

PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL

FOURTH SESSION OF THE FOURTH LEGISLATIVE COUNCIL
UNDER THE GOVERNMENT OF INDIA ACT, 1919

Vol. LXIX (Nos. 1 to 6)

TABLE OF CONTENTS

Monday, the 29th January 1934.

	PAGES
Personnel of the Government of Madras	1-10
Members present	11-12
I. Swearing in of new members	12
II. Resolution of sympathy with the Provinces affected by the earthquake.	12-13
III. Resolution of congratulation to His Excellency Sir George Stanley on his appointment as Acting Viceroy and Governor-General of India	13-14
IV. Resolution of congratulation to the Hon. Sir Mahomed Usman on his appointment as Acting Governor of Madras	14-16
V. Questions and Answers	17-56, 105-116
VI. Act assented to by His Excellency the Governor	56
VII. Finance Committee for 1933-34	56
VIII. Demands for Supplementary Grants for 1933-34—	
Grant VI—Irrigation (excluding Cauvery-Mettur Project)	56-57
Grant VII—Irrigation—Cauvery-Mettur Project	58-63
Grant XI—Ministers, Civil Secretariats and Miscellaneous	63-66
Grant XIX—Medical	66
Grant XXVII—Miscellaneous Departments—Transferred	66
IX. Excess Demands for Grants for 1931-32	66-67
X. A Bill further to amend the Madras City Civil Court Act, 1892 (Bill No. 14 of 1933)	67-70
XI. A Bill to amend the Madras Town-Planning Act, 1920 (Bill No. 1 of 1934)	70-71
XII. A Bill to amend the Madras Local Boards Act, 1920, and the Madras Elementary Education Act, 1920 (Bill No. 2 of 1934)	71-103
XIII. Papers laid on the table of the House	103-104, 116-124

Tuesday, the 30th January 1934.

Members present	125-126
I. Questions and Answers	126-139, 198-210
<i>Non-official Business.</i>	
II. A Bill to amend the Madras Impartible Estates Act, 1904 (Bill No. 11 of 1932)—Mr. M. G. Patnaik	139-141
III. The Madras Money Lenders Bill (Bill No. 21 of 1932)—Mr. C. Basu Dev	141
IV. The Madras Public Libraries Bill (Bill No. 11 of 1933)—Mr. Bashier Ahmed Sayeed	141-142, 210-229
V. A Bill further to amend the Madras Impartible Estates Act, 1904 (Bill No. 17 of 1933)—Mr. A. V. Bhanaji Rao	142
VI. A Bill to amend the Madras Hindu Religious Endowments Act, 1926 (Bill No. 19 of 1933)—Mr. P. V. Krishnayya Choudari	143-148
VII. The Madras Maternity Benefit Bill (Bill No. 10 of 1933)—Mr. V. M. Ramaswami Mudaliyar	148-151
VIII. A Bill to amend the Madras Hindu Religious Endowments Act, 1926 (Bill No. 3 of 1934)—Mr. K. Koti Reddi	151
IX. The Madras Muslim Wakf Bill—S. M. K. Beyabani Sahib Bahadur	151
X. A Bill further to amend the Madras Local Boards Act, 1920—Mr. P. C. Moses	151

	PAGES
XI. Election of a member to the Finance Committee for 1933-34	152
XII. Resolution on a matter of general public interest—Remission of the existing rate of assessment in ryotwari lands in the Presidency ..	152-197
XIII. Papers laid on the table of the House	197-230

Wednesday, the 31st January 1934.

Members present	231-232
I. Questions and Answers	232-247, 302-304

Non-official Business.

II. Resolution on a matter of general public interest—Remission in the existing rate of assessment on ryotwari lands in the Presidency ..	248-300
III. Announcement regarding the appointment of Chairmen on certain Select Committees on Bills	301
IV. Papers laid on the table of the House	301

Thursday, the 1st February 1934.

Members present	305-306
I. Questions and Answers	306-313, 371-372

Non-official Business.

II. A Bill to amend the Madras Impartible Estates Act, 1904 (Bill No. 11 of 1932)—Mr. M. G. Patnaik	313-315
III. A Bill further to amend the Madras Impartible Estates Act, 1904 (Bill No. 17 of 1933)—Mr. A. V. Bhanoji Rao	316-343
IV. Resolutions on matters of general public interest—	
(1) Enforcement of communal Government Order in the local bodies in the Presidency	343-358
(2) Exemption of Muslim girls from payment of fees in secondary, arts and technical institutions	359-370

Friday, the 2nd February 1934.

Members present	373-374
I. Questions and Answers	374-380
II. Amendments to Standing Orders	380-385, 410
III. Election of two members to the Board of Industries	385, 409
IV. A Bill to amend the Madras Local Boards Act, 1920, and the Madras Elementary Education Act, 1920 (Bill No. 2 of 1934)	386-409, 410-440

Monday, the 5th February 1934.

Members present	441-442
I. Questions and Answers	442-464, 519-555
II. Business during February and March sittings of the Council	464
III. A Bill to amend the Madras Impartible Estates Act, 1904 (Bill No. 17 of 1933)—Mr. A. V. Bhanoji Rao	464-469
IV. The Periyar Irrigation Tanks (Preservation) Bill (Bill No. 16 of 1933). ..	469-491, 492-516, 556-569
V. His Excellency the Governor's Message thanking the Council for their resolution of congratulation on his appointment as Acting Viceroy. ..	491
VI. The Bihar Earthquake Relief Fund	491
VII. Report of the Madras Services Commission for 1932-33	516-518
VIII. Papers laid on the table of the House	518, 570-576

PERSONNEL OF THE GOVERNMENT OF MADRAS.

Governor of Madras.

His Excellency Lieut.-Col. the Right Hon. Sir GEORGE FREDERICK STANLEY, F.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.

- | | |
|--|--|
| <ul style="list-style-type: none"> 1. Police, including Railway Police and C.I.D. 2. Regulation of betting and gambling. 3. Prevention of cruelty to animals. 4. Control of poisons. 5. Control of vehicles. 6. Control of dramatic performances and cinematographs. 7. Control of newspapers, books and printing presses. 8. Laccadives. 9. European vagrancy. 10. European and Anglo-Indian education. 11. Regulation of medical and other professional qualifications and standards. | <ul style="list-style-type: none"> 12. Government Houses, Staff and equipment of His Excellency the Governor. 13. Government Presses. 14. Elections for Indian and Provincial Legislatures. 15. Industrial matters included under the following heads :— <ul style="list-style-type: none"> (a) Factories. (b) Settlement of labour disputes. (c) Boilers. (d) Gas. (e) Smoke nuisances. (f) Welfare of labour including depressed classes. 16. Criminal tribes. 17. Stores and Stationery (required for Reserved Departments). |
|--|--|

II.—Central Subjects.

- | | |
|--|---|
| <ul style="list-style-type: none"> 1. Control of petroleum and explosives. 2. Central police organization. | <ul style="list-style-type: none"> 3. Arms and ammunition. 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.

- | | |
|--|--|
| <ul style="list-style-type: none"> 1. Administration of justice, including constitution, powers, maintenance and organization of courts of civil and criminal jurisdiction within the province. 2. Provincial law reports. | <ul style="list-style-type: none"> 3. Administrator-General and Official Trustees. 4. Escheats. 5. Coroners. 6. Treasure-trove. 7. Non-judicial and judicial stamps. 8. Prisons and prisoners. |
|--|--|

2 70838
I.—Provincial Subjects—cont.

- | | |
|--|--|
| 9. Industrial matters included under the following heads:
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. | |
| 4. Criminal law. | 8. Port quarantine and marine hospitals. |
| 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. Yeomias, 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. Sir. Hopetoun STOKES, K.C.I.E., C.S.I., 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.

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 <i>cum</i> Tinnevelly, 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 Ayyangar, Diwan Bahadur N.	NOMINATED.
23 Gopalaswami Mudaliyar, Diwan Bahadur M.	Belary, N.-M. Rural.
24 Harischandrudu Nayudu, A. . .	Godavari East, N.-M. Rural.
25 Hood, I.C.S., H. M.	NOMINATED.
26 Indriah, C.	Godavari West, N.-M. Rural.
27 Jagannadha Raju, Rao Bahadur G. (<i>Deputy President</i>).	Vizagapatam, N.-M. Rural.
28 Jagannatham, H. M.	NOMINATED.
29 Jayaram Nayudu, Rao Sahib C.	Chingleput, N.-M. Rural.

Name of member.	Name and class of constituency.
30 Kesavaramamurti K.	Nayudu, Cocanada City, N.-M. Urban.
31 Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.	Madura and Trichinopoly <i>cum</i> Srirangam, Muhammadan Urban.
32 Kolanda Reddi, Rai Sahib C.	Kistna, N.-M. Rural.
33 Koti Reddi, K.	Cuddapah, N.-M. Rural.
34 Krishnamurti, Rao Bahadur D.	NOMINATED.
35 Krishnan, C.	NOMINATED.
36 Krishnan Nayar, <i>Kt.</i> , The hon. Diwan Bahadur Sir M.	EX OFFICIO.
37 Krishnaswami Ayyar, <i>Kt.</i> , 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>).	Tinnevelly, 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 Sir 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 Metherell, J. K.	European, Madras Presidency.
52 Millar, W. H.	Madras Chamber of Commerce.
53 Moidoo Sahib Bahadur, Khan Bahadur T. M.	Malabar, Muhammadan Rural.
54 Moses, P. C.	Northern Districts, Christian.
55 Muhammad Meera Ravuttar Bahadur, K. P. V. S. . . .	Madura <i>cum</i> Trichinopoly, Muhammadan Rural.
56 Muniswami Nayudu, Diwan Bahadur B.	Chittoor, N.-M. Rural.
57 Muniswami Pillai, Rao Sahib V. I.	NOMINATED.
58 Murugappa Chettiyar, Diwan Bahadur A. M. M.	Ramnad, N.-M. Rural.

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

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

Name of member.	Name and class of constituency.
124 Viswanatha Rao, Diwan Bahadur V. N.	NOMINATED.
125 Yahya Ali Sahib Bahadur, Khan Bahadur.	East Coast, Muhammadan Rural.
126 Yakub Hasan Sahib Bahadur.	North Arcot <i>cum</i> Chingleput, N.-M. Rural.
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 Ettaiyapuram (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 Members.

133 Ramachandra Rao, Diwan Bahadur M.	Nominated for the consideration of the Co-operative Land Mortgage Banks Bill.
134 Hall, C.I.E., O.B.E., I.C.S., J. F.	Nominated for the Periyar Irrigation Tank Preservation Bill.
135 Smith, W. Erlam	Nominated for the consideration of the Madras Public Libraries Bill.
136 Krishnaswami Ayyar, K. V. ...	
137 Tampoe, I.C.S., A. McG. C. ..	Nominated for the consideration of the Bill to amend the Madras Local Board Act, 1920, and the Madras Elementary Education Act, 1920 (No. 2 of 1934.)

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 29th January 1934.

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.	Koti Reddi, Mr. K.
Krishnan Nayar, Kt., The hon. Diwan Bahadur Sir M.	Krishnayya Choudari, Mr. P. V.
Campbell, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., The hon. Sir Archibald.	Krishnamurti, Rao Bahadur D.
Stokes, K.C.I.E., C.S.I., I.C.S., The hon. Sir Hopetoun.	Krishnan, Mr. C.
Raja of Bobbili, The hon. the.	Kumararaja of Venkatagiri.
Rajan, The hon. Mr. P. T.	Kuppuswami Choudari, Mr. J.
Kunaraswami Reddiyar, The hon. Diwan Bahadur S.	Ladden, Mr. W. W.
Abdul Hameed Khan Sahib Bahadur.	Lakshmana Reddi, Mr. G.
Alamelumangathayaramma, Mrs. K.	Langley, Mr. W. K. M.
Annamalai Chettiyar, Mr. S. A. A.	Madanagopal Nayudu, Mr. R.
Appadurai Pillai, Diwan Bahadur A.	Mahboob Ali Baig Sahib Bahadur.
Arasu, Mr. V. T.	Mahmud Schamnad Sahib Bahadur, Khan Bahadur.
Basheer Ahmed Sayeed Sahib Bahadur.	Manikkavelu Nayakar, Mr. M. A.
Basu Dev, Mr. C.	Metherell, Mr. J. K.
Bhanoji Rao, Mr. A. V.	Miller, Mr. W. H.
Birley, Mr. F.	Moidoo Sahib Bahadur, Khan Bahadur T. M.
Davis, Mr. J. A.	Moses, Mr. P. C.
Devadasan, Mr. M.	Muhammad Meera Ravuttar, Mr. K. P. V. S.
Dharmalingam Pillai, Rao Sahib V.	Muniswami Nayudu, Diwan Bahadur B.
Duraiswami Reddiyar, Mr. K. M.	Muniswami Pillai, Rao Sahib V. I.
Ellappa Chettiyar, Diwan Bahadur S.	Muthiah Chettiyar, Mr. M. A.
Foulkes, Mr. R.	Muthu Chettiyar, Rao Bahadur P. C.
Gopalaswami Ayyangar, Diwan Bahadur N.	Nachiyappa Gounder, Mr. K. A.
Gopalaswami Mudaliyar, Diwan Bahadur M.	Nadimuthu Pillai, Mr. A. Pl. N. V.
Harischandrudu Nayudu, Mr. A.	Nanjappa Bahadur, Subadar-Major S. A.
Hood, I.C.S., Mr. H. M.	Narasa Reddi, Mr. T.
Indrayya, Mr. C.	Narasimhaswami, Rao Sahib D. V.
Jagannatha Raju, Rao Bahadur G.	Narayanan Nambiyar, Mr. V. P.
Jagannatham, Mr. H. M.	Natesa Mudaliyar, Rao Bahadur C.
Jayaram Nayudu, Rao Sahib C.	Palat, Mr. R. M.
Kesavaramamurti Nayudu, Mr. K.	Pannirselvam, Rao Bahadur A. T.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.	Parthasarathi Ayyangar, Mr. C. R.
	Patnaik Mahasayo, Sriman M. G.
	Patro, Kt., Rao Bahadur Sir A. P.
	Pattabhiramayya, Mr. K.

[29th January 1934]

PRESENT—cont.

Pattagar of Palayakottai.
 Peddiraju, Mr. P.
 Premayya, Mr. G. R.
 Rajagopala Pillai, Mr. P. V.
 Raja of Khalikote.
 Ramachandra Padayachi, Mr. P. K.
 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.
 Sahajanandam, Swami A. S.
 Sami Venkatachalam Chetti, Mr.
 Shetty, Mr. A. B.
 Simbachalam Pantulu, Mr. G.
 Siva Raj, Rao Sahib N.
 Smith, C.I.E., I.C.S., Mr. E. Courau.
 Soundara Pandian, Mr. W. P. A.
 Sreshtha, Mr. M. S.
 Srinivasa Ayyangar, Mr. T. C.

Srinivasan, Rao Bahadur R.
 Sriramulu, Mr. G.
 Subbarayan, Dr. P.
 Subrahmanya Chetti, Rao Sahib P.
 Subrahmanya Bhatt, Mr. U. C.
 Sundara Rao Nayudu, Mr. T.
 Syed Tajuddin Sahib Bahadur, Khan
 Sahib.
 Tampoe, I.C.S., Mr. A. Mc. G. C.
 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.
 Venkatarama Ayyar, Mr. K. R.
 Venugopal Nayudu, Rao Bahadur R. K.
 Viswanatha Rao, Diwan Bahadur V. N.
 Yahya Ali Sahib Bahadur, Khan
 Bahadur.
 Yakub Hasan Sahib Bahadur.
 Zamindar of Chemudu.
 Zamindar of Kirlanpudi.
 Zamindar of Mirzapuram.

I.—SWEARING IN OF NEW MEMBERS.

The following new Members were sworn in:—

- (1) Mr. W. H. MILLER.
- (2) „ J. K. METHERELL.
- (3) „ A. McG. C. TAMPOE.
- (4) Khan Bahadur YAHYA ALI SAHIB Bahadur.

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

H.—RESOLUTION OF SYMPATHY WITH THE PROVINCES AFFECTED BY THE EARTHQUAKE.

* Dr. P. SUBBARAYAN:—“ Mr. President, I beg to move—

‘that this Council, on behalf of the Presidency of Madras, expresses its sincere sympathy with the Provinces affected by the recent earthquake in the appalling loss of life and destruction of property suffered by them in consequence thereof.’

“ Sir, loss of life and property especially in the Province of Bihar is a well-known fact to all the Members of this House. His Excellency the Viceroy has issued an appeal to the public to subscribe liberally to alleviate the suffering and distress in that Province. His Excellency the Governor has also made an appeal to the public to liberally contribute to the fund that has been announced by His Excellency the Viceroy and, I am sure, the people in the South, in their generous way, will do what they can to relieve the distress in Bihar. The leading local papers, the *Hindu* and the *Madras Mail*, have started funds of their own for helping the afflicted people in Bihar and I am gratified to note that the public response, specially to the appeal made

RESOLUTION OF SYMPATHY WITH THE PROVINCES AFFECTED BY THE EARTHQUAKE

[29th January 1934] [Dr. P. Subbarayan]

by the *Hindu*, has been great and I am sure the editor and the proprietors of the *Hindu* and the *Madras Mail* deserve our thanks for the timely way in which they have stepped in to organize help to the afflicted people of Bihar. I also make a personal appeal to you, Mr. President, to see whether we cannot do anything more than expressing our sincere sympathy and raise a fund towards helping the people of Bihar. Only yesterday the Governor of Bihar issued an appeal and stated in what way the loss of life and property has been great. He estimates the loss to the Province in crores of rupees. It is impossible, as things stand to-day, for merely official agencies to repair the great loss and unless the people who have got money and can afford to help the afflicted people come forward, I am sure the difficulties of Bihar will be greater than they are to-day. I hope that not only this Council will pass this resolution, but with your help, Mr. President, Members will try to contribute their share towards relieving the distress in Bihar.”

* The hon. Sir MAHOMED USMAN:—“ I beg to second the motion and I am sure that the public of this Presidency will rise equal to the occasion by giving liberal contributions to the fund that has been opened in this connexion.”

The resolution was put and carried unanimously.

III.—RESOLUTION OF CONGRATULATION TO HIS EXCELLENCY SIR GEORGE STANLEY ON HIS APPOINTMENT AS ACTING VICEROY AND GOVERNOR-GENERAL OF INDIA.

* Dr. P. SUBBARAYAN:—“ Mr. President, the resolution that I am about to move is a formal one congratulating His Excellency Sir George Stanley on his appointment as Acting Viceroy and Governor-General of India. The resolution runs thus:

‘this Council most respectfully congratulates His Excellency Sir George Stanley on his appointment as Acting Viceroy and Governor-General of India.’

“ Sir, if I state that a person who is not known for co-operation with the Government, whose name I am not free to divulge, wrote to me when this appointment was announced that he was pleased that His Excellency was appointed as Acting Viceroy, because he was always fascinated by his straightness, we can understand in what esteem His Excellency is held in the Province. That is indeed a good test of opinion. Whatever may be the difference of opinion we may have had with His Excellency the Governor, I am sure everybody will admit that he has done everything according to his conscience and is helping forward the progress of this Province in the sphere of self-Government and the attainment of Swaraj. We are indeed gratified to note that it has been given to him, before he lays down his high office, to act as Viceroy and Governor-General of India and may I say that I am voicing the opinion of the whole Presidency when I say that we are delighted on his appointment as Viceroy. I hope that during such

[Dr. P. Subbarayan] [29th January 1934]

time he will occupy that exalted office, he will do everything that he can to help forward the progress of not only this Presidency but also of the whole country."

* The hon. Sir MAHOMED USMAN:—"Sir, it gives me the greatest pleasure to second this resolution. In offering our respectful felicitations to His Excellency Sir George Stanley on his appointment as acting Viceroy, I have great pleasure in associating the Government of Madras with this resolution and it is but right that this Legislative Council, in the practical working of which His Excellency has been taking such a deep interest, should pass such a resolution."

* Diwan Bahadur B. MUNISWAMI NAYUDU:—"I beg to associate myself heartily with the sentiments that have been expressed by the previous speakers on this motion. As one who has moved intimately with His Excellency, I may say that the position which has been conferred upon him is a well-deserved one. I may also say that in whatever he has done for the people of this Province, he has always been actuated by the best of motives. I have no doubt that during his term of acting Viceroyalty he will do everything that lies in his power to advance India as a whole towards Constitutional Reforms."

* The hon. Mr. P. T. RAJAN:—"In the absence of the hon. the Chief Minister, I have great pleasure in associating myself with the sentiments expressed by the previous speakers. I may say that His Excellency's appointment as Acting Viceroy has been well received by the public and I am sure that during his short term of office he will do a great deal towards the advancement of this country and Madras in particular. With these few words I once more associate myself with the sentiments expressed by the previous speakers."

The resolution was put and carried unanimously.

IV.—RESOLUTION OF CONGRATULATION TO THE HON. SIR
MAHOMED USMAN ON HIS APPOINTMENT AS
ACTING GOVERNOR OF MADRAS.

* Dr. P. SUBBARAYAN:—"I beg to move the resolution that stands in my name thus—

'this Council congratulates the hon. Sir Mahomed Usman on his appointment as Acting Governor of Madras.'

"I think, Mr. President, few words are needed from me to commend this resolution to the House. The House has been associated with Sir Mahomed for the last three and a half years as its Leader and before that as a Member of the Executive Council. Whatever might have been the difference of opinion between us and the hon. Sir Mahomed Usman, everybody will admit that he has always been noted for his courtesy and consideration. I am sure no one on any occasion has gone out of this House with a feeling of resentment against him and I may say that Sir Mahomed Usman has done all that he can to make the hon. Members of the House feel that he does everything in the light of his conscience. I am sure the whole Presidency

29th January 1934] [Dr. P. Subbarayan]

is delighted to see that the Queen's Proclamation of 1858 has been given effect to by the appointment of Sir Mahomed to act as Governor. This is the first time in history, that an Indian has been appointed to the very high office of Governor in a Presidency and I am sure every one is pleased about it. This does not mean that we are considering this question as a racial one. Far from it, Sir Mahomed Usman is the senior Member of the Executive Council and it was only right that he was appointed as Acting Governor of Madras. I hereby tender my congratulations to him on behalf of the House."

* Diwan Bahadur B. MUNISWAMI NAYUDU:—"Sir, Muhammadan community in particular, and Indians as a whole, feel very much delighted for the honour that he been conferred on Sir Mahomed Usman by his being appointed as Governor of Madras. As I wrote to him, it really gladdens the heart of every one to think that at this critical period the Government thought fit to appoint the seniormost Member of the Executive Council as Acting Governor, thus giving effect to the principle that, whatever may be the race or caste to which a Member belongs, if he is the seniormost man, he may automatically step into the shoes of the Governor, when that office becomes vacant. From that standpoint, more than anything else, I congratulate him and may I hope that, during his term of office, however short it may be, he will associate himself with such movements as will advance the interests of this Province and bring credit to himself."

* The hon. Mr. P. T. RAJAN:—"I have great pleasure in associating myself with the sentiments that have been expressed by the previous speakers. Sir Mahomed Usman has given extreme satisfaction to the Hindus as well as the Muhammadans, and he is very well known to the Members of this House. The long experience gained by him in his capacity as Home Member and also as Leader of the House will, I am sure, stand him in good stead when he acts as Governor of Madras. I have great pleasure in offering my hearty congratulations to him."

* Rao Sahib V. I. MUNISWAMI PILLAI:—"I rise to support the motion that has been moved on the floor of this House. Having had close intimacy with him, as one who has had the opportunity of having in his charge the Labour Portfolio, I may say with confidence that the depressed classes are really thankful to His Majesty's Government for appointing Sir Mahomed Usman as Acting Governor of Madras.

"Apart from the communal question, he is the first Indian to be appointed to this exalted office and, I am sure, Sir, that as the Head of the Administration, as Acting Governor, he will see that questions connected with the depressed classes receive sympathetic consideration."

Mr. ABDUL HAMEED KHAN:—"Mr. President, I have great pleasure in associating myself with the sentiments expressed by previous speakers on the motion before the House. I need hardly say, Sir, that this appointment made by His Majesty's Government has given equal satisfaction to all the communities in this Province. It is not on account of the fact that Sir Mahomed Usman belongs to the Muslim

11-15
a.m

16 RESOLUTION OF CONGRATULATION TO THE HON. SIR MAHOMED
USMAN ON HIS APPOINTMENT AS ACTING GOVERNOR
OF MADRAS

[Mr. Abdul Hameed Khan] [29th January 1934]

community that Mussalmans are pleased, but they are happy to find that the Government have had a broad outlook on this question and have acted in a very statesmanlike manner in appointing an Indian to this post. This shows that the Government are really inclined to make great changes in the constitution of this country. If this is an indication of what the people of Madras are going to get in regard to the future constitution of the country, I am sure that something good is in store for us. On this foundation which has been so well and truly laid, I am sure that the Government would build a structure which will be satisfactory to all the people of this province."

* Mr. F. BIRLEY:—"Mr. President, Sir, on behalf of the European Members of this Council, I have great pleasure in associating myself with everything that has been said in this House in felicitating the hon. Sir Mahomed Usman on his appointment as Acting Governor of Madras."

* Mr. M. S. SRESHTA:—"Mr. President, I think every community hails with satisfaction the appointment of Sir Mahomed Usman as Acting Governor of this Presidency. It is not only a personal compliment to him, it is a compliment to the whole of this Province. We all feel that this appointment is a compliment paid to the people of this Province. It shows that the British Government have acted in a most statesmanlike way. There was a fear expressed in certain quarters that the appointment might not go to an Indian. But this fear has now been dispelled and we must congratulate the authorities on having appointed Sir Mahomed Usman in spite of any difficulties there might have been to that course."

"As regards the hon. Sir Mahomed Usman himself, he has been doing work, which has been beset with great difficulties, with great tact and ability. He richly deserves this appointment and I am sure that, during his tenure of office, he will hold the scales evenly between all the communities and do his best to advance the interests of all communities in this country."

* Mr. J. A. DAVIS:—"Mr. President, it gives me peculiar pleasure, on behalf of the Anglo-Indian community which I represent, to congratulate the hon. Sir Mahomed Usman on his appointment as acting Governor. It is with thankfulness for what we have received at his hands and with a knowledge, born of experience, that we will get fair treatment at his hands when Governor of this Presidency, that I rise to tender the community's hearty congratulations to him in supporting the resolution that has been so appropriately moved."

The resolution was put and carried unanimously.

* The hon. Sir MAHOMED USMAN:—"Mr. President, may I with your permission, Sir, tender my very humble and grateful thanks to the hon. Members of this House who spoke so kindly about me and to all the hon. Members of this august Body for having passed this resolution."

29th January 1934]

V.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Criminal Settlement

Religious worship in the criminal settlement at Sitanagaram.

* 489 Q.—Mr. G. R. PREMAYYA: Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that Christians in the criminal settlement at Sitanagaram were forbidden to worship in the church built for the purpose by the Salvation Army Mission which was till recently in charge of the settlement;

(b) whether it is a fact that specific orders were issued by the manager to the Christian inmates of the settlement prohibiting them from discoursing on religion; and

(c) whether the manager was acting on any instructions from the Government?

A.—(a) No. But meetings of all kinds were forbidden within this settlement as experience showed that whatever might be the ostensible objects of meetings they were liable to be misused for the purpose of arranging for the settlers to abscond and commit crime.

(b) No.

(c) No. The manager was acting under instructions from the Commissioner of Labour and the Inspector-General of Police when prohibiting meetings.

Mr. G. R. PREMAYYA:—"With reference to the answer to clause (a) which says that all kinds of meetings were forbidden, may I know whether meetings for religious worship also were forbidden?"

The hon. Sir MAHOMED USMAN:—"No."

Mr. DANIEL THOMAS:—"May I know whether any actual cases of misuse of meetings were brought to light?"

The hon. Sir MAHOMED USMAN:—"I think so. The Commissioner of Labour knows it."

Mr. DANIEL THOMAS:—"Is this a temporary order, or is this going to be in force for all time?"

The hon. Sir MAHOMED USMAN:—"It is in force at present."

Mr. DANIEL THOMAS:—"In the absence of actual cases of misuse of meetings, may I know whether the Government will be pleased to reconsider the matter and permit religious meetings?"

The hon. Sir MAHOMED USMAN:—"I shall further reconsider the matter. I cannot promise anything."

Mr. A. RANGANATHA MUDALIYAR:—"Are there any non-Christians in this settlement and has there been any objection to non-Christians attending the services in the church?"

The hon. Sir MAHOMED USMAN:—"I do not think there is any objection to non-Christians attending the church, but I do not think they generally attend it."

[29th January 1934]

Mr. G. R. PREMAYYA:—"With reference to the answer to clause (c), may I ask whether the Government will be pleased to place the instructions on the table of the House?"

The hon. Sir MAHOMED USMAN:—"I do not think it is necessary."

Law and Order (General)

Alleged circular of the Government prohibiting the participation of Government servants in functions got up in connexion with Mahatma Gandhi's visit to Madras.

* 490 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the hon. the Home Member be pleased to state whether it is a fact that the Government have issued circulars to all Government servants to the effect that they should not take part in any function or demonstration or should not in any way help the same in connexion with the visit of Mahatma Gandhi to Madras?

A.—The Government have issued a circular to the effect that while Government servants should put no obstacles in the way of Mr. Gandhi's tour and should do nothing to interfere with non-officials who wish to welcome Mr. Gandhi or show sympathy for the cause of Harijan uplift, their participation in meetings and demonstrations in connexion with his visit is improper.

Mr. U. C. SUBRAHMANYA BHATT:—"Will the hon. the Home Member be pleased to get a copy of the circular and place it on the table of the House?"

The hon. Sir MAHOMED USMAN:—"I do not think it is necessary. It is a confidential document."

Mr. U. C. SUBRAHMANYA BHATT:—"May I know in what way it is improper for Government officials to attend meetings in connexion with Harijan uplift?"

The hon. Sir MAHOMED USMAN:—"The question of Harijan uplift is associated with the question of temple entry, which is a very controversial question. Public servants, especially those belonging to the Judicial and Police Departments, may be called upon to adjudicate in the matter at any moment and it is better for them to take a neutral attitude."

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I know whether the prohibition applies even with regard to canvassing opinion for temple entry?"

The hon. Sir MAHOMED USMAN:—"I think the answer is very clear. It is here stated that 'participation in meetings and demonstrations in connexion with his visit is improper.' I do not wish to say anything further."

Mr. M. A. MANIKKAVELU NAYAKAR:—"May I know whether Government servants are prohibited also from contributing to the Harijan fund?"

[29th January 1934]

The hon. Sir MAHOMED USMAN:—"I have here given the extent to which they are prohibited from participating in meetings and demonstrations, etc. The hon. Member may draw his own inference."

Forests

Supply of manure leaves in South Kanara on payment of the seigniorage fee.

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

(a) when the concessions in the reserved forests in South Kanara were first given to the ryots;

(b) whether before the grant of the concessions which have now been withdrawn in several reserves, the ryots were being allowed to remove manure leaves on payment of seigniorage; and

(c) whether the concession of removal of leaves on payment has been restored after the withdrawal of free-removal concession?

A.—(a) In 1922.

(b) Yes; but only in the North Mangalore Forest division.

(c) No; but the matter is under the consideration of the Chief Conservator of Forests.

Mr. A. B. SHETTY:—"May I ask whether, before passing orders withdrawing the concessions in the reserve forest, the Government made any enquiry and found out how long the ryots had been depending on the reserves for manure leaves and whether they could get on with their cultivation without taking manure leaves from the reserve forest?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"As the answer to clause (a) shows, the ryots did not have that privilege before 1922."

Mr. A. B. SHETTY:—"Before that, the ryots had been allowed to take manure leaves on payment of seigniorage and therefore it means that all along the ryots have been depending on manure leaves from the reserve forest for their cultivation?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"The whole question is under the consideration of the Government."

Scheme for the supply of manure leaves in South Kanara from the reserve forests.

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

(a) whether the Government have made any enquiry and found out whether the supply of manure leaf from the reserves is necessary to meet the needs of ryots in villages lying in the vicinity of reserves (in South Kanara); and

(b) whether the Government have thought of any regulated scheme of manure leaf supply from reserves to villages where cultivation work is suffering on account of the withdrawal of concessions?

[29th January 1934]

A.—(a) Yes; an enquiry has been made from which it is found that there is a demand for manure leaf from reserves in certain places.

(b) The matter is under the consideration of the local officers.

Mr. A. B. SHETTY:—“ May I know whether the Government is aware that cultivation work, particularly in the case of people living near the coastal reserves, is suffering much on account of the withdrawal of these concessions? ”

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ The Government are not aware of that. ”

Mr. A. B. SHETTY:—“ May I ask whether the answer to clause (a) does not admit that there is demand for manure leaves in certain places? ”

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ Yes. ”

Mr. A. B. SHETTY:—“ May I ask whether the Government will be pleased to expedite the consideration of this matter and see what can be done? ”

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ As far as possible they will do so. ”

Levy of double fees for grazing cattle in the reserve forests of Alangayam and Odugathur in the North Arcot district.

* 493 Q.—Mr. V. M. RAMASWAMI MUDALIYAR: Will the hon. the Law Member be pleased to state—

(a) whether any mahazar was received by the Collector of North Arcot and the Government from the villagers of Alangayam Pedur, Badakuppam, etc., of Tiruppattur taluk, regarding the hardships in getting their cattle to graze in the forest reserve; if so, what action was taken by the Collector and the Government in this regard;

(b) whether it is a fact that the District Forest Officer of Vellore, East, has addressed the Conservator of Forests about the iniquity of compelling the said villagers to take out a double permit consequent on the administrative re-division of the ranges into Alangayam and Odugathur;

(c) when this letter was addressed and what steps have been taken to set right this hardship;

(d) whether it is a fact that the original fee for grazing per head was 3 annas and that it was subsequently raised to 8 annas;

(e) whether it is a fact that a large area that was originally unreserved forest was converted into cultivable lands by giving dhar-kasts; if so, what steps the Government have taken to provide sufficient lands for the convenience of the villagers and their cattle;

(f) what the number of permits issued for the grazing in the villages mentioned in the mahazar from the year 1931 to 1933 is; and

(g) why the system of levy of double permit fees which was discontinued once before has now been re-introduced?

29th January 1934]

A.—(a) Yes. The matter is under consideration.

(b) No.

(c) Does not arise.

(d) Yes.

(e) In 1925 there were about 740 acres of waste land in the Peddur and Narasingapuram villages of which only about 79 acres were assigned on darkhast. A large extent is thus still available in the two villages.

(f) A statement^a furnishing the information is appended.

(g) The policy of collecting a single grazing fee for cattle grazing within a single grazing unit has not been departed from. Formerly the unit was a range but subsequently it was changed into a division. Owing to the bifurcation of the old Vellore Forest division into two divisions from 1st December 1932, the ryots of one division are now required to purchase an additional permit for taking their cattle to the forests of another division as under existing orders a permit is valid only for one division.

Mr. V. M. RAMASWAMI MUDALIYAR:—“ With reference to the answer to clause (g) may I know whether the Government are aware that the ryots who were grazing their cattle in a particular area before the bifurcation are now asked to pay double the amount for a permit to graze their cattle, in the same area? ”

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ The whole question is under the consideration of the Government. ”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I know whether the Government will please expedite the consideration, because this question has been pending for over eight months? ”

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ I shall do my best. ”

Ports

Closure of the ports of Thopputhurai and Adirampatnam in the Tanjore district.

* 494 Q.—Mr. G. RANGANATHA MUDALIYAR: Will the hon. the Law Member be pleased to state—

(a) when and for what reasons the seaports at Thopputhurai and Adirampatnam in the Tanjore district were closed; and

(b) whether it is a fact that before the ports were closed, paddy from some parts of the Tanjore district was being sent to Jaffna for sale through these ports?

A.—(a) The ports have not been closed; they are open to both foreign and coasting trade.

(b) Does not arise.

[29th January 1934]

Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I know whether Voda Revu in the Guntur district was appealed to be converted as a foreign port? ”

The hon. the PRESIDENT:—“ The question does not arise out of this question.”

Irrigation

Failure of water-supply in the Cumbum tank, Kurnool district.

* 495 Q.—S. M. K. BEYABANI SAHIB Bahadur:—Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the Cumbum tank (Kurnool) was supplying water for double-crops till recent years but that it now hardly supplies water for one crop every year;

(b) what the reasons are for the failure of proper supply of water to this tank;

(c) whether it is a fact that a number of small ponds have been constructed in recent years in the big basin of this tank resulting in the obstruction of water flowing into this tank; and

(d) what the number is of such ponds and who ordered their construction?

A.—(a) & (b) The following papers* are placed on the table:—

Chief Engineer's letter, dated 21st September 1931.

Proceedings of the Irrigation Development Board, No. 41, dated 13th October 1931.

Chief Engineer's letter, dated 22nd January 1932.

(c) & (d) The Government have not the information. The Collector reported in October 1931 that, during his inspection about that time, he found that in some places in the bed of the tank there was high ground near the bund and that there were many pools of water beyond them indicating that the ground there was very low, but that the surface drainage from the lands cultivated higher up in the tank-bed tended to fill up the shallows gradually. The construction of ponds in the tank-bed could not have been authorized. The Government will, however, make enquiries.

Preventive measures against submergence of Oobrapalayam, Kilanur.

* 496 Q.—Rao Sahib V. DHARMALINGAM PILLAI: Will the hon. the Member for Revenue be pleased to state—

(a) the result of the enquiry promised to be made in answer to question No. 316, dated 5th August 1921;

(b) whether the submerging of the Oobrapalayam of Kilanur and its suburbs during the floods of 1930 was due to the absence of a diversion bund; and

(c) what action the Government propose to take to prevent such recurrence of overflow?

* Printed as Appendix on pages 105-107 infra.

29th January 1934]

A.—(a) Enquiry showed that the surplus of the Kilanur tank flowed over the fields, joined the Kattangal and eventually entered the Karikalavakkam tank, that all the surplus of the tank could not be diverted to the Karikalavakkam tank direct without damage to the lands under the Kilanur tank to the north of the road and that a diversion bund was never in existence. The Executive Engineer took the ryots to the place and explained the position.

(b) No. It was due to the unusual floods caused by the cyclone of 1930.

(c) There are no proposals to prevent recurrence of such overflow. The direction of flow is understood to be 'mamool' and consequently in extraordinary floods the spill over the area cannot be avoided.

Land Revenue Administration

Proceedings of the Conference of the landholders of South Kanara held at Puttur, on 3rd December 1933.

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

(a) whether the Government have received a copy of the resolutions and the proceedings of the Conference of the landholders of South Kanara held at Puttur on 3rd December 1933; and

(b) what action the Government have taken or propose to take on the same?

A.—(a) Yes.

(b) They are under the consideration of the Government.

