Hotels' Proprietors' Association, to the Private Secretary to His Excellency the Governor of Madras, dated 26th March 1933.

In the meeting held on 17th March 1933 by the Salem Sheevapet Coffee-Hotels' Proprietors' Association, it has been resolved that I should communicate the following memorial for kind consideration and favourable orders of His Excellency the Governor of Madras.

I request the same may be placed before His Excellency and acknowledged and favourable orders passed directing the Salem Municipal Council to withdraw their resolution, dated 17th February 1933.

For which I shall feel highly grateful.

Memorial of V. Subrahmanya Ayyar and forty-five others of Salem, dated 20th March 1933, to His Excellency the Governor of Madras.

MAY IT PLEASE HIS EXCELLENCY:

We, the undersigned proprietors and licence-holders of the Coffee-hotels and clubs doing business in the limits of the Salem Municipality beg to submit this Memorial against the unwarranted, uncalled for, resolution passed by the Salem Municipal Council in its meeting held on 17th February 1933, regarding the allowing of the Adi-Dravidas into the hotels and clubs managed by us, and request that the Government would be pleased to order the cancellation of the said resolution and direct the Salem Municipality not to go beyond the limits of power vested in them on the following

Grounds.

That the Salem Municipal Council, in its meeting held on 17th February 1933, passed the following resolution, reading as follows:—

"This Council resolves that all the coffee-clubs, meals-hotels, and sweetmeat shops should be made accessible to the so-called untouchable classes; (2) The above resolution to be made a bye-law. This should be imposed as a condition in every licence that is to be issued to these traders in future. The mover of the resolution proposed an amendment that the eating houses may be deleted."

1. The above resolution, if given effect to, would naturally affect the rights of the individual proprietors of the above hotels, because of the fact that they are more or less compelled to allow access to the Adi-Dravidas who are by customs and traditions from time immemorial regarded and treated as *untouchables*.

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2. As per the great declaration made by *Her Majesty the Queen Victoria* (Late) the Government is considered to be the custodian as well as the guardian of the rights and privileges enjoyed by the Hindus and every Indian citizen. It is very clear from the "*Victoria Chart*" the Government would keep '*non-interference in the religious sanctise of the Hindu Nation in India*' which the Salem Municipal Council has openly violated, in spite of the Government's sincerity in keeping to the above chart.

3. The coffee clubs and hotels are kept and run by individuals and the proprietors of the hotels are the sole-authorities for selling things to those persons to whom they like and they cannot be compelled by any statutory power that is now in existence.

4. The Municipality has no doubt certain powers vested in them in their administrative capacity over these restaurant and hotels and that is so far as health-point of view is concerned.

5. Issue of licence means that the proprietors should be responsible by the existing bye-law of the Salem Municipality and also the Local District Municipalities Act to keep the premises, things, etc., used for the distribution as clean and neat and healthy. It is only in these points the Council can interfere in the affairs of the coffee hotels and restaurants and on no other ground compelling an individual proprietor or all the proprietors of coffee hotels in Salem to allow this man and that man and treat him in this way and that way and if they do not be pleased to abide by that proposal the resolution very clearly says that the licences would be cancelled. This is more or less a threat which leads to interfere in the internal management of the hotels which right the Council has not.

6. There is no provision in either the District Municipalities Act or in the Rules and Bye-laws framed under the Act empowering the Council to take such a high-handed action over the proprietors named above.

7. The Council, before passing a resolution, had not the courtesy enough to send or circulate the resolution and obtain the views of the public or the concerned or even without recording the opinion of the concerned for its final decision in the matter.

8. The resolution of the Council is against the law, detriment to the wishes and usage of the public, the hereditary observation of the Hindus from time immemorial and if allowed to be given effect to, *It is likely to rise the spirits of the law abiding peaceful citizens.*

9. The above resolution of the Municipal Council, Salem is an abuse of power vested in it under the District Municipalities Act, and is purely and purposely intended to support the political movement "*Swarajya*."

10. The memorialists therefore pray that the benign Government may be pleased to use the powers vested in them under the District Municipalities Act, by calling for the connected records, rescind the resolution by an order of cancellation of the resolution.

[2nd August 1933]

Letter from A. H. A. Todd, Esq., I.C.S., Collector of Salem, to the Secretary to the Government of Madras, Local Self-Government Department, dated 29th March 1933, No. R.O.C. 1855-33/B-1.

The Salem Municipal Council at its meeting held on 17th February 1933 has passed a resolution (copy enclosed) framing a bye-law that all coffee clubs and sweetmeat shops should be made accessible to the so-called untouchables. I doubt if such a bye-law would in any way benefit the Adi-Dravidas. It would probably lead either to their forcible ejection if they tried to enter the coffee shops or else to the abstention of many caste people. If there is any demand for such refreshments by Adi-Dravidas, doubtless Adi-Dravida places of refreshment will spring up to meet the demand. It seems opposed to a large body of public opinion and I see no reason why people who think themselves contaminated by eating or drinking with Adi-Dravidas should have their customs forcibly interfered with merely because some councillors who run no risk themselves should choose to pass a bye-law. Only 16 councillors voted for the motion. I therefore recommend that the resolution may be cancelled.

Copy of Resolution No. 1418.

Read Resolutions of Srimathi N. Madavi Ammal:—

This Council resolves that all coffee clubs, meals hotels, and sweetmeat shops should be made accessible to the so-called untouchable classes; (2) the above resolution to be made a bye-law. This should be imposed as a condition in every licence that is issued to these trades in future.

The mover proposes an amendment that eating houses may be deleted. The seconder M.R.Ry. A. A. Chettiyar accepts the amendment. M.R.Ry. Rao Sahib D. P. Chennakrishna Chettiyar proposes another amendment to add 'excepting the hotels and coffee clubs ear-marked for certain communities'.

Five voted for and 11 against the amendment of M.R.Ry. Rao Sahib D. P. Chennakrishna Chettiyar. Sixteen voted for and nil against the amendment of the mover.

Amendment of the mover carried.