Mr. U. C. SUBRAHMANYA BHATT:—“ May I know whether the Government have now arrived at any decision? ”

The hon. Sir ARCHIBALD CAMPBELL:—“ The resolutions in question related to various subjects like resettlement, revenue remissions, forest grievances and I think, other matters which I cannot remember at the present moment. I have stated that these matters are under the consideration of the Government. As regards revenue remission, an announcement has already been made. As regards resettlement, the matter is under the consideration of the Government.”

Imposition of a uniform water-rate on lands under the Polavaram project.

* 498 Q.—Mr. K. KESAVARAMAMURTI NAYUDU:—“ Will the hon. the Member for Revenue be pleased to state—

(a) with reference to the answer at the meeting of the Legislative Council on the 18th March 1933 that ‘ the water-rate imposed under a project depends mainly upon the cost incurred in the supply of water ’ and that ‘ the commercial value of water can scarcely be fixed with

[29th January 1934]

precision,' whether these considerations have been authoritatively laid down in any resolution or despatch of the Secretary of State or the Government of India;

(b) whether it is a fact that in connexion with the imposition of the water-rate in the Godavari delta, the commercial value of water was the criterion by which it was determined;

(c) whether it was mainly on the ground of the increase in the prices of food-grains and increased profits accruing to the ryot and consequently in the rise of the commercial value of water that the original water-rate was increased from Rs. 3 to Rs. 4 and Rs. 4 to Rs. 5;

(d) what the reason is for increasing recently the said rate from Rs. 5 to Rs. 6-4-0 an acre on dry lands;

(e) whether it is a fact that in determining the consolidated wet rate in the Godavari delta, a uniform water-rate was not imposed but a graduated water-rate with due regard to the quality and position of the land;

(f) if so, why a uniform water-rate was imposed on all lands under the Polavaram project without any regard to their quality, irrigation and drainage facilities and their capacity to bear the said rate;

(g) whether it is a fact that during the current fasli many ryots in the Polavaram island were obliged to keep their lands waste rather than take water to cultivate them as wet in view of the excessive water-rate of Rs. 10-8-0 per acre and the low prices of paddy; and

(h) what the extent is of land, villagewar, in the Polavaram island cultivated as wet as compared with the previous fasli?

A.—(a) It is in accordance with the views of the Government of India that the rates of water-cess imposed under a project should depend partly on the cost incurred.

(b) The hon. Member's attention is invited to the answer to clauses (d) and (e) of question No. 211 given on 31st October 1933 which explains the principles on which the rates of water-cess were determined in the Kistna and Godavari deltas.

(c) The rates were raised in 1865 and 1894 from Rs. 3 to Rs. 4 and from Rs. 4 to Rs. 5 respectively on various considerations, such as increase of prices, extension and improvement of channels and communications, the low rates of water-cess which then obtained, the state of public finances and the cost of maintenance of irrigation works.

(d) The hon. Member's attention is invited to the Special Settlement Officer's 'Report on the water-rates' which was published along with the Resettlement scheme report for East Godavari, West Godavari and Kistna.

(e) The hon. Member has presumably in mind the 'differential water-rate system' which has already been described in the answer to clauses (d) and (e) of question No. 211 answered on 31st October 1933.

29th January 1934]

(f) The hon. Member's attention is invited to the answer given to clauses (a) and (b) of his question No. 726 at the meeting of 21st March 1933 in which the reasons for levying a uniform rate of Rs. 10-8-0 an acre have been explained.

(g) & (h) The Government have not the information but have called for it.

Mr. P. PEDDI RAJU:—"May I ask whether the Government are aware that the zamindari assessment in the Polavaram Island is about Rs. 11 and when this Rs. 10-8-0 as water-rate is added, whether the ryots will be able to take water at this cost and cultivate their lands?"

The hon. Sir ARCHIBALD CAMPBELL:—"I am not aware what rate is charged by the zamindars on dry lands. The ryots agreed to pay the rate for water of Rs. 10-8-0 an acre if the project was undertaken. As I stated on a previous occasion in this House, we are waiting for the final accounts of the cost of this project and we will then consider whether it is possible to reduce the rates of water-cess and still keep the project remunerative."

Mr. P. PEDDI RAJU:—"Quite apart from the final settlement of the water-rates, may I ask whether the Government will consider the advisability of reducing the rates temporarily, at least till the prices rise?"

The hon. Sir ARCHIBALD CAMPBELL:—"Under the orders already issued by the Government, the ryots receive a suspension of 12½ per cent of the water-cess during the current year. I cannot admit that the ryots cannot raise paddy at this water-rate, for the simple reason that a large area—9,000 acres, I think—has been brought under irrigation under this project. This is far in excess of what we anticipated."

Mr. P. PEDDI RAJU:—"May I know whether the Government will inquire whether the existing zamindari rate is not Rs. 11 an acre, and whether an addition of Rs. 10-8-0 as water-rate will not make it impossible for the ryots to cultivate wet crops?"

The hon. Sir ARCHIBALD CAMPBELL:—"I am not prepared to inquire into the zamindari rates."

Income due to the imposition of water-tax at a flat rate of Rs. 6-4-0 per acre.

* 499 Q.—Mr. P. V. KRISHNAYYA CHAUDARI: Will the hon. the Member for Revenue be pleased to state—

(a) what the increased income to the Government is in Guntur district, talukwar, owing to the imposition of a flat rate of Rs. 6-4-0 per acre as water-tax; and

(b) what the increase in income is under the enhanced water-rate in the whole Presidency, districtwar?

[29th January 1934]

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

(b) It is not clear to what enhanced rates of water-cess the hon. Member is referring. There has been no general enhancement of the rates of water-cess for the whole Presidency.

Mr. P. V. KRISHNAYYA CHOUDARI:—"With reference to the answer to clause (a), may I know whether the hon. Member will be pleased to call for the required information and place it on the table of the House?"

The hon. Sir ARCHIBALD CAMPBELL:—"I will consider the hon. Member's suggestion."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know what additional revenue the Government have got in each district by altering the existing rate into a flat rate?"

The hon. Sir ARCHIBALD CAMPBELL:—"I have already stated I do not understand to what enhancement the hon. Member is referring."

Mr. P. V. KRISHNAYYA CHOUDARI:—"As a matter of fact, in Tanjore they have put the rate at Rs. 7-2-0, in Guntur they have put it at Rs. 6-4-0. For each delta they have fixed a flat rate. I want to know what is the increase in revenue that the Government have realized by introducing this flat rate?"

The hon. Sir ARCHIBALD CAMPBELL:—"I am not sure that the differential water-rate system is in force in Tanjore."

Mr. P. PEDDI RAJU:—"May I know whether there are not lands which under the differential water-rate system were paying Rs. 3 only but which are now being charged Rs. 6-4-0—an increase of over 100 per cent—and whether the ryots of these lands have not been particularly hard hit?"

The hon. Sir ARCHIBALD CAMPBELL:—"The ryots of these lands have been particularly fortunate in having had to pay such a low water-rate for so long."

Extension of kistbandi from three to four months.

* 500 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the hon. the Member for Revenue be pleased to state whether the Government have any proposal for raising the number of instalments for payment of the land revenue from three to four in all places where there are only three instalments from January to March?

A.—The answer is in the negative.

Mr. M. A. MANIKKAVELU NAYAKAR:—"May I ask whether the Government will be pleased to increase the number of instalments from 3 to 4, considering the sad plight of the ryots?"

[29th January 1934]

The hon. Sir ARCHIBALD CAMPBELL:—"The question of kistbandi throughout the Province was examined in 1931 and 1932 and I am not prepared to reopen the general question again so early as this."

Levy of additional charges in cases of attachment of property for arrears of land revenue.

* 501 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the hon. the Member for Revenue be pleased to state whether it is a fact that certain additional charges are levied in cases of attachment of property for arrears of land revenue besides collecting the actual arrears?

A.—Yes, when a special paid agency is employed for the purpose.

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I ask whether it is not a fact that, without appointing any paid agency, the Government are charging extra fees for attachment of property?"

The hon. Sir ARCHIBALD CAMPBELL:—"I am not aware of it, Sir."

Floods in the districts of Godavari East and Godavari West.

* 502 Q.—Mr. G. SRIRAMULU: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that there were recurring floods in the East and West Godavari districts on account of the abnormal rains and the consequent rise of the Godavari this year;

(b) whether it is a fact that standing crops in all the taluks of both the districts were partially damaged and that those in the lankas were completely damaged;

(c) whether the reports of the local authorities on the condition of the crops in the districts and especially in the lankas have been received and, if so, whether they will be placed on the table of the House;

(d) what help has already been rendered by the Government to the ryots affected by the flood and whether there is any proposal before the Government to advance loans to the ryots of the flood-affected areas in the districts so as to enable them to cultivate future crops of the year; and

(e) whether there are any proposals before the Government to grant remissions to the ryots of the districts?

A.—(a) to (e) The hon. Member is referred to the answers given to questions Nos. 447 and 448 at the meeting of the Legislative Council held on 10th November 1933 wherein the Government have already given particulars in respect of floods in the West Godavari district and the measures of financial relief taken by them.

[29th January 1934]

Copies of the reports^a of the Collector of East Godavari on floods in that district are laid on the table. The Government have already sanctioned the sum of Rs. 82 applied for by the Collector in his letter, dated 26th September 1933, and the sum of Rs. 500 applied for in his letter, dated 3rd November 1933. The Government have at present no other information. The granting of loans is governed by the provisions of the Land Improvement Loans Act and the Agriculturists' Loans Act, and the rules made under these Acts. The grant of remissions is governed by the provisions of Board's Standing Orders Nos. 13 and 14.

Rental on lands leased out to the depressed classes tenants' co-operative societies, Guntur district.

* 503 Q.—Mr. P. C. MOSES: Will the hon. the Member for Revenue be pleased to state—

(a) the extent of land leased out by the Government to the several depressed classes tenants' co-operative societies in Guntur district before January 1933;

(b) the rental which these societies paid in 1932 for the lands leased to them;

(c) the rental fixed on such lands for the year 1933-34;

(d) whether the economic condition of the members of the tenants' co-operative societies was taken into consideration in raising the rent this year;

(e) the number of societies that could not accept the lease because of the high rental fixed for 1933-34;

(f) the reasons for change in the rental; and

(g) whether the Government will place on the table the Standing Orders of the Board of Revenue and also the orders of the Government on the lease of the lands in question for the past three years?

A.—(a) to (f) It is presumed that the hon. Member refers to the lease of lankas. The Government have not the information but have called for a report.

(g) The general rule regarding lease of lanka lands is contained in paragraph 35 (x) of B.S.O. No. 15 at page 53 of Board's Standing Order, Volume I, which is available in the Secretariat Library. Special rules framed for the lease of lankas in the Godavari river (which apply also to the Guntur district) are contained in G.O. No. 586, Revenue, dated 10th March 1920, which has been placed at the disposal of the Press. Lease of lankas to depressed classes is however made without auction. The Board of Revenue has been empowered to sanction such leases.

^a Printed as Appendix III on pages 108-110 infra.

29th January 1934]

Pounds and Prevention of Cattle Trespass

Transfer of cattle pounds to the control of the local bodies.

11-3
a.m

* 504 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have decided to hand over cattle pounds to local bodies in the respective areas; and

(b) if so, when it will come into force?

A.—The question of transferring the control and management of cattle pounds to local bodies was recently examined by the Government. The proposal has been dropped.

Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I know why the Government dropped the proposal to entrust to the local bodies the control of cattle pounds? ”

The hon. Sir ARCHIBALD CAMPBELL:—“ The information will be placed on the table of the House.”

Public Service

Selection of clerks by the Madras Services Commission for Telugu areas.

* 505 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the hon. the Member for Revenue be pleased to state whether it is a fact that the Madras Service Commission is selecting clerks, etc., for Telugu areas from non-Telugu districts, although there are many Telugu candidates who are qualified?

A.—In 1931 and 1932 candidates who did not know Telugu were allotted to Telugu districts by the Madras Services Commission as the number of Telugu candidates successful in the competitive examination held by the Commission was not sufficient to fill the vacancies in those districts.

Promotion of lower division clerks to vacancies in the upper division.

* 506 Q.—Mr. SAMI VENKATACHALAM CHETTI: Will the hon. the Member for Revenue be pleased to state—

(a) whether, with reference to his answer to question No. 1281, dated the 24th March 1932, any vacancies in the Superintendents' or upper division clerks' grades have been or are proposed to be filled otherwise than by promotion as given in the above answer;

(b) if the answer to the above is in the affirmative, on what grounds a departure was made and is proposed to be permitted; and

(c) how many permanent lower division clerks there are now in each department of the Secretariat selected to do drafting work?

A.—(a) & (b) The answer to clause (c) of Question No. 1281 was not intended to convey the idea that promotion from the upper and lower division clerical grades was the only method of filling vacancies in the grades of Superintendents and upper division clerks. Under rules 2 (a) and 12

[29th January 1934]

of the Madras Ministerial Service Rules, recruitment to these grades may be by promotion from a post in the Madras Ministerial Service or by transfer from any other Subordinate Service and to the posts of upper division clerks it may also be direct.

Between 20th February 1932 and October 1933 two vacancies in the Superintendents' grade and seven vacancies in the upper division clerical grade have been filled otherwise than by promotion of upper division and lower division clerks respectively.

(c) The information is given below:—

Chief Secretariat	...	...	...	...	5
Revenue Secretariat	...	...	...	...	1
Law Secretariat	...	...	...	...	1
Local Self-Government Secretariat	...	...	...	...	7

Savings due to the stoppage of officiating promotions to clerks of the Secretariat acting in the Upper Division.

* 507 Q.—Mr. M. S. SRESHTA: Will the hon. the Member for Revenue be pleased to state the amount of savings to the Government due to the stoppage of officiating promotions to clerks from the lower division to the upper division cadre of the Secretariat for the last five years?

A.—Rs. 2,426-13-0.

Mr. M. S. SRESHTA:—“Is it not a fact that officiating promotion is denied to permanent lower division clerks and that acting allowance is given to acting lower division clerks?”

The hon. Sir ARCHIBALD CAMPBELL:—“Yes.”

Mr. M. S. SRESHTA:—“Is that arrangement quite fair?”

The hon. Sir ARCHIBALD CAMPBELL:—“The matter is under examination in the Secretariat.”

Mr. M. S. SRESHTA:—“May I ask whether the savings by stoppage of officiating promotions would not be greater, if recruitment was confined to lower division clerks and if promotion was made from lower division to upper division?”

The hon. Sir ARCHIBALD CAMPBELL:—“It would be greater if acting lower division clerks were not given acting allowances for officiating in the upper division.”

Mr. M. S. SRESHTA:—“Will the hon. Member consider the desirability of giving officiating allowance to persons who are permanent lower division clerks and who are officiating in the upper division?”

The hon. Sir ARCHIBALD CAMPBELL:—“As I said, the question is under consideration at the present moment.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“May I know whether this question has been before the Government for more than four months now?”

The hon. Sir ARCHIBALD CAMPBELL:—“It is quite possible.”

29th January 1934]

Local Self-Government

Petitions presented regarding the Salem District Board.

* 508 Q.—Mr. ABDUL HAMEED KHAN: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government received three petitions from certain members of the Salem District Board in March, April and July;

(b) whether it is a fact that the Government have not yet taken any action on the first two petitions but issued a Government Order on the 23rd August 1933 only with reference to the petition received in July;

(c) whether the Government have received any representation from any of the petitioners protesting against the alleged insult to the petitioners implied in the Government Order and what action the Government have taken on it; and

(d) why the Government did not instruct the Inspector of Local Boards to investigate the matter mentioned in the petitions as requested by the signatories?

A.—(a) Yes.

(b) Orders have issued in G.O.* No. 3402, L. & M., dated 23rd August 1933, on the petition received in July 1933. The other petitions are under consideration.

(c) A personal representation has been made and with reference thereto the Government have issued orders in G.O.* No. 4920, dated 28th November 1933, copy of which as well as a copy of G.O. No. 3402, L. & M., dated 23rd August 1933, are placed on the table.

(d) The Government did not consider it necessary.

Mr. ABDUL HAMEED KHAN:—“In view of the fact that the Government have found that the President, District Board, did not keep proper records and it has necessitated the issue of a Government Order that he should keep records in proper order, will the Government be pleased to state why they think that no action is necessary?”

Mr. E. CONRAN SMITH:—“I believe the practice in many local bodies is to record the proceedings of meetings from notes made at the meetings. The Government were satisfied that in this case no further action was necessary.”

Mr. K. A. NACHIYAPPA GOUNDER:—“Will the Government be pleased to state whether they are justified in making insinuations against the petitioners when there were no such allegations in the petition?”

Mr. E. CONRAN SMITH:—“I take it that the hon. Member is referring to the allegation referred to in the first Government Order. That allegation was made personally by the hon. Member himself.”

[29th January 1934]

Disqualification for voting incurred by members of local bodies in the Guntur district on the plea of an alleged resignation of office on their part.

* 509 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government have received any representations from the aggrieved members regarding instances in Guntur district, where the presidents have disqualified members from voting or participating in no-confidence motions on the plea that those members had sent in letters of resignation from the local areas concerned, in spite of the protests of the members concerned and their declaration that they had never written letters resigning their seats; and

(b) what action the Government have taken to prevent such abuse of powers in the future?

A.—(a) Government have received a petition to this effect from M.R.Ry. Modukuru Rajayya Garu, a member of the Guntur Taluk Board.

(b) Government have already issued instructions in G.O. No. 146, L. & M., dated 17th January 1931, copy of which is placed on the table.^a In the case under reference, however, the President, Taluk Board, Guntur, reported that the member tendered his resignation to the President in person.

Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I know why the Revenue Divisional Officer who presided when the no-confidence motion was moved, permitted Mr. Rajayya to take part in the motion? ”

Mr. E. CONRAN SMITH:—“ The Government have no information.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ How can the Revenue Divisional Officer admit a member who has resigned already? ”

Mr. E. CONRAN SMITH:—“ The resignation in question was received by the President of the Board. The Government took the view that the genuineness or otherwise of the resignation was not a matter for the Revenue Divisional Officer to decide but for the courts.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ What made the Government delay passing any order for eight months and then ask the Taluk Board to show cause why it should not be dissolved? ”

Mr. E. CONRAN SMITH:—“ The hon. Member is confusing two issues. The Government have not asked the Taluk Board to show cause why it should not be dissolved in connexion with this particular case.”

Rao Bahadur A. T. PANNIRSELVAM:—“ With reference to the Government Order issuing instructions as to how local bodies should behave in the matter of accepting resignations, may I know whether

^a Printed as Appendix V on page 112 infra.

[29th January 1934]

the date of resignation or the date when the resignation was received by the President of the Local Board or the date of confirmation of the communication was urged should be taken into consideration? ”

Mr. E. CONRAN SMITH:—“ The instructions issued by the Government are only executive instructions. They do not relate to the question raised by the hon. Member, which is a matter for the courts.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ When there is a specific Government Order issued by the Government in 1931 that, when a member denies having sent in his resignation, it must not be given effect to, may I know the reason why the Taluk Board President did not give effect to that Government Order? ”

Mr. E. CONRAN SMITH:—“ The question should be addressed to the Taluk Board President.”

Appointment of the President, District Board, Kistna, as Special Officer for the conduct of elections to the panchayats in the district.

* 510 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the President, District Board, Kistna, was appointed special officer to conduct elections to the panchayats in his district till a district panchayat officer was appointed in due course;

(b) whether it is also a fact that the order appointing him as special officer was subsequently cancelled;

(c) who originally suggested the appointment, the Government or the Inspector of Local Boards and Municipalities; and

(d) on whose suggestion was the order cancelled and what the reasons are for the same?

A.—(a) The President, District Board, Kistna, was appointed Election Officer in connexion with the conduct of elections to panchayats in the district.

(b) Yes.

(c) The Inspector of Municipal Councils as Election authority made the appointment.

(d) At the instance of Government. The appointment was contrary to the scheme and spirit of the Madras Local Boards Act, 1920.

Medical Administration

Leave allowances of medical officers compelled to go on leave preparatory to retirement.

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

(a) whether in their Order No. 712, P.H., dated 24th March 1932, the Government compelled any medical officers to go on leave preliminary to retirements and, if so, their names, the date from which their

[29th January 1934]

leave began and the emoluments they drew from that date up to their date of retirement, respectively;

(b) whether the order referred to above was subsequently cancelled in G.O. No. 1078, P.H., dated 18th May 1933, and if so, why; and

(c) whether the medical officers who were compelled to go on leave by the earlier order and who, during the whole or part of the period of their leave, drew less than their normal pay were paid the difference between their leave pay and their normal pay and, if not, why not?

A.—(a) The four assistant surgeons retired under the Government Order applied for leave on receipt of the notice of retirement and they were granted the leave admissible to them. The required information is furnished in the appended statement.^a

(b) Yes; as it was not possible to reduce the strength of the service in time as anticipated and as the order of retrenchment of personnel was also subsequently modified.

(c) The period during which the assistant surgeons were on leave on half average pay was treated as leave on full average pay and arrears of pay were disbursed to them. The Government do not consider it necessary to grant more.

Mr. ABDUL HAMEED KHAN:—"In view of the fact that the Government themselves compelled these officers to take leave preparatory to retirement, was it not due to them that they should be given their full salary for the period of their leave?"

Mr. E. CONRAN SMITH:—"As is stated in the answer, the Government considered that it was necessary to give these officers only full average pay."

Mr. ABDUL HAMEED KHAN:—"May I know whether it is not a fact that the Government of India have compelled the Government of Madras to give compensation to senior officers who are asked to retire as a measure of retrenchment?"

Mr. E. CONRAN SMITH:—"The Government of India explained to the Government of Madras what their interpretation of the Civil Service Rules is. According to that interpretation, I believe, the compensation has to be given in such cases of retirement."

Mr. V. M. RAMASWAMI MUDALIYAR:—"When these four Assistant Surgeons are asked to go on leave preparatory to retirement and then to join duty, may I know whether such a course does not shut out the junior assistant surgeons and that they become age-barred?"

Mr. E. CONRAN SMITH:—"In the circumstances stated, the effect might be as the hon. Member suggests."

^a Printed as Appendix VI on page 113 infra.

[29th January 1934]

Mr. ABDUL HAMEED KHAN:—"In view of the order of the Government of India, when the Government compel their officers to retire, is it not necessary that they should be given full salary?"

Mr. E. CONRAN SMITH:—"I think I have already answered that question."

Mr. V. M. RAMASWAMI MUDALIYAR:—"Why should not the Government of Madras ask those persons who have put in 25 years of service and more to retire and employ juniors?"

Mr. E. CONRAN SMITH:—"I must ask for notice of the question."

Change of the designation of Lady Medical Officers into Women Medical Officers.

* 512 Q.—Diwan Bahadur A. APPADURAI PILLAI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government are aware of the recent change in the designation of Lady Medical Officers into Woman Assistant Surgeon, Woman Apothecary and Woman Sub-Assistant Surgeon, the term 'woman' being substituted for the term 'Lady' previously in use;

(b) if so, for what reason has this change been effected;

(c) whether similar changes were effected in other services, for instance, Educational;

(d) whether it is a fact that several lady doctors have made representations to their respective heads of departments; and

(e) whether there is any intention on the part of Government to restore the appellation hitherto in use?

A.—(a) & (b) Yes. The change in the designation follows the use of the term 'woman' in the statutory rules relating to the service.

(c) The term 'woman' and women's branch are used in the statutory rules relating to the Madras Educational Service also.

(d) No; only one complaint was received by the Surgeon-General from the woman apothecary attached to the Municipal Women and Children's Dispensary at Vaniyambadi.

(e) No. The Government see no objection whatever to the use of the terms 'woman assistant surgeon,' 'woman apothecary' and 'woman sub-assistant surgeon.'

Diwan Bahadur A. APPADURAI PILLAI:—"May I know if the Government are aware that the term 'women' is resented by the lady officers in Government service?"

Mr. E. CONRAN SMITH:—"No, Sir; the Government are not aware of it."

Mr. SAMI VENKATACHALAM CHETTI:—"Why is there the necessity to add the appellation of sex along with the designation?"

Mr. E. CONRAN SMITH:—"For administrative convenience."

[29th January 1934]

Rao Bahadur C. NATESA MUDALIYAR:—" May I know whether the Government are aware that the word ' lady ' sounds better than the word ' woman ' and is more respectable? "

Mr. E. CONRAN SMITH:—" A lady remains a lady whatever her official designation may be. "

Mr. M. S. SRESHTA:—" May I know whether the sex of the officer can be entirely omitted? "

Mr. E. CONRAN SMITH:—" It is necessary to retain it for administrative convenience. "

Mr. ABDUL HAMEED KHAN:—" Will the Government reconsider the question of restoring the lady to her sex? "

Mr. E. CONRAN SMITH:—" As there is no category of ' gentlemen assistant surgeons, ' it is not necessary to have one of ' lady assistant surgeons ' . "

Mr. M. S. SRESHTA:—" Is not the word ' lady ' retained in the designation of officers in some departments of Government? "

Mr. E. CONRAN SMITH:—" I think that in the Educational Department also they are called ' women ' . "

Mr. M. S. SRESHTA:—" Are they called ' ladies ' or ' women ' ? "

Mr. E. CONRAN SMITH:—" They are called ' women ' . "

Mr. ABDUL HAMEED KHAN:—" May I know whether the term ' man ' precedes the designation of a male officer? "

Mr. E. CONRAN SMITH:—" Yes; there is a ' men's branch ' in some of the services. "

Change of designation of ' Lady Apothecary ' and ' Lady Assistant Surgeon. '

* 513 Q.—Mr. V. M. RAMASWAMI MUDALIYAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the designations ' Lady Apothecary ' and ' Lady Assistant Surgeon ' have been changed into ' woman apothecary ' and ' woman assistant surgeon ' ; if so, the reasons for this change; and

(b) whether it is a fact that the diploma obtained by lady apothecaries is styled as ' Lady Apothecary ' examination?

A.—(a) The attention of the hon. Member is invited to the answer given to clauses (a) and (b) of question No. 512.

(b) No.

Countersignature of medical certificates issued to non-gazetted Government servants.

* 514 Q.—B. POCKER SAHIB Bahadur: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government have issued any order directing the discontinuance of the practice under which medical certificates granted to a non-gazetted Government servant in superior service by a registered medical practitioner, recommending the grant of leave or extension of leave, were sent to District Medical Officers for countersignature;

[29th January 1934]

(b) whether, instead, the Government have permitted the authority competent to grant the leave in such cases to accept the said medical certificate or to secure a second medical opinion by sending the applicant for medical examination; and

(c) whether any representation was received on the subject; and, if so, when and with what result?

A.—(a) Yes.

(b) Yes.

(c) No.

Rao Bahadur C. NATESA MUDALIYAR:—" May I know whether the Government are aware that the registered Medical Practitioner, who gives the certificate, will know more about the case—because he is treating the case—than the District Medical Officer before whom the patient appears for the nonce? "

Mr. E. CONRAN SMITH:—" I am not prepared to answer that question. "

Rao Bahadur C. NATESA MUDALIYAR:—" Suppose a man is suffering from pneumonia; the Registered Medical Practitioner says that he is suffering from that disease and that he requires so many months' leave. If the man is asked to go to the District Surgeon after the expiry of fifteen days or one month, the patient might have been completely cured and the District Surgeon may say that he is quite all right? "

Mr. E. CONRAN SMITH:—" Given the premises, the hon. Member is perfectly right. "

Fee concessions to students in the Medical College, Vizagapatam.

* 515 Q.—MAHBOOB ALI BAIG SAHIB Bahadur: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) how many students from the Medical College, Vizagapatam, applied for half-fee concession during 1931, 1932 and 1933, and how many of such applications were granted and how many were rejected; and

(b) what the reasons were for the rejection of the applications?

A.—(a)—

	1931.	1932.	1933.
Number of students who applied for half-fee concession	7	Nil.	5
Number of students who were granted half-fee concession	3	Nil.	Nil.
Number of applications which were rejected	4	Nil.	5

(b) Rule 92 of the Madras Educational Rules which governs the grant of half-fee concession gives discretion to the Principal of the College to grant the concession to students whose parents or guardians are so poor that the grant of the concession is necessary. The Principal of the College exercised his discretion and rejected four applications during 1931.

[29th January 1934]

No applications were entertained during 1932. During 1933 five candidates, while applying for admission to the College, stated that they required the half-fee concession. They were informed before admission that such concessions were not admissible.

In August 1931 the Principal of the College received a communication from the Surgeon-General stating that the Director of Public Instruction had submitted a proposal to the Government to abolish as a measure of retrenchment the system of half-fee concession. The Principal thought that pending a decision on this question he could not grant any half-fee concession. The proposal of the Director of Public Instruction, however, was confined to the educational institutions under his control. Thus the action of the Principal in having refused to grant the concession during 1932 and 1933 was due to a misapprehension.

Mr. P. V. KRISHNAYYA (HOUDARI:—“ Will the Government see that fee concessions are given at least in the future? ”

Mr. E. CONRAN SMITH:—“ The Government have already issued instructions to the Principal of the Medical College.”

X-ray facilities provided by Government.

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

(a) at what hospitals or other institutions X-ray apparatus has been provided by the Government;

(b) what does one such installation cost; and

(c) whether there is any proposal to install it at Mangalore?

A.—(a) X-ray installations are available at the following centres:—

- (1) Government X-Ray Institute, Madras.
- (2) Government Rayapuram Hospital, Madras.
- (3) Government Headquarters Hospital, Vizagapatam.
- (4) Government Headquarters Hospital, Ootacamund.
- (5) Government Headquarters Hospital, Coimbatore.
- (6) Government Headquarters Hospital, Cocanada.
- (7) Government Headquarters Hospital, Berhampur.
- (8) Government Headquarters Hospital, Madura.
- (9) Government Headquarters Hospital, Tanjore.

(b) The cost of one diagnostic X-ray outfit is about £600.

(c) No.

Mr. M. S. SRESHTA:—“ May I ask whether the Government have prepared a scheme for introducing X-ray installation at each hospital? ”

Mr. E. CONRAN SMITH:—“ No.”

29th January 1934]

Mr. M. S. SRESHTA:—“ May I know whether the Government will consider the point that preference should be given to the hospitals which are far away from Madras? ”

Mr. E. CONRAN SMITH:—“ I think the question of introducing X-ray installations in a large number of hospitals has not been considered in view of the present financial stringency.”

Mr. K. KOTI REDDI:—“ May I know why the Ceded districts have been completely lost sight of? ”

Mr. E. CONRAN SMITH:—“ I must ask for notice of the question.”

Mr. M. S. SRESHTA:—“ May I ask whether the question of distance from the places where the apparatus is installed will be taken into consideration when the question is taken up? ”

Mr. E. CONRAN SMITH:—“ I think that will be done.”

Mr. DANIEL THOMAS:—“ Will the hon. Member be pleased to state whether the question of instituting X-ray apparatus in all headquarter hospitals at least, has been considered by the Government? ”

Mr. E. CONRAN SMITH:—“ No, Sir.”

Mr. DANIEL THOMAS:—“ Will the Government be pleased to consider such a necessity? ”

Mr. E. CONRAN SMITH:—“ The Government will consider it in due course.”

Out-patient Departments of the Government School of Indian Medicine, Madras.

* 517 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the number of out-patient departments in the Government School of Indian Medicine;

(b) the average number of patients attending per day from 1930 to 1933 in each; and

(c) the number of students who took their diplomas up till now under the following heads:—

—						Number of employed.	Number of unemployed.	Total.
Ayurvedic	..	..	..	..	..			
Unani	..	..	..	..	..			
Siddha	..	..	..	..	..			

A.—(a) Four, viz., Ayurveda, Siddha, Unani and Western medicine. (The last one is for minor surgical operations.)

(b) & (c) Two statements^a furnishing the information required are laid on the table.

[29th January 1934]

Public Health and Sanitation

Grant to the Cumbum Taluk Board for village development during 1932-33.

* 518 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the amount granted to Cumbum Taluk Board for village development and the amount spent by the board last year, 1932-33; and

(b) whether it is a fact that the president of this taluk board was not able to utilize the whole by a mistake?

A.—(a) No amount was granted.

(b) The question does not arise.

Appointment of Water Works Supervisor by the Chairman, Municipal Council, Ootacamund.

* 519 Q.—Mr. V. M. RAMASWAMI MUDALIYAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the Chairman, Ootacamund Municipal Council, appointed one M.R.Ry. Krishnaswami Mudaliyar as the Water Works Supervisor from 1st April 1933;

(b) whether it is a fact that the Government were aware of the fact that the Chairman was going to make the said appointment on the strength of the provision contained in the Budget for 1933-34 and that no objection was raised by the Government regarding the legality or the validity of the provision in the Budget;

(c) whether the Government called for information from the Chairman, Ootacamund Municipal Council, regarding the qualification of Mr. Krishnaswami Mudaliyar after the appointment had been made;

(d) if the answer to clause (c) is in the affirmative, what the necessity for calling for information regarding the qualification of Mr. Krishnaswami Mudaliyar was;

(e) whether it is a fact that the Government after a lapse of more than four months after the appointment of Mr. Krishnaswami Mudaliyar called upon the Chairman to show cause why the appointment should not be cancelled on the ground that a mere provision in the Budget was not sufficient authority for the Chairman to make the appointment;

(f) whether the Chairman submitted his explanation and, if so, whether the Government will be pleased to lay on the table the entire correspondence on that subject;

(g) whether the Chairman informed the Government that he had taken legal opinion before making the appointment and requested the Government to get the opinion of the Advocate-General or any other law officer;

(h) if the answer to clause (g) is in the affirmative, whether the Government will be pleased to state why legal opinion was not taken by them especially in view of the fact that the Chairman, Ootacamund Municipal Council, had obtained legal opinion;

29th January 1934]

(i) whether it is a fact that a resolution for validating the Chairman's order appointing a Water-works supervisor was one of the items on the agenda of the municipal council on 31st August 1933, and that in spite of the Chairman's request to defer passing orders till the decision of the Council was known, the Government cancelled the appointment a day before the meeting of the Council; and

(j) what the reasons were for not awaiting the resolution of the Council?

A.—(a) Yes.

(b) Yes, but no objection was raised at the time as the Government were not in full possession of all the facts.

(c) Yes.

(d) As the Government understood that the person appointed by the Chairman was not suitable for the post of the Water-works Supervisor they called for the information.

(e) Yes; but the appointment was objected to not entirely on the ground referred to by the hon. Member but because of the existence of a specific resolution of the municipal council to keep the post in abeyance, which had not been rescinded by it at any time.

(f) Yes; but the Government do not consider it necessary to lay the correspondence on the table.

(g) Yes.

(h) The Government did not consider that any legal opinion was necessary.

(i) Yes.

(j) Even if the Council ratified the Chairman's action the appointment was still invalid as it was made contrary to the recommendations of the Sanitary Engineer.

Mr. J. A. DAVIS:—"May I know if Government issued specific subsequent orders directing the filling of this appointment?"

Mr. E. CONRAN SMITH:—"I think all the orders issued by the Government have been mentioned in the answer to the interpellation."

Mr. J. A. DAVIS:—"May I know whether the orders of Government were placed before the Municipal Council, whether the Chairman prevented compliance with those orders by ruling all resolutions and discussion thereon out of order and whether a protest against such action is before Government?"

Mr. E. CONRAN SMITH:—"The order was placed before the Council but the Chairman disallowed discussion."

Provision of drinking water wells in cheris with houses less than 100 in number.

* 520 Q.—Diwan Bahadur A. APPADURAI PILLAI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether there is an order of Government to the effect that drinking water wells should not be sanctioned for cheris where the number of houses is less than 100;

[29th January 1934]

(b) whether this is a hard and fast rule which cannot be relaxed in any circumstances; and

(c) what are the orders of Government as to how cases where, though the number of houses fall below the prescribed limit, there is real need for drinking water-supply are to be dealt with?

520 540—

A.—(a) No.

(b) & (c) Do not arise.

Agriculture

Outbreak of a new disease affecting the potato tubers.

* 521 Q.—Rao Sahib V. I. MUNISWAMI PILLAI: Will the hon. the Minister for Public Works be pleased to state—

(a) whether the Government are aware that there has been increased crop of potatoes on the Nilgiris during this year raised with the fertilizers and that large amounts of potatoes had to be thrown out as they were diseased;

(b) whether they propose to make enquiries as to the nature of the disease in the potato tubers and how to eradicate the same;

(c) how long the Nanjanad seed farm has been working and what the quantities are of seed raised during the past five years;

(d) whether the farm had any disease prevalent in its fields and what action was taken to remedy the same;

(e) whether the Government will be pleased to publish the experiments carried out and results obtained in a booklet for the information of the ryots interested in this crop; and

(f) whether the Director of Agriculture visited the seed farm during the past six months and what his impressions are as to the public utility of the seed farm?

A.—(a) The Government understand that artificial fertilizers are being increasingly used in the cultivation of potatoes on the Nilgiris. If the fertilizers are not properly balanced in regard to nitrogen, phosphate and potash, the crop may be affected by disease.

(b) Samples of diseased potatoes are sent to the Government Mycologist as and when found. The main diseases diagnosed are—

- | | |
|----------------------|--------------|
| (1) Ring disease | } on tubers. |
| (2) Fusarium species | |
| (3) Rhizoctonia | |

(4) Alternaria (early blight) on leaves.

The nature of these diseases is fairly well known and advice for their prevention is being given.

(c) The Nanjanad farm started work in 1917. The quantity of seed raised in the past five years was 17,972 maunds.

[29th January 1934]

(d) The farm has experienced these diseases. The following methods have been adopted to overcome the attacks and produce healthy crops:—

(1) Rotation of crops.

(2) Destruction of diseased potatoes.

(3) Selection of disease-free and well-sprouted seed.

(4) Improved methods of cultivation.

(e) A Press Communiqué on the Agricultural Research Station, Nanjanad, was issued in August 1932 and was published in Part I of the *Fort St. George Gazette*, dated 30th August 1932. The question of publishing a bulletin on the experiments conducted and the results obtained is under consideration by the Director of Agriculture.

(f) The Director did not visit the farm this year but he visited it twice last year. He considers that the farm is doing useful work.

Public Works

Expenditure on the construction of quarters for Government servants since the Provincial contribution was fixed.

* 522 Q.—Mr. A. P. N. V. NADIMUTHU PILLAI: Will the hon. the Minister for Public Works be pleased to state how much has been spent in the construction of quarters for Government servants after the Provincial contribution was fixed in 1920?

A.—A statement* showing divisionwise the expenditure incurred in each circle since 1920 is furnished.

Mr. P. V. KRISHNAYYA CHOUDARI:—“From the statement it is found that three times the amount that was set apart for the Telugu districts was given to the Tamil districts. May I ask if the Government think that the Telugu districts do not require quarters for their Government servants?”

The hon. Mr. P. T. RAJAN:—“Probably the Telugu districts had quarters already.”

Education

Appointment of examiners for Government Technical Examinations in Commerce.

* 523 Q.—Mr. G. SIMHACHALAM PANTULU: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether any fixed rules are followed in the appointment of chief and assistant examiners for Government Technical Examinations in Commerce held by the Madras Government Technical Examinations Board or by the Commissioner for Government Technical Examinations; if so, what the educational and technical qualifications and the teaching experience needed are for the appointment of such examiners;

* Printed as Appendix VIII on page 114 infra.

[29th January 1934]

(b) whether any list of such qualified people is prepared and any principle of rotation is observed in the appointment of such examiners; and

(c) the number of examiners appointed for these examinations from 1926 to 1933 and how many of them are Telugus; how many of them are Tamilians; and the remuneration paid to them individually for acting as examiners?

A.—(a) & (b) No hard-and-fast rules are followed. Examiners and assistant examiners are selected by the Commissioner for Government Examinations with reference to their knowledge and practical experience, their status and their capacity to discharge the responsible work entrusted to them.

(c) A statement ^a is appended. Information regarding the names of examiners and the remuneration paid to them is confidential.

11-45
a.m.

Mr. G. SIMHACHALAM PANTULU:—" May I know why it is not considered necessary to comply with the suggestion made in clause (b) of the question, i.e., to prepare a list of the people qualified? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I do not think that any useful purpose will be served by the preparation of such a list."

Mr. G. SIMHACHALAM PANTULU:—" When there is a feeling among some people that their claims are not properly considered at the time of selection, why does not the hon. Minister think it necessary to remedy their grievances? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" As the hon. Member will understand from the answer to the clause (c) even if such a list is prepared, it will be kept confidential. Therefore, there is no use in preparing one."

Mr. G. SIMHACHALAM PANTULU:—" The suggestion made in clause (b) is to prepare a list of the candidates every year who are qualified and to observe a certain principle in making the selection? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" But that list would be kept confidential, I say. It won't be open to the public and so the public cannot have an opportunity to criticise it."

Mr. G. SIMHACHALAM PANTULU:—" I wish to know if there is any such list prepared now? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" There is none."

Revision of the curriculum of studies in the higher elementary schools.

* 524 Q.—Mr. ABDUL HAMEED KHAN: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether a committee was appointed by the Government to report on the course of studies in the higher elementary schools;

^a Printed as Appendix IX on page 115 infra.

[29th January 1934]

(b) who the members of the committee were and whether that committee has made any report;

(c) if the answer is in the affirmative, when the report was submitted and whether the Government have considered the same; and

(d) why the Government have not published the report?

A.—(a) A committee was appointed by the Director of Public Instruction for the purpose.

(b) The members of the committee were Mr. R. M. Statham (Chairman), Mr. G. L. Lobo, Abdul Hamid Sahib Bahadur, M.R.Ry. A. Ramanatha Pillai Avargal, M.R.Ry. D. S. Reddi Garu (Secretary). The committee has sent a report to the Director.

(c) & (d) The report was submitted on 31st October 1932. It is under the consideration of the Director and has not yet been submitted to Government.

Mr. ABDUL HAMEED KHAN:—" May I know the reason for the delay in printing the report and why the Director kept it for a long period himself, without submitting it to the Government for orders? "

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

Rules of admission into the Widows' Home, Madras.

* 525 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether admission to the Widows' Home near the Beach at Madras is restricted to any particular community or members professing a particular religion;

(b) if so, to what communities or religions;

(c) the reasons for such restrictions;

(d) what the total annual expenditure on the Widows' Home is;

(e) how much of it is met from moneys collected from the inmates;

(f) what the rate of fees collected is and what the kinds of fees collected are;

(g) whether there is any endowment to the Widows' Home;

(h) if so, what the annual income therefrom is and what the nature and terms of the endowment are; and

(i) the number of the residents in the Widows' Home for the years 1931-32 and 1932-33 with the caste, sect or religion to which they belonged?

A.—(a) & (b) The hon. Member apparently refers to the Ice House Hostel attached to the Lady Willingdon Training College. Admission to this hostel is open to Hindu widows who are pupils in the model school attached to the college and to all Hindu students undergoing training in the secondary and higher elementary training classes in the college.

[29th January 1934]

(c) Admission to the Ice House Hostel is restricted to Hindus in view of the fact that there are separate hostels for other communities.

(d) The Ice House premises are used partly for hostel purposes and partly for the college and the model school. The expenditure incurred on rates and taxes and on the upkeep of the premises and on scholarships awarded to widows in the hostel is given below:—

	1931-32.	1932-33.
	RS.	RS.
Rates and taxes and other items ..	2,311	2,098
Widow scholarships	7,560	5,940

(e) Rent on electric installation and current consumption charges are recovered from the paying members of the hostel. The amounts collected in 1931-32 and 1932-33 were as follows:—

	1931-32	1932-33	RS.
.. .. .	..	..	236
.. .. .	..	..	182

(f) Tuition fees for attending school and training classes are collected at the rates laid down in the Madras Educational Rules except in the case of widow scholarship holders.

(g) & (h) There is no endowment.

(i)

	Brahmans.	Non-Brahmans.	Total.
1931-32	67	12	79
1932-33	52	9	61

Mr. K. KOTI REDDI:—“ May I know why there is such great disparity between the number of Brahman and Non-Brahman residents, as 67 and 12 and 52 and 9 respectively? Is there any special reason? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ Notice.”

Selection of Christians and Members of the Depressed Classes for admission into the Government Training Schools at Koilpatti and Tinnevely in 1931.

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

(a) how many depressed class candidates applied for admission into the Government Training Schools at Koilpatti and Tinnevely in the year 1931 for the three grades of training;

(b) how many Christians applied for admission in those two schools in the year 1931; and

(c) how many candidates from the depressed classes and Christians were admitted into the schools in the year 1931?

A.—(a) to (c) A statement ^a is appended.

^a Printed as Appendix X on page 115 infra.

29th January 1934]

Mr. M. DEVADASAN:—“ I find that only 7 out of 24 Depressed Class candidates and 3 out of 8 from the Depressed Class Christians were chosen for admission, i.e., out of 32, only 10 were selected. May I know why? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ In a number of cases the candidates were ineligible for selection. I cannot say with reference to each individual case why the candidate was not admitted but I can say only this much that in many of the cases the candidates were ineligible for selection.”

Mr. M. DEVADASAN:—“ May I know whether lower grade training has been retained only with a view to helping Depressed Classes and Depressed Class Christian candidates? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ It was retained with a view to help the Depressed Classes; but Christians are not included among the Depressed Classes. That is another reason why some of the candidates were not admitted.”

Mr. M. DEVADASAN:—“ May I know why out of 24, only 7 were selected? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I have already answered that question.”

Selection of Christians and Members of the Depressed Classes for admission into the Government Training Schools at Koilpatti and Tinnevely in 1932.

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

(a) how many candidates from the depressed classes applied for admission into the Government Training Schools at Koilpatti and Tinnevely for the two grades of training in the year 1932;

(b) how many Christians applied for admission into these two schools in the year 1932; and

(c) how many candidates from the depressed classes and Christians were admitted into the two schools in the said year?

A.—(a) to (c) A statement ^a is appended.

Mr. M. DEVADASAN:—“ May I know why, out of 12 Christian Adi-Dravida candidates, 3 only were chosen for the higher grade? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ For the same reason as in the case of the previous question.”

Mr. M. DEVADASAN:—“ May I know if the Government are aware that the Depressed Classes have got a grievance against the Government that their case has not been properly considered by the authorities? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I am not aware of that.”

^a Printed as Appendix XI on page 116 infra.

[29th January 1934]

Amalgamation of Muslim and non-Muslim schools by local bodies.

* 528 Q.—MR. ABDUL HAMEED KHAN: Will the hon. the Minister for Education and Excise be pleased to state whether it is a fact that some of the local bodies have been amalgamating Muslim schools with non-Muslim schools?

A.—Government are not aware of any such amalgamations.

MR. P. V. KRISHNAYYA CHODARI:—“Is it not necessary, where there is not sufficient strength in a Muslim school, under the consolidation scheme, that the District Educational Officer should amalgamate that school with a non-Muslim school, by appointing an Urdu teacher wherever necessary?”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“The order does not contain any specific directions on that point, but the scheme would be framed with a view to achieve the maximum amount of amalgamation possible under the local conditions.”

MR. P. V. KRISHNAYYA CHODARI:—“Is it not a fact that the Government of Madras issued a Government Order some time back asking the local boards to appoint a Muslim teacher in a non-Muslim school instead of opening a separate Muslim school for the use of the Muslim pupils?”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“Notice.”

MR. ABDUL HAMEED KHAN:—“Is it not a fact that these schools have been brought into existence and are allowed to exist on account of the necessity for giving vernacular instruction to the students and on account of the fact also that the Mussalmans are backward in education?”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“Notice.”

MAHBOOB ALI BAIG SAHIB Bahadur:—“Are the Government aware that the Muslim community in general is opposed to the amalgamation scheme?”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“My hon. Friend is not correct in saying that they are definitely opposed to it. They want certain safeguards before the amalgamation takes place. That is what the Muslim Education Committee has recommended.”

MAHBOOB ALI BAIG SAHIB Bahadur:—“What are the conditions which they expect to be fulfilled before the amalgamation, may I know?”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“I cannot recollect them all now; they are several, I think.”

MR. ABDUL HAMEED KHAN:—“If the committee did make any such recommendations, it must have been in the expectation that the Government, before bringing about amalgamation, will see that those conditions are satisfied; do the Government know that amalgamation has been going on without even fulfilling those conditions?”

[29th January 1934]

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“Government will, of course, most carefully scrutinize any scheme that may come up before them; but they cannot undertake that they will examine this particular question or that.”

MR. M. S. SRESHTA:—“Have not other communities also objected to that scheme?”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“Oh, yes.”

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—“May I know whether any orders have been passed upon the recommendations of the Muslim Education Committee?”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“Yes, in regard to some portions; in regard to others, no orders have yet been passed.”

Provision of a dining hall to the Madrasa-i-Azam and Muhammadan College.

* 529 Q.—MR. ABDUL HAMEED KHAN: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether the Government are aware that there is no dining hall for the students of the Government Madrasa-i-Azam and Muhammadan College; and

(b) whether any arrangement has been made for providing them with sufficiently large dining rooms in the new buildings?

A.—The new hostel buildings which are nearing completion will provide dining accommodation for those students living in the hostel.

It is also proposed to provide tiffin rooms for the day students at the College, but plans and estimates for these rooms have not yet been finally sanctioned.

After the buildings now occupied by the College are handed back to the school, it is hoped to provide suitable dining accommodation for the students of the Madrasa-i-Azam.

Measures for the employment of qualified hands in the training schools for Muslim women.

* 530 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the hon. the Minister for Education and Excise be pleased to state what steps the Government are taking to supply qualified hands to the training schools for Muslim women?

A.—Qualified Muslim women, when available, are posted to the schools referred to. If they are not available, non-Muslim women teachers with the required qualifications are posted.

[29th January 1934]

The statutory rules relating to the Madras Educational Service and the Madras Educational Subordinate Service have been amended recently so as to make it clear that qualified and suitable candidates belonging to the Muslim community shall, if available, be selected for appointment as teachers in schools intended for Muslims.

Teaching staff of the Government Muhammadan Training School for Women, Kurnool.

* 531 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the hon. the Minister for Education and Excise be pleased to state—

(a) the number of secondary grade posts sanctioned for the Government Muhammadan Training School for Women at Kurnool;

(b) how many are working at present and what their qualifications are;

(c) whether it is a fact that one post has recently been reduced; if so, what the reasons are;

(d) whether it is a fact that a full-blown higher grade elementary school with eighth standard is attached to the Training school;

(e) whether it is a fact that lower grade elementary trained teachers are teaching in the higher standards; and

(f) whether the Government have taken any steps to secure the services of qualified teachers for the above school?

A.—(a) Ten.

(b) Nine teachers. One is a secondary grade trained teacher, three are trained teachers of the higher elementary grade and four of the lower elementary grade and one is a combined drawing and sewing mistress who has passed the Government technical examination in embroidery in the intermediate grade and who possesses also the trained teacher's certificate of the lower elementary grade.

(c) The post of physical training instructress is left unfilled as there is no qualified lady available.

(d) & (e) Yes.

(f) Yes. Muhammadan women teachers with the prescribed qualifications are not available.

Inadequacy of the conveyance facilities provided to pupils by the Government Muhammadan Training School for Women, Bellary.

* 532 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether it is a fact that a higher grade elementary girls' school is attached to the Government Muhammadan Training School for Women in Cowl Bazaar at Bellary;

[29th January 1934]

(b) whether the school is provided with only one cart for Gosha girls; and

(c) whether the leading Muslims of Bellary waited on a deputation recently on the Director of Public Instruction and requested him to grant two more carts?

A.—(a), (b) & (c) Yes.

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—" May I know whether any orders have been passed in regard to the recommendations made by the leading Muslims of Bellary for the provision of more carts? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I do not think the Government have passed any orders on the matter."

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know whether Government charge anything for girls who come to gosha schools in carts? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I do not think they do."

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know in that case why in other schools also carts should not be provided? There are several Hindu communities in purdah; why should they not be provided with the bandy system, and why should a particular community alone be provided with such conveniences from out of the Provincial funds? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" That question does not arise. Perhaps the hon. Member may address that question to the hon. Member who has raised this question."

Mr. ABDUL HAMEED KHAN:—" May I know whether Government are not always prepared to grant concessions of the nature given to the Muslim community on account of the fact that they observe the purdah and if any community goes into purdah, Government are prepared to help it to remain in purdah? " (Laughter.)

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" That is a hypothetical question."

MAHBOOB ALI BAIG SAHIB Bahadur:—" Are the non-Muslim gosha women such as the Kshatriyas, etc., as backward in education as the Muslim girls? "

The hon. the PRESIDENT:—" I think we are going far beyond the question."

Award of scholarships and stipends to Indian Christian Depressed Class students.

* 533 Q.—Diwan Bahadur A. APPADURAI PILLAI: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether Government scholarships or stipends are being awarded to Indian Christian depressed class students;

[29th January 1934]

(b) if so, the total number and amount of such scholarships distributed under the following heads:—

	No.	Amount.
(1) Industrial department—		
(i) Industrial schools.		
(ii) School of Arts and Crafts.		
(2) Educational department—	No.	Amount.
Literary education.		
(3) Labour department—	No.	Amount.
(i) Industrial education.		
(ii) Literary education.		

(c) whether these scholarships or stipends were withheld at any time; and

(d) if so, for what period they were so withheld?

A.—(a) & (b) It is presumed that the reference is to scholarships specially intended for converts to Christianity from the depressed classes. Such special scholarships have been instituted only in the Education Department. Their number and approximate annual value are as follow:—

Scholarship.

	Annual value.
Six scholarships tenable in Arts Colleges ..	RS. 526
Sixteen scholarships and 16 fee remissions tenable in each of Forms I to VI of secondary schools	7,176

(c) & (d) None of the scholarships mentioned above was withheld at any time; it is, however, reported that one of the collegiate scholarships is likely to lapse in the current year for want of an applicant.

Mr. DANIEL THOMAS:—“ May I know whether sufficient steps are taken by the Government to make the availability of the scholarship publicly known? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ It has been well-known all these years.”

Mr. DANIEL THOMAS:—“ Do the Government really believe that the scholarship will lapse because there is nobody willing to ask for it? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ Not all scholarships; it is only one case. I think the Indian Christian students do know that there is such a scholarship ear-marked for them.”

29th January 1934]

The hon. the PRESIDENT:—“ May I point out that the hon. Minister is inaudible? ” (Laughter.)

Mr. G. R. PREMAYYA:—“ May I know if industrial education is not education? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ That question relates to quite a different department. It has been examined by that department and found that even at present Indian Christians are getting more than they would be eligible for on any understandable basis, population or otherwise.”

Industries

Wood-work shop at Olavakkode.

* 534 Q.—Diwan Bahadur A. APPADURAI PILLAI: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether the Government took over the wood-work shop abandoned by the Forest department at Olavakkode;

(b) if so, when and at what cost; and

(c) how the Government propose to utilize the workshop and what progress has been made so far in that direction?

A.—The Industries department did not take over the wood-work shop abandoned by the Forest department. The wood-working machinery and the power transmission equipment available there were transferred to the Government Industrial school, Calicut, on 29th May 1932 for a consideration of Rs. 4,400.

So far it has been possible to erect only part of the machinery. It has been found very useful for the manufacture and production of packing cases supplied to the Kerala Soap Institute and for instructional and demonstration purposes. The rest of the machinery will be installed and ready for operation in the course of the year.

Sericultural operations.

* 535 Q.—Diwan Bahadur A. APPADURAI PILLAI: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether sericultural operations were extended to any fresh centres during 1931–32 and 1932–33;

(b) if so, (i) to what centres, (ii) what the area under mulberry cultivation is, (iii) what the nature and cost is of the establishment appointed to look after the work; and

(c) whether there has been any extension of work at *Palmaner* and *Kuppam* in regard to (i) the area under mulberry cultivation and (ii) the distribution of seed cocoons?

[29th January 1934]

A.—(a) Yes.

(b) (i) *Tinnevely district*—

- (1) Rochmanagar (Nanguneri taluk).
- (2) Amalivanam (Nanguneri taluk).
- (3) Tissenvillai (Nanguneri taluk).
- (4) Kattuvavillai (Nanguneri taluk).

Chingleput district—

- (5) Athur Reddipalaiyam.

Chittoor district—

- (6) The Government Silk Farm, Palmaner (opened during August 1931).
- (7) Chamarajapalli.
- (8) Samudrapalli.
- (9) Royalpet (Punganur taluk).
- (10) Gollapalli (Palmaner taluk).
- (11) Bommidoddi (Palmaner taluk).
- (12) Anneganpalli.
- (13) Gullaipalli.
- (14) Vasanadu.

Salem district—

- (15) Poonapalli (Hosur taluk).
- (16) Dasaripalli (Hosur taluk).
- (17) Mathigiri (Hosur taluk).

Kistna district—

- (18) Jayanthipur.
- (19) Nadigudem.
- (20) Gollapalli.

West Godavari district—

- (21) Ponangy.
- (22) Chattaparu.

Vizagapatam district—

- (23) Gajapatinagaram.

Anantapur district—

- (24) Chakarlapalli.

(ii) About 100 acres.

(iii) Five sericultural demonstrators on Rs. 35—1—40 each, are stationed in the following places to look after the District sericultural operations:—

- (1) Kuppam.
- (2) Penukonda.
- (3) Ellore.
- (4) Jaggayapet.
- (5) Vadakangulam.

The Moth Tester on Rs. 40 in charge of Government Silk Farm, Hosur, and the Farm Manager on Rs. 50—2—60 in charge of Government Silk Farm, Palmaner, are looking after the development of sericultural work in their respective areas, besides attending to the farm work.

29th January 1934]

(c) *Palmaner*—

(i) 5 acres and 25 cents.

	During 1931-1932.	During 1932-1933.
(ii) Seed cocoons	51,450	109,495

Kuppan—

(i) 16 acres.		
(ii) Seed cocoons	53,555	135,720

Mr. K. KOTI REDDI:—“ May I know why the sericultural operations are not tried in the Cuddapah district, when I believe Rayachoti taluk is suitable for it? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ Notice, please.”

UNSTARRED QUESTIONS

Police

Recovery of the sum misappropriated in 1932 by the Head Clerk, Police Training School, Vellore.

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

(a) what steps were taken to recover the amount misappropriated in the year 1932 by the then head clerk of the Police Training School, Vellore, and what portion of the misappropriated amount has been recovered so far; and

(b) whether it is a fact that in the matter of tenders for the supply of horse-food to the Police Training School, Vellore, the principle of accepting the lowest tender is not being adhered to; if so, why?

A.—(a) The total amount misappropriated by the late head clerk was Rs. 6,736-11-9. A sum of Rs. 2,036-0-1 found in the office and in the purse of the head clerk, and sums of Rs. 500 deposited by him as security and of Rs. 161-4-0 standing to his credit in the General Provident Fund were adjusted towards the loss sustained by the Government. A sum of Rs. 2,400 was ordered to be recovered from the officer concerned and the balance of Rs. 1,639-7-8 was written off the accounts.

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

Local Self-Government

Measures for the formation of panchayat boards.

537 Q.—Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government are taking any steps and, if so, what, to see that the village panchayat boards are formed in all the villages as early as possible;

(b) whether the formation of such panchayats is left to the voluntary efforts of the villagers; and

[29th January 1934]

(c) if any efforts are made to organize the panchayats as soon as possible, which the agency is through whom such efforts are made, and what the method of procedure is?

A.—(a) Yes; by educative propaganda.

(b) Primarily the villagers concerned should take the initiative by expressing their willingness to have a panchayat and to work it properly. The authorities set up for the purpose will do the rest.

(c) Every effort is being made to organize as many panchayats as possible consistently with sound policy and the possibility of effective control. District panchayat officers are the main agency; the procedure is that prescribed in the Madras Local Boards Act, 1920.

VI.—ACT ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR.

* The hon. the PRESIDENT:—"I have to announce that the Madras Forest (Amendment) Act, 1933, received the assent of His Excellency the Governor on the 11th December 1933."

VII.—FINANCE COMMITTEE FOR 1933-34.

* The hon. Sir HOPETOUN STOKES:—"Sir, I beg to move that—

'with a view to the filling up of the vacancy in the Standing Finance Committee caused by reason of the resignation by Mr. W. O. Wright of his seat in the Committee, this Council do proceed to elect a member of the said Committee.'"

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 holding of elections by means of the single transferable vote, I fix 3 p.m. to-day as the time by which nominations of candidates for election of a member to the Finance Committee should be sent to the Secretary."

VIII.—DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1933-34.

GRANT VI—IRRIGATION (EXCLUDING CAUVERY-METTUR PROJECT)—RESERVED.

* The hon. Sir ARCHIBALD CAMPBELL:—"On the recommendation of His Excellency the Governor, I beg to move that—

'the Government be granted a further sum not exceeding Rs. 200 under Grant VI—Irrigation (excluding Cauvery-Mettur Project)—Reserved.'

"This sum of Rs. 200 is intended to cover two items, Rs. 100 being for the closing of the Nethiletivarava breach in the Tsallacalva and

[29th January 1934] [Sir Archibald Campbell]

increasing its flood water way below, and the second Rs. 100 being for the extension of the north and south embankments of the Polavaram Island and constructing outfall sluices for drains.

"The reasons for these two items are explained in some detail in the note which has been placed before the House. The first item relates to the Swarnamukhi river which at a certain point divides itself into two parts, one part going down the main Swarnamukhi river, the other part going through a branch called the Tsallacalva. In recent years, the water passing through the Tsallacalva has increased to such an extent that it has breached its banks in various places and has caused a considerable amount of damage. We have not been able to take up the repair of this work up to now on account of a dispute with the Venkatagiri samasthanam regarding the distribution of water a little higher up the Swarnamukhi river. That dispute has now been satisfactorily settled. We now propose to close the main breach in the Tsallacalva and put back the banks and in that way to stop any further trouble on this account. The ryots have offered to provide the land that is necessary for this work. We hope that by this means we shall prevent the submersion of the 400 acres of wet and dry lands and the partial submersion of a portion of further area of 800 acres, and also to get back by reclamation an area of 232 acres which has been covered by sand owing to the floods flowing through the breach.

"The total cost of works is estimated at Rs. 59,300, of which Rs. 7,000 is the cost of acquisition of land and this amount will be paid by the ryots concerned. If this grant is made we hope to be able to spend some Rs. 6,000 in the current year, if the work is started at once.

"The second item relates to the extension of the flood bank of the Polavaram Island. The Polavaram Island Project has been carried out in recent years, but the flood bank was not constructed for about six miles, as it was hoped that the flood bank which was constructed might be sufficient for the purpose. This anticipation has been found to be unjustified. I may mention that in the recent floods, the Godavari water backed up through this gap to the flood bank and the result was that out of 7,000 acres of land brought under cultivation 800 acres of standing crop were destroyed and about 1,500 acres of crop were partially destroyed. If the bank is constructed as proposed and suitable drainage outfall shutters are provided damage of this kind will be minimized. This demand is brought forward as a new scheme, as the work was not contemplated in the original estimate. The total cost of the work will be nearly Rs. 60,000 and if the grant is made now we hope to begin the work in the current year and to spend about Rs. 3,000."

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

The demand was put and carried and the grant made.

[29th January 1934]

GRANT VII—IRRIGATION (CAUVERY-METTUR PROJECT)—RESERVED.

* The hon. Sir ARCHIBALD CAMPBELL:—" Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move—

' that Government be granted a further sum not exceeding Rs. 200 under Grant VII—Irrigation—Cauvery-Mettur Project—Reserved.'

" Sir, this sum of Rs. 200 covers two items, Rs. 100 for providing a surplus escape on the F. Saddle on the right bank of the Cauvery at Mettur and another Rs. 100 to provide for the construction of a pavilion near ' Mullings seat ' with an approach road and for laying out a landscape garden and park below the dam. As regards the first, it was at one time thought that the surplus arrangement made on the left bank over the Ellis Saddle would be sufficient, but it was always contemplated that if that were not sufficient, an escape might be provided on the other side of the river on what is known as the F. Saddle. On a careful examination and consideration, it has been thought advisable, as a measure of abundant caution, that we should now lower the F. Saddle, reducing it to 791 feet—and the top of the dam being 802 including the parapet—so as to allow the water to flow over the saddle on a lower level; and that the necessary arrangements should be made for controlling the flow of water over the saddle. The estimated cost of the work is in the neighbourhood of two lakhs of rupees—the actual detailed estimates are not yet ready and this is only a rough amount—and we are anxious to get on with the work as soon as possible during this year as the dam is nearing completion. I trust the House will be good enough to sanction this grant.

" The second proposal is also not provided for in the original estimate. Hon. Members who have visited Mettur may remember ' Mullings seat '—a seat called after the Chief Engineer Mr. Mullings—from which an excellent view of the dam and the reservoir can be obtained. It is now proposed to construct in the immediate vicinity just a few yards of it, a permanent pavilion which will be hexagonal in shape: on three sides there will be windows and on the other three there will be inscriptions giving particulars of the dam and the project generally and also the names of persons concerned in the construction of the work. It will be possible for visitors to obtain a very fine view of the dam and the reservoir from this pavilion. It is also proposed to lay out the ground immediately below the dam on the right side of the river as a park; the portion of the left side is reserved for hydro-electric works and we do not propose to make any arrangements there at present. The park which is now proposed can be easily irrigated with water from the reservoir. It is proposed to plant in this park fruit trees like mango and coconut. The proposed work will not involve any increase in the permanent establishment to be maintained at Mettur. It will be necessary in any case to have a staff of lascars under a responsible officer to manipulate the sluices, etc., and they will also look after the park. We hope that the produce from the fruit-trees will bring in an appreciable income. I am sure, Sir, that hon.

[29th January 1934] [Sir Archibald Campbell]

Members in this House would like to see that this work is kept in a suitable manner to maintain the prestige and the dignity of this Presidency."

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

* Mr. K. KOTI REDDI:—" Mr. President, Sir, I move—

' to reduce the allotment of Rs. 200 under Grant VII—Irrigation—Cauvery-Mettur Project—Reserved, by Re. 1.'

" Sir, with regard to the first item, as a layman I cannot say anything. With regard to the second item, I have to say a few words, as I believe that in times like this when every pie that the Government could afford to save ought to be spent for relieving the burden of the ryot, that such a large amount should be spent on the pavilion, etc., is absolutely undesirable. I am one of those who have gone and visited the Mettur Dam, though at present I am not in a position to locate where this Mullings seat is. I thought, Sir, that the big Cauvery-Mettur Project is a memorial in itself and no other memorial would be necessary for perpetuating the memory of this project. All honour to those persons who have conceived the idea of having a project there and who planned it and carried it through. At the same time, I do not think it necessary to have a permanent pavilion for perpetuating their memory. Any tablet fixed anywhere there is good enough for the purpose of perpetuating the memory of those who were responsible for the project. Though a sum of Rs. 40,000 seems such a small amount when you consider the amount spent on this project, I consider it to be absolutely unnecessary, especially at a time when Government ought not to embark on luxurious schemes.

" It is said that, if there is a permanent pavilion, visitors can have a beautiful idea of the project and that they could be protected from sun and rain. I have myself seen the place and visitors can certainly have a view of the project from any place and no visitor would like to sit in one place to have a view and they would not mind walking in the sun during the few hours of their stay there and it would not rain always.

" With regard to the other item, when we have a memorial pavilion there should also be a road leading to it, the cost for which is estimated at Rs. 8,600. I have seen the roads in Mettur and they are certainly very good at present and when one considers how money is being spent by Government—or rather wasted—on these beautiful roads which are very rarely used, one shudders at the way, Government spend ryots' money.

" The next item looks as if Government are launching on a remunerative enterprise by planting mango and coconut trees in the landscape garden. I think it is a bait to get the landscape garden. I think there is no necessity to spend Rs. 22,000 on this landscape garden especially at this moment when we are faced with depression and when Government have practically refused relief to the ryot. Having had some knowledge of the remunerative enterprises of the Government, I do not think that they can work this coconut and manage

[Mr. K. Koti Reddi] [29th January 1934]

tope on a remunerative basis. However, I do not think there is at present any necessity for a landscape garden. The view is beautiful and apart from any artificial garden, visitors can enjoy the scenery all the same.

“For all these reasons, I hope Government will think twice before they embark on a scheme of this kind costing Rs. 48,000. Further this item was not contemplated in the original estimate and it is absolutely unnecessary to have a sort of memorial and a landscape garden at such a huge cost.”

12-15
p.m.

Mr. BASHEER AHMED SAYEED:—“Mr. President, Sir, as one who has always been admiring beautiful scenery and beautiful parks particularly after my visit to the Kannambadi Dam at Mysore, I think, Sir, it will certainly add to the beauty of the locality if a nice and beautiful looking park is put up near the Mettur Dam. But, certainly, Sir, the argument that every one of us is aware, that these are days of retrenchment is there and we have to consider whether this is a very necessary and essential service to spend such a huge sum as Rs. 22,000 for a park. Probably, Sir, every member would agree, as I do, with what the hon. Member for Cuddapah has said, viz., that more urgent and important items in Part II schemes have been turned down by the Finance Committee. There are several small items of which I have come to understand one only because the proceedings of the Finance Committee have not been communicated to us. Among them one important item in which this Council is very much interested has not been sanctioned although the department put up the proposal and it was accepted by the Law Department because it concerned the Legislative Council and did not involve a very large sum. But such an item could not be recommended by the Finance Committee. I now ask, is it necessary and urgent that we should invest a huge sum like Rs. 22,000 for a park in Mettur? No doubt, the laying out of a park will be a great improvement and will be a very good improvement to the site now. But I consider, Sir, that such a thing should as well wait till more urgent things are taken up and completed. Before this investment is going to be made, I would like to ask the hon. the Revenue Member as to how he wants to dispose of the buildings that have been erected. There are very large buildings and very good buildings, well-built constructions which can be put to use in the interests of the general welfare of the public and the money that has been invested on these buildings could be well utilized. I would like to know what schemes the Government have before them to dispose of these buildings. I suggest, Sir, and I hope Government will accept my suggestion, that the best thing to which these buildings could be used will be that they should start some industrial concern in that area. The dam is already going to be improved to produce electricity in the locality and we need not go in for electricity elsewhere. When electricity could be produced and when there is such a huge site, I do not see why the Government should not launch upon an enterprise which will add to the material wealth of the country. If the Government, Sir, has any such schemes to industrialize that place by

29th January 1934] [Mr. Basheer Ahmed Sayeed]

starting new industries and investing small capital and after working that enterprise transfer it to private people, it would be a very useful thing in the interests of the country. If for any reason Government are not able to invest any capital in starting any industry and industrializing Mettur, may I suggest to the hon. the Revenue Member that he should consult the Public Health Department and the municipalities all over the Presidency and ask them as to whether they are willing to have that centre near Mettur buildings of an asylum or sanatorium for lepers. They may be put to two uses. Firstly, the place may be made an asylum for lepers or may be used as a sanatorium for tuberculosis patients. I am not a doctor and I am not in a position to say which will be more suitable for the locality. I suggest that in the absence of any good accommodation in the Tirumani Leper Settlement and in view of the very large lepers in the city, nay, all over the Presidency, these buildings round Mettur will be an ideal place for accommodating lepers. The municipalities can be asked to contribute their quota and send . . .”

* The hon. the PRESIDENT:—“I am afraid the hon. Member has raised a question which is not within the scope of the Demand.”

Mr. BASHEER AHMED SAYEED:—“Among the improvements to the existing Mettur Dam, they propose to construct and invest more money for laying the park. I want to know, Sir, how they are going to put the buildings to use. Before the hon. the Revenue Member replies, I would like to give some suggestions about the disposal of the building.”

* The hon. the PRESIDENT:—“I think that question will have to be raised in a different connexion altogether. I do not think it will be in order to raise the larger question now.”

Mr. BASHEER AHMED SAYEED:—“I have been merely asking as to how the surrounding buildings at the Mettur Dam that are available are going to be disposed of, and whether Government would be prepared to consider any proposals by municipalities or the representatives of the various districts in this Council for putting up a sanatorium for the Tirumani patients.”

* Rao Bahadur C. NATESA MUDALIYAR:—“I support the motion made by the hon. the Revenue Member and oppose the amendment moved by my hon. Friend from Cuddapah. Crores of rupees have been spent on the Mettur Dam. It has been considered the grandest engineering feat, not only of India but also of the whole world. Many people pay a visit from different parts of the world. When they do so, our Mettur Dam should not stand like a mummy, mute and inarticulate. It should speak through this pavilion. In one wall of the pavilion, there will be an inscription about the inception, completion and the inauguration. In another wall will be inscribed the size, the height and the cost of the dam. The conception, the inception, the completion and the inauguration are necessary information which one would like to know about. These things we will be leaving to posterity. This dam was undertaken out of capital account for which posterity is liable and so, posterity requires these kinds of information. Again, when people,

[Mr. C. Natesa Mudaliyar] [29th January 1934]

perhaps great engineers, from all over the world go there, they should have sufficient information and at the same time complete view of the whole works. This they can do from this pavilion. Then, with regard to the garden, there is already water there, and so, if ratepayers' money is spent there, it is in the interests of the ratepayers and nothing else. So I strongly support the proposal and request my friend to withdraw his motion so that we may have a beautiful adjunct and a desirable finish to the dam."

* The hon. Sir ARCHIBALD CAMPBELL:—"I am glad that my hon. Friend, Mr. Natesa Mudaliyar, has drawn attention to the fact that many visitors from all parts of the world would like to come and visit Mettur. I am not sure if hon. Members realize that the Mettur Dam is one of the greatest engineering works ever carried out. I have got figures here of a few important dams in this country and also elsewhere. Mettur will not be the highest dam nor will it be the longest one ever constructed, but I believe that it will be, at the time of completion, the largest piece of masonry in the world. Of the dams of which I have figures here, there is only one dam which is higher. The average height of the Mettur Dam is 220 feet. The only dam which is higher is the Roosevelt Dam in America which is 284 feet in height. On the other hand, the length of the Mettur Dam is almost exactly one mile, about 5,300 feet, while the Roosevelt Dam is 1,080 feet long. It is therefore considerably smaller. The Assuan Dam is 112 feet high and 6,400 feet long; it is, therefore longer than the Mettur Dam, but its cubical contents are considerably less. The cubical contents of the Roosevelt Dam are only 9.18 million cubic feet, and that of the Assuan Dam are 30.20 million cubic feet. The contents of the Mettur will be 54.67 million cubic feet, 50 per cent at least more than that of the biggest dam ever constructed hitherto. Then we may consider the capacity of the reservoir. The Roosevelt is the largest artificial reservoir hitherto constructed with a capacity of 67,200 million cubic feet. The Mettur reservoir will have a capacity of 93,500 million cubic feet. It is true that at present there is under construction, I believe, in America a dam which will be larger in every way, namely, the Hoover Dam. I think there can be no doubt that engineers of all countries in the world will come to visit Mettur. Also visitors to India will, if possible, include Mettur in their tour. It seems to me, Sir, that it is most desirable therefore that the Mettur area should be maintained in a manner worthy of a great engineering work and also of this Presidency. The cost is comparatively small; we do not intend to spend as much on the park as has been spent on the beautiful park under the Krishnaraja Sagara Dam to which my hon. Friend, Mr. Basheer Ahmed Sayeed, referred. We are very modest in our demands; we expect, moreover, that we shall get some return on our outlay. I think, Sir, therefore, that hon. Members will agree that it is most desirable that this work should be carried out.

"I will say one or two words in reply to Mr. Basheer Ahmed Sayeed's request for information as to what we are going to do with the buildings, etc., at Mettur. That is a matter which has been engaging our

29th January 1934] [Sir Archibald Campbell]

attention for some years, and as hon. Members may remember we had a pamphlet drawn of which I have got a copy here about the industrial possibilities at Mettur. Copies of this pamphlet were distributed to every Member of this Council and to various Chambers of Commerce and to others likely to be interested. Copies were sent to the High Commissioner for India in London for distribution to persons interested in industries there. Government do not want to start industries themselves. They prefer to leave the development of industries to private undertakings.

"But there is no doubt that there are great possibilities for industrial development at Mettur. One or two persons are already making enquiries with the object of starting industries there. It is most desirable that any industries that may be in view should be started without further delay, as the dam will be completed within another six months. Already a number of lines for coolies are vacant and we are having requests from the Superintendent of the Works for orders whether he may pull down those lines, but so far we have left them alone as they may be useful for some industry or other. We have already established there protected water-supply, underground drainage works, roads and buildings; anti-malarial measures are in operation and there are hospitals and schools. Everything is there. If some industries are to be started there, these buildings need not be dismantled but their value can be credited to the Mettur Project. I am most anxious that that should be done. It will certainly be agreed on all hands that it is very desirable that we should carefully consider whether anything can be done for the establishment of industries at Mettur.

12-30
p.m.

"My hon. Friend also stated that possibly the Government might make use of these buildings for a tuberculosis or leper settlement. I may mention that about two years ago we asked all heads of departments whether they could make any use of any portion of the Mettur buildings and the only reply we had, I think, was for a building or two for the Fisheries Department for a small staff. The question of utilizing the settlement or a portion of it for a leper settlement has, I believe, been under consideration and owing to financial stringency or for some other reason, it has not been possible for the Government to take up the proposal. Lastly, Sir, I may say, that the matter is most urgent and I will ask all the departments to reconsider the question."

Mr. K. KOTI REDDI:—"Although I am not convinced by the hon. Member's reply, I withdraw the motion."

The cut motion was by leave withdrawn.

The demand was then put and carried and the grant was made.

GRANT XI—MINISTERS, CIVIL SECRETARIATS AND MISCELLANEOUS—
TRANSFERRED.

* The hon. the RAJA OF BOBBILI:—"Mr. President, on the recommendation of His Excellency the Governor, I move—

'that the Government be granted a further sum not exceeding Rs. 5,000 under Grant XI—Ministers, Civil Secretariats and Miscellaneous—Transferred.'

[The Raja of Bobbili] [29th January 1934]

"Sir, in May 1932, the Government issued rules that a sum of Rs. 5,000 should be collected from panchayats other than panchayats which were unions on the 25th August 1930 to meet the cost of the first elections to those boards. A sum of Rs. 12,841 was accordingly collected in 1932-33; but as the elections could not be completed that year, only Rs. 4,643 was spent. The elections have now been completed and this supplementary demand for Rs. 5,000 is for expenses in that connexion. The total recoveries in the year 1932-33 and 1933-34 will however exceed the total expenditure in these two years by Rs. 3,173 and thus there will be a net surplus of Rs. 3,173. No expenditure will be incurred from provincial revenues."

* Mr. K. KOTI REDDI:—"Sir, I move—

'that the allotment of Rs. 5,000 under Grant XI—Ministers, Civil Secretariats and Miscellaneous—Transferred, be reduced by Rs. 100.'

"My object in moving this cut motion is to urge the necessity for devising a system by which the illiterate voters at panchayat elections may be enabled to vote and at the same time preserve the secrecy of the ballot. It is a legitimate ambition for the hon. Minister to entertain the hope to extend the number and thus increase the usefulness of the panchayat boards in the Presidency; but unless the system of voting now in vogue is changed and improvements in one or two directions, of which I shall speak on another occasion, are effected, we would not have real democracy working in the rural areas. It is agreed on all hands that the illiterate voter also should be enabled to cast his vote in secrecy. But how it is to be done is the question. In Bombay and Mysore they have put in operation a system of their own, but I am not in a position to say how far it is satisfactory. So far as our Presidency is concerned, we have already recognized the necessity for guaranteeing freedom of voting to the illiterate electors by introducing what is called the coloured-box system. That system was intended to secure the voters from being influenced by the man with the long purse or other undue influences. I am convinced that we should devise some satisfactory scheme for guaranteeing the illiterate voter from being known to whom he votes before we extend the number of panchayats. The coloured-box system does not serve the purpose intended and is therefore unsatisfactory. The voting papers are plain blank papers and put by the voters in the boxes representing the various candidates in the sheds or rooms. Boxes cannot be seen by others as otherwise there is no secrecy. Instead of putting it in one of the coloured boxes, there is nothing to prevent him from getting it back with him, hand it over to the candidate or his agent who gets it deposited in the coloured box pertaining to him. By this means, the object with which the Government introduced the coloured-box system is frustrated. Thus, although this system found favour with the Indian Franchise Committee, its defect was not noticed. I therefore suggest that instead of the coloured boxes, if in the ballot paper itself, different colours are printed against the names of the candidates and the

29th January 1934] [Mr. K. Koti Reddi]

voters made to mark in the room and the ballot paper handed over to the polling officer as usual, the voters could easily exercise their franchise without being known. Unless some such system is adopted by the Government, there is no use in developing the panchayat institutions. I hope the hon. Minister will see his way to devise some system by which the illiterate voter can vote in secrecy before he further extends the panchayat system."

Mr. M. A. MANIKKAVELU NAYAKAR:—"Sir, I am in favour of the view expressed that a system of voting should be devised which will shield the illiterate voter. Now, we have introduced the system of election in numerous local bodies. If democratic institutions are to work successfully, ample freedom should be given to the voter to exercise his vote in the way he chooses. It has been several times brought to the notice of the Government that, for this purpose, either the coloured-box system or the system by which the candidates would be represented by particular animals or other such symbols, should be introduced. I am sorry, Sir, that this question has not been paid the attention which it deserves. If the democratic institutions are to be as representative of the public as they ought to be, the Government should devise a system for enabling the illiterate voters to exercise their franchise freely and without influence being brought to bear upon them. I wish, Sir, that the hon. Minister takes up this question in right earnest and tries at least as an experiment the possibility of introducing a system which will ensure secrecy in the matter of voting."

* The hon. the RAJA OF BOBBILI:—"I am very much indebted to the hon. Members for pointing out some of the existing defects in the system of election to panchayat courts. No doubt the present methods are not ideal ones and are not free from defects. Unless there is strong public opinion against the defects of any system, any measures adopted by the Government will prove of no avail. My hon. Friend, Mr. Koti Reddi, who has personal knowledge of one or two such cases, considers that similar things occur in every election throughout the province. I do not think that conditions are as bad as he represents them to be. No doubt I do realize that in certain cases things have not been quite satisfactory. Recently a system of coloured box has been introduced and it provides for each candidate standing for election having a particular colour printed in the ballot box, so that the illiterate voters can make their choice according to the respective colours which the candidates standing for election are given. The Inspector of Local Boards and Municipal Councils has been requested to make draft rules regarding this matter. Of course this system has to be tried and seen how far it will be successful. I shall be pleased to give hon. Members any further information that they may desire if they meet me after the Council meeting. I shall also be grateful to them if they have any further useful suggestions to make in connexion with this matter."

Mr. K. KOTI REDDI:—"In view of the assurance given, I beg to withdraw my cut motion."

[29th January 1934]

The cut motion was by leave withdrawn.

The demand was put and carried and the grant made.

GRANT XIX—MEDICAL.

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

' that the Government be granted a further sum not exceeding Rs. 100 under Grant XIX—Medical.'

" Sir, this is a token demand for meeting the expenditure on travelling and other allowances to the members nominated and elected to the All-India Medical Council and contingencies (conduct of elections). We have to spend about Rs. 400 in connexion with the election as non-recurring expenditure and about Rs. 1,800 on travelling allowances as recurring expenditure. The full particulars are given in the note. The Accountant-General who was consulted wants a vote of this House for this expenditure. Therefore I have come here with this token demand."

The demand was put and carried and the grant made.

GRANT XXVII—MISCELLANEOUS DEPARTMENTS—RESERVED.

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

' that the Government be granted a further sum not exceeding Rs. 31,000 under Grant XXVII—Miscellaneous Departments—Reserved.'

" Sir, as stated in the explanatory notes, the Labour Commissioner has reported that he requires Rs. 29,400 for the purpose of employing an assistant manager on Rs. 2,065, lighting charges Rs. 1,300, maintenance of incapables Rs. 2,000, sick charges Rs. 350, travelling allowance Rs. 900, maintenance of settlers Rs. 17,000, office building Rs. 3,000 and laying down of new pipe lines in place of old at Bitragunta and their maintenance Rs. 1,925. We also require Rs. 1,600 for payment of compensation to the Salvation Army for the meeting hall in the Sitanagaram Settlement, the management of which has been taken over by the Government. The reason why we want these amounts is clearly stated in the explanatory notes and I have nothing more to add. I request the House to pass this demand."

The demand was put and carried and the grant made.

IX.—EXCESS DEMANDS FOR GRANTS FOR 1931-32.

* The hon. Sir HOPETOUN STOKES:—" I beg to move—

' (a) that an additional sum not exceeding Rs. 45,497 be granted under " Grant XXX—Civil Works—Establishment and Tools and Plant " to make good the excess expenditure incurred in the year 1931-32;

' (b) that an additional sum not exceeding Rs. 1,786 be granted under " Grant XXXVIII—Refunds of Revenue—Reserved and Transferred " to make good the excess expenditure incurred in the year 1931-32.'

29th January 1934] [Sir Hopetoun Stokes]

" These two items of expenditure have been found in making up the accounts of the year's expenditure. They have been submitted to the Public Accounts Committee which, in both the cases, has recommended that the excess grants should be moved in the Legislative Council in order to regularize the expenditure. I think hon. Members have already in their hands explanatory notes relating to both these items and I trust they will find all the necessary information there. Therefore I do not want to detain the House by going into details now."

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

The demands were put and carried and the grants made.

X.—A BILL FURTHER TO AMEND THE MADRAS CITY CIVIL COURT ACT, 1892 (BILL No. 14 OF 1933).

* The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" I beg to introduce—

' a Bill further to amend the Madras City Civil Court Act, 1892 (Bill No. 14 of 1933) and move that it be referred to a Select Committee consisting of Members whose names have already been circulated to hon. Members.'

" For the benefit of the House I shall read the names:—

1. Diwan Bahadur Sir Alladi Krishnaswami Ayyar (Advocate-General).
2. Mr. G. Sriramulu.
3. „ T. Sundara Rao Nayudu.
4. „ M. A. Muthiah Chettiar.
5. Dr. P. Subbarayan.
6. Mr. Sami Venkatachalam Chetti.
7. „ Basheer Ahmed Sayeed.
8. „ Mahboob Ali Baig.
9. „ K. P. Raman Menon.
10. „ A. Ranganatha Mudaliyar.
11. Rao Bahadur C. Natesa Mudaliyar.
12. Mr. F. Birley.
13. „ R. Madanagopal Nayudu.
14. „ T. C. Srinivasa Ayyangar.
15. The hon. Diwan Bahadur Sir M. Krishnan Nayar (Mover).

Sir, it is a very short Bill and the object of the Bill is to enhance the pecuniary jurisdiction of the Madras City Civil Court from its present maximum limit, viz., Rs. 2,500 to Rs. 10,000. The High Court has been strongly pressing upon the Government the need to introduce the present Bill for enhancing the jurisdiction of this court to Rs. 10,000. I may also mention that the Civil Justice Committee in 1925 reported that the pecuniary jurisdiction of the City Civil Court should be enhanced. My friends in this House will remember that the pecuniary limit of the Sub-Judges in the mufassal is unlimited. They have the right of disposing of suits whose valuation goes up to lakhs and crores of rupees and even the jurisdiction of a District Munsif is

[Sir M. Krishnan Nayar] [29th January 1934]

Rs. 3,000. Now, the jurisdiction, according to the existing circumstances of the City Civil Court is only Rs. 2,500 which, as I submitted already, is less than the pecuniary jurisdiction of a District Munsif. Let us compare the status of the Judges who are appointed to this court with that of others. Of course the Sub-Judges are superior to and more experienced than Munsifs and they are accordingly invested with the power of trying suits of any valuation. But the City Civil Judge is an officer who occupies a higher status than even Sub-Judges. For instance, the present City Civil Judge in Madras is a senior Sub-Judge and his juniors are acting as District Judges. So far as the capacity of the City Civil Judge in trying suits whose valuation goes up to Rs. 10,000 is concerned, there can be no doubt that he is certainly competent to dispose of such suits. There is also this further fact that the pressure of work caused by first and second appeals from the decisions of the Courts in the mufassal to the High Court, is very great and it is desirable in the interests of the litigant public that relief should be given to the High Court Judges, so that they may have more time to pay attention to first and second appeals. Thus, if the jurisdiction of the City Civil Court is enhanced to Rupees 10,000 the Judges of the High Court will find more time than they are able to devote at present to disposing of first and second appeals. I may also state that in the past several budget motions were tabled, though they were not reached for recommending to the Government the enhancement of the jurisdiction of the City Civil Court. The Bill is a very small measure which consists of only one section. I first wanted not to refer it to a Select Committee, but seeing that some of my European friends raised objection to the jurisdiction of the City Civil Court being enhanced, I thought it advisable to refer it to a Select Committee."

The hon. Sir MAHOMED USMAN:—"I second the motion."

"Mr. BASHEER AHMED SAYEED:—"Mr. President, we should thank the hon. the Law Member for having agreed to refer this Bill to a Select Committee. I entirely agree with the arguments that he has put forward in favour of a measure of this kind. But there are some other aspects of the question which he should consider. In the first place I should like to know whether he has considered whether the existing condition of filings and disposals of suits, applications and petitions in the High Court of Judicature, justifies the enhancement of the jurisdiction of the City Civil Court. I quite remember that I myself on several occasions on the floor of this House asked whether the question of the enhancement of the jurisdiction of the City Civil Court was going to be settled by the Government or not. But it was at a time when the filing in the High Court was normal and the disposal of suits and appeals by the High Court on the appellate side was delayed. Similarly, filings and disposals with regard to the City Civil Court were normal. The nature of the work was such that it was possible for the High Court on the Original Side and the City Civil Court to cope with the situation. But as the hon. the Law Member himself knows, things have changed

[29th January 1934] [Mr. Basheer Ahmed Sayeed]

during the last two or three years. Whether in the changed circumstances there is still justification for enhancing the jurisdiction of the City Civil Court is a question which the Government should examine. The Government have also to examine whether the proposal to increase the jurisdiction up to Rs. 10,000 will involve any reduction of officers who are now dealing with Original Side matters in the High Court. For, is it not a fact that the number of officers dealing with Original Side cases, applications and other miscellaneous petitions has been increased during the course of the last five or six years since 1926 or 1927? The Government have to examine whether during these years there has not also been a corresponding decrease in the amount of work on the Original Side of the High Court. I want to ask the hon. the Law Member whether he will be able to tell the House or the Select Committee, whether on account of the less work that will be done by the Original Side of the High Court, officers of the Original Side will be able to help to dispose of the accumulating arrears of first appeals, second appeals, letters patent appeals and Criminal appeals on the Appellate Side—arrears which have been pending for years. I want also to know whether by these proposals, the Government will be able to save anything, because these are days of retrenchment when every pie will be valuable to the Government. These are days when the filings on the Original Side of the High Court are very small, and the filings in the City Civil Court also are very small. Therefore, if the jurisdiction of the City Civil Court is enhanced, there will be correspondingly less work for the Original Side of the High Court and the question will have to be considered whether there will be any need to retain the present strength of officers on the Original Side, unless it be that they are asked to help the Appellate Side officers in disposing of their arrears. I should also like to know whether the Madras Advocates' Association has been consulted in this matter and, if so, what their opinion is and what view the Government have taken of it. I want to know if the High Court have made their recommendations on this proposal and I ask the hon. the Law Member to take the House or the Select Committee into his confidence and tell us under what circumstances they made their recommendations and whether under the present circumstances they stick to those recommendations. The opinion of the judges of the City Civil Court, if it has been elicited, will be of great help to the Select Committee which is going to deal with the matter.

"There is one other point which I should like the hon. the Law Member to consider. This is a great change that is involved in the enhancement of the jurisdiction of the City Civil Court. I want to know whether it will affect the High Court Fees Rules and the interests of those vakils who are already suffering much on account of few filings and on account of the general depression everywhere. The hon. the Law Member is aware that the scale of fees payable to practitioners on the Original Side of the High Court is quite different from what obtains in the City Civil Court. I want to know whether the High Court has taken into consideration the alterations that will have to be made so that the position of the practitioners may not be affected

[Mr. Basheer Ahmed Sayeed] [29th January 1934]

and whether there will be any proposal to have a revised scale of fees for the City Civil Court. I wish the hon. the Law Member takes all these matters into his consideration, and places before the Select Committee all the materials that he might have at his disposal on which he has come to the conclusion that it is necessary to enhance the jurisdiction of the City Civil Court. I once more welcome this measure and appreciate the attitude the hon. the Law Member has taken in referring this Bill to a Select Committee in order that it may be considered in all its aspects."

* The hon. the PRESIDENT:—"Is the hon. the Law Member going to reply?"

* The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"I do not think it is necessary, Mr. President. The hon. Member who has just spoken has not opposed my motion. I shall bear in mind all the suggestions he has made, and all the materials at the disposal of the Government will be placed before the Select Committee in the first instance and later on before the Council."

Rao Sahib Pandit GANALA RAMAMURTHI:—"Mr. President, I move that the name of Mr. H. M. Jagannatham be added to the list of members of the Select Committee."

Swami A. S. SAHAJANANDAM:—"I second it."

The question was put and lost.

The question, that the Bill be referred to a Select Committee, as proposed by the hon. the Law Member, was put and carried.

XI.—A BILL TO AMEND THE MADRAS TOWN-PLANNING ACT, 1920 (BILL NO. 1 OF 1934).^a

* The hon. the RAJA OF BOBBILI:—"Mr. President, I beg to introduce a Bill to amend the Madras Town-Planning Act, 1920 (Bill No. 1 of 1934), and move that the Bill be taken into consideration.

"Mr. President, under the existing Act, only three years' time is given from the date of notification under section 14 of the Act for the acquisition of lands. But owing to reasons of finance and other causes it has been found that the local bodies have not been able to complete their town-planning and other details of the scheme within the statutory period of three years. The proposed amending Bill gives them the option of proceedings either under the Town-Planning Act or under the Land Acquisition Act. Of course in the case of proceedings under the Land Acquisition Act, the owner will be entitled to a compensation of 15 per cent prescribed under section 23 (2) of that Act.

"Advantage has been taken of this amending Bill to correct certain mistakes. In section 42 (3) of the Town-Planning Act, the reference to sections 35 and 40 of the Madras District Municipalities Act, 1920, is a mistake for sections 34 and 39 of that Act. That mistake has now been corrected."

MR. E. CONRAN SMITH:—"I second it."

^a Published in the Fort St. George Gazette on 16th January 1934.

29th January 1934]

The question that a Bill to amend the Madras Town-Planning Act, 1920 (Bill No. 1 of 1934), be taken into consideration was put and carried.

Clauses 1 to 6 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."

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

The hon. the RAJA OF BOBBILI:—"Mr. President, I suggest that the consideration of the next item on the agenda be taken up after lunch."

* The hon. the PRESIDENT:—"The House will now adjourn and reassemble at half past two."

(After lunch—2-30 p.m.)

XI.—A BILL TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920, AND THE MADRAS ELEMENTARY EDUCATION ACT, 1920 (BILL NO. 2 OF 1934).^a

* The hon. the RAJA OF BOBBILI:—"Sir, I beg to introduce Bill No. 2 of 1934—a Bill to amend the Madras Local Boards Act, 1920, and the Madras Elementary Education Act, 1920, for certain purposes—and move that the Bill be referred to a Select Committee consisting of the undermentioned members:—

- (1) The Kumara Raja of Venkatagiri.
- (2) Mr. W. K. M. Langley.
- (3) „ P. Bayappa Reddi.
- (4) Rao Sahib N. Siva Raj.
- (5) Raja of Khallikote.
- (6) Diwan Bahadur A. Appadurai Pillai.
- (7) Mr. M. A. Muthiah Chettiyar.
- (8) Rao Bahadur G. Jagannatha Raju.
- (9) Mr. M. B. Rangaswami Reddi.
- (10) „ V. P. Narayanan Nambiyar.
- (11) Rao Sahib C. Jayaram Nayudu.
- (12) Mr. A. Ranganatha Mudaliyar.
- (13) „ R. M. Palat.
- (14) Diwan Bahadur B. Muniswami Nayudu.
- (15) Mr. P. V. Krishnayya Choudari.
- (16) Diwan Bahadur C. S. Ratnasabhapaty Mudaliyar.
- (17) Mr. T. C. Srinivasa Ayyangar.
- (18) Dr. P. Subbarayan.
- (19) Khan Bahadur Mahmud Schamnad Sahib Bahadur.
- (20) The Pattagar of Palayakottai.
- (21) Mr. A. B. Shetty.
- (22) Khan Bahadur Yahya Ali Sahib Bahadur.
- (23) Mr. A. McG. C. Tampoe.
- (24) „ E. Conran Smith.

^a Published in the Fort St. George Gazette Extraordinary on 18th January 1934.

[The Raja of Bobbili] [29th January 1934]

- (25) Rao Bahadur A. T. Pannirselvam.
- (26) „ T. A. Ramalingam Chettiyar.
- (27) „ C. Natesa Mudaliyar.
- (28) Diwan Bahadur S. Ellappa Chettiyar.
- (29) Mr. V. M. Ramaswami Mudaliyar.
- (30) Srinan M. G. Patnaik Mahasayo.
- (31) Mr. P. Peddi Raju.
- (32) Rao Bahadur Sir A. P. Patro.
- (33) Khan Sahib Syed Tajuddin Sahib Bahadur.
- (34) Mr. G. Ranganatha Mudaliyar.
- (35) „ P. K. Ramachandra Padayachi.
- (36) „ A. Pl. N. V. Nadimuthu Pillai.
- (37) „ M. A. Manikkavelu Nayakar.
- (38) Diwan Bahadur M. Gopalaswami Mudaliyar.
- (39) Mr. K. Koti Reddi.
- (40) Rao Sahib V. I. Muniswami Pillai.
- (41) Mr. Basheer Ahmed Sayeed.
- (42) The hon. the Raja of Bobbili—*Mover*.

As the number of members exceeds 15, I also beg to move that Standing Order No. 39 be suspended.

“The object of this Bill has been explained in the Press Communiqué issued by the Government on 6th January 1934 and printed as an appendix to this Bill—copies of which are in the hands of hon. Members. I do not therefore propose to take much of the valuable time of the House by repeating those arguments. Before touching upon the salient features of this measure, I wish to trace the history of the various proposals made from time to time to reduce the number of the different kinds of local bodies in this province. In G.O. No. 625, L. & M., dated 11th February 1926, the Government appointed a committee for investigating the possibility of making the village panchayats as the basis of local boards administration. The committee consisted of the following members:—

- (1) Late Raja of Panagal, Minister for Local Self-Government.
- (2) Rai Bahadur T. M. Narasimhacharlu.
- (3) The late Raja of Ramnad.
- (4) Mr. A. Ramaswami Mudaliyar (now Diwan Bahadur).
- (5) „ P. C. Venkatapathi Raju.
- (6) Diwan Bahadur B. Muniswami Nayudu.
- (7) Khan Bahadur Khalifullah Sahib Bahadur.
- (8) Mr. Ghattala Sahib.
- (9) Mr. F. Noyce (now Sir).
- (10) Diwan Bahadur N. Gopalaswami Ayyangar.
- (11) Mr. Narayana Rao Nayudu.
- (12) „ Ramachandra Mudaliyar.

I could not find the actual proceedings of the first meeting of the committee. It is stated in the printed note prepared by Diwan Bahadur N. Gopalaswami Ayyangar, who was the Inspector-General of Panchayats then, that the committee at its first meeting agreed tentatively that taluk boards might be abolished and that the financial

29th January 1934] [The Raja of Bobbili]

resources might be distributed between the district boards and the panchayat boards. Union boards might go out of existence. I have only mentioned some of the recommendations. I have not completed the list. These proposals were circulated to certain Collectors and district boards for opinion. Opinions were almost unanimous with regard to the question of the abolition of taluk boards. Then owing to the general elections, the matter was left over to be decided by the new Council. There was a change in the Ministry and the hon. Dr. Subbarayan, who was then in charge of Local Self-Government, decided in June 1927 that taluk boards should be abolished and the duties performed by them should be entrusted to subjects committees of the district boards, finance, sanitary, public works, etc. A Bill was actually drafted in 1928 on these lines and it was printed. But when it came to actual implication of these decisions, other counsels prevailed and the result has been the existing Local Boards Act, 1930, which provides for the constitution of a taluk board for each revenue taluk. On the repeal of the Village Panchayats Act, 1920, village panchayats were brought under the Local Boards Act and specific sources of income were allotted to them. In addition to the three pies' share in the land-cess, panchayats can levy profession-tax, licence fees during fairs and festivals, on markets, cart-stands and slaughter-houses. At the time of the passing of the Local Boards Act, 1920, there were only 2,000 panchayats. Now the number exceeds 5,000. They are increasing rapidly. I believe I am right in saying that we are all agreed that panchayats should be developed as the unit of local self-government, and so before long, the taluk boards will be deprived of both their income and functions. In accordance with the policy laid down in the amended Act, the number of taluk boards has increased from 130 to 208. Of these, 90 taluk boards have recurring deficits; 39 have just enough money to pay establishments, travelling allowance and contingencies. It will be thus seen that the majority of them, namely, 129 out of 208, are bankrupts and I am sure a fair number of the remainder have balanced budgets only on paper. Bifurcated taluk boards have been unable to satisfactorily maintain their hospitals and are able to provide little or no money for public services. It has been suggested that we should go back to the old system of multiple taluk boards; but in the year 1930-31, I find that out of 130 taluk boards, 46 of them were unable to balance their budgets. Owing to the allocation of specific sources of revenue to panchayats as mentioned above, there is no doubt that the majority of the old taluk boards would have large deficits by now if the *status quo* had been left undisturbed.

“Now, turning to the financial position of the district boards, the result of the amended Act and the Madras Motor Vehicles Taxation Act has been to deprive them of an income of Rs. 33 lakhs in spite of drastic retrenchment. Under existing conditions 12 out of 25 district boards will work at a deficit. If normal provision is made for maintenance of roads and other services, considerable addition to their resources is necessary.

[The Raja of Bobbili] [29th January 1934]

“ In the year 1932, a special officer was appointed to examine the financial position of the local boards. The main recommendation made by him was the restoration of tolls on non-motor vehicles. For the first two years drastic retrenchments were carried out in the budgets. Diversion and ear-marking of funds such as the Village Development Fund and the railway cess accumulations were permitted in order to balance the budgets, in the hope that normal conditions would be restored. But unfortunately the rapid deterioration of the financial position continues. In July 1933, a special staff was appointed to examine the financial position of the taluk boards and district boards. From the data collected we have issued the press communiqué. From a careful examination of the materials available, it is found that local boards are faced with an imminent financial breakdown. The Government have therefore come to the conclusion that there is no alternative but to abolish the taluk boards altogether. There is no service rendered by these intermediate boards which cannot be performed either by district boards or panchayats. Not only is this duplication of agency wasteful but a stage has been reached when the taluk board has outlived its usefulness.

“ Now let us examine the structure of local self-government in some of our sister Provinces and States. In the United Provinces they have 45 district boards for a population of the same size as ours. In the Central Provinces they have district boards and local boards smaller in size than the revenue districts. In Bombay, the Re-organization Committee recently recommended the abolition of taluk boards in order to encourage the growth of panchayats, and to place the district boards on sound financial footing. In Mysore, which is a model State, taluk boards have been abolished.

“ The proposals of the Government therefore provide for the abolition of the taluk boards and incidentally of the Village Development Fund and for the bifurcation of the larger district boards. As it is considered not worth while to plunge the Province in another general election within the triennium, transitory provisions have been devised.

“ In this connexion I wish to state that certain doubts have been raised as to the wisdom of abolishing the Village Development Fund. But in actual practice I find that the purposes for which this fund was constituted, namely, construction of village roads, rural water-supply, public health—all these services are also to be provided by the district boards, and there will be no necessity, if the taluk boards are abolished, to continue this fund.

“ It is proposed that out of this fund which amounts to about Rs. 16 lakhs, Rs. 5 lakhs, i.e., the additional three pies in the rupee, should be given to the panchayats and that the balance of Rs. 11 lakhs should go to the district boards. Of course this question of the abolishing of the Village Development Fund is not one of the principles underlying this Bill; it is a matter which in the opinion of the Government makes no difference. Whether you have it as a

29th January 1934] [The Raja of Bobbili]

separate fund or add it to the general resources of the district boards—it is a matter for further consideration by the Select Committee.

“ It has also been stated, Sir, that regarding the provision for the appointment of an educational officer and the management and control of educational schools, the Government are depriving the local bodies of their powers and that in the future the entire control either in regard to the opening or the closing of the schools or in regard to the number of schools required for the district, will be in the hands of the Government. I may at once state that that is not the intention of the Government. I believe, Sir, I am right in saying that this provision follows generally or to a great extent the provisions in the City Municipal Act where there are provisions for statutory standing committees. If there is any such fear in the minds of hon. Members that the Government desire to take over control of these schools, I may state that it will be possible—if they still consider it necessary—to devise necessary safeguards in the Select Committee stage.

“ Another point that has been raised is the question of the fate of a large number of employees in taluk boards. Of course district boards are going to take over all the functions of the taluk boards, and I think as far as elementary education is concerned, all the staff would still remain, but under the charge of the district boards. As regards the remaining staff, it is believed that the district boards will at least have to retain 25 per cent of the existing establishment of the taluk boards and when the district boards are bifurcated, as proposed by the Government, we expect another 25 per cent to be absorbed. Government also propose to fix definite educational qualifications in the future for local board employees and also make other rules about retirement after the age of 55 years more stringent. They hope by these methods that a certain proportion of the remaining staff would be absorbed. However, there will be about 30 per cent still remaining; and Government have taken power to frame rules to see that in all future vacancies, whenever qualified taluk board employees are available, they are employed by the district boards.

“ Finally, I wish to state that with all the materials available to the Government, they have come to the conclusion that it is not possible to devise, without extra taxation, any methods by which all the three kinds of local bodies could be maintained. I do realize, Sir, that this is a very drastic change we are introducing in the structure of local self-government. Although I am gratified to see that the proposals of the Government have been welcomed by the Press generally and—subject of course to correction by my Friends opposite—by a large section of the population, yet I do realize that to a certain extent there is scope for difference of opinion in a matter like this. At the same time, I am sure that if hon. Members have any doubts, with the materials and data available to Government, I will be able to convince them that this is a step which will ultimately prove to be in the right direction. If there is any further information

[The Raja of Bobbili] [29th January 1934]

required or any doubts to be cleared during the course of the discussions, I shall be very glad to supply such information or clear such doubts."

Mr. T. SUNDARA RAO NAYUDU:—"I second it."

* Mr. SAMI VENKATACHALAM CHETTI:—"Mr. President, it was with considerable hesitation, Sir, that I gave notice of an amendment—

'that the consideration of this subject be deferred pending a report of an enquiry committee of the condition of local bodies and recommendations to improve and place them on a sound financial footing.'

I know, Sir, it was stated in one of the speeches made by the hon. the Raja of Bobbili that as a result of deep thinking covering a period of not less than six months, he had come to the conclusion that the taluk boards should be abolished; and I may say for that reason that the hon. the Raja of Bobbili has acquired very soon the habit of riding a coach and four in his party. Sir, if the hon. the Raja of Bobbili had spent six months of his anxious time over this very difficult question and come to this conclusion, I can only say that the result of his deliberations has been quite erroneous and marks out—even as admitted by himself—a violent departure and a reactionary proposal made in the framework of local self-government. It is sought to be justified on the ground that many local bodies are on the verge of financial ruin and that the taluk boards themselves have no particular duties to perform which cannot be performed by one or other of the other two bodies. Sir, I would like in this connexion to draw the attention of the hon. the Minister to the previous history of local self-governing institutions in this Presidency. I have been under the very consoling and gratifying belief that Madras, so far as the Local Self-Government Department is concerned, is leading and is an example to many other Provinces in this country; but I am sorry to find that the hon. the Chief Minister is making himself responsible for shunting Madras to a backward position of copying some unimproved policies of other Provinces in the matter.

"Sir, it is nearly eighty years ago that the idea of developing local self-governing institutions in this Presidency arose and it was due to a Collector that this idea originated. He persuaded the Government to allot some amount of money for the purpose of local expenditure and to constitute committees of a number of the local people in order that their needs might be properly looked into. It was about twenty years later that an actual Act was passed, constituting local bodies and allotting certain incomes to them and also assigning the duties to be performed by them. I should like to read what has now become a more advanced view than the hon. the Chief Minister's view, of the Governor-General in Council in regard to the formation of local units:

'In pursuance of this Act, i.e., the Act of 1871, the Government divided the Presidency into 36 circles and a gradual extension was contemplated . . .

29th January 1934] [Mr. Sami Venkatachalam Chetti]

"Those circle boards were not really revenue district boards, but were boards for areas less than a revenue district, and as a matter of fact, it was the taluk board that was originally started and later on only the district boards came into existence. Writing on the working of those boards, the Government observed:

'The boards have become more of a reality and power than they were in earlier days. Members begin to appreciate their functions and positions. They take greater interest in the discharge of their duties, while the people have learnt to value the work done for them by the boards and to look to them for help in all matters of local interest. Where so much has been done and where experience has shown that the institutions suit the people and supply their wants, we feel that great caution should be exercised in introducing radical changes, so that the result of the past and the hopes of the future may not in any way be imperilled.'

I may repeat that sane advice to the hon. the Chief Minister, to be cautious in the matter of dislocating the framework that was established nearly seventy years ago.

"Later on, the Governor-General in Council observed:

'We consider it absolutely necessary that in the first instance a district board should in all cases be nominated by the Government—this is, speaking of the nominations and elections. Its first duty would be to work out a scheme for taluk committees in those districts which are capable of this more advanced form of administration. Similarly the taluk boards when instituted would work out schemes of rural sanitary committees and unions.'

The Government of India in their various resolutions have indicated the supreme importance of making the unit of administration in matters connected with local self-government so limited in area as to ensure both local knowledge and local interest on the part of each member of the board or governing body, and has therefore concluded that ordinarily the taluka or tahsil should form the jurisdiction of the primary board, and have also stated that even smaller jurisdictions might be formed in favourable circumstances. *'The governing body or trustee of the unions should, we think, in the first instance be appointed by the taluk committee.'*

"Sir, that was the importance which the Government had given to the taluk boards. The *raison d'être* of giving so much importance to the taluk boards is the proximity of those institutions to the areas concerned.

"We have known of instances where the functions of taluk boards have been taken over by district boards only with a view to neglect them. If I may cite a personal example, it was only yesterday that I motored to Venkatagiri and I was told that one of the roads which was originally with the taluk board was transferred to the district board and that its condition now is worse than a cart-track. My point is that if it is the idea of the Government to educate the people in the administration of their own affairs, if it is the idea of the Government to see that the needs of each locality should be zealously watched by the people living nearby, it is necessary that the taluk boards should be maintained. When a central body like the district board or a board with a lesser area than the present district board should

3 p.m.

[Mr. Sami Venkatachalam Chetti] [29th January 1934]

be constituted, the persons attending those district boards will only be those who live around that area and naturally the amount that will be spent upon roads and other conveniences will be to suit the demands made by those persons who will actually be present at the meetings. It is not possible for poor people from outlying corners to attend a district board meeting in order to press upon the attention of the district board their local needs, as the district board would comprise in itself the representatives of other local areas as well.

“ Now, with reference to the financial breakdown, I do not believe that financial breakdown is a novel feature so far as these local bodies are concerned. It has been there for a long time. In this connexion I have got to remind, that the duties which these local bodies are asked to administer are essentially those of Government. The Government created this agency for the purpose of discharging a part of their duties. If the agencies complain about want of funds, the remedy will not be by the abolition of that agency by which these amenities will be looked into but by replenishing the resources of these agencies. When we have constituted the local bodies and assigned certain portions of the revenue to those bodies, it is necessary that they should manage their affairs with their resources, is an argument which at any rate, the representatives of the people cannot agree. It may be an argument of the hon. the Finance Member. What were the conditions under which these local bodies were constituted? The mileage of roads maintained by district boards was 17,544,113 miles of new roads and 518 miles were in progress—I am speaking of the year 1880–81. Since then the mileage must have increased at least by 50 per cent; and who should finance the construction of these roads? Now, for the sake of example, let us take this point. If the taluk board is not able to maintain all the needs of the taluk, you must find some means of augmenting the resources of the taluk boards. As a matter of fact, instead of the Chief Minister asking the Finance Member to release a portion of the provincial revenues for this purpose, he asks him to give his support for abolishing them on the mere ground that there is no money—it seems rather a very sorry feature for the present administration. As a matter of fact, when the Government appointed a special officer to look into the financial condition of the local bodies, at a particular time when he was about to enter into the investigation of the financial condition of taluk boards, he was told ‘ please stop there.’ Sir, this is the report, contained in the Government Order, quoted in paragraph 1 of the special officer:—

‘ Government require me to make proposals for reconstituting taluk boards. Owing to various causes, several taluk boards have not been constituted by Government in the period of my special duty and the period of my special duty was very short; I am told I need not visit the concerned taluk boards to discuss and settle the reallocation of the resources.’

Therefore, Sir, this special officer who was specially appointed to look into the financial condition of these taluk boards has been told ‘ You had better not get into the field,’ because even by that time Government had made up their minds to abolish the taluk boards and transfer the revenues to district boards.

29th January 1934] [Mr. Sami Venkatachalam Chetti]

“ Now, Sir, with regard to the district boards, the report is a very eloquent commentary upon the most unsatisfactory condition of the finances of the district boards. If there is any justification for the abolition of the boards on account of their financial condition it is the district boards. The hon. the Minister would not touch them, because there are many district board presidents on that side. But, let them all transfer themselves to this side, I will see if they vote for the abolition of district boards or taluk boards. The following are the figures dealing with the financial position of the district boards. Receipts Rs. 13,68,30,000 and expenditure Rs. 1,51,31,500; and these figures were made from the budget of each district. Calculations were made in cases where the toll compensation was taken at a figure fixed by Government. In the case of the Chingleput district board for example the budget does not include provision for capital or unforeseen expenditure. The revenues of many of the district boards are only under estimates. Deficits in the case of district boards is a serious one. The special officer has remarked that the loss of revenue from very important sources, namely, land-cess, tolls and licence fees in the course of one year, has made readjustment difficult. Therefore, Sir, if there is any financial breakdown, it is in the case of district boards. It is with a view to go to the rescue of these famished and financially ruined district boards that the hon. the Chief Minister wants to abolish the taluk boards.

“ Now, Sir, who brought about this financial ruin even to these district boards. It was the disregard of the sane advice not to pass the Motor Vehicles Taxation Act that has brought about all these difficulties. Let them deny that. They won’t deny that, but they will say, we will try to remedy it by a restoration of the tolls on vehicles other than motors. It remains to be seen how far the Chief Minister is going to succeed in increasing the revenues of these local bodies by the levy of these tolls. Whatever that may be, the financial breakdown was brought about by the Government themselves. If the Government should own its mistake, it would be up to them to retrace their steps and rectify the mistake they have committed.

“ After all, much criticism was levelled against the existing Act. Because every revenue taluk was constituted into a taluk board that the trouble has increased. Probably, this criticism is levelled on account of the fact that the framer of the Bill was Dr. Subbarayan and the Minister that was responsible for its passing was my hon. Friend, Mr. Muniswami Nayudu. Whatever that may be, the Justice Party was morally responsible for passing that Act. I would like to approve of the action of the Justice Party because it is a logical consequence of the development of local self-government of constituting taluk boards and smaller boards even for smaller areas in order to concentrate the attention of the local people to their needs and requirements. But, what the hon. the Chief Minister is doing is to go back and in going back he is doing the reverse of the very idea of self-government in this Presidency. On the one hand, Sir Samuel Hoare is cutting the ground under our feet by practically removing all powers

[Mr. Sami Venkatachalam Chetti] [29th January 1934]

which even a Provincial Government could possibly enjoy under the existing Act. To-day, in the Madras Presidency, the Raja of Bobbili would take his place in the matter of local self-governing institutions. That is exactly what is happening.

"Now, Sir, as regards the question of inadequacy of funds for smaller areas, that is, a taluk board for each revenue taluk was anticipated and it was provided in the existing Act. That the Government do not want, for on the ground of finance it would be impossible to work a taluk board economically. Without taking advantage of the provisions of the existing Act, without understanding the consequences of hastily forming taluk boards for each revenue taluk, the Government proceed for reasons of their own and now they say that the taluk boards have become a failure on account of their constitution. After all, what is the time that has elapsed between the constitution of these taluk boards and to-day. Barely a year has passed between these two dates and now the hon. the Chief Minister wants to reconstitute the whole thing and abolish taluk boards. It seems to me, Sir, another serious and rash step that the Government is taking, very much in detriment to the whole idea of local self-government. Let him try to re-amalgamate the taluk boards into what they were previous to their constitution from each revenue taluk. I believe this argument was in a way anticipated in the speech of the hon. the Chief Minister. He said that even that will not do. What was the material placed before us for agreeing with the hon. the Chief Minister? As a matter of fact, he himself admits that there has not been sufficient material placed before the House or even before the public to agree with him without qualifications. As a matter of fact, at the end of his speech he began to make one confusion or another. He said that according to the Bill, taluk board presidents need not be worried about their seats; their seats would be secured and that he would take them into the reconstituted district boards. On the other hand, he would say to the disbanded employees, that 25 per cent would be taken to district boards, 25 per cent would be sent away on the ground that they have been superannuated and that at least 25 or 30 per cent would be absorbed. I am not very much concerned about the taluk board employees when I am discussing the question of local self-governing institutions. I will come to the question of their employment later on. Apart from the question of re-employment of these disbanded local board employees, are you doing the right thing for the local self-government institutions by proposing a radical change like this, is the question I would put to the hon. the Chief Minister. What he suggests now seems to me an ill-thought out measure. It is there that I would implore the hon. the Chief Minister to take counsel from persons outside, beyond the Secretariat rooms. There are any number of public men in this Presidency who are very well experienced in the matter of local self-government institutions. It would be far better and proper if you take counsel with public men and come to this House with a definite recommendation. It is with that view that I want the hon. the Chief Minister to take into his confidence public men—not merely

29th January 1934] [Mr. Sami Venkatachalam Chetti]

Members of this Council into his confidence—and bring about a comprehensive measure, so that it might not be said that in a matter like this which affects the fundamental rights of self-government, that by sheer force of his party he was able to carry this measure.

"Sir, what would result if this Bill were to be passed into law?—dislocation of the whole framework; centralization of the various works of these self-governing institutions and placing them in the hands of persons who are entirely out of touch with the local needs; disbandment of 2,000 hungry mouths; increase of clerical and technical employment in the reconstituted boards; increase of work to the Educational department; employment of panchayat officers; appointment of executive officers, and the abolition of village development fund. Sir, may I know which of these results is likely to bring in more revenue? I am afraid the hon. Minister is calculating rather wrongly of any possible saving that he would get by the abolition of these taluk boards. It was calculated that the savings would be about 8 lakhs and odd by the abolition. The same thing was said when the Motor Vehicles Taxation Act was passed—there is an unnecessary and undesirable intermediary between the tax-payer and the local board in the shape of the toll-gate contractor. The moment you abolish him, all that money would go into the treasury of the district boards. But the actual result is that the water-flow seems to have gone the other side, quite beyond the expectations of the persons concerned. So also, we have these things now. Sir, there is always a loose talk about these local bodies; at any rate, that loose talk emanates from persons who have become big by being members of these local bodies. They were at one time or another in such bodies, got their training and began to occupy their present places in public life. The moment they rise to the highest rung of the ladder, they take the earliest opportunity to decry the lower rungs of the ladder. I know of several presidents of district boards and hon. Ministers speaking night and day of the manner in which the local bodies are being administered and criticising not only the administration but to some extent the corruption that prevails there. But my submission is that no department of Government is immune from that charge. Sir, I have had occasion to speak to a certain friend of mine who had experience of contract work in the local bodies and Government departments. I do not think his opinion could possibly be refuted, and his opinion is that the payment for work done from the local bodies will be considerably less than what it would be in regard to the Public Works Department. After all, there have been some benami transactions and it is just possible that such transactions might have assumed different shapes in Government departments. So the complaint is general that there is a general deterioration of efficiency in the administration. There is no particular reason why the local bodies alone should be marked out for this kind of criticism. Sir, the hon. Minister said that if he wants any intelligent support to his measure, all that he has got to do is that he has got to place mere facts before this House. How is he going to submit those facts? Is it merely on the basis of area? Is it on the basis of popula-

3-15
p.m.

[Mr. Sami Venkatachalam Chetti] [29th January 1934]

tion? Or is it on the basis of large revenues? It must be definitely stated, because I do not think any gentleman could be right to trust the Government to act, irrespective of party or political interests. I know instances how the elections have been attempted to be tampered with for purposes of party considerations? It may be this party or some other party. But these things must be placed above all party considerations. How is he going to reconstitute these district boards? Will it be on the ground that the president of the district board is a member of that party or this party? Is it going to be merely on the basis of area? Or is it merely on the possibility of the reconstituted boards being able to meet the needs of the locality much more efficiently than what is now being done? Secondly, I will now come to the question of the disbandment of these 2,000 men. In these days when the Governments are straining their nerves to launch public works for the purpose of relieving unemployment, it seems to me unfortunate that it should rest with the hon. Minister, leading a so-called popular party, to make these employees go out of their jobs. Sir, what their plight will be may be better imagined than described. I have had a typical letter from one of the taluk board employees; he says: 'I am a young man of 30 years of age. I was employed only three years ago. Thinking this post will be permanent, I got married and even by this time got two children. I do not know what is going to happen to me, my wife and children.' (Laughter.) Sir, that is the kind of plaintive and pitious cry that we receive day to day with regard to the abolition of the taluk boards. Now, all these could possibly be ignored if this is going to improve the position. I am afraid it will not. But if, in the opinion of the hon. Minister, it will, let us know what is the increase in establishment that would be necessary for the reconstituted district boards. Let them tell us how many clerks the reconstituted district boards will have to employ and whether there won't be the appointment of district board engineers for the new district boards. Because these have a greater bearing on the question. If any duplication of the establishment is going to occur by way of appointment of district board engineers, supervising officers and all the rest of that, what is the actual saving that can be accrued to these local bodies by the abolition of the taluk boards? Then, with regard to the education, the hon. Minister seems to have modified his opinion as a result of six months' training because he now says that he could possibly retain the control over the schools by constituting standing committees instead of handing over education to the Inspectors appointed by the Education department."

The hon. the RAJA OF BOBBILI:—"It is not that that I stated. It is never the intention of Government to take over these schools. If hon. Members have any doubt on the point, I am prepared to clear the doubts, in the Select Committee."

Mr. SAMI VENKATACHALAM CHETTI:—"There are very many doubts which could be cleared without going to members of his Party when the Bill comes to the Select Committee. But, whatever he says must pass muster in the public. Let us know really what the situation is.

29th January 1934] [Mr. Sami Venkatachalam Chetti]

What are your ultimate proposals with regard to management and supervision of these institutions of education? I find from the report of the Special Officer that his recommendations are far more good than the recommendations made by the hon. Minister. With regard to the taluk boards, even though he was not allowed to examine the question completely, he suggested that 'secondly the most important function of a taluk board is the administration of the elementary education fund. Administratively, the taluk boards seem to be pre-occupied with the popular service of communications. The expenditure of these taluk boards, barring the ear-marked expenditure on elementary education, is largely on "management." In almost all offices, the strength of the staff is too much and the scales in an office is too many. Provision of funds for roads is not adequate if it is to finance adequately a reasonable length of roads and serves only to divert some money to ineffective channels of expenditure. Elementary education fund looms large in the financial transactions of the taluk boards. The fund balances itself in several taluk boards, though in some cases in Malabar, West Godavari and Kurnool, large diversions have been made, from this fund, while the liabilities to be met out of this fund have been left unliquidated. There seems to be avoidable waste in the organization of elementary schools, in the staffing them, and in the scales of pay ruling among the teachers.' Therefore the Special Officer has suggested drastic retrenchment wherever the Government found avoidable expenditure of money. Instead of doing that, to abolish taluk boards this year, to increase the taluk boards in 1935, to amalgamate them in 1936 and to abolish every taluk board and transfer them to Government in 1937 seems to be the policy of a capricious Minister and not that of a well-thinking Minister. I therefore think that instead of giving room for the complete dislocation of strength of local self-government sufficient counsel be taken from amongst members or from persons well tried in these matters of local self-government and consult persons who are interested in the running of these bodies. Along with this, I have got to say there have been boards that have not been even informed of the possibility of abolition. I know, Sir, and I say this with apologies to the district board presidents, several of whom are sitting on the opposite side. (A voice: 'What about those behind?') they are all with me. I know that these district board presidents have no sympathy for these taluk board presidents. They seem to be considering as competing bodies. That was not the intention of these bodies at all. The district board president is practically in the place of the Government, supervising the work of the taluk boards with a parental regard and affection, to advise them whenever necessary and conduct their affairs. Instead of that, there seems to be jealousy between the district board and the taluk board presidents. If only there are taluk board presidents in this Council, I am sure this Bill will not see the light of day.

"But, as it is, it is not necessary in the interests of taluk board presidents or in the interests of particular bodies that this matter ought

[Mr. Sami Venkatachalam Chetti] [29th January 1934]

to be considered. We have got to examine the question purely from the point of view of concentrating attention on the local people for the local needs and as far as possible decentralize power to the local areas. It is with this view that I move this motion."

* Mr. A. B. SHETTY:—"Sir, I second this motion. I am not at all sure that the Government are well advised in coming forward with this measure, which the hon. Minister himself admits, proposes rather too drastic a change. It is rather strange that the Government have not cared to consult even the local bodies on this matter. As my hon. Friend, Mr. Sami Venkatachalam Chetti, said, the Government themselves are responsible for the present financial plight of the local bodies. It is their amending Act of 1930 which has led to the increase in the number of taluk boards from 130 to 203, and the formation of the village development fund that is mainly responsible for the present difficult financial position of the local bodies. The Motor Vehicles Taxation Act has further depleted their resources.

"Sir, some time ago, the Special Officer who was appointed by the Government to consider the stabilization of the financial position of the local bodies presented a report to the Government. I do not find in his report that he recommends the abolition of taluk boards for the purpose of strengthening the financial position of local bodies. Though he did not scrutinize the financial position of taluk boards for the reasons stated in the report, he suggests that the splitting up of taluk boards should not be carried too far. Government do not seem to have paid heed to most of his recommendations. They have not yet given effect to the main recommendation made by him, viz., the re-imposition of tolls on non-motor vehicles, though they have expressed their approval regarding it. They have not so far come forward with the necessary amending Bill. The Special Officer has said that the strength of the staff in several taluk boards is too much and that the scales of pay also are too many. In this respect also no steps have been taken to see that the taluk boards effect retrenchment in their expenditure. The Government say that they expect to save about 8.87 lakhs by the abolition of taluk boards. That is the net gain to the district boards which they hope to bring about as a result of the abolition of taluk boards. I am afraid, that the estimate of the Government in the matter is likely to be found erroneous. A similar miscalculation was made, when they abolished the tolls. This House, therefore, would like to know how the Government arrived at the figure given in their communiqué. What is the saving they hope to effect by the proposal to abolish taluk boards? The roads and the schools will have to be maintained and will be there. So also the dispensaries. The hon. Minister says that a large percentage of the taluk board employees will have to be absorbed in the district board service. So the only saving which can be made is in the pay of a few poorly-paid clerks and peons who will have to be thrown out of employment and in the travelling allowance of presidents and members. As against this, there is the proposal to have several new highly-paid officers. Taking the taluk board employees

29th January 1934] [Mr. A. B. Shetty]

into district board service will mean giving increased scales of pay to these people, because the scale of pay obtaining in the taluk boards is less than the scale obtaining in the district boards. The District Board offices will have to be almost as big as the Collectors' offices, and money spent for providing increased accommodation by extending the office buildings. Further, if there is going to be bifurcation of district boards, it will mean still further expenditure. Again, increase in the number of panchayats will necessarily mean also considerable expenditure on establishment and contingencies. The saving, if any, will be inappreciable and temporary. Expenditure will increase before long and we shall be faced with a similar problem.

"The abolition of the village development fund, it is expected, will bring in some money to the district boards. That is a miscalculation because with the formation of panchayats this amount will have to be made available to them. The six pies cess will have to go entirely to panchayats which are formed and nothing will remain for the district boards. I need hardly say how difficult it will be for the district board presidents or any other officers at the headquarters to supervise the elementary schools which are spread out in the whole district and how hard it will be for them to look after the panchayats. I have my own doubts if the panchayats already started are functioning successfully. The Special Officer in his report says that the panchayats so far started are either dragging on a nominal existence or that their position is uncertain and undetermined. I would say that if panchayats are found working successfully in any particular taluk and they can take over the function of the taluk board, Government may abolish the taluk board there and thus proceed cautiously and slowly in this matter. That should be preferred to the policy of abolishing by one stroke of the pen all taluk boards all over the Presidency. Government can reamalgamate the taluk boards which have been split up and thus reduce their number. The financial position will certainly improve if they reduce the number of taluk boards and have one board for each revenue division. Before considering such remedies Government ought not to rush through with this sweeping measure. If Government had told the taluk boards: 'Look here, you must adjust your budget by effecting retrenchment. If you cannot do that, you will have to go,' I am sure many taluk boards would have set their house in order, and if there were any that were unable to do so, you could have dealt with them in the manner you now suggest. Let the Government examine the position and find out which taluk boards are financially weak and unable to balance their budgets. The Government ought to have taken care to see, even at the time they thought of splitting up taluk boards, whether the new institutions thus set up would be able to stand on their own legs. They did not do so. They are committing one blunder after another. I hope, Sir, that the hon. Minister will not rush through with this Bill on the strength of the majority behind him, but will take counsel and see in what way he could really stabilize the finances of local bodies."

[29th January 1934]

* The hon. the PRESIDENT:—"The amendment of Mr. Sami Venkatachalam Chetti is that the consideration of the Madras Local Boards Act (Amending) Bill be deferred pending a report of an enquiry committee of the condition of local bodies and recommendations to improve and place them on a sound financial footing. There are two more amendments. I would allow these two also to be moved, so that we may have discussion of all the amendments together."

Mr. BASHEER AHMED SAYEED:—"Mr. President, Sir, I beg to move—

'that the Bill now before the House be circulated for eliciting public opinion and that such public opinion when obtained shall be placed before this House with the remarks of the Government thereon.'

"Sir, I am not so ambitious as the learned Member for the City. I know, Sir, there are limitations for a proposal of that kind placed before the Ministry in power. To appoint a public committee of enquiry and then make it go round eliciting public opinion might, according to the Ministerialists, involve questions of finance, questions of time and various other complications. So I do not wish to have that elaborate procedure contemplated by the Mover of the earlier motion. I confine myself to the practical measure usually adopted by constitutional bodies like ours, namely, that of asking that a measure which introduces such drastic changes in the existing state of affairs ought to be circulated to the public for eliciting public opinion thereon.

"Now, Sir, it will be asked whether there has not been enough opportunity given to the public by the Government by their publication of the Bill. Hon. Members of this House are aware that the Bill was published on the 18th of January by a Gazette Extraordinary and several Members received in the mufassal copy of the gazette only on the 19th or 20th morning and some gentlemen probably much later. So that, hardly a week or ten days have lapsed since the publication of the Bill. It is true that the Government notified their intention even earlier by a press communiqué which they issued on the 6th January. Between the 6th January and the introduction of the Bill to-day on the 29th, there has been only a period of three weeks. That period is not enough is my submission. A Bill which affects or proposes to do away with age-long institutions like the taluk boards, a Bill which affects 2,000 employees in those institutions, a Bill which affects adversely hundreds of persons besides these employees, should have been before the public for a longer time than three weeks. The Bill and the publication of the communiqué gave a rude shock to the members and presidents of the taluk boards, to the institutions which they were in charge of; to the employees of these taluk boards and not least, Sir, to the contractors that were connected with them. (Laughter.) When such a rude shock was given by the press communiqué and later on by the Bill, I only plead for some more time being given to the public, to the persons interested in this measure, and to local self-government institutions generally to suggest better and more practical measures to avoid the present situation.

29th January 1934] [Mr. Basheer Ahmed Sayeed]

"Sir, the reason why the taluk boards were brought into existence has been elaborately explained by the learned Member for the City. I do not wish to traverse the same ground. I would only mention, Sir, that it was with a view to decentralize local self-government and to have in between the district boards and the smallest unit the panchayat boards another institution, that the taluk boards were created. In the West, smaller areas than the taluks are constituted into councils and boards. Following that example and with a view to give greater opportunities and greater facilities for the members of the public to train themselves to be better citizens, the taluk boards were instituted. Now by means of this Bill, it is proposed to take away those opportunities available to the members of the public to become better and better citizens.

"The opportunities that would be available to them being taken away, there must be something which would serve as a substitute for those opportunities. Will the bifurcation of one or two, or three or four district boards be an adequate substitute for the large number of people who will be thrown out without any opportunity or facility of taking part in the self-governing institutions like the taluk board? Another reason why I say that this Bill should be circulated for eliciting public opinion is this: the very bodies which are affected by this measure are primarily taluk boards, and secondarily the district boards and also the panchayat boards. They have not been given any opportunity to explain what exactly their position is, what their attitude would be if this Bill is passed, and how the taluk boards propose to better their financial condition. It might be after the draft Bill was published, that it would be possible for some of the district boards and panchayat boards to give their opinions as to how they propose to meet the budget deficits and how they propose to improve their financial condition. Probably I would not be surprised if several of the taluk boards were to come forward and suggest that there are other sources which could be tapped. It might be that some of the taluk boards would have proposed quarter or half an anna increase instead of agreeing to the total abolition of the taluk boards as a whole. I quite agree that there is a world-wide agitation for the remission of land revenue. But I ask whether it is right to take away the opportunities of these taluk boards in participating in the conduct of self-governing institutions. If an opportunity is given to them to explain, it may be that they may put forward suggestions for the enhancement of cess or some other source of revenue. In the absence of the opinion of the district boards, taluk boards and panchayat boards on this measure, I consider it as but fair and reasonable that this measure should not be hurried through. Sir, from one point of view I should be glad and I will not hesitate to support the measure if it were proposed that we should go back to the old regime even before the amending Act of 1913 or that of 1920 came into force. If it were proposed that there is no other way of escape from the present situation except that of reverting back to the practice that existed in 1920, viz., of handing over these self-governing

3-45
p.m.

[Mr. Basheer Ahmed Sayeed] [29th January 1934]

institutions to District Collectors and Revenue Divisional Officers and asking them to administer these institutions, probably from that one point of view, that measure would have received a certain amount of support. But is the position really so bad as that? I would like to know from the Government what exactly are the methods that they have tried to improve the financial situation of these taluk boards. How long have they tried? As has been pointed out, the amending Act has been in force practically for 16 or 17 months and there are many cases in which the election disputes are not yet over and probably they will not be over for a long time to come. That being the case in the course of 16 or 17 months, is it enough experience to come to a decision that these taluk boards are not wanted and that the only way of escape is to abolish them? If I am convinced that the only way that the Government have been able to find after exploring all means and methods is abolition, I shall not hesitate to support this measure. But I would wait for the hon. Minister to convince this House as to how exactly he has come to this conclusion and what are the materials placed before him for coming to such a conclusion. I may ask one question in passing: whether the hon. Minister has had the benefit of advice from the Local Self-Government Advisory Committee? If he has had the benefit of that Committee it would be very helpful if he places it before the Council for their perusal and consideration. I do not think—if I am wrong I may be corrected—that the Advisory Committee on Local Self-Government has had any opportunity of giving advice on a measure of this kind.

“Sir, one point that was raised by the hon. Member for the City of Madras was that the local self-government institutions are part and parcel of Government. If they are part and parcel, why not the Government consider the question of giving subsidies to such of the boards as have had deficit? Of course that will be answered easily by saying that the present finances do not permit such subsidies being given to them which are now financially in a breaking condition. But have the Government tried the method of giving subsidies at least to a few boards whether such a thing is possible or not? In the absence of any experiment in the direction of coming to the rescue of the taluk boards by giving them subsidies or suggesting drastic retrenchments in the expenditure on their services, is this the only alternative to the Government, viz., the abolition of these boards? For one thing, sentiment is against it; for another, there is the question of unemployment. Some 2,000 people are going to be out of employ. We are thankful to the hon. Minister for saying that 75 per cent of them will be absorbed, but what a length of time it would take before 75 per cent of these people get themselves absorbed? I am sure it will not be 10 or 12 years before all the 2,000 people get themselves re-employed. There is also this further complication; after the creation of these new taluk boards, there are those who were in the district board service and who were sent on promotions. And if such people are going to be re-employed by the district boards on a higher salary, I ask how it is going to improve the deficit. It will be an extra commitment to the district board funds.

29th January 1934] [Mr. Basheer Ahmed Sayeed]

Regarding such complications and also regarding the question of re-employment of these persons, the hon. Minister has not made anything clear, although in other respects his speech has been illuminatory.

“I have always stood on the floor of this House for opposing hasty legislation. We have had enough experience of that and the standing monument of that is the Motor Vehicles Taxation Act of which I had the privilege, call it whatever you please, misfortune or fortune, of being the Chairman of the Select Committee. That Act has brought about a good deal of complications in the administration of the district boards. If sufficient means and methods have been found out to make up the loss of revenue, probably that would have been a very healthy movement. Instead of that you are going to be a party for the abolition of these taluk boards. If you give them a fair opportunity and ask them to make constructive suggestions and advise them that they must cut their coat according to their cloth and if they fail to do it, then it will be time enough for abolishing them. The hon. Minister quoted the analogy of the United Provinces and said that only district boards and panchayat boards existed there. But, Sir, in this Province where the district boards are so big and even the taluk boards are so big, is it conducive for the public spirit and for the political well-being to have the district boards at one end and the panchayat units at the other end? If you are going to increase the number of panchayats, will it not also increase the burden on the Government to that extent? I therefore say that it is eminently desirable that there should be a postponement of this measure, unless the hon. Minister is able to satisfy this House that postponement will lead to further complications from which we cannot recover. I am yet to learn from the hon. Minister as to what evidence or materials he has placed before this House that, if we do not pass this measure in the next session or in July or August, the whole thing will collapse and there will be nothing for the Government or the self-governing institutions to go on. I do not think any such case has been made out and I still wait for such a case being made out. If such a case is made out, I shall not hesitate to support the measure.

“I therefore move that this Bill be circulated for eliciting public opinion and such opinion when obtained shall be placed before the House with the remarks of the Government thereon.”

Mr. ABDUL HAMEED KHAN:—“I rise to second the motion that the Bill be circulated for public opinion. If I do so, it is not because that we wish to oppose any measure that is brought forward by the Ministry in power. I admit that the hon. the Raja of Bobbili has realized the financial difficulties that these local bodies are experiencing in their day to day administration and it is on that account that he has brought forward this measure as the only remedy. Evidently that is his intention. I am afraid, in any attempt to find a remedy for the ills that these local bodies are suffering from, if we pass such a hasty legislation we shall be repeating the mistake that we have committed on former occasions. The analogy of Motor Vehicles Taxation Act has been

[Mr. Abdul Hameed Khan] [29th January 1934]

repeated by every hon. Member. With such examples before us we must cry halt to legislations which are conceived in haste. As has been pointed out by the previous speakers, this measure has not been before the public for a long time. Every measure of this character which aims at the abolition of the existing boards, which affects the relationship between one set of people and another and which also affects the very living of a large number of people, as many as two thousands—a measure of such a character should not be expedited merely because, if we pass such a legislation, it may affect favourably the existing conditions of the local bodies in our Province.

4 p.m. “For one thing, if we abolished the taluk boards and contented ourselves merely with one or two boards for a district, we would be taking a retrograde step so far as the development of self-governing institutions in this Presidency is concerned. We must endeavour to have a system of self-governing bodies which will give training to a large number of people in the work of local self-government. The present system is certainly a means by which a large number of our people get their training in self-government and administration. By abolishing taluk boards, we would be removing the scope which a large number of public men now have of serving the people.

“The financial position of local bodies is one of the main arguments for the proposal to abolish taluk boards. But I am not sure that by abolishing taluk boards, the Government will be able to effect a large saving and make enough money available for the purposes of the district board. On the other hand, by centralizing the activities of the district in one board, it would be necessary to employ a large number of highly paid officers whereas local boards would be able to carry on their work with staffs on lesser pay. In any case, anybody who has any experience of local bodies will certainly agree with me when I say that any officer who has to look after a whole district will require not only a higher pay, but also various allowances which may amount to two or three times the salary that local boards will be paying to their own officers. At present we imagine that expenditure can be reduced by the abolition of taluk boards and that district boards can carry on the functions of taluk boards also with an addition of a small staff here and a small staff there. I am afraid we have only to abolish the taluk boards to see into what difficulties we will be landing ourselves. We have already had the experience of the Motor Vehicles Taxation Act and if we pass this Act and abolish taluk boards we will land ourselves not only in financial difficulties, but difficulties which will affect education, public health and other useful functions of local bodies very adversely. The people will ultimately suffer.

“The Bill proposes to abolish taluk boards and create one or two boards for a district to be known by the name of circle boards or some other name. I do not think that it will be enough if we have only two boards in such large districts as we have in our Province. I do not think the functions of local self-government can be discharged satisfactorily unless we have four to six boards for a district. If we can think of a

29th January 1934] [Mr. Abdul Hameed Khan]

system by which we can have four to six boards for a district instead of having one board for a taluk, we will be doing something to bring into existence a system of local bodies which will work without many practical difficulties. As has been already pointed out, if the district board appoints a district board engineer, or an educational officer or a health officer, he will have to do not only the work that he is now doing but at least three or four times that work. At present there are various other officers working under taluk boards who assist officers of the district board. If we abolish taluk boards and dispense with the services of officers working under taluk boards, the officers of the district board will have to be in charge of the whole district and it will not be possible for them to discharge their duties satisfactorily unless they have a number of subordinates under them such as assistant engineers, assistant health officers and assistant educational officers and so on. I am sure by the abolition of taluk boards, education is bound to suffer.

“It is said that the object of the Government in taking this step is to strengthen the hands of the panchayats, improve their status and give them additional powers so that they may serve more interests than they do at present. But the panchayat is a comparatively new institution. Although it existed before the British Government, it worked in a different way altogether from the panchayats that we have at present. Being a new institution, it will take some time before it could stand on its own legs and could be relied upon entirely for the administration of the area in its charge. Before that happens, I think a middle organization like a taluk board or a circle board is necessary between the district board and the panchayat.

“One of the most tragic results of the passing of this Act will be, as has been pointed out by hon. Members who have spoken before me, is the throwing out of employment of a large number of people, as many as 2,000. Of course, the Government may say: ‘what does it matter if we add 2,000 persons to the army of unemployed which is already so big in our Province?’ But certainly, it will be a wrong view to take of the matter. It will affect not only the 2,000 persons who are actually thrown out of employment, but it will affect their dependents also, most of whom are without employment. It will affect about 100,000 citizens of this Province. Are you going to throw these people out of employment and take the bread out of the mouths of about 100,000 people? Not only their bread, but their education and everything will be taken away. We have in this City and in the Province a large army of unemployed and the Government have done nothing to solve this problem which is becoming more and more acute every day. Instead of devising ways and means for finding employment for the unemployed, the Government would be adding to the army of unemployed, if they passed this Bill. May I ask, Sir, whether it is the duty of the Government to do so? (Sriman M. G. Patnaik Mahasaya: ‘toll-gate contractors.’) My hon. Friend, Mr. Patnaik, reminds me of toll-gate contractors. Of course there are not only toll-gate contractors, but a large number of people employed by these contractors. Even they were

[Mr. Abdul Hameed Khan] [29th January 1934]

thrown out of employment and they are also there already. Therefore why add to the number by throwing out another 2,000 people who have at least 50,000 people depending on them and out of employment?

"Of course, I agree that there should be some solution to the difficulties facing the Government in the administration of local bodies, but this is not the remedy. If there is anything at the bottom of the trouble, it is the world-wide economic depression which has affected this country adversely. The people find that the taxes are too high and they are not able to pay them. That is why I say, we should not deal with this question in haste, as we dealt with the question of taxation of motor vehicles: We passed the Act in haste and repented afterwards."

* The hon. the PRESIDENT:—"The amendment as well as the main motion is for the discussion of the House."

* Diwan Bahadur B. MUNISWAMI NAYUDU:—"Sir, the hon. the Chief Minister said that the Bill that he has introduced is one that is far-reaching in its character and would affect very seriously the structure of local self-governing institutions. And unless for the reasons given by him, it is found that the solution he has proposed is the only possible or perhaps the best solution that one can think of, I do not think that it will be right for this Council to accept the principle underlying the Bill and refer it to a Select Committee. He has stated that one of the principles of the Bill which he considers essential is the abolition of taluk boards. As regards the Village Development Fund, he has no objection to leave it as it is, if the Council so desires. Therefore it is all the more necessary for us to see whether the objects he has in view, firstly of placing the finances of local bodies on a more satisfactory basis and secondly of making the panchayats more efficient and useful bodies—whether these objects can be achieved by the Bill now proposed. I hope, Sir, in the observations I am going to make to show that neither of these objects can be achieved by this present Bill. If, therefore, I support the amendment proposed Mr. Sami Venkatachalam Chetti, it is not with a view merely to criticise the Government but in order to see whether it is not necessary for the Government to get the co-operation of all parties and find out what will be the financial consequences of the various steps proposed in the Bill. If they do so they would be able to evolve a measure which will be not merely a party measure but a measure acceptable to all sides of the House and a measure which will solve the difficulties facing the local bodies. It is purely from that point of view that I propose to make a few remarks and not with a view to find faults. I am one of those who is keenly interested in local self-government and I should like to see that no hasty step is taken. There has been a lot of animadversion from all sides of the House about the hasty step taken in 1930 and with regard to the Motor Vehicles Taxation Act. Hon. Members have warned us that we should not repeat the mistake we committed in 1930. I quite agree with that. Whatever may be the reasons which have led to the failure of the Motor Vehicles Taxation Act, I for my part would advise the Government not to commit the same mistake and be accused of having been hasty in a matter of this sort. So far as they are concerned, they

29th January 1934] [Mr. B. Muniswami Nayudu]

are face to face with a situation where many of the taluk boards which have been recently constituted under the Act of 1930 are not in a position financially to make both ends meet, and continuing them in that state would only increase their financial embarrassments and they would probably have to be superseded. Secondly the district boards also are not in a good position financially and they must be rehabilitated. Now the proposal of the hon. the Chief Minister is to abolish taluk boards and to divide district boards into smaller units, if, after careful examination of the finances, it is found possible to have two or three district boards working in a district financially safe and sound. The spirit of the amended Act of 1930 had been ignored in many of the discussions. The amended Act of 1930 was to see that the units which deal with self-government are, as far as possible, local units having control over every local area and therefore being in a position to come into touch with the villagers in the local area more easily and more often than a district board can do. Secondly, that Act was passed with a view to avoid multiple taluk boards. The result of multiple taluk boards was that a number of persons who formed the majority worked the administration to the disadvantage and prejudice of other taluks which were not equally well represented, not having a godfather in the president or the vice-president. That was the feeling that was expressed on the floor of this House from time to time. I quite remember the resolution passed, that the Rajahmundry Taluk Board which consists of three taluks together should be divided into three taluk boards. Two of these three taluks had rich deltaic areas and the third taluk was a very dry area and that was the headquarters taluk. The result was, to the chagrin and prejudice of the two taluks, most of the funds was utilized for the drier taluk to which the president invariably belonged, and which had a majority on its side. It is with a view to avoid this conflict of interests between taluks and taluks and to see that the responsibility of administering a particular area within their resources must be in their own hands, that the amended Act was passed. After the duplication of these taluk boards, the feeling has grown up that that was not a right step, and there is no doubt there is some feeling that favours a return to the old system of having one taluk board for two or three taluks so that it may be financially sound. Even that proposition the hon. the Chief Minister has dismissed as unworthy of acceptance on the ground that even before the Act of 1930 was passed, some of the multiple taluk boards were financially unsound and therefore that will be no remedy whatever. But, Sir, as I said, the principle would be agreed that in matters of village administration and rural improvement, those immediately concerned with the improvement of the village should take up the management. They will have direct touch with the villagers. It will be a small area and the members can therefore be expected—they are non-officials—to bring to bear their experience and their ideas in regard to the equal treatment of the people and to improve the benefits. I know that there is the view that as district panchayat officers have been appointed by the hon. the Chief Minister, the village panchayats will be improved by these officers. If

[Mr. B. Muniswami Nayudu] [29th January 1934]

the hon. the Chief Minister should subscribe to the proposition that all matters relating to panchayats will be attended to by these officers alone—the non-official element not having much to do with them—I have nothing more to say. There are the non-officials who come from the villages themselves and who would therefore be able to suggest the various improvements to be carried out, and their opinion would be very valuable. I think that is all the more reason why the panchayat officers should take some amount of non-official advice and help in such matters.

“ If we examine the position, what do we find? This Bill does not provide for a better machinery for the purpose of helping the panchayats themselves. There is a passage in the Government communiqué which is printed along with the Bill. It is stated that ‘ It is generally agreed that the village panchayat should be developed as the unit of local self-government.’ We must thank the hon. the Chief Minister for this. ‘ The Government now feel that they have neglected this institution for a very long time. Taluk boards are expected to develop the panchayats. But in actual practice they are opposed to each other and experience has shown that the present system has not been conducive to the healthy development of village panchayats.’ The reasons are not given why the taluk boards have failed in this matter. Is it because they are incompetent to do the work? Is it because the funds are not utilized well? I will explain to the House the reason. There is a provision in the amended Act of 1930 that, wherever a panchayat is constituted, a portion of the land-cess will go to it and the balance only will go to the taluk board. The result is that taluk boards are not anxious to encourage the formation and growth of panchayats. That is the reason why the panchayats are not encouraged by the taluk boards. I would like to ask the hon. the Chief Minister how he has improved the position, and what he has done in his Bill. He proposes to abolish the taluk boards. He has retained a provision that the panchayats will be given a portion of the land-cess. There is also another provision that what has hitherto been going to the taluk boards, will hereafter go to the district boards. As there are 5,000 panchayat boards, a sum of Rs. 5 lakhs will be taken away by them, and the balance of Rs. 11 lakhs will go to the district boards hereafter. Is it the opinion of the hon. the Chief Minister that the district boards are going to give better treatment to the panchayats? They would also like to retain for themselves all the money and not hand over the money to the panchayats. Will they actually help the panchayats being formed, with the sure result that thereby a portion of their income will go to them? This step will not help the development of panchayats. The second proposal is that instead of a quarter-anna share, the hon. the Chief Minister would give an half-anna share to the panchayats on the abolition of the taluk boards. Is that the line to proceed with regard to panchayats? I do not want to say anything derogatory of their work. Everybody is anxious, as the Government are, that panchayats should work on proper lines. In 1930 it was recognized as a principle that a portion at least of the money derived from the villages should be spent in the villages themselves. A portion at least of the money collected

29th January 1934] [Mr. B. Muniswami Nayudu]

may be handed over to the panchayats for that purpose. Panchayats thus only get a small sum of say Rs. 50. A village extends to over 5 miles with 50 or 60 hamlets. The sum of Rs. 50 has to be distributed among 50 or 60 hamlets. The experience of two or three years has shown that such small sums given are wasted by panchayats and that, on the other hand, it is better to have schemes of improvement throughout and panchayat financed to carry out such definite schemes. Schemes should be framed to see that the village development fund is put to the best advantage and utilized in pursuance of such schemes.

“ It has been the experience of those people who have been working the panchayats rather successfully, that under the law, they are not given satisfactory financial help. The panchayats have many activities, improvement of village roads, maintenance of small dispensaries, etc. It is found that unless some of the panchayats join together and co-operate, it will not be possible for them to attend to all these matters. When Diwan Bahadur Gopalaswami Ayyangar was Registrar-General of Panchayats, he allowed certain panchayats in the Guntur district and in the Ramachandrapuram taluk in the East Godavari district to work in a co-operative spirit. Recently the Government have ordered that the law would not provide for any expenditure to be incurred by unions of panchayats. We do not find any provision to that effect in the present Bill. Whatever money is available, it should, in my opinion, be distributed to the panchayats so that they might be able to spend it well and effectively under any scheme which would benefit not only one village but a number of villages round about. If the Government want to help the panchayats, they should be given enough money so that they can satisfy their needs more effectively. If the taluk boards did not have sufficient interest in the improvement of panchayats, it is for this reason: for the last 40 years the taluk boards were getting certain funds and they have been maintaining certain institutions like schools and hospitals, and roads, etc. They find that all the money they can command, is hardly sufficient to run these institutions efficiently so much so, they have not been able to open new institutions and take up new activities. Therefore it is that the existing local boards are merely in a position of collectors of revenue and expenders of the revenue. If really the panchayats have to be helped, it is better to allow them to have an organization like the taluk board whose members will be representatives of the villages in that area, so that that body can co-ordinate the activities of the panchayats. You can entrust that body with the power of utilizing well the cess collected in that area for the benefit of not only one village here and one village there but for the benefit of a number of villages round about. We do not find any provision to that effect in the Bill. What we find is the statement that the panchayats have been neglected by the taluk boards in the past and that the district boards are expected to do what the taluk boards have failed to do. The present Bill proposes that everything that was done by the taluk boards so far, should hereafter be done by the district boards. The apathy and mismanagement will therefore be still there, and the panchayats will be left in the cold. Only instead of a quarter-anna share, the panchayats will hereafter get half-anna share. We must

[Mr. B. Muniswami Nayudu] [29th January 1934]

4-30
p.m.

devise some method, some organization by which the panchayats will have a small local body, on which the panchayats will be effectively represented and which will carry out their duties much more effectively and easily. Whatever may be the ultimate form in which the Bill has emerged, if the Government are keen on improving panchayats, I think that the Government should devise some body which would be more compact, which would be more representative of the panchayats and which would do the work more satisfactorily than it has been doing so far. From that point of view, I should consider that the abolition of the taluk boards is highly undesirable. By all means re-organize them, re-organize them financially, re-organize them administratively, make them more responsible and more representative of the panchayats. Once the panchayats are constituted, let there be a small body which will be a federation of these panchayats, which will do its work efficiently and effectively and which will suggest what improvements should be carried out which will benefit not only one village but a number of villages round about. They may also extend their activities to more than one village by opening certain centres which will help, say for running fairs, markets, etc., which will be not only to the advantage of one village but to the advantage of many villages. It is in that direction, Sir, that there should be improvement. It is useless to expect the president of a district board, however conscientious he may be, to discharge his duties satisfactorily, with more than 5,000 villages scattered throughout his district. It is absolutely impossible for any one man to do it, and I think, we will be going back, as my friend over there pointed out, to the old position, instead of advancing. Therefore, considered from the point of view of the actual interests of the villages, the present Bill does not serve that purpose at all.

“ Let us now examine it also from another point of view. Does this Bill carry out the objects of the Chief Minister in economising the expenditure or in seeing that the amounts spent are not misspent or spent in wrong directions, so that they may be made available for better purposes? The hon. the Chief Minister said that in the United Provinces, with a population of 45 millions, they have no taluk boards there but that they have a larger number of sub-district boards. Unfortunately, Sir, we are not in a position now to know whether panchayats exist in the United Provinces, what the organization there is for the purpose of effectively controlling those panchayats, how they are helping those panchayats and such other things. We are here in this province already with a panchayat organization and with an anxiety to see that that panchayat organization spreads as much as possible. That question, Sir, has to be answered and I think the Government have to find the necessary materials to show that the district boards in the United Provinces which have been quoted, have worked in the direction in which this Bill is going to enable the future district boards in this Presidency to work. We may of course have something like 40 or 45 district boards, always no doubt on the condition that the condition of each of those boards should be sound and that we are thoroughly satisfied that no district board will become pauperized

29th January 1934] [Mr. B. Muniswami Nayudu]

later on. We agree with the hon. Minister there and accept his statement to that extent; but what is the consequence? I have not got the latest figures with me here; but taking the year 1928-29—the year before the Act of 1930 was passed—the cost of management—of course it includes a staff of a head clerk, a sarishtadar, two clerks, travelling allowance, office contingencies, etc., but so far as office management is concerned—we find that for the whole province, the district boards and the taluk boards among themselves spent about Rs. 18 lakhs. When we analyse the figures still further, we find that the taluk boards alone spent about Rs. 8 or Rs. 9 lakhs—and I think that is also the figure given by the Chief Minister in his communiqué, when he referred to the saving that would be incurred by way of expenditure on office management as a result of the abolition of taluk boards. As I say, about Rs. 8 lakhs were spent by about 130 taluk boards; and now under this Bill you propose to have additional district boards. What does it come to, I ask? More than one district board for a district will mean that the present 25 district boards now functioning, with another 25 district boards added to them, will spend twice the amount, i.e., Rs. 20 lakhs as against the Rs. 18 lakhs now spent both by the district boards and the taluk boards at present. I do not want to hazard figures, Sir; I have the report itself here, and at page 144, I find that the first district is Anantapur. In the case of Anantapur, the district board expenditure is Rs. 20,000 and that of all the taluk boards is Rs. 20,000. If you take South Arcot, the district board spent Rs. 40,000 and all the taluk boards put together spent Rs. 42,000. If you take Bellary again, the district board spent Rs. 20,000 while the taluk boards spent Rs. 18,000. No doubt in certain cases in the delta areas, the expenditure of taluk boards was a little more, but there again the income of some taluk boards would be as big as that of a district board in Ceded districts. Anyway, if you take the average, taking all things into consideration, you find that the taluk boards all put together generally spend very nearly an amount equal to what the district board alone is spending in any district. Therefore, I say, if you are going to increase the number of district boards from 25 to 45, where is the money for their expenditure to come from? You will practically be spending on the establishment, management, etc., of the new district board what the taluk boards are spending or in some cases probably even more. It is stated in the communiqué:

‘ It is anticipated that if the above proposals are given effect to, district boards will be placed in a stronger financial position and that there will be little difficulty in meeting the small additional expenditure involved in the splitting up of the more unwieldy boards.’

“ I hope the Government are right in their calculations; but from the figures in the administration report for the year 1929, it looks to me that they are not correct in their assumption. On the other hand, I think that the immediate effect of cutting up the district boards into at least two, by doubling their present number, would be that you would be swelling up the expenditure as against the amount which it is hoped to save by the abolition of the taluk boards. The present Bill does not stop there; it goes further. Curiously enough, we had the

[Mr. B. Muniswami Nayudu] [29th January 1934]

appointment of 25 panchayat officers, whether the district boards liked it or not. So far as Malabar and South Kanara are concerned, when I toured those districts, I found they had no panchayats. I should like the presidents of those district boards, if they are here, to correct me if I am wrong when I say that we don't have any panchayats there, not even in the nature of union boards which we generally find in the East Coast districts. In those particular cases, the panchayat officers were not necessary; but if you are going to create more district boards, as the Bill says, then you will have one district board engineer, one educational officer, one panchayat officer, etc., in addition. (An hon. Member: 'No') My friend here says 'No'; but he is not the author of the Bill (Laughter). This is what is stated in the communiqué:

'If smaller district boards are constituted, it is proposed to have one District Board Engineer, and one District Panchayat Officer for each of the new district boards, but to have only one District Health Officer for an entire revenue district since the latter officer works largely under the direction of the Director of Public Health.'

"Certainly a panchayat officer must be there; but what will be the cost of having these district board engineers? They will cost in themselves something like Rs. 2 lakhs. The panchayat officer will cost another Rs. 2 lakhs; so that you will observe . . ."

The hon. the RAJA OF BOBBILI:—"On a small point of explanation, Sir. It is expected that we would be appointing one district board engineer for each of the new district boards; but there will be a reduction in the number of assistant engineers. On the average, an assistant engineer will cost about Rs. 350 while a district board engineer will cost about Rs. 600. So, it is expected that each district board engineer for the new boards will cost only about Rs. 250 while there will be a saving under 'assistant engineers'."

Diwan Bahadur B. MUNISWAMI NAYUDU:—"But our sad experience has been not only to have district board engineers but assistant engineers also, because the district board engineer always wants the help of an assistant engineer. So far as district boards are concerned, they have retrenched assistant engineers to the lowest number possible. In many districts they have abolished a few of the assistant engineers already, but the provision in the Bill for the new district boards will mean that you will revive the assistant engineers' posts which have already been abolished. Whatever that may be, Sir, it cannot be said that there will be no additional expenditure incurred under that head. If you are going to have that additional expenditure, I ask, is it worthwhile abolishing the taluk boards and spending the money so saved on the offices of the district boards to come, their management, their engineers, panchayat officers, etc., and their establishments? I dare say each one of these officers would like to have his own office, his own contingencies, his own stationery, his own personal clerk and so on. As one who has been in touch with these boards, I know how these things go on multiplying from time to time. The result is that, though we start in the beginning with only one officer, there will be a good number of people who will have to be appointed as subordinates. Again,

29th January 1934] [Mr. B. Muniswami Nayudu]

Sir, we have the provision here for an educational officer. That will again cost a lot of money. That is why I submit, Sir, that so far as any saving of expenditure is concerned consequent on the abolition of these taluk boards, I do not think it is really going to be such a large saving as it is expected it would be, nor can the statement that there is going to be any saving in the number of assistant engineers be correct.

"There is another point. If there is any principle in having smaller boards with a view to get local opinion mobilized and to make the local people feel that their area is not being neglected, then the abolition of the taluk boards would lead to a centralization—I may even say over-centralization—of all power in the hands of one man, i.e., the president of the district board. When you take away the local boards and leave all the schools to be managed, about 500 or 600 of them, by the district board, the district board will have to increase its own staff. You will also be depriving the people in the local areas of the benefit of having their own local representatives on the boards who would speak on the lack of required number of schools in their locality or on the proper working thereof and such things. In that way, you will be indirectly substituting official control for the present non-official supervision; and I do not think anybody can subscribe to the principle that where non-official help is being taken, now, it should be scrapped completely and that we should go back to the old system of efficient official control. Nobody would grudge some amount of official control; but we are in our places here to see that non-official supervision does not suffer in efficiency, so that the administration itself might be perfect. If you really want to ascertain popular opinion in all matters, it is absolutely necessary that we should have smaller boards. The result of this abolition of taluk boards is rather doubtful and problematical, and I do not think it is really consistent with democratic principle, that we should sacrifice the possibility of having the help and co-operation of people from local areas and concentrating the whole power in one district board president.

"There is also another important consideration. In this Bill there is really no attempt at trying to make the future district boards more efficient. We have had a Bill passed recently by which in most of the municipalities, executive officers were appointed; the important point there was to take away the executive powers vested in the chairman and vest them in the executive officer, so that all appointments, etc., in the subordinate ranks could be made by the executive officer himself. But what do we find in this Bill. The president with his wide powers will be there, and an executive officer will be appointed only if the Government so direct. Such officer would have no power or executive authority; the non-official president will not be relieved of the responsibility for carrying out the duties which are mostly in the nature of administrative work and which are not always popular. Therefore, I suggest that whatever the state of work, the hon. the Chief Minister will have to bear in mind that he should make definite provisions in this Bill that in the district boards, an executive officer will be appointed and that wherever the words 'President of the District Board'

[Mr. B. Muniswami Nayudu] [29th January 1934]

occur, the words 'executive officer' are substituted, so that the executive authority may be vested in him and the officer may carry out whatever duties or works are laid down for him by the district board; and he will be directly responsible to the Government for attending to all necessary administrative work, including that of contracts, as he will be ultimately controlled and removed by the Government.

"These are the directions, Sir, in which the Bill has failed seriously to tackle the problem. When we went through this Bill, it was not without some misgiving that we saw this proposal to bifurcate the district boards. I do not know if this provision is there for the purpose of satisfying some of those who have been thrown out of the office of district board president. Whatever it may be, I am afraid it will be a step in the wrong direction. May I, in this connexion, refer the hon. the Chief Minister to the opinion of one gentleman connected with the administration of the Local Self-Government Department, viz., Diwan Bahadur Ramachandra Rao who gave out his opinion that so far as education is concerned, it should be divorced from district and taluk boards. If you divorce the district or taluk board from elementary education and give it to the educational councils without sufficient safeguards, the same defects will continue to exist and it will not go far towards satisfying the needs of the people, except that there will be a mere transfer of control of hundreds of schools from the district boards. If such a step is to be taken, it must be possible to keep the local boards purely as organizations of panchayats, filled up by members who will be elected by panchayats and who will carry out the work of the panchayats and the money that is now being spent on the taluk boards can be ear-marked as a village development fund, from out of which the panchayat organizations will spend money for the benefit of the panchayat areas concerned.

4-45
p.m. "Now, Sir, one can multiply instances of the way in which these things could be held. But certainly it is not my purpose to go about multiplying the instances. Some of these suggestions are made with a view to make them feel what their idea is, to make them feel that there are other methods which have to be explored before we take the extreme step. We should see if any alternative methods are available to see to what extent the present taluk boards can be changed to serve the interests of the panchayats than by killing them and making them the stepchildren of the district boards. It is not a step in the right direction. If there was one merit in the existing enactment it is in the constitution of the Village Development Fund.

"A special officer was appointed to consider to what extent the institutions under the taluk boards may be reorganized, having regard to the position of each taluk board. The object is that if in the case of any particular taluk board, if any institution was being maintained which could as well be done by the district board, then that institution may be handed over to the district board, thus relieving the taluk board of the responsibility for the institution and making it financially safe. If after such examination of the resources of each taluk board and the

29th January 1934 [Mr. B. Muniswami Nayudu]

institutions maintained by it it is found that relief could be given to each one of such taluk boards by transferring some of the institutions to the district board, that will be one method in which the taluk boards' solvency could be restored. If, after transferring the institutions from the taluk boards, the district board finances require some strengthening up, then it was open to the Government to consider methods by which such strengthening could be done. Possibly one method will be to give a quarter-anna cess reserved for the Village Development Fund to the district board and make it a part of its general resources as a temporary measure. I ask, Sir, the Chief Minister whether he had taken any step in that direction towards the examination of the question of the reorganization of the taluk boards. The difficulty arose like this. The Government took away the headquarters hospitals to be managed by themselves. In such cases, the result was that considerable relief was given to certain taluk boards. The result is that there is not a uniformity of relief given to the taluk boards. It is therefore necessary to go into the question of the maintenance of the institutions under each taluk board and see what institutions could be taken away from them and handed over to the district boards. I may here point out that in 1920 a Committee was appointed called The Financial Relations Committee, presided over by Sir Muhammad Habibullah, and the members of it represented various district boards. It was decided by that committee that the relationship financially between the Government and the district boards should be readjusted on certain lines so that the Government might take responsibility for its due share of certain services. In regard to the trunk roads, the principle was accepted that the Government should bear the entire cost of maintenance and that the district board would be a mere agency to carry out the works subject to the whole cost being recouped by the Government. The district boards are now spending about 6 to 7 lakhs from their own resources, in addition to the Government grant to keep up the trunk roads. The Government therefore will have to make good that extra 6 to 7 lakhs which the district boards are meeting from their own resources. In regard to the second-class roads, the principle that was laid down was that the Government should make itself responsible for half the net cost and the district board should meet the other half cost. I believe now the district boards are spending on second-class roads something like 8 to 9 lakhs more than what they should had the Government met half the cost. The Government now gave only a definite sum of 14 lakhs though their share will be somewhere between 20 to 22 lakhs. As regards the high schools, a similar proposal was made and if the Government gave effect to it, there will be some saving to the district boards. If the Financial Relations Committee's report had been accepted in all these matters, there will be a substantial addition to the income of the district boards. In 1922, Government did not accept them on the ground of financial stringency. I have been at pains when I was in office to look into the position as to how much of these district boards' funds were being spent on capital works. It was found that

29th January 1934] [Mr. B. Muniswami Nayudu]

[Mr. B. Muniswami Nayudu] [29th January 1934]

the district boards had been spending large amounts in 1929-30 and before by way of opening new roads and making improvements. All these were possible because of the growing sources of revenue. In 1930, the income had fallen down. It was up to these bodies not to indulge in capital expenditure, but to continue services at normal state. Are not the Government to-day trying to do that? Are they not giving a remission to the ryots at the expense of Part II Schemes? Why not these boards do the same? I do hope that times are not going to be like these. Merely because we are face to face with a serious economic crisis, are we to abolish the taluk boards? The economic crisis affects not only the taluk boards and not only the district boards, but even Governments in the world. But, surely, the Government cannot avoid their liability and try to plunder the taluk boards for moneys to which the district boards are entitled from the Government. I am sure that in future years when the finances improve, the district boards could get the benefit from the Government and could be relieved to a considerable extent. But to get over the present financial year, it may be possible for the Government to come to the aid of the district boards temporarily. In that manner, the position of the taluk boards and the district boards may be saved. We are legislating for the future and not merely to meet the present difficulties. I think it would not be right that because we are now face to face with a temporary difficulty, the taluk boards should be abolished. As I have already said, the functions of the taluk boards must hereafter be to act as a sort of a small local authority co-ordinating the activities of the panchayats, helping the formation of new panchayats and taking steps to carry out such schemes of village development and improvement as may be in the interests of the group of villages. Reduced to those functions, the taluk boards have still a field for usefulness. Government might believe that panchayats can be formed and developed through official agencies by the appointment of the District Panchayat Officer. By that there is room for one officer or more than one officer. Their work will be purely official. They cannot bring to the work the influence which non-officials can command and the enthusiasm and the willingness which the non-officials' co-operation can ensure. If the hon. the Chief Minister should think that the officials alone should do all the work and the non-officials have no place, then I have no quarrel with him. But the whole idea of the taluk boards is that non-officials should be brought into active touch with the local problems and their experience and help should be availed of. Viewed from that point of view, it will be a retrograde step to abolish the taluk boards and to deprive the panchayats of the influence and co-operation which the non-officials in the locality can give. After all, the taluk boards are intended as organizations where people can be trained in the art of managing their own institutions. It will be running contrary to that spirit to abolish these taluk boards and deprive the people of that opportunity. Then, what about the Adi-Dravidas and Muslims that have been finding a place in these bodies? They were there in order to afford opportunities for all classes to get trained in the art of administration of local self-government.

None of these communities will have sufficient opportunities hereafter of being trained in the art of local self-government. It will go a long way if people rub their shoulders together to know what administration is, what difficulties there are in the administration, and thus educate themselves in the administration of local self-government. For these reasons, the Government will be well advised to have a committee appointed for the purpose of seeing in what manner the financial difficulties could be readjusted and to explore other methods in which you can solve the situation and to see if while keeping the taluk boards serve the purposes for which they were intended the Bill could not be amended on such lines. It is time to consider to what extent the taluk boards may be reorganized so as to serve the purposes of the panchayats, and to see that their constitution is altered in a manner to permit the representation really of the panchayats. Their main purpose will be to organize these panchayats and to distribute these funds intended for rural reconstruction and thus to give an effective chance for the panchayats, to improve. It is from this point of view, I press that the Government will do well to consider their provisions carefully and avail themselves of the opportunity which by this resolution, we propose to give to make them consider the views of others and to see in what manner the proposed legislation could be modified in a manner acceptable to all."

* The hon. the PRESIDENT:—"Further discussion on this will continue on 2nd February.

"I appoint Mr. M. A. Muthiah Chettiyar as the Chairman of the Select Committee regarding the Bill further to amend the Madras City Civil Court Act.

"I may inform now that the agenda for to-morrow has not been received from the Government Press and so they could not be distributed this evening. The office will try to distribute the agenda papers to the Members to their City addresses to-night.

"For the information of the hon. Members I wish to tell that to-morrow we will take up non-official work consisting of Mr. Patnaik's Impartible Estates Bill, Mr. Basu Dev's Money Lenders Bill, Mr. Bhanoji Rao's Impartible Estates Bill and other Bills which are in the stage of introduction."

The House will now adjourn and meet again to-morrow at 11 a.m.

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

* 1. *Notification regarding dissolution and reconstitution of Palacole Municipal Council.*

* 2. *G.O. No. 2430, P.H., dated 31st October 1933, refusing reconsideration of G.O. No. 1118, P.H., dated 23rd May 1933, regarding the resolution passed by Salem Municipal Council on the accessibility to the untouchables in coffee clubs and sweetmeat shops.*

* Published in the Fort St. George Gazette, dated 14th November 1933.

* Printed as Appendix XII on pages 116-117 infra.

[29th January 1934]

^a G.O. No. 2375 I., dated 31st October 1933, regarding Thattahalla project, Kollegal taluk, Coimbatore district.

^b 4. G.O. No. 4862, L. & M., dated 23rd November 1933, passing orders on the special officer's general report on the financial position of local bodies.

^c 5. G.O. No. 5288, L. & M., dated 18th December 1933, extending term of members of certain panchayats.

^d 6. Secretary of State's evidence before the Joint Committee on Indian Constitutional Reform, Part I (11th to 28th July 1933).

^d 7. Secretary of State's evidence before the Joint Committee on Indian Constitutional Reform, Part II (3rd October to 7th November 1933).

^d 8. Report of the Public Accounts Committee on the accounts of 1931-32.

^d 9. Appropriation Accounts of the Government of Madras for 1931-32 and the Report of the Accountant-General thereon.

^d 10. Return of officers under the Government of Madras who held permanent appointments on the 1st April of each of the years from 1924 to 1933.

^d 11. Return of officers under the Government of Madras who held temporary, acting or probationary appointments on the 1st of April of each of the years from 1924 to 1933.

^d 12. G.O. No. 2461 I., dated 11th November 1933, regarding the abandonment of Kanchalamma project.

^e 13. U.O. Note No. 4210 A-4, dated the 21st December 1933, regarding answer to the supplementary question to the Legislative Council Question No. 308 answered on the 3rd November 1933.

^f 14. G.O. No. 210, L. & M., dated the 9th January 1934, regarding extension of term of members of certain taluk boards.

^g 15. G.O. No. 817, Finance, dated the 20th December 1933, regarding the acceptance of the resignation of the membership of Mr. W. O. Wright.

^h 16. Notification of a rule under sub-section (1) of section 16 of the Madras Motor Vehicles Taxation Act, 1931.

^a Printed as Appendix XIII on pages 117-120 infra.

^b Printed as Appendix XIV on pages 120-123 infra.

^c Published in the Fort St. George Gazette.

^d Printed separately.

^e Printed as Appendix XV on pages 123-124 infra.

^f Published in the Fort St. George Gazette.

^g Printed as Appendix XVI on page 124 infra.

^h Published in the Fort St. George Gazette.

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

29th January 1934]

APPENDIX I.

[Vide answer to question No. 493 asked by Mr. V. M. Ramaswami Mudaliyar at the meeting of the Legislative Council held on the 29th January 1934, page 21 supra.]

Name of village.	Number of cattle for which permits were issued in								
	1930-31.			1931-32.			1932-33.		
	Cows.	Sheep.	Buffaloes.	Cows.	Sheep.	Buffaloes.	Cows.	Sheep.	Buffaloes.
1 Alangayam ..	310	..	1	294	..	..	169	..	..
2 Badakuppam ..	42	513	..	31	359	..	529	177	..
3 Peddur ..	504	..	..	488	..	..	520	..	..
4 Rajapalaiyam ..	148	77	..	106	..	..	117	..	..
5 Pullakurupalli (Pullakur) ..	183	4	..	149	..	..	102	..	..
6 Narasingapuram.	261	304	..	231	183	..	289	186	..

APPENDIX II.

[Vide answer to question No. 495 asked by S. M. K. Beyabani Sahib Bahadur at the meeting of the Legislative Council held on the 29th January 1934, page 22 supra.]

Letter from the Chief Engineer for Irrigation, dated
21st September 1931, No. 267/31-C-3.

[Projects not fully developed—Kurnool division—Cumbum tank.
Reference.—Paragraph 4 of G.O. No. 3210 I., dated 14th November 1930.]

An examination of the first and second-crop areas irrigated under the tank for the past ten years shows that the lowest area irrigated in any year during the period is 5,564 acres in 1925-26 while the maximum area irrigated in any year during the same period is 5,734 acres (in 1927-28). In most years 5,700 acres have been irrigated. So this acreage seems to be the maximum area irrigable at present under the tank. Either the area of 6,000 acres fixed already as the area irrigable by complete project may be reduced by 250 acres fixing it as 5,750 acres, or the difference may be ignored as being small.

2. The supply from the catchment to meet irrigation requirements under the tank appear to be quite good as evidenced by the very small variation in the area grown with first crop and by the growing of a substantial area of second crop in many years when the rainfall has been good, and there is no necessity to augment the same unless fresh area could be found under the tank, and new facilities are provided for irrigating it. There seems to be no necessity to investigate the non-development of the full ayacut, nor to increase the supply to the tank on the score that it is not sufficient.

[29th January 1934]

Statement showing the maximum depth of supply in Cumbum tank and the area irrigated during the years 1921-22 to 1929-30.

Year.	First-crop period—July to December.				Second-crop period.				Reading on the 1st of			Total of first and second crop. (13)
	Month.	Date	* Level.	Extent.	Month.	Date	* Level.	Extent.	August.	September.	October.	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
1921-22	November	6 to 10	21-90	5,581	January	1	20-52	2,262	8-50	8-40	11-30	7,843
1922-23	Do.	29	24-90	5,647	Do.	1 to 4	24-20	3,770	13-80	16-10	13-40	9,417
1923-24	October	1 to 6	28-10	5,707	Do.	1	25-25	4,256	13-05	.. †	28-10	9,963
1924-25	November	28	23-40	5,733	Do.	1	22-85	3,231	.. †	15-80	20-70	8,964
1925-26	December	29	20-50	5,564	Do.	1	20-50	1,842	13-00	18-80	16-50	7,406
1926-27	September	16	20-30	5,642	..	..	.. †	248	17-00	13-60	18-50	8,715
1927-28	October	14	21-70	5,734	January	1	20-80	2,981	18-90	17-30	18-50	8,890
1928-29	Do.	26	16-10	5,632	..	..	.. †	207	12-00	13-50	11-60	5,839
1929-30	November	8	18-90	5,619	January	1	15-30	590	.. †	.. †	14-80	..
1930-31	Do.	7	20-70	5,442	Do.	1	18-10	889	15-50	..	10-50	..
1931-32	Do.	12	22-50	5,562	Do.	1	21-30	2,787	13-30	16-20	21-10	..
1932-33	August	8	16-80	5,407	May	25	10-20	108	13-30	16-20	2-00	..

Remarks.—The registered ayacut of the tank is 5,183-34 acres of which an extent of 2,750-28 acres is registered double crop.
 * The depths given in these columns are those above sill of sluice No. I, i.e., 631-85.
 † Readings not available.

N.B.—I Sill level of Pedda Cumbum sluice 631-85
 II Do. Chinnu Cumbum sluice 633-13
 III Do. Nakkalagundy sluice 631-60

29th January 1934]

Proceedings of the Irrigation Development Board, No. 41,
 dated 13th October 1931.

Submitted to Government.

2. The Irrigation Development Board observes that 95 per cent of the area irrigable is regularly cultivated with a first crop and that in good years the area grown with a second crop is very satisfactory. It, therefore agrees with the Chief Engineer that no further investigation is called for with a view to developing the irrigation of this tank.

3. The Irrigation Development Board further considers that in view of the small difference between the maximum irrigable area and the area actually irrigated, the area of 6,000 acres already fixed as the maximum irrigable area may continue.

Letter from the Chief Engineer for Irrigation, to the Secretary to Government, Public Works and Labour Department, dated the 22nd January 1932, C.E.P. No. 2861/31.

[Tanks—Kurnool—Cumbum tank—Wastage of water. Reference.—
 Memorandum No. 5081-D/31-4, dated 18th November 1931.]

It is reported that there are good number of sluices in each channel which have not got shutters and locks and there are also open cuts in the channels' banks, especially in one channel instead of pipes or masonry sluices. As a result of these defects more water is drawn from the tank than is normally required and a portion of it is also wasted into the Gundlakamma lower down. By providing shutters and locks to these sluices and constructing masonry sluices in place of open cuts and providing them with shutters it is expected that the above wastage from the tank can be prevented. I have asked the Superintending Engineer to submit proposals for the improvements necessary to prevent wastage together with the estimates therefor. They will be dealt with by me on receipt from the Superintending Engineer.

2. It is also incidentally reported that the kudimaramat labour not having been enforced all the channels have become very badly silted up, and large quantities of moss and weeds have been allowed to grow in them. Owing to obstruction caused to the free flow, there had been wastage of water in the upper reaches to the detriment of the supply to the lands towards the tail end. I have asked the Superintending Engineer to request the Collector to issue instructions to the local Revenue Department officers for the enforcement of the Kudimaramat Act so that the channels are maintained in proper regime.

[29th January 1934]

APPENDIX III.

[Vide answer to question No. 502 asked by Mr. G. Sriramulu at the meeting of the Legislative Council held on the 29th January 1934, page 28 supra.]

Copy of letter from the Collector of East Godavari, dated the 26th September 1933, No. B-3-5185/33.

There were heavy floods in the Godavari thrice during the current year. On the third occasion the river rose as high as 13.9 feet above the crest of the anicut at Dowlaishweram. No damage has been caused to any public works or communications, but several villages situated within the flood-bank were inundated with the result that they had to be vacated on each occasion. One such village is Appanaramuni lanka in Razole taluk which consists of 400 houses and a population of 1,800. The whole of this village was submerged, the water in the streets rising to a depth of 3 to 6 feet on the morning of 18th September 1933. As almost all the houses were constructed with mud and as water was entering the houses, the Tahsildar, Razole, who visited the village on that day considered that it might prove dangerous to both human life and property if the village was not evacuated immediately. As the flood-bank was at considerable distance from the village, the Tahsildar engaged 15 boats for two days at Re. 1 per boat per day to enable the whole population to leave the place with their property. He did this at Government cost because the majority of the residents were poor and could not secure boats without the assistance of the local revenue officers.

Besides Appanaramuni lanka several villages in Cocanada, Razole, Rajahmundry and Amalapuram taluks were inundated with the result that some houses collapsed. There was however no loss of life. The Tahsildar, Cocanada, has submitted proposals for the grant of Rs. 12 to three inhabitants of Sila lanka, hamlet of Sila, and Rs. 40 to 18 inhabitants of Nilapalli and Georgepeta to enable them to rebuild their houses.

I, therefore, request that the Board may be pleased to sanction the amount of Rs. 82 required for the three cases mentioned above.

Another application for funds will be submitted if relief is found to be necessary in the case of other villages affected by the floods.

Copy of letter from the Collector of East Godavari, dated 26th October 1933, No. B-3-5185/33.

Owing to the recent storm and heavy rains, the Yeleru river in Peddapur taluk, the Thandava river in Tuni taluk, and several other hill streams in Polavaram and Pithapur taluks were in high floods with the result that several villages in Peddapur, Pithapur, Cocanada, Tuni and Polavaram taluks were inundated. The floods have caused considerable damage to the standing crops. It is too early to gauge the extent of the damage. It is reported that 14 houses of fishermen in Jaggarajupeta, hamlet of Vuppada village, in Pithapur taluk were washed away

29th January 1934]

by the sea. There was however no loss of human life or cattle. In Peddapur and Cocanada taluks several villages were inundated by the floods in the Yeleru. Krishnavaram, a village in Peddapur taluk, was the worst affected. Many houses fell down as a result of submersion and it is reported that one woman was drowned, while attempting to save her belongings. In Pithapur taluk several villages were submerged by the floods in the hill streams and it is reported that a human corpse was washed ashore in one of the hill streams in the limits of Pithapur village. In Tuni taluk, the Thandava river rose very high and the Deputy Tahsildar had to safeguard the cash, stamps, etc., in the Sub-Treasury by securing them on the record racks in his office. The floods have since subsided and the cash, stamps, etc., have been removed to the strong room.

2. The floods though severe have not caused much damage to public works and means of communication. Several houses in the affected villages have fallen down and steps are being taken to relieve immediate distress. I am awaiting further reports from the subordinate officers and will submit proposals for relief in needy cases.

Copy of letter from the Collector of East Godavari, dated 3rd November 1933, No. B-3-5185/33.

The Revenue Divisional Officer, Peddapur, has submitted proposals for the grant of relief to the flood-affected people in certain villages in Pithapur taluk as shown below:—

RS.	
77 to 12 house-holders in Jaggarajupeta, hamlet of Uppada.	
44 to 14 house-holders in Isukapalli.	
33 to 7 house-holders in Madhavapuram.	
125 to 29 house-holders in Kolanka.	
Total ...	279

In the first of the above cases the houses were washed away by the sea and in the remaining cases the damage was caused by floods in the hill streams.

2. No proposals for relief have so far been received from the Revenue Divisional Officers in respect of Tuni, Peddapur, Polavaram and Cocanada taluks. They have been requested to expedite them, if any.

3. In G.O. Ms. No. 1751, dated 2nd October 1933, Government were pleased to sanction Rs. 82 for relief of distress caused by the floods in the Godavari river in certain villages in Razole and Cocanada taluks. The Revenue Divisional Officer, Cocanada, has submitted further proposals for the grant of Rs. 121 as shown below for relief of distress caused by the floods in the Godavari in certain villages in Cocanada taluk:—

Rupees 11 to three house-holders of Georgepeta.
Rupees 110 to 32 Adi-Andhra house-holders of Pillanka.

[29th January 1934]

4. Further the Deputy Superintendent of Police, Bhadrachalam, and the Tahsildar, Bhadrachalam, engaged two launches for Rs. 25 to enable the inhabitants of Yatapaka and Kollugudem in Bhadrachalam taluk to leave their respective villages with their property as the river rose so high as to threaten a collapse of the houses. The amount has still to be paid.

5. The total of all the above items comes up to Rs. 425. But in all likelihood something more may be required for relief being given to other afflicted persons. I therefore request that Government may be addressed to place at my disposal Rs. 500 for grant of relief. If more funds are required, I will submit another application.

6. I will submit a detailed report about the floods on the receipt of final reports from the Revenue Divisional Officers.

APPENDIX IV.

[Vide answer to question No. 508 asked by Mr. Abdul Hameed Khan at the meeting of the Legislative Council held on the 29th January 1934, page 31 supra.]

(i)

G.O. Ms. No. 3402, L. & M., dated 23rd August 1933.

READ—the following papers:—

Petition from certain Member, Salem District Board, dated 4th July 1933.

Memorandum to the President, District Board, Salem, No. 27067 A-1 A-2, dated 25th July 1933.

From the President, District Board, Salem, No. 3724/33/A-6, dated 6th August 1933.

Order—Ms. No. 3402, L. & M., dated 23rd August 1933.

Recorded.

2. The Government have satisfied themselves after a scrutiny of the minutes book that there is no truth in the allegation that the typed copy of the proceedings of 28th February 1933 was pasted over the original record of proceedings made by the President, District Board, Salem, at the meeting. They do not propose to pursue the matter.

3. The President is informed that if it is not possible to record the minutes of proceedings in the minutes book at the meeting he should note down the proceedings on loose sheets of paper or on a copy of the

[29th January 1934]

agenda at the meeting and should preserve these notes as original records of the proceedings after the minutes of the proceedings have been later on drawn up on the basis of these notes and recorded in the minutes book.

(By order of the Government, Ministry of Local Self-Government)

E. CONRAN SMITH,
Secretary to Government.

To the petitioners—
Mrs. P. Subbarayan, Member, Salem District Board, Tiruchengode.
The President, District Board, Salem.

(ii)

G.O. Ms. No. 74920, L. & M., dated 28th November 1933.

READ—the following paper:—

G.O. No. 3402, L. & M., dated 23rd August 1933.

Order—Ms. No. 4920, L. & M., dated 28th November 1933.

It has been represented to the Government that, in G.O. No. 3402, L. & M., dated 23rd August 1933, they have not passed orders on the specific representations made in the petition submitted on 4th July 1933 by certain members of the Salem District Board, while reference is made in the Government Order to an allegation which is not specifically made in the petition and a request has been made for revising the above Government Order.

2. The Government after obtaining the remarks of the President, District Board, Salem, on the subject-matter of the petition and after a scrutiny of the minutes book and other records of the district board and after hearing one of the signatories to the petition were satisfied that there was no incorrect recording of the proceedings by the President and that there was no reason for Government to interfere in respect of any of the charges made in the petition. It is not usual in such cases to pass orders seriatim on each of the representations made in the memorial. The usual procedure in cases in which the Government are satisfied that no interference is called for, is to 'record' the papers and the petition in question was accordingly 'recorded' in paragraph 1 of G.O. No. 3402, L. & M., dated 23rd August 1933.

3. After the submission of the petition to Government and in the course of a personal representation, one of the signatories to the petition made a further and more definite allegation which was not mentioned in the written petition. The Government considered it necessary to issue specific orders on this point and it was in this view that paragraph 2 of the Government Order was issued.

4. The Government do not, in the circumstances, consider that any revision of G.O. No. 3402, L. & M., dated 23rd August 1933, is called for.

[29th January 1934]

5. Certain instructions to the President, District Board, Salem, as to the recording of proceedings have been already issued in paragraph 3 of G.O. No. 3402, L. & M., dated 23rd August 1933. The question of issuing general instructions for the guidance of Presidents of local boards and chairmen of municipal councils in the matter of recording proceedings of meetings, is under the consideration of the Government.

(By order of the Government, Ministry of Local Self-Government)

E. CONRAN SMITH,
Secretary to Government.

To the petitioners—

Mrs. P. Subbarayan, Member, Salem District Board, Tiruchengode.
The President, District Board, Salem.

APPENDIX V.

[Vide answer to question No. 509 asked by Mr. P. V. Krishnayya Choudari at the meeting of the Legislative Council held on the 29th January 1934, page 32 supra.]

G.O. Ms. No. 146, L. & M., dated 17th January 1931.

READ—the following paper:—

[From the President, District Board, Chingleput, No. 3381-C/30, dated 4th January 1931.]

Order—Ms. No. 146, L. & M., dated 17th January 1931.

It has occasionally happened that communications have been received by presidents or chairmen of local bodies intimating the resignation of their office by members, and that these communications have subsequently been disowned or repudiated by the members in question. Precipitate action taken on such communications may lead to complications and litigation, and presidents and chairmen are, therefore, advised to make sure by an immediate reference to the member concerned that such communications are genuine before they take action thereon.

2. The Inspector of Municipal Councils and Local Boards is requested to circularise all presidents of panchayats in the matter.

(By order of the Government, Ministry of Local Self-Government)

HILTON BROWN,
Secretary to Government.

To all Presidents of District Boards with copies for Presidents of Taluk Boards.
.. the Chairmen of Municipal Councils.
.. the Inspector of Municipal Councils and Local Boards.

29th January 1934]

APPENDIX VI.

[Vide answer to question No. 511 asked by Mr. A. Ranganatha Mudaliyar at the meeting of the Legislative Council held on the 29th January 1934, page 34 supra.]

Name of the officer.	Date on which the leave commenced.	Pay drawn before leave.	Leave salary actually drawn during the period of leave.
1 Mr. P. Narayana Menon.	14th March 1932.	Rupees 305 plus a special pay of Rs. 100 less 10 per cent cut.	Rupees 393 per mensem less 10 per cent cut from 14th March 1932 to 13th July 1932. Rupees 196-8-0 per mensem from 14th July 1932 to 22nd July 1932.
2 K. Muhammad Auzum Sahib Bahadur.	Do.	Rupees 290 less 10 per cent cut.	Rupees 278-8-0 per mensem less 10 per cent cut from 14th March 1932 to 13th July 1932. Rupees 139-4-0 per mensem from 14th July 1932 to 9th May 1933.
3 Mr. C. Duraiswami Mudaliyar.	Do.	Rupees 245 less 10 per cent cut.	Rupees 232-2-0 per mensem less 10 per cent cut from 14th March 1932 to 13th July 1932. Rupees 116-1-0 per mensem from 14th July 1932 to 13th June 1933.
4 Mr. C. Chinna-swami Pillai.	13th March 1932.	Rupees 450 plus a special pay of Rs. 150 less 10 per cent cut.	Rupees 600 per mensem less 10 per cent cut from 13th March 1932 to 12th July 1932. Rupees 300 per mensem from 13th July 1932 to 30th June 1933.

APPENDIX VII.

[Vide answer to question No. 517 asked by S. M. K. Beyabani Sahib Bahadur at the meeting of the Legislative Council held on the 29th January 1934, page 39 supra.]

Statement showing the average number of patients attending per day from 1930-33 in each department of the Indian Medical School Hospital.

Year.	Department.			
	Ayurveda.	Siddha.	Unani.	Western medicine (minor surgical operations).
1930-31	368.28	250.02	293.68	1.26
1931-32	266.28	184.46	252.24	1.70
1932-33	240.58	191.67	212.15	1.70
1933 (April to end of September).	245.35	228.50	230.69	1.57

Statement showing the number of students of the Indian Medical School who took their diplomas and who are employed or unemployed.

Section.	Number employed.	Number unemployed.	Total.
Ayurveda	107	64	171
Unani	17	6	23
Siddha	33	23	56

[29th January 1934]

APPENDIX VIII.

[Vide answer to question No. 522 asked by Mr. A. Pl. N. V. Nadi-muthu Pillai at the meeting of the Legislative Council held on the 29th January 1934, page 43 supra.]

Statement showing expenditure incurred since 1920 on the construction of quarters for Government servants.

Circle.	Division.	Amount.	Total.
		RS.	RS.
Waltair	Ganjam	2,01,600	9,21,989
	Vizagapatam	5,15,650	
	Koraput	2,04,739	
Dowlaisheram ..	Godavari northern	2,18,262	5,78,290
	Do. headworks	1,35,261	
	Do. eastern	1,39,860	
	Do. western	55,960	
	Do. central	28,947	
Bezwada	Guntur	4,34,578	10,57,602
	Kistna western	65,472	
	Do. central	1,71,033	
	Nellore	2,79,536	
	Kistna special	Nil.	
	Do. eastern	1,06,983	
Madras	North Presidency	9,30,627	28,30,776
	South do.	* 4,84,864	
	Chingleput	3,88,050	
	Bellary	4,46,228	
	Kurnool	3,19,632	
	Madanapalle	2,61,375	
Coimbatore	Coimbatore	9,90,660	23,52,470
	Salem	4,53,372	
	West Coast	6,76,872	
	North Arcot	2,31,566	
Tanjore	South Arcot	3,70,627	7,29,476
	Cauvery	2,32,900	
	Vennar	1,13,607	
	River Conservancy	12,342	
Trichinopoly	Trichinopoly	2,28,010	7,49,423
	Periyar	1,22,884	
	Tinnevelly	1,38,053	
	Ramnad	2,60,476	
Total ..			92,20,026

* This represents expenditure from 1922-33. The Executive Engineer reports that expenditure in regard to previous years cannot be furnished as the registers of works for these years have been destroyed.

29th January 1934]

APPENDIX IX.

[Vide answer to question No. 523 asked by Mr. G. Simhachalam Pantulu at the meeting of the Legislative Council held on the 29th January 1934, page 44 supra.]

Government Technical Examinations.

Statement showing the number of Chief and Assistant Examiners (Telugus, Tamilians and others) from 1926 to 1933.

			Total.	Telugus.	Tamilians.	Others.
1926	April .. ..	.. ..	20	1	16	3
	December .. ..	.. ..	22	2	18	2
1927	April .. ..	.. ..	36	3	30	3
	December .. ..	.. ..	15	2	12	1
1928	April .. ..	.. ..	30	2	23	5
	December .. ..	.. ..	17	2	14	1
1929	April .. ..	.. ..	37	3	31	3
	December .. ..	.. ..	13	2	10	1
1930	April .. ..	.. ..	26	2	20	4
	December .. ..	.. ..	12	1	9	2
1931	April .. ..	.. ..	21	1	16	4
	December .. ..	.. ..	31	1	24	6
1932	April .. ..	.. ..	6	..	4	2
	January .. ..	.. ..	22	..	13	9
1933	April .. ..	.. ..	7	..	5	2
	July .. ..	.. ..				

APPENDIX X.

[Vide answer to question No. 526 asked by Mr. M. Devadasan at the meeting of the Legislative Council held on the 29th January 1934, page 46 supra.]

Statement.

	1931.	Number of candidates belonging to		
		Depressed classes.	Adi-Dravida converts to Christianity.	Other Christians.
Government Training School, Kovilpatti—				
Elementary Higher—Number applied	..	1	10	5
..	..	..	7	2
..	..	24	8	..
..	..	7	3	..
..	..	..	..	..
Government Training School, Tinnevely—				
Secondary (one year)—Number applied	..	1	2	4
..	..	1	2	4
..	..	1	4	11
..	..	1	2	..
..	..	1	7	10
..	..	2	6	6
..	..	2	..	..

[29th January 1934]

APPENDIX XI.

[Vide answer to question No. 527 asked by Mr. M. Devadasan at the meeting of the Legislative Council held on the 29th January 1934, page 47 supra.]

1932.	Number of candidates belonging to		
	Depressed classes.	Adi-Dravida converts to Christianity.	Other Christians.
Government Training School, Koilpatti—			
Elementary Higher—Number applied ..	2	12	10
“ “ “ admitted ..	1	3	5
“ Lower “ applied ..	2	7	2
“ “ “ admitted ..	2	7	1
Government Training School, Tinnevely—			
Secondary (one year)—Number applied ..	1	..	2
“ “ “ admitted ..	1	..	1
“ (two years) “ applied ..	2	4	29
“ “ “ admitted ..	2	2	17
Elementary Higher—Number applied ..	6	9	17
“ “ “ admitted ..	6	9	7

APPENDIX XII.

[Vide item XIII—Papers laid on the table of the House at page 103 supra.]

G.O. No. 2430, P.H., dated 31st October 1933.

READ—the following paper:—

From the Commissioner of the Salem Municipality, dated 22nd May 1933, R.O.C. No. 394/P.H./33.

Order—No. 2430, P.H., dated 31st October 1933.

In its resolution No. 1418, dated 17th February 1933, the Salem Municipal Council resolved that all coffee clubs and sweetmeat shops in the municipality should be made accessible to the so-called untouchables and that the resolution should be embodied in the form of a by-law. This resolution was cancelled by Government under subsection (1) of section 36 of the Madras District Municipalities Act as they considered that the contemplated by-law, if enforced, was likely to lead to a riot or an affray.

2. The Municipal Council has asked for a reconsideration of this order on the grounds that the contemplated reform is urgently needed and that the fear of a riot or disturbance is unreal.

3. In passing their orders referred to in paragraph 1 above the Government were satisfied on the report of the Collector that the resolution, if given effect to, was likely to lead to a riot or an affray. Since then they have taken legal opinions as to the competency of the Municipal Council to pass a resolution of the kind now in question and to

29th January 1934]

embody it in a by-law and they are advised that it is beyond the power of the Municipal Council to pass a by-law laying down as one of the conditions of the licences issued for places used for a hotel or restaurant that a particular class of people should be admitted into such places. The Government therefore see no reason to reconsider their orders in G.O. No. 1118, P.H., dated 23rd May 1933.

(By order of the Government, Ministry of Local Self-Government)

E. CONRAN SMITH,
Secretary to Government.

To the Commissioner of the Salem Municipality.

“ Collector of Salem.

“ Secretary to the Legislative Council (with copies for being placed on the table of the House).
[with a copy of the Advocate-General's opinion.]

APPENDIX XIII.

[Vide item XIII—Papers laid on the table of the House at page 104 supra.]

G.O. No. 2375 I., dated 31st October 1933.

READ—the following papers:—

I

Extract from Proceedings of the Legislative Council, dated 29th March 1930.

Report on the Thattahalla project.

1676 Q.—MR. BASHEER AHMED SAYEED: Will the hon. the Member for Revenue be pleased to state whether a copy of the preliminary report on the Thattahalla project and the estimated cost required for the scheme will be placed on the table of the House?

A.—The report has not yet been received by the Government. The attention of the hon. Member is invited to the latter part of the answer to question No. 1559 delivered on 18th March 1930.

MR. G. HARISARVOTTAMA RAO:—“ May I know, Sir, whether the hon. the Revenue Member will ask for the information and furnish it to the House? ”

The hon. Mr. A. Y. G. CAMPBELL:—“ Yes, Sir.”

II

Memorandum No. 6110 D/30-2, P.W. & L., dated 21st May 1930.

[Project—Coimbatore—Kollegal taluk—Thattahalla project—Preliminary report.]

The Chief Engineer for Irrigation is requested to state when the preliminary report and estimate for the scheme will be submitted to Government.

A. G. LEACH,
Secretary to Government.

To the Chief Engineer for Irrigation.

[29th January 1934]

III

Letter from M.R.Ry. Diwan Bahadur N. SWAMINATHA AYYAR Avargal, B.A., B.E., Chief Engineer for Irrigation, to the Secretary to Government, Public Works and Labour Department, dated Madras, the 14th August 1933, No. 1781/27-B-10.

[Thattahalla project—Kollegal taluk—Coimbatore—Preliminary report Reference.—Government Memorandum No. 6110 D/30-2, dated 21st May 1930.]

The Superintending Engineer doubted in August 1932 whether a suitable site for a reservoir would be found. In his subsequent letter No. 37 I., dated 25th January 1933 (copy enclosed), the Superintending Engineer reported that there was no suitable site across the river for a tank or a reservoir. In the Executive Engineer's letter No. 62-S.E., dated 20th January 1933, forwarded with the Superintending Engineer's letter referred to above, a proposal has been made to install an hydraulic ram to irrigate the proposed area and the Superintending Engineer has been asked to submit a report thereon, which is awaited.

ENCLOSURE.

Letter from the Superintending Engineer, Coimbatore Circle, to the Chief Engineer for Irrigation, dated 25th January 1933, No. 37 I. [Thattahalla scheme—Kollegal taluk—Coimbatore—Gauging—Reference.—Your No. 2214/31-B-4, dated 7th September 1932.]

The Executive Engineer, Salem Division, has now reported that there is no suitable site across the Thattahalla for a tank or a reservoir.

A copy of Executive Engineer's No. 62-S.E., dated 20th January 1933, is enclosed for your information.

Sub-enclosure.

Letter from the Executive Engineer, Salem Division, to the Superintending Engineer, Coimbatore Circle, dated Salem, 20th January 1933, No. 62-S.E.

[Gauging the Thattahalla river.]

I have inspected the above river at the proposed gauging site on 9th January 1933. The site is quite suitable with rocky bed, straight approaches and clear overfalls. It is within easy reach of the main road and arrangements can be made for a suitable person with intelligence, to go and take the readings of the gauge every morning and evening.

2. As regards the Thattahalla river, it is, in my opinion, impossible to construct a dam and form a reservoir since the river flows through the proposed irrigated area and above it, in a narrow ravine or nullah. Everywhere the land is flat and although there are numerous hills dotted about all over the area, there are not too sufficiently close

29th January 1934]

together, so that a dam could be constructed between them to give a good sized reservoir. To put a dam up at the gauging site itself would only mean filling the ravine up and this would give a very small reservoir and quite inadequate to the requirements.

3. The suggested site for a reservoir downstream from Hanur near the hill called Chengadi Betta was also inspected but is quite unsuitable since it is about three miles below the proposed area to be irrigated and at a much lower level, and therefore it is impossible to irrigate the area. So, this site is out of the question. But I have to suggest that I believe it is possible to install a hydraulic ram at a site just below the proposed gauging weir which would supply sufficient water to irrigate the proposed area.

4. I have had levels taken and found that a head of 20 feet could be obtained. With this head I believe a ram could be obtained to supply all the water required. I propose writing to Messrs. Harrison and Crossfield, Limited, of Quilon, Travancore, who are the Agents for "Blake's Hydrams" and asking them for their opinion as to whether a ram could be supplied for this purpose and what would be the cost. On receipt of their reply I will address you again on the matter.

IV

Chief Engineer's Memorandum No. 1781/27 B-11, dated 3rd October 1933.

[Thattahalla project, Kollegal taluk, Coimbatore district.]

In the circumstances explained by the Executive Engineer, Salem Division, in his letter No. 996-S.E., dated 9th September 1933, the Chief Engineer for Irrigation agrees with the Superintending Engineer that the scheme for utilizing the waters of the Thattahalla stream may be abandoned.

N. SWAMINATHA AYYAR,
Chief Engineer for Irrigation.

To the Superintending Engineer, Coimbatore Circle.

Endorsement—No. 1781/27 B.E.P., dated 3rd October 1933.

Copy with an extract from the Executive Engineer's report referred to, forwarded to the Secretary to Government, Public Works and Labour Department, in continuation of letter No. 1781/27-B-10, dated 14th August 1933.

N. SWAMINATHA AYYAR,
Chief Engineer for Irrigation.

To the Secretary to Government, Public Works and Labour Department.

[29th January 1934]

ENCLOSURE.

*Extract of report from the Executive Engineer, Salem Division,
No. 996-S.E., dated 9th September 1933.*

* * * *

I have corresponded with the firm of Messrs. Harrison and Crossfield, Limited, Quilon, and I have received their reply . . . From this it will be seen that the scheme is not feasible since the amount of water required is far in excess of what is possible to obtain by pumping with hydraulic rams, taking into account the amount of water available in the stream.

This is due, I presume, to the great loss incurred with this kind of pump.

Therefore, I consider the scheme can be considered impossible and dropped unless it is proposed to install and use some other kind of pump, petrol, oil or steam which have a higher efficiency ratio but these will require careful maintenance and a staff, of at least one man, permanently to run and look after them.

* * * *

Order—No. 2375 I., dated 31st October 1933.

Recorded.

(By order the Governor in Council)

N. GOPALASWAMI,
Secretary to Government.

To the Chief Engineer for Irrigation.
,, Board of Revenue.
,, Revenue Department.
,, Secretary, Legislative Council (with 175 copies to be placed on the Council table).

APPENDIX XIV.

[Vide item XIII—Papers laid on the table of the House at page 104 supra.]

G.O. No. 4862, L. & M., dated 23rd November 1933.

The Government are pleased to issue the following orders on the report of the Special Officer, Mr. T. Sivarama Setu Pillai, on the financial position of local bodies communicated in Memorandum No. 10880-1/B-1, L. & M., dated 9th May 1933.

2. *Paragraphs 12 and 23 of the report—Avenues.*—District boards and district board engineers are requested to devote greater attention to the maintenance and development of avenues and to endeavour to secure a steadily growing income from this source of revenue.

3. *Paragraphs 19 (1), 46 and 49 (2) of the report—Expenditure on establishments.*—The maximum limits laid down for expenditure on

29th January 1934]

district and taluk board establishments in the rule issued with G.O. No. 1778, L. & M., dated 16th May 1932, should in no case be exceeded. Where the existing scales of pay involve expenditure in excess of the prescribed maximum limit, the district or taluk board concerned should revise the scales of pay in accordance with the Special Officer's recommendation.

4. *Paragraph 19 (ii)—Communications.*—The Government cannot accept the suggestion that panchayats may be allowed to lay out and maintain village roads without the necessity to follow the formal Public Works Department procedure and without the supervision or assistance of the district engineering staff.

5. *Paragraph 19 (iii) of the report—Expenditure on secondary schools.*—The Government do not approve the suggestions of the Special Officer in respect of introduction of uniform scales of pay for the staff in board secondary schools nor in respect of fixing the strength of the staff in each school nor in respect of prescribing a maximum for the net cost of each school.

6. *Paragraph 19 (iv) of the report—Public health.*—The Government are not prepared to take over the public health services now administered by local bodies.

7. *Paragraph 24 of the report—Bus licence-fees.*—Maximum rates for licence fees on buses have been fixed in a Bill recently passed by the Local Legislative Council.

8. *Paragraph 25 (b)—Levy of fees from well-to-do patients in medical institutions.*—The Government do not consider it necessary to make any change in the existing practice.

9. *Paragraph 27 of the report—The maintenance of road motor services by district boards.*—The question will be considered in connexion with the proposal for the co-ordination of road development with railways.

10. *Paragraph 41 of the report—General suggestions for improving the revenues of district boards.*—The Government are unable to accept the suggestions contained in this paragraph.

11. *Paragraph 61 of the report.*—The Government agree with the Special Officer that the replacement of municipal dispensaries by aided dispensaries would be one method of reducing the expenditure of municipal councils on medical relief, but they consider that such a step is not practicable at the present time.

The question of provincializing taluk headquarter medical institutions which are now under the control of local bodies and also that of introducing cheaper and more modern conservancy methods are under the consideration of Government.

[29th January 1934]

12. *Paragraph 62 of the report—Property tax.*—The Government cannot accept the suggestion that appeals against municipal taxes should lie to a court. They consider it unnecessary to fix any time-limit for the presentation of revision petitions against property tax assessments. Section 89 of the Madras District Municipalities Act, 1920, imposes an obligation on owners of properties to give notice to the chairman about the construction or reconstruction of buildings. No further provision of law is required in this regard.

The Government trust that the appointment of commissioners of municipalities will lead to an improvement in the assessment and collection of taxes.

13. *Paragraph 63 of the report.*—The Government of India have refused to permit the income-tax department to furnish any particulars for the assessment of profession tax.

14. *Paragraph 64 of the report.*—The Special Officer's suggestions for the development of the income from markets are commended to municipal councils for adoption.

The question of fixing maximum rates for the licence fees on the various trades is under the consideration of the Government.

The period of repayment of loans for electric lighting schemes should be ordinarily limited to 20 years as at present. Municipal councils are advised to form special committees with a proportion of business men serving thereon under section 24 of the Madras District Municipalities Act, 1920, to administer electrical undertakings.

15. *Paragraph 65 of the report.*—The Government are unable to accept the suggestion that contributions by municipal councils from the general revenues to the Elementary Education Fund should be discontinued, since the discontinuance of the contribution would in most cases, result in a serious deficit in the Elementary Education Fund.

16. *Paragraph 67 of the report.*—Municipal councils are advised to augment their income from the property tax on non-agricultural lands and from the tax on entertainments as far as practicable. Local bodies are also advised to improve their income from profession tax.

The suggestions of the Special Officer regarding the levy of taxes on retail sales and on betting are not acceptable. Ground-rents collected in municipal towns in excess of a flat rate of Rs. 6-4-0 per acre are already transferred to municipal councils. The tax on circumstances and property is not levied in this Presidency.

17. The other suggestions of the Special Officer relating to elementary education are under the consideration of Government in connexion with general questions such as the consolidation and concentration of schools and the Government do not consider it necessary to pass any specific orders at present.

29th January 1934]

18. Separate orders will be issued on the other suggestions contained in the report.

(By order of the Government, Ministry of Local Self-Government)

E. CONRAN SMITH,
Secretary to Government.

To all Presidents of District Boards.
 „ all Presidents of Taluk Boards.
 „ all Chairmen of Municipal Councils.
 „ all Collectors.
 „ the Inspector of Municipal Councils and Local Boards.
 „ the Examiner of Local Fund Accounts.
 „ the Surgeon-General (with copy of report).
 „ the Director of Public Health (with copy of report).
 „ the Sanitary Engineer (with copy of report).
 „ the Director of Town-Planning (with copy of report).
 „ the Law (Education) Department.
 „ the Finance Department.
 „ the Public Works and Labour Department (with copy of report).
 „ the Revenue Department (with copy of report).
 „ the Secretary, Legislative Council, for placing the Government Order on the table of the Legislative Council.

APPENDIX XV.

[Vide item XIII—Papers laid on the table of the House at page 104 supra.]

LAW (GENERAL) DEPARTMENT.

U.O. NOTE No. 4210 A-4, DATED THE 21ST DECEMBER 1933.

COMMUNICATION TO THE LEGISLATIVE COUNCIL.

With reference to the answer to the supplementary question to the Legislative Council Question No. 308 answered on the 3rd November 1933, the information contained in the annexure hereto is placed on the table of the House.

V. N. VISWANATHA RAO,
Secretary to Government.

To the Secretary, Legislative Council Office.

ANNEXURE.

Question No. 308—Starred.

Mr. K. A. NACHIYAPPA GOUNDER.

Will the Hon'ble the Law Member be pleased to state—

(a) whether there is any post-mortem shed in Yedapadi in the Salem district;

(b) whether there are proposals to construct any, if there is none there;

(c) if so, at what stage it is and when it is likely to be finished;

and (d) where post-mortem is being conducted there now?

[29th January 1934]

Answer.

(a) No.

(b) and (c) There is a proposal to construct a post-mortem shed at Yedapadi at an estimated cost of Rs. 860, but no provision has been included for it in the budget estimates for 1934-35 as the work has not been considered urgent.

(d) Post-mortem is now being conducted at Yedapadi in the open behind the dispensary building.

APPENDIX XVI.

[Vide item XIII—Papers laid on the table of the House at page 104 supra.]

G.O. No. 817, Finance, dated 20th December 1933.

READ—the following paper:—

From Mr. W. O. WRIGHT, M.L.C., dated 8th December 1933.

Order—No. 817, Finance, dated 20th December 1933.

The Government are pleased to accept the resignation tendered by Mr. W. O. Wright, M.L.C., of his membership of the Standing Finance Committee of the Madras Legislative Council.

(By order of the Governor in Council)

S. A. VENKATARAMAN,
Deputy Secretary to Government.

To W. O. Wright, Esq., M.L.C.

„ all Members of the Finance Committee.

„ the Accountant-General.

„ all Secretaries to Government.

„ all Departments of the Secretariat (all sections).

Copy to the Legislative Council for communication to the Members of the Legislative Council.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR
OF MADRAS.

Tuesday, the 30th January 1934.

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.	Madanagopal Nayudu, Mr. R.
Krishnan Nayar, Kt., The hon. Diwan Bahadur Sir M.	Mahboob Ali Baig Sahib Bahadur.
Campbell, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., The hon. Sir Archibald.	Mahmud Schammad Sahib Bahadur, Khan Bahadur.
Stokes, K.C.I.E., C.S.I., I.C.S., The hon. Sir Hopetoun.	Manikkavelu Nayakar, Mr. M. A.
Raja of Bobbili, The hon. the.	Methrell, Mr. J. K.
Rajan, The hon. Mr. P. T.	Millar, Mr. W. H.
Kumaraswami Reddiyar, The hon. Diwan Bahadur S.	Moidoo Sahib Bahadur, Khan Bahadur T. M.
Abdul Hameed Khan Sahib Bahadur.	Moses, Mr. P. C.
Ahmed Miran Sahib Bahadur.	Muhammad Meera Ravuttar, Mr. K. P. V. S.
Alamelumangathayaramma, Mrs. K.	Muniswami Nayudu, Diwan Bahadur B.
Annamalai Chettiyar, Mr. S. A. A.	Muthiah Chettiyar, Mr. M. A.
Appadurai Pillai, Diwan Bahadur A.	Muthu Chettiyar, Rao Bahadur P. C.
Arasu, Mr. V. T.	Nachiyappa Gounder, Mr. K. A.
Basheer Ahmed Sayeed Sahib Bahadur.	Nadimuthu Pillai, Mr. A. Pl. N. V.
Basu Dev. Mr. C.	Nanjappa Bahadur, Subadar-Major S. A.
Bayappa Reddi, Mr. P.	Narasa Reddi, Mr. T.
Beyabani Sahib Bahadur, S. M. K.	Narasimhaswami, Rao Sahib D. V.
Bhanoji Rao, Mr. A. V.	Narayanan Nambiyar, Mr. V. P.
Birley, Mr. F.	Natesa Mudaliyar, Rao Bahadur C.
Davis, Mr. J. A.	Palat, Mr. R. M.
Devadasan, Mr. M.	Pannirselvam, Rao Bahadur A. T.
Dharmalingam Pillai, Rao Sahib V.	Parthasarathi Ayyangar, Mr. C. R.
Duraiswami Reddiyar, Mr. K. M.	Patnaik Mahasayo, Sriman M. G.
Ellappa Chettiar, Diwan Bahadur S.	Patro, Kt., Rao Bahadur Sir A. P.
Gopalaswami Mudaliyar, Diwan Bahadur M.	Pattagar of Palayakottai, Rao Bahadur.
Gopalaswami Ayyangar, Diwan Bahadur N.	Peddi Raju, Mr. P.
Harischandrudu Nayudu, Mr. A.	Pocker Sahib Bahadur, B.
Hood, Esq., I.C.S., Mr. H. M.	Premayya, Mr. G. R.
Indrayya, Mr. C.	Rajagopala Pillai, Mr. P. V.
Jagannatha Raju, Rao Bahadur G.	Raja of Khallikote.
Jagannatham, Mr. H. M.	Ramachandra Padayachi, Mr. P. K.
Jayaram Nayudu, Rao Sahib C.	Ramakrishna Reddi, Mr. A.
Kesavaramamurti Nayudu, Mr. K.	Ramamurti, Rao Sahib Pandit Ganala.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.	Raman Menon, Mr. K. P.
Koti Reddi, Mr. K.	Ramaswami Ayyar, Mr. T. S.
Krishnayya Choudari, Mr. P. V.	Ramaswami Mudaliyar, Mr. V. M.
Krishnamurti, Rao Bahadur D.	Ranganatha Mudaliyar, Mr. A.
Krishnan, Mr. C.	Ranganatha Mudaliyar, Mr. G.
Krishnaswami Ayyar, Kt., Diwan Bahadur Sir Alladi.	Ranganatha Mudaliyar, Mr. M. D. T.
Kuppuswami Choudari, Mr. J.	Rangaswami Reddi, Mr. M. B.
Ladden, Mr. W. W.	Ratnasahapati Mudaliyar, Diwan Bahadur C. S.
Lakshmana Reddi, Mr. G.	Sahajanandam, Swami A. S.
Langley, Mr. W. K. M.	Sami Venkatachalam Chetti, Mr.
	Sesha Reddi, Mr. B. P.
	Shetty, Mr. A. B.
	Simhachalam Pantulu, Mr. G.

[30th January 1934]

PRESENT—cont.

Singam Ayyangar, Mr. K.
Siva Raj. Rao Sahib N.
Smith, C.I.E., I.C.S., Mr. E. Conran.
Soundara Pandian, Mr. W. P. A.
Sreshta, Mr. M. S.
Srinivasa Ayyangar, Mr. T. C.
Srinivasan, Rao Bahadur R.
Sriramulu, Mr. G.
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.
Venkatarama Ayyar, Mr. K. R.
Venugopal Nayudu, Rao Bahadur R. K.
Viswanatha Rao, Diwan Bahadur V. N.
Yahya Ali Sahib Bahadur, Khan Bahadur.
Yakub Hasan Sahib Bahadur.
Zamindar of Chemudu.
Zamindar of Kirlampudi.
Zamindar of Mirzapuram.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Education

Sanction of Government for the appointment of religious instructors in Muhammadan schools.

* 538 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether it is a fact that a Government Order has been issued permitting the appointment of religious instructors for Muhammadan pupils in recognized Muhammadan secondary and elementary schools;

(b) under what category are such instructors to be classified by district educational councils for calculating grants to these teachers; and

(c) what the reasons are for the Government according such permission only to the Muhammadan community?

A.—(a) The hon. Member is referred to G.O. No. 1727, Education, dated 22nd September 1933, which has been placed at the disposal of the press.

(b) Religious instructors as such are not eligible for grants from district educational councils.

(c) The Government Order quoted above explains the reasons for the concessions allowed therein in regard to the provision of religious instruction for Muslim pupils.

Mr. K. KOTI REDDI:—“ May I ask the hon. Minister whether he will consider the question of introducing religious instruction with regard to other communities also? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ The Government Order itself distinguishes the case of Muslims from other communities and gives special reasons for making this concession in favour of the Muslims. I do not see, in the circumstances, how this question arises at all.”

[30th January 1934]

Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I know whether the Government think that the other communities do not require this religious instruction? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ It does not follow at all.”

Industries

Disbandment of weaving parties.

* 539 Q.—Mr. ABDUL HAMEED KHAN: Will the hon. the Minister for Education and Excise be pleased to state—

(a) why weaving parties are disbanded; and

(b) whether there is any proposal before the Government to revive them in the near future?

A.—(a) The weaving parties were disbanded as a measure of retrenchment principally, because it was reported that the weavers had not come forward to benefit by the assistance which the parties offered.

(b) No.

Mr. ABDUL HAMEED KHAN:—“ May I ask whether the Government will consider the advisability of reviving these weaving parties? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ Not until the finances improve substantially.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I enquire if other measures necessary for the relief of the condition of weavers are contemplated? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ This money is required for other expenditure.”

Mr. K. KOTI REDDI:—“ May I know whether the Government have investigated the reason why the weavers are unwilling to take advantage of the benefits which the parties offered? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ It is a matter which the weavers can answer better than the Government.”

Mr. K. KOTI REDDI:—“ May I know whether the Government is investigating into these reasons? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ We know the fact that they do not take interest in these matters.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I know whether the large number of weavers and their dependents do not require relief? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I cannot answer a question like that offhand.”

[30th January 1934]

Agriculture

Levy of duty by His Exalted Highness the Nizam's Government on rice exported from this Province.

* 540 Q.—Mr. P. V. KRISHNAYYA CHOUDARI:—“ Will the hon. the Minister for Public Works be pleased to state—

(a) whether the Government have received any reply from the Government of His Exalted Highness the Nizam on the matter referred to in answer to question No. 322, dated 3rd November 1933; and

(b) whether they have addressed the Government of India on the question of negotiating the modification of the commercial treaty of 1802 with His Exalted Highness the Nizam by the removal of 5 per cent duty on rice?

A.—(a) His Exalted Highness the Nizam's Government are still considering the matter.

(b) No.

Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I ask why the Government have not mentioned this matter and addressed a letter to the Government of India? ”

The hon. Mr. P. T. RAJAN:—“ Unless we know what the Government of His Exalted Highness the Nizam has to say in the matter, we cannot do anything.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ My question is about the removal of the 5 per cent duty on rice? ”

The hon. Mr. P. T. RAJAN:—“ We are awaiting the reply of the Nizam's Government.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I know when correspondence was started with the Nizam's Government on this point? ”

The hon. Mr. P. T. RAJAN:—“ I cannot say off-hand.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I know whether any reply has been received? ”

The hon. Mr. P. T. RAJAN:—“ The printed answer contains the information.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ The answer says that the Nizam's Government are still considering the matter. My question is whether any reply has been received? ”

The hon. Mr. P. T. RAJAN:—“ I am afraid I cannot add anything to what has already been said.”

Measures for improving the level of prices of paddy and other agricultural produce.

* 541 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the hon. the Minister for Public Works be pleased to state categorically what specific steps have been taken till now and what proposals are still

30th January 1934]

under consideration of the Government for bringing about an improvement in the prices of paddy and other agricultural produce in this province?

A.—The attention of the hon. Member is invited to the answers given to questions Nos. 85 and 354 on 2nd August 1933, and 4th November 1933, respectively. The Agent, South Indian Railway, has since reported that the concession rates of railway freight for rice exported to Colombo would be continued until a further notification is issued. The Government have also under consideration in connexion with the Budget Estimate for 1934-35 proposals for the constitution of a Provincial Marketing Board and the appointment of a Provincial Marketing Officer to assist the Board in improving the marketing facilities for agricultural produce. The Government propose to appoint at once a special officer to conduct preliminary inquiries and collect statistics in regard to the prices of rice and the marketing facilities available for it which will be useful to the Provincial Marketing Officer proposed to be appointed in the next financial year.

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—“ May I know whether the Government have done anything to prevent the importation of Japan and Siam rice into our province? ”

The hon. Mr. P. T. RAJAN:—“ The Government have not done anything in the matter, because the quantity imported is not such as to warrant action.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ Besides taking action in the manner done, viz., the appointment of a special officer or provincial marketing officer, may I ask whether the Government have explored the possibility of establishing co-operative sales and marketing society? ”

The hon. Mr. P. T. RAJAN:—“ The special officer will consider that question.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ Sir, the Telugu districts are all bordering on the M. & S.M. Railway. May I know why the Government have not taken steps to secure concession rates from that railway? ”

The hon. Mr. P. T. RAJAN:—“ If there is necessity for getting concession from the M. & S.M. Railway, the Government will take steps therefor.”

Mr. ABDUL HAMEED KHAN:—“ Are Government taking any steps to control the import of foreign rice? ”

The hon. Mr. P. T. RAJAN:—“ This Government are not taking any steps.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I ask whether the duties proposed to be given to the provincial marketing officer cannot be done by the Co-operative Department? ”

[30th January 1934]

The hon. Mr. P. T. RAJAN:—"To some extent they can and they are doing them."

Mr. M. S. SRESHTA:—"Are there any figures showing the quantity of foreign rice imported?"

The hon. Mr. P. T. RAJAN:—"Notice, Sir."

Mr. K. P. RAMAN MENON:—"Have the Government taken steps to prevent the bringing in copra from Ceylon?"

The hon. Mr. P. T. RAJAN:—"No."

Mr. K. KOTI REDDI:—"Are the Government prepared to recommend to the Government of India the imposition of a heavy duty on rice imported into this country?"

The hon. Mr. P. T. RAJAN:—"The hon. Member's suggestion will be considered."

Local Self-Government

No-confidence motion against the President, Taluk Board, Guntur.

* 542 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the hon. the Minister for Local Self-Government be pleased to state what action the Government have taken on the vote of no confidence passed by the Taluk Board, Guntur, on its president?

A.—Government have taken no action in the matter as the question whether or not the motion had been passed by the requisite majority was not free from doubt.

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I ask why the Government have not taken any action on the resolution passed by the Guntur Taluk Board?"

The hon. the RAJA OF BOBBILI:—"For the information of the hon. Member, I may state that we have issued a notice to the Taluk Board to show cause why it should not be dissolved."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Is it after the passing by that taluk board of the motion of no-confidence in its chairman that the order to show cause against dissolution was issued?"

The hon. the RAJA OF BOBBILI:—"The reasons are stated in the notice. But I may state there has been a deadlock in the taluk board for the last so many months."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I ask whether the Government have mentioned the no-confidence resolution in their notice?"

The hon. the RAJA OF BOBBILI:—"The no-confidence motion has nothing to do with our action."

[30th January 1934]

Mr. P. V. KRISHNAYYA CHOUDARI:—"My question is whether the Government have passed any orders on the no-confidence motion passed by the Guntur Taluk Board?"

The hon. the RAJA OF BOBBILI:—"As the matter is not free from doubt, the Government have left the matter to be decided in a court of law."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know whether the Government have asked them to go to a court of law?"

The hon. the RAJA OF BOBBILI:—"I never stated any such order has been passed."

Mr. ABDUL HAMEED KHAN:—"I find from the answer given here that the matter is not free from doubt. May I ask what the circumstance was that was responsible for this Government taking the drastic step of dissolution?"

The hon. the RAJA OF BOBBILI:—"There is no connexion between the two cases. The reason for issuing the notice was the deadlock existing there for the last so many months."

Medical Administration

Women's dispensary, Sivaganga.

* 543 Q.—Mrs. K. ALAMELUMANGATHAYARAMMA: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the average number of males, females and children daily attending the out-patients' women's dispensary in the Government Hospital at Sivaganga;

(b) whether a largely signed memorial from the citizens of Sivaganga has been received by the Government stating that there is no longer any need for the continuance of the Government Women's Dispensary; and

(c) what action the Government have taken on the memorial?

A.—(a) There is no separate dispensary for women in the Government Hospital at Sivaganga. A statement^a showing the daily average attendance of patients in the out-patients' department of the Government Hospital, Sivaganga, is laid on the table.

(b) A memorial signed by about 126 persons was received by the Government.

(c) As there is no separate Government dispensary for women at Sivaganga, the Government did not take any action on the memorial.

[30th January 1934]

Irrigation*Irrigation Conference between the Madras and the Mysore Governments regarding the Palar river.*

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

(a) whether the question of the failure of freshes in the Palar river was discussed in the Conference reported to have taken place recently between the Madras and Mysore Governments;

(b) whether the attention of this Conference was drawn to the findings of the Committee of Enquiry appointed by the Madras Legislative Council;

(c) the decisions, if any, arrived at; and

(d) whether the Government will be pleased to publish the proceedings of the Conference?

A.—(a) The question that was discussed at the Conference was the supply by Mysore of certain statistics and other information relating to tanks in Mysore territory in the Palar basin.

(b) Yes.

(c) The decision was that Mysore undertook to examine whether, and to what extent it was possible to supply the information asked for by this Government and if so, at what cost.

(d) There are no proceedings of the Conference relating to this matter requiring publication other than the decision referred to in the answer to clause (c) above.

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I know, Sir, why the information called for by the Palar Committee regarding the capacity of certain tanks in the Palar basin has not been furnished? ”

The hon. Sir ARCHIBALD CAMPBELL:—“ I have explained before now, and I think it is also explained in the answer to this question, that we have been in correspondence with the Mysore Government regarding the obtaining of the information asked for by the Committee. The Mysore Government have now undertaken to make an examination to see whether the information required can be supplied at a reasonable cost.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I ask the hon. the Revenue Member whether it is not a fact that the attention of the Madras Government has been called to certain encroachments in the capacity and certain improvements in the Mysore territory of the Palar basin and, if so, what answer they have to give to this encroachment? ”

The hon. Sir ARCHIBALD CAMPBELL:—“ Allegations have been made to that effect, but the Mysore Government have not admitted them.”

[30th January 1934]

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I know what steps the Madras Government have taken to verify the truth or falsity of the allegations made? ”

The hon. Sir ARCHIBALD CAMPBELL:—“ In one case a sepecific allegation was made of encroachment in a tank near Kolar; enquiries were made in that case and the allegations proved to be false.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I ask whether the attention of the hon. the Revenue Member has not been called to the fact that even an executive engineer of the Government has drawn the attention of the Government to the fact that one large tank—the Ammankarai tank—has been improved upon to the detriment of the ayacutdars of the Palar basin? ”

The hon. Sir ARCHIBALD CAMPBELL:—“ I must ask for notice of the question.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ Will the hon. Member consider the seriousness of the situation and the immediate desirability of ascertaining the truth of that allegation? ”

The hon. Sir ARCHIBALD CAMPBELL:—“ I have already stated that I require notice of the question relating to the allegation.”

Information called for by the Palar Enquiry Committee.

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

(a) whether the information called for by the enquiry committee with reference to certain tanks in the Palar basin has been furnished by the Mysore Government;

(b) when was the information called for; and

(c) what steps the Government propose to take to ascertain and collect the information required at least now?

A.—(a) No.

(b) 27th April 1931 and lastly at the Conference of the 4th September last held at Bangalore.

(c) The attention of the hon. Member is invited to the answer to clause (c) of question No. 544.

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I ask whether during these 2½ years no information has been forthcoming and whether this is a satisfactory state of affairs in the view of the Government? ”

The hon. Sir ARCHIBALD CAMPBELL:—“ I have already stated that we have asked for steps to be taken by the Government of Mysore

[30th January 1934]

to obtain as much information as possible. This is not information which is at the disposal of this Government and we cannot get it by force from the Mysore Government. We can only get it by negotiation and we are carrying on negotiations."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask how long this question has been before the Government? "

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

Decision of the Mysore Government regarding the supply of more water to the Palar.

* 546 Q.—Diwan Bahadur A. APPADURAI PILLAI: Will the hon. the Member for Revenue be pleased to state—

(a) whether the question relating to the paucity of freshes in the Palar river has been discussed with the officers of the Mysore State, and finally settled;

(b) if so, whether in accordance with that decision, the Mysore Government have undertaken to let down more water into the Palar, to the benefit of the ryots dependent on the Palar supply; and

(c) whether the Government would be pleased to publish the decision reached for the information of the public?

A.—The hon. Member's attention is invited to the answer to question No. 544.

Diwan Bahadur A. APPADURAI PILLAI:—" May I ask whether the Government of Mysore have furnished the statistics required? "

The hon. Sir ARCHIBALD CAMPBELL:—" I have not received any statistics."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask whether it is the intention of this Government not to press for statistics, if the Mysore Government thinks that the cost would be heavy? "

The hon. Sir ARCHIBALD CAMPBELL:—" When we know what the cost would be, we can consider whether we should pay for it. We cannot expect the Mysore Government to spend a lot of money to provide information for us."

Mr. V. M. RAMASWAMI MUDALIYAR:—" Under the treaty, certain obligations are placed upon the Mysore Government by the British Government. When the allegation is that this obligation has been broken, is it not the duty of the Mysore Government to answer the allegation? "

The hon. Sir ARCHIBALD CAMPBELL:—" I do not think it is clear that the treaty obligations have been broken. The person making those allegations should prove them."

30th January 1934]

Mr. V. M. RAMASWAMI MUDALIYAR:—" Will the hon. Member act if a definite concrete instance of how this obligation has been broken is placed in his hands? "

The hon. Sir ARCHIBALD CAMPBELL:—" I will consider the question, Sir."

Information called for from the Mysore Government regarding the Palar irrigation.

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

(a) with reference to question No. 546, dated 3rd November 1931, and question No. 58, dated 2nd August 1933, whether the information called for from the Mysore Government regarding Palar irrigation has since been received;

(b) if so, whether the Government will be pleased to place it on the table of this House; and

(c) if not, what the delay is due to?

A.—The hon. Member's attention is invited to the answers to question Nos. 544 and 545.

Suspension of the tank restoration schemes.

* 548 Q.—A. M. AHMED MIRAN SAHIB Bahadur: Will the hon. the Member for Revenue be pleased to state—

(a) when exactly the tank restoration schemes were suspended, and for what reasons;

(b) when they would be resumed; and

(c) whether the Government are aware of the heavy damage sustained by the minor irrigation sources during the recent heavy floods in the districts of Tinnevely and Ramnad?

A.—(a) In December 1931, as a measure of retrenchment.

(b) They will be resumed only after a definite improvement in the financial position has established itself as explained in answer to question No. 477 given on 24th January 1933 and to question No. 738 given on 22nd March 1933.

(c) Yes.

Mr. DANIEL THOMAS:—" May I know, with reference to clause (c), what measures the Government are proposing to take in order to remedy the damages sustained by minor irrigation sources in Ramnad and Tinnevely? "

The hon. Sir ARCHIBALD CAMPBELL:—" The damages are being repaired as rapidly as possible."

[30th January 1934]

11-15 a.m. Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—" May I know from the hon. the Revenue Member whether the Government propose to do anything in the direction of restoring the tanks in the Ceded Districts during the financial year? "

The hon. Sir ARCHIBALD CAMPBELL:—" I must ask for your ruling, Mr. President, whether that question arises out of the question under discussion."

The hon. the PRESIDENT:—" From clause (c) of the question it is clear that the question only refers to Ramnad district. Therefore the question of Mr. Gopalaswami Mudaliyar is not in order."

Removal of silt in the Kanigiri Reservoir.

* 549 Q.—The KUMARARAJA OF VENKATAGIRI: Will the hon. the Member for Revenue be pleased to state whether the Government have considered the desirability and necessity of removing silt in the Kanigiri reservoir and if so, what their proposals are?

A.—No.

Khan Bahadur YAHYA ALI SAHIB Bahadur:—" May I know from the hon. the Revenue Member whether the necessity of removing silt in the Kanigiri reservoir was brought to the notice of the Government? "

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

Khan Bahadur YAHYA ALI SAHIB Bahadur:—" May I know from the hon. Member, when he inspected this place recently, whether he was personally informed of the necessity of carrying out this work? "

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

Provision of falling shutters on the Pennar anicuts at Sangam and Nellore.

* 550 Q.—The KUMARARAJA OF VENKATAGIRI: Will the hon. the Member for Revenue be pleased to state—

(a) at what stage is the proposal to fix up falling shutters on the Pennar anicuts at Sangam and Nellore;

(b) when the work is likely to be taken up and completed; and

(c) whether any provision will be made in the budget for 1934-35 for the same?

A.—(a) The proposal is under the consideration of the Board of Revenue.

(b) It is not possible to say.

(c) No.

Khan Bahadur YAHYA ALI SAHIB Bahadur:—" With reference to the answer given to clause (a) of this question, may I know from the

[30th January 1934]

hon. Member for how long the question has been under the consideration of the Board of Revenue and when they are likely to come to a conclusion? "

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

Public Service

Employment of ex-army men by Collectors and District Judges.

* 551 Q.—Subadar-Major S. A. NANJAPPA Bahadur: Will the hon. the Member for Revenue be pleased to state—

(a) the number of applications for appointment received from ex-army men by the Collectors and District Judges in each district since 1st January 1933;

(b) the number of ex-army men given employment in the Collectorate as well as the District Judges' offices in each district;

(c) the number of applications for employment rejected and the reasons thereof;

(d) the number of new appointments made in the department; and

(e) the number of applications for employment from the sons of ex-army men, number employed and the number rejected and the reasons thereof for each district?

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

(c) A statement^a embodying the information available with the Government is annexed.

Administration of Justice

Appearance before Sub-Magistrates' Courts of persons not qualified to act as pleaders.

* 552 Q.—Sriman M. G. PATNAIK Mahasayo: Will the hon. the Law Member be pleased to state—

(a) whether complaints have been received by the Government that, contrary to the provisions of law, certain persons not qualified to practise as pleaders are allowed systematically to appear and conduct criminal cases in the Courts of the Sub-Magistrates of Narasannapeta, Parlakimedi, Tekkali, Russellkonda (in the Ganjam district) and of Vizianagram, Palkonda, Chipurupalle and Narasapatam (of the Vizagapatam district); and

(b) the action taken by the Government on such complaints?

A.—(a) Certain resolutions passed at the general body meeting of the Ganjam Bar Association held on the 18th December 1933 have been communicated to Government.

(b) No action has been taken by Government on the resolutions.

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I know from the hon. the Law Member whether any action is contemplated to be taken by

[30th January 1934]

the Government against those unauthorized persons who have been practising in those courts? ”

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ It is a matter entirely for the High Court.”

Forests

Memorandum on forest grievances submitted by the South Kanara Landholders' Association.

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

(a) whether the Government have recently received a memorandum on the forest grievances submitted by the South Kanara Landholders' Association; if so, whether the hon. Member will be pleased to lay a copy of the same on the table of the House; and

(b) what action the Government have taken or propose to take on the same?

A.—(a) Yes. The Memorandum^a is placed on the table of the House.

(b) It is under the consideration of the Government.

Prisons and Prisoners

Supply of buttermilk to 'C' class prisoners.

* 554 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the hon. the Law Member be pleased to state whether any orders have been passed by Government regarding the supply of buttermilk to 'C' class prisoners as promised by the hon. Member during the last meeting; if not, when it is likely to be passed?

A.—The answer to the first part of the question is in the affirmative. The second part of the question does not arise.

Mr. ABDUL HAMEED KHAN:—“ May I know if the hon. the Law Member has issued orders that buttermilk should be supplied to 'C' class prisoners? ”

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

Mr. ABDUL HAMEED KHAN:—“ May I know whether the hon. the Law Member proposes to do it? ”

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ I do not propose to do it.”

Mr. K. KOTI REDDI:—“ May I know from the hon. the Law Member what orders then have been passed regarding this question? ”

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ My answer to my Friend, Mr. Abdul Hameed Khan's question, implies the answer to this question. The order is that buttermilk will not be included in the diet to 'C' class prisoners.”

^a Printed as Appendix III at pages 200-210 infra.

[30th January 1934]

Mr. ABDUL HAMEED KHAN:—“ May I know if the Government have stated any reasons for disallowing the supply of buttermilk? ”

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ Government have plenty of reasons for passing such an order.”

Mr. ABDUL HAMEED KHAN:—“ May I have some of the reasons from the hon. Member for not supplying buttermilk to 'C' class prisoners? ”

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ One of the reasons is that the number of civil disobedience prisoners on whose behalf this demand for the supply of buttermilk is being made has fallen considerably. The number at the end of December 1933 is roughly 160. I believe it is even less than that now.”

Mr. ABDUL HAMEED KHAN:—“ May I know, if the number increases, the Government propose to introduce the supply of buttermilk? ”

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ That will be considered when the number increases again.”

Mr. K. KOTI REDDI:—“ May I know if the Government will be pleased to issue a communiqué giving all the reasons for not supplying buttermilk to 'C' class prisoners for our edification and future action? ”

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

UNSTARRED QUESTION

Economic Condition

Damage to life and property due to the cyclone.

555 Q.—Mr. M. B. RANGASWAMI REDDI: “ Will the hon. the Member for Revenue be pleased to state—

(a) in what parts of the Presidency the recent cyclone worked its havoc;

(b) what the extent of damage caused to property, livestock and lands is;

(c) the number of casualties; and

(d) what steps have been taken to compensate for the damage caused, if any?

A.—The attention of the hon. Member is invited to the Press Communiqué, dated the 12th January 1934.

NON-OFFICIAL BUSINESS.

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

II.—A BILL TO AMEND THE MADRAS IMPARTIBLE ESTATES ACT, 1904 (BILL No. 11 OF 1932).

* Sriman M. G. PATNAIK Mahasaya:—“ Mr. President, Sir, I beg to present the Madras Impartible Estates Act, 1904 (Bill No. 11^a of 1932) as reported on by the Select Committee and move that the Bill, as amended by the Select Committee, be taken into consideration.”

^a Published in the Fort St. George Gazette on 5th December 1933.

[30th January 1934]

Diwan Bahadur B. MUNISWAMI NAYUDU:—"I second it."

* Mr. C. BASU DEV:—"I rise to move that the consideration of this Bill be adjourned till 1st February 1934. I understand that there are objections to some of the provisions of the Bill, as emerged from the Select Committee, and there must be enough time for this House to consider those changes. There is also another important Bill of a similar nature which has to be carried through in this House. In these circumstances I have pleasure in moving that the consideration of this Bill be adjourned till 1st February 1934."

Mr. A. V. BANOJI RAO:—"I second the motion."

* The hon. the PRESIDENT:—"The motion is that the consideration of the Madras Impartible Estates Act Amendment Bill (Bill No. 11 of 1932) be adjourned till 1st February 1934."

Mr. ABDUL HAMPEED KHAN:—"Sir, I am surprised at the attitude taken by my hon. Friend, Mr. C. Basu Dev. I do not believe that it is with a view to enable another important Bill being carried through in this House that this Bill is sought to be adjourned. At the same time I would certainly tell my hon. Friends in this House that this Bill was before the Select Committee for a very long time and in considering the various aspects of this Bill opportunity was given to the zamindari Members of the Committee to put their case before the Committee. I am sure that my hon. Friends on the other side will not contradict me when I say that there was practical unanimity in the Committee and hon. Members representing zamindari interests had nothing to say against the Bill and it is with their full co-operation that this Bill has emerged from the Select Committee. If any other hon. Member of this House, other than those representing zamindari interests, were to object to the motion of my hon. Friend, Mr. Patnaik, I could understand it. I hope that the legislations brought forward by non-official Members of this House will not be treated in this manner by Members sitting on the Government Benches by means of dilatory motions with the ostensible object of allowing more time and all that, but really with the object of preventing the Bill from being passed into law."

* The hon. the RAJA OF BOBBILI:—"Sir, there is no intention of obstructing or delaying the Bill from being passed into law. For the last three or four days fresh amendments were given notice of and yesterday we wanted to have an opportunity of discussing them, and come to an understanding. But I was not well yesterday, and the Kumararaja of Venkatagiri also had fever last night, and we could not settle the matter. We have not had sufficient time to look through the fresh amendments that have been given notice of. I consulted the Leaders of all Parties and it is only with their concurrence that this motion is being moved."

* Sriman M. G. PATNAIK Mahasayo:—"It is only just to come to an agreement regarding certain amendments that had been given notice

30th January 1934] [Sriman M. G. Patnaik Mahasayo]

of that we wanted to meet together. I had a talk with the Kumararaja of Venkatagiri. Of course as regards the report of the Select Committee, even some zamindars were dissatisfied."

The motion that the consideration of the Bill be adjourned till 1st February 1934 was put and carried.

III.—THE MADRAS MONEY-LENDERS' BILL (BILL No. 21 OF 1932).

* Mr. C. BASU DEV:—"I rise to present the Report ^a of the Select Committee on the Madras Money-lenders' Bill which I had the honour of introducing in the middle of July 1932 and move that the Bill, as amended by the Select Committee, be taken into consideration."

Mr. M. A. MUTHIAH CHETTIYAR:—"Sir, under Standing Order No. 43 which reads: 'that the Bill, as reported by the Select Committee be taken into consideration, but any member may object to its being so taken into consideration if the copies mentioned in Standing Order No. 41 have not been available for the use of Members for fifteen days', I object to this motion being made. Copies of this report were sent to us only on the 23rd and it is hardly seven days. The Report and the Bill should have been with us for fifteen days. I therefore object to the motion being made."

Mr. C. BASU DEV:—"I think that is a matter for which the Council Office is responsible."

Mr. M. A. MUTHIAH CHETTIYAR:—"I can only say this: it has nothing to do with the Council Office. The Committee met only in January between 8th and 10th and the hon. Member has given notice only on the 18th January and the Council Office has published it as quickly as it can. Therefore the Council Office is not to blame."

* The hon. the PRESIDENT:—"I think that no serious objection has been taken to my allowing the objection to-day. I hold that the motion need not be made now."

IV.—THE MADRAS PUBLIC LIBRARIES BILL (BILL No. 11 OF 1933).

* Mr. BASHEER AHMED SAYEED:—"I rise to present the Report ^b of the Select Committee on the Madras Public Libraries Bill and move that the Bill, as amended by the Select Committee, be taken into consideration."

"Sir, I find that there is some hesitancy on the part of the Government on the ground that they have not had enough time to consider the implications of the various provisions of the Bill, as amended by the Select Committee. There has already been a suggestion that they ought to have had time to consider the various amendments in their financial aspect and then come forward to support this Bill. I would

^a Published in the *Fort St. George Gazette* on 16th January 1934.

^b Printed as Appendix IV at pages 210-229 infra.

[Mr. Basheer Ahmed Sayeed] [30th January 1934]

therefore merely make the motion that the Bill be taken into consideration and allow the Government or some one on their behalf to make the motion that the consideration of the Bill be adjourned to the next meeting of the Council."

S. M. K. BEYABANI SAHIB Bahadur:—"I second it."

11-30
a.m.

Mr. ABDUL HAMEED KHAN:—"Mr. President, I beg to move—

'that the consideration of this Bill be adjourned to a non-official day at the next meeting of the Council.'"

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

The hon. Sir MAHOMED USMAN:—"May I know what the hon. Member means by the next meeting of the Council?"

* The hon. the PRESIDENT:—"The hon. Member probably refers to the meeting that will begin on the 21st February. That means that, if non-official days are not allotted for that meeting, the Bill will not be taken up at the meeting."

Mr. ABDUL HAMEED KHAN:—"My motion implies that, if non-official days are allotted for the next meeting, this Bill will be taken up for consideration then."

The hon. Sir MAHOMED USMAN:—"I have no objection."

Mr. R. MADANAGOPAL NAYUDU:—"Will not the same objection raised by Mr. Muthiah Chettiar to the Money-lenders' Bill apply to this Bill also?"

* The hon. the PRESIDENT:—"That question need not be raised now, because there is an agreement on another point."

The question that the consideration of the Bill be adjourned to a non-official day at the next meeting of the Council was put and carried.

V.—A BILL FURTHER TO AMEND THE MADRAS IMPARTIBLE ESTATES ACT, 1904, FOR CERTAIN PURPOSES (BILL NO. 17 OF 1933).

Mr. A. V. BHANOJI RAO:—"Mr. President, Sir, I beg to present the Report^a of the Select Committee on the Bill further to amend the Madras Impartible Estates Act, 1904, for certain purposes (Bill No. 17 of 1933) and move that the Bill, as amended by the Select Committee, be taken into consideration."

Mr. M. A. MUTHIAH CHETTIYAR:—"I second it."

Diwan Bahadur B. MUNISWAMI NAYUDU:—"I rise merely to ask whether the conditions referred to by Mr. Muthiah Chettiar with regard to the Money-lenders' Bill, have been fulfilled in this case. If not, I object to the Bill being taken into consideration now."

* The hon. the PRESIDENT:—"What holds good for another Bill must hold good for this Bill also and therefore I hold that this Bill cannot be taken up now."

^a Published in the Fort St. George Gazette on 9th January 1934.

30th January 1934]

VI.—A BILL TO AMEND THE MADRAS HINDU RELIGIOUS ENDOWMENTS ACT, 1926 (BILL NO. 19 OF 1933).

* Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. President, Sir, I beg to move—

'that the Bill to amend the Madras Hindu Religious Endowments Act, 1926 (Bill No. 19^a of 1933) be referred to a Select Committee.'

In doing so, I want to say a few words. In ancient times, Hindu Rajas granted several inams to *archakas* for the performance of certain religious duties. If the *archakas* failed to discharge those duties, those inams were resumed and granted again to people who discharged those duties. After the advent of the British Government, the same rule is not observed. These inams have been converted into *seri* land and *pattas* have been granted to persons who were enjoying those lands. By this process, the temples which were benefited previously are not benefited now. The defaulters, that is, those who have failed to discharge the duties for which the inams were granted to them get all rights with regard to sale and mortgage of their inams by converting these lands into *seri*. The object of the Bill is to safeguard the interests of the temples and the properties which have been endowed to them by the ancient Rajas. That is the main principle of the Bill and I request hon. Members to accept my motion to refer this Bill to a Select Committee, so that this principle may be given effect to. I move that the following Members may constitute the Select Committee:—

Diwan Bahadur Sir Alladi Krishnaswami Ayyar.

The hon. the Raja of Bobbili.

The hon. Sir Archibald Campbell.

Rao Sahib P. Subrahmanyam Chetti.

Mr. G. Lakshmana Reddi.

Mr. G. Sriramulu.

Diwan Bahadur B. Muniswami Nayudu.

Mr. P. V. Krishnayya Choudari.

Mr. P. Peddiraju.

Mr. K. Singam Ayyangar.

Mr. A. B. Shetty.

Rao Bahadur D. Krishnamurti.

Rao Bahadur C. Natesa Mudaliyar.

Mr. K. Kesavaramamurti Nayudu.

Mr. K. Koti Reddi.

Mr. P. M. Thangal."

* Mr. K. KOTI REDDI:—"Sir, I second the motion of my hon. Friend. I really do not think it is necessary to refer this Bill to a Select Committee, because there is a feeling in this country that already

^a Published in the Fort St. George Gazette on 28th November 1933.

[Mr. K. Koti Reddi] [30th January 1934]

the matter has been delayed too long. But the hon. the Mover has thought it fit to refer the Bill to a Select Committee and I do not wish to say anything about it.

“ With regard to the necessity for a Bill of this sort, there cannot be two opinions. The difficulty has arisen on account of a decision of the Privy Council with regard to inam lands to the effect that what was presumed to be conveyed in cases of such grants was the melvaram and not the kudivaram. On account of this decision, the Government have been granting pattas to alienees of temple property—inam lands. But it was not the intention of the grantors of these inam lands to archakas and other servants of the temple to grant only the melvaram. On account of this decision, inams which concern with the village economy, viz., artizan inams, i.e., inams granted to carpenters, washermen and potters have already in many places been alienated and the Government have granted the pattas to the alienees. In some places the Government grants the assessment to the man who performs the service. This has not helped the villagers much. The case is not so bad with regard to inams connected with temples. Somehow people have been under the impression that such inams cannot be alienated or mortgaged. Recently the impression is changed and a number of cases have occurred in which inams have been alienated or mortgaged with the result that the alienee gets the patta and the Government grants the assessment to the trustees of the temple to get the service performed. Property is thus lost to the temple. Whatever may be the value of the property, there is always a tendency to stick to it and make the best of it. It is certainly more valuable than the mere assessment fixed by the Government. Besides, it was never the intention of the grantors of these properties, as I have already pointed out, to grant anything less than the full title to property to the temple. The present practice is really an inroad on the rights of the temple and it is the result of the decision of the Privy Council. Though it is already late, I do not think it is too late. The time has come when such alienations ought to be prohibited altogether. If there is doubt with regard to the wisdom of the procedure proposed in the Bill, I am sure the Select Committee will go into the matter and amend it. I support the motion moved by my hon. Friend.”

* The hon. Sir ARCHIBALD CAMPBELL:—“ Mr. President, I think I must oppose this motion. The object of this Bill is to provide that ‘in the absence of evidence to the contrary it shall be presumed that all devadayam inams, and inams granted for doing services in temples or maths are grants of both melvaram and kudivaram rights’ and certain other purposes. Sir, at the time of the inam settlement, the distinction between kudivaram and melvaram rights was recognized and all that the Government did in granting those inams was to grant their rights, that is to say, the melvaram rights. It is possible that in certain cases the inamdar might have possessed also the kudivaram right and in that case he would be in possession of both kudivaram and melvaram rights after receiving the inam from the Government. But

30th January 1934] [Sir Archibald Campbell]

unless he is in possession of the kudivaram right when the inam is made, he does not get that right. This Bill would have the effect of dispossessing the tenants of the inamdar who have the kudivaram right. It would be an expropriatory measure in favour of the inamdar and against the kudivaramdar and therefore I am bound to oppose this motion.”

Diwan Bahadur B. MUNISWAMI NAYUDU:—“ Sir, the hon. the Revenue Member has opposed the Bill from one point of view, but he has not so far raised any objection to the real principle of the Bill. No doubt, the Bill, as drafted, is very wide in its scope and it might be considered to affect adversely the existing rights. The main principle of the Bill is this: there are a number of inams consisting of grants of both kudivaram and melvaram which were granted for the performance of certain services. If those services are not performed now and if a case for resumption of those inams is made out, the Government may resume those inams and add them to the property of the temple, so that they may be granted again to persons who perform those services for which the inams were originally granted. That is the main object of the Bill. If the Bill goes to the Select Committee it will be possible to protect the interests of those on whom titles have been conferred. The Government may be in a position to resume certain inams in order to protect the property of the temple and grant them to persons who may be appointed to perform the services in future. Under these circumstances, I think the hon. the Revenue Member will see his way to let the Bill go to the Select Committee so that the objections that he has urged might be removed and necessary safeguards provided by way of exceptions to the general principle of the Bill. So that in future where a case has been made out for the resumption of an inam consisting of both the kudivaram and the melvaram, the resumption might operate in favour of the temple and in favour of the holder of the office who may be doing the services for which the inam was originally granted.”

Mr. DEVADASAN:—“ I move that Standing Order No. 39 (2) be suspended and that the following Members be added to the Select Committee.”

* The hon. the PRESIDENT:—“ The hon. Member may wait till the discussion on this motion is finished. There is opposition raised to the motion itself.”

* Mr. T. C. SRINIVASA AYYANGAR:—“ As my hon. Friend, Mr. Muniswami Nayudu, said, there will no doubt be an opportunity in the Select Committee to set right the difficulties. However, I should not omit to raise my objection to the statement made by the Seconder of this motion that in all cases where an inam has been granted, it is only the melvaram that has been granted and not the kudivaram. I know of innumerable cases in districts south of Madras, cases of inams held by Mussalmans as well as Hindus, where both the varams have

[Mr. T. C. Srinivasa Ayyangar] [30th January 1934]

11-45 a.m. been granted. If they own not only the kudivaram but also the melvaram rights, they cultivate the land either themselves or through others. Except in the case of shares of big villages or whole villages, both kudivaram and melvaram rights are held by the archakas or pattars as they are called in our part of the country. To say that in every case only melvaram was given as emoluments for the services rendered, will not be correct. The Select Committee will have to go into the matter with care so that vested rights are not interfered with and the temple's rights are protected."

* Sriman M. G. PATNAIK Mahasayo:—"Sir, with regard to these minor inams, the presumption is that both the kudivaram and the melvaram rights are granted. There is absolutely no reason why any distinction should be made between kudivaram and melvaram so far as these minor inams are concerned. Of course, the Bill refers to both the kudivaram and melvaram rights. It is simply to show that the entire right should go to the new office-holder and not be retained by the person who held the land previously. No interest in the land should remain with the person dismissed from service. It should go to the person who is newly appointed. It is only with that intention that the words both 'kudivaram and melvaram' are found in the Bill. I do not think we need go into the question at all with regard to these minor inams. As has been suggested, the matter might be gone into at the Select Committee stage."

* Rao Bahadur Sir A. P. PATRO:—"Sir, I have not the advantage of listening to the hon. Member opposing this motion. But from the facts it is quite clear that the minor inamdars have both the rights. It will be hard to deprive them of those rights. In the case of temples, minor inams are granted to the temples themselves. Both melvaram and kudivaram rights are granted in these cases. If the land is resumed, then both the rights will be vested in the temple itself. Therefore it stands to reason that, whenever the inam is again granted to another person, the temple or the institution can give the right to the person succeeding. If the present occupant is dismissed or is deprived of the right, then it will vest in the temple and the temple will have the right to give it to the person who succeeds to the office. It is but right and just that this matter should be considered in the Select Committee."

* Mr. M. DEVADASAN:—"Sir, I move that Standing Order No. 39 (2) be suspended and the following names be added to the list of Select Committee Members:—

- (1) Mr. R. Madanagopal Nayudu.
- (2) Rao Sahib C. Jayaram Nayudu.
- (3) Mr. H. M. Jagannatham.
- (4) Swami A. S. Sahajanandam.
- (5) Mr. V. P. Narayanan Nambiyar.
- (6) Mr. M. A. Muthiah Chettiyar.

30th January 1934] [Mr. M. Devadasan]

This is an important Bill and it is necessary that these persons should be on the Select Committee."

Dr. P. SUBBARAYAN:—"Sir, I am afraid that even on short Bills it seems to have become the practice on the floor of this House to introduce a number of Members after the decision is come to between Leaders of Parties and the names have been suggested. I know that it has been the complaint of the Finance Department that the travelling allowance bill of the Legislative Council is going up because Members seem to desire to be on every Select Committee that can possibly be appointed by this House. I should deprecate hon. Members who are not Leaders of Parties getting up and suggesting names for being included in the Select Committee. I hope hon. Members will have the responsibility to realize that we are here as responsible representatives of the people of the Province and we ought to be as careful about spending the money of the tax-payer as the Government themselves are."

* Mr. M. DEVADASAN:—"I want to offer a personal explanation, Sir. My hon. Friend, Mr. Subbarayan, observed that motions are made without the Members feeling their responsibility. But I have to say that I moved this motion only with the consent of the majority of the Members of the Party of which I am a Member and he is not justified in making such observations."

Dr. P. SUBBARAYAN:—"Sir, may I ask whether he has the permission of the hon. the Raja of Bobbili who is supposed to lead the party behind him?"

* Mr. M. DEVADASAN:—"I made this motion, Sir, at the instance of the Whip of the Party of which I am a member."

Dr. P. SUBBARAYAN:—"Sir, may I ask again whether the Chief Whip has taken the permission of his Leader?"

* The hon. Sir MAHOMED USMAN:—"May I appeal to the hon. Member to withdraw his motion?"

* Mr. M. DEVADASAN:—"In view of the appeal made by the hon. the Leader of the House, I withdraw my motion."

* The hon. the PRESIDENT:—"The question is that the Bill to amend the Madras Hindu Religious Endowments Act, 1926 (Bill No. 19 of 1933) be referred to a Select Committee consisting of the names proposed."

The motion was declared lost.

A poll was demanded and the House divided thus:—

Ayes.

- | | |
|--------------------------------|---------------------------------------|
| 1 Mr. P. Bayappa Reddi. | 8 Rao Sahib P. Subrahmanyam Chetti. |
| 2 " G. Lakshmana Reddi. | 9 " D. V. Narasimhaswami. |
| 3 " M. A. Muthiah Chettiyar. | 10 Rao Sahib Pandit Ganala Ramamurti. |
| 4 " A. V. Bhanaji Rao. | 11 Mr. K. Kesavaramamurti Nayudu. |
| 5 " K. M. Duraiswami Reddiyar. | 12 " J. A. Davis. |
| 6 " H. M. Jagannatham. | 13 Dr. P. Subbarayan. |
| 7 Rao Bahadur D. Krishnamurti. | |

[30th January 1934

Ayes—cont.

- | | |
|--|--------------------------------------|
| 14 Mr. K. R. Venkatarama Ayyar. | 28 Diwan Bahadur C. S. Ratnasabha- |
| 15 Mr. T. C. Srinivasa Ayyangar. | pati Mudaliyar. |
| 16 Khan Bahadur Mahmud Schamnad | 29 Mr. M. S. Sreshta. |
| Sahib Bahadur. | 30 „ P. V. Krishnayya Choudari. |
| 17 Mr. A. B. Shetty. | 31 Sriman M. G. Patnaik Mahasayo. |
| 18 Khan Bahadur P. Khalif-ul-lah Sahib | 32 Diwan Bahadur M. Gopalaswami |
| Bahadur. | Mudaliyar. |
| 19 Rao Bahadur P. C. Muthu Chettiyar. | 33 Mr. C. Indrayya. |
| 20 Mr. Abdul Hameed Khan. | 34 „ J. Kuppuswami Choudari. |
| 21 Basheer Ahmed Sayeed Sabib Baha- | 35 „ G. R. Premayya. |
| dur. | 36 „ P. Madhusudan Thangal. |
| 22 Mr. U. C. Subrahmanya Bhatt. | 37 Rao Bahadur R. K. Venugopal |
| 23 „ K. A. Nachiyappa Gounder. | Nayudu. |
| 24 „ P. Peddi Raju. | 38 Mr. C. R. Parthasarathi Ayyangar. |
| 25 „ K. Singam Ayyangar. | 39 „ K. Koti Reddi. |
| 26 Diwan Bahadur B. Muniswami | 40 Rao Bahadur Sir A. P. Patro. |
| Nayudu. | 41 C. Natesa Mudaliyar. |
| 27 Mr. K. P. Raman Menon. | 42 Mr. V. P. Narayanan Nambiyar. |

Noes.

- | | |
|----------------------------------|--------------------------------------|
| 1 The hon. Sir Mahomed Usman. | 17 Subadar-Major S. A. Nanjappa |
| 2 „ Diwan Bahadur Sir M. | Bahadur. |
| Krishnan Nayar. | 18 Rao Bahadur R. Srinivasan. |
| 3 „ Sir Archibald Campbell. | 19 Mr. M. Vedachala Mudaliyar. |
| 4 „ Sir Hopetoun Stokes. | 20 „ B. P. Sesha Reddi. |
| 5 „ Diwan Bahadur S. Kuma- | 21 „ P. C. Moses. |
| raswami Reddiyar. | 22 „ P. V. Rajagopal Pillai. |
| 6 „ Mr. P. T. Rajan. | 23 „ V. G. Vasudeva Pillai. |
| 7 „ the Raja of Bobbili. | 24 Rao Sahib V. Dharmalingam Pillai. |
| 8 Diwan Bahadur V. N. Viswanatha | 25 Raja of Kallikote. |
| Rao. | 26 Zamindar of Kirlampudi. |
| 9 Mr. J. A. Thorne. | 27 Diwan Bahadur A. Appadurai |
| 10 „ H. M. Hood. | Pillai. |
| 11 Diwan Bahadur N. Gopalaswami | 28 S. M. K. Beyabani Sahib Bahadur. |
| Ayyangar. | 29 Diwan Bahadur S. Ellappa Chetti- |
| 12 Mr. R. Madanagopal Nayudu. | yar. |
| 13 „ E. Conran Smith. | 30 Mr. C. Basu Dev. |
| 14 „ M. D. T. Ranganatha Mudali- | 31 „ R. M. Palat. |
| yar. | 32 „ C. Krishnan. |
| 15 Mr. T. Narasa Reddi. | |
| 16 Rao Sahib N. Siva Raj. | |

Neutral.

- | | |
|-----------------------------------|----------------------------------|
| 1 Rao Bahadur G. Jagannatha Raju. | 9 Mr. M. A. Manikkavelu Nayakar. |
| 2 Mrs. K. Alamelumangathayaramma. | 10 „ M. B. Rangaswami Reddi. |
| 3 Khan Bahadur Yahya Ali Sahib | 11 „ F. Birley. |
| Bahadur. | 12 „ J. K. Metherell. |
| 4 Mr. M. Devadasan. | 13 „ W. K. M. Langley. |
| 5 „ G. Sriramulu. | 14 „ W. W. Ladden. |
| 6 „ W. P. A. Soundara Pandian. | 15 „ W. H. Millar. |
| 7 „ Daniel Thomas. | 16 „ G. Simhachalam. |
| 8 „ V. M. Ramaswami Mudaliyar. | |

Ayes 42. Noes 32. Neutral 16.

The motion was carried.

VII.—THE MADRAS MATERNITY BENEFIT BILL (BILL NO. 10 OF 1933).

* Mr. V. M. RAMASWAMI MUDALIYAR:—“ Mr. President, I move—
‘that the Madras Maternity Bill (Bill No. 10 of 1933) be referred
to a Select Committee.’

* Published in the Fort St. George Gazette on 15th August 1933.

30th January 1934] [Mr. V. M. Ramaswami Mudaliyar]

“ In doing so, I have got only a few observations to make. I may say at once that this is the first attempt that this Council is making in the matter of labour legislation in this Presidency. I may also say that similar statutes are in force in some of the major Provinces of India such as Bombay, the Central Provinces and others. This attempt is a very modest one, and the necessity for such legislation has been felt not only in this Presidency but throughout the country; and in fact, in several Provinces such legislation is already on the Statute Book. The attempt in this Bill is to provide for certain compensation to be paid to women workers who are engaged in factory labour for a few weeks before their period of confinement and for a few weeks after that. I do not claim for my Bill any finality on the question of compensation or on the question of the period for which compensation has to be paid to the woman worker by her employer. As I said, it is a very modest attempt, and for the information of hon. Members of this House, I may also say this is one of those measures which the Royal Commission on Labour who visited this country two years ago recommended for adoption as a uniform standard throughout the length and breadth of India. As other Provinces have tackled this question and have placed this question of compensation to be paid to women workers on the Statute Books, in the absence of a similar provision in this Presidency, I think this Bill is necessary. At the same time I may say that so far as I have known—I am connected with a large number of trade unions in this Presidency—every trade union organization has placed this as one of the social services which the State, or in the absence of the State, the employers of labour, have to undertake. I have therefore great pleasure in moving that this Bill be referred to a Select Committee consisting of the following Members:—

The hon. Sir Mahomed Usman.
Diwan Bahadur N. Gopalaswami Ayyangar.
Rao Sahib D. V. Narasimhaswami.
Mr. U. C. Subrahmanya Bhatt.
Rao Bahadur C. Natesa Mudaliyar.
Mrs. K. Alamelumangathayaramma.
Rao Sahib V. I. Muniswami Pillai.
Rao Sahib P. Subrahmanyam Chetti.
Mr. P. C. Moses.
Mr. C. Basu Dev.
Rao Sahib Pandit Ganala Ramamurti.
Mr. M. B. Rangaswami Reddi.
Mr. M. A. Manikkavelu Nayakar.
Mr. C. Indrayya.
Mr. K. A. Nachiyappa Gounder.
Mr. J. K. Metherell.
Mr. V. M. Ramaswami Mudaliyar (the Mover).

“ I may add, Sir, that in connexion with the introduction of this Bill, I have received considerable help at the hands of the hon. the Home Member who is in charge of the Labour portfolio of this Presidency and his able Secretary, Diwan Bahadur N. Gopalaswami Ayyangar. I hope, Sir, that they will think it fit to accept this modest

12
noon.

[Mr. V. M. Ramaswami Mudaliyar] [30th January 1934]

venture in the light of labour legislation in other Provinces and make this Bill a precursor of the labour legislation in this Presidency."

* Mr. C. BASU DEV:—"Sir, I have great pleasure in seconding this motion. I do not think I need make any speech, as the hon. Mover has already covered all the important points."

* The hon. Sir MAHOMED USMAN:—"Sir, the attitude of the Government in regard to this Bill is one of general sympathy; but it requires improvement in many directions, and that will be considered at the Select Committee stage."

Mrs. K. ALAMELUMANGATHAYARAMMA spoke in Tamil supporting the motion, and the following is the English translation of her speech:—

"Mr. President, Sir, the Bill brought in by Mr. V. M. Ramaswami Mudaliyar is an important measure. I myself intended to introduce in this Council a Bill of this nature: but I am glad that this Bill has been brought in by another Member of this Council. It shows how our public men are interested in the welfare of women, particularly of the labouring classes. The Bill proposes that poor working women in various factories and in other places of manual labour who are in a state of pregnancy, should be given leave with full wages for some weeks before and after childbirth. At present sheer poverty compels them to work till the last moment of delivery. Their condition is indeed most pitiable. Similar provision is made for women of working classes in most civilized countries. I am fully in sympathy with the measure and I support it most heartily. I request other Members of this Council to support this Bill and trust that Government will also help to place this Bill on the Statute Book."

Mr. ABDUL HAMEED KHAN:—"Mr. President, Sir, Dr. Subbarayan, the Leader of this Party, on a former occasion laid down a certain principle with regard to the selection of Members of the Select Committee to which any Bill may be referred. If any non-official Gentleman who introduced a Bill proposed names of Members of the Select Committee, I thought that he would do so after consulting the Leaders of various Parties. In this case, I am afraid my hon. Friend, Mr. Ramaswami Mudaliyar, has evidently not consulted either the Leader or the Chief Whip of the Opposition. He has included names, I suppose, in his own way and as he liked; and it is only on occasions like this that there is a necessity for hon. Members from various sides to ask for the suspension of the Standing Order with the consequent result that the list becomes very large and the number goes beyond a certain limit. In order to avoid any necessity on the part of hon. Members to ask for such suspension of the Standing Order, it is better, I would suggest, that the hon. Member who moves the Bill always consults the Leaders of various Parties before getting up to read the names of Members of the Select Committee."

Mr. V. M. RAMASWAMI MUDALIYAR:—"Sir, on a point of personal explanation, I may tell my Friend, Mr. Hameed Khan, that I have consulted, so far as his Party is concerned, the Leader of his Party."

30th January 1934] [Mr. V. M. Ramaswami Mudaliyar]

I have also consulted the official Member in charge of this subject in regard to that matter; and I have further consulted the Chief Whip of the Justice Party and Mr. Krishnayya Choudari with regard to the names. I tried my level best, Sir, to accommodate all points of view on the Select Committee. It is not my intention, and it will never be my intention, to shut out any point of view on a Bill of this nature which, I hope, will be made a non-party question."

* The hon. the PRESIDENT:—"The question is that the Madras Maternity Benefit Bill (Bill No. 10 of 1933) be referred to a Select Committee, consisting of Members whose names have already been read out."

The motion was carried.

A BILL TO AMEND THE ANDHRA UNIVERSITY ACT, 1925, AS AMENDED BY ACT VI OF 1929 (BILL NO. 18 OF 1933).

Rao Sahib D. V. Narasimhaswami who had given notice to move a motion that the above Bill be referred to a Select Committee was not in his place when called by the hon. the President.

VIII.—A BILL TO AMEND THE MADRAS HINDU RELIGIOUS ENDOWMENTS ACT, 1926.

Mr. K. KOTI REDDI:—"Mr. President, Sir, I move for leave to introduce a Bill to amend the Madras Hindu Religious Endowments Act, 1926."

Mr. A. B. SHETTY:—"I second it."

The motion was put and carried.

Mr. K. KOTI REDDI:—"I introduce the Bill."

IX.—THE MADRAS MUSLIM WAKF BILL.

S. M. K. BEYABANI SAHIB Bahadur:—"Sir, I beg to move for leave to introduce the Madras Muslim Wakf Bill."

Mr. BASHEER AHMED SAYEED:—"I second it."

The motion was put and carried.

S. M. K. BEYABANI SAHIB Bahadur:—"I introduce the Bill."

A BILL TO AMEND THE MADRAS HINDU RELIGIOUS ENDOWMENTS ACT, 1926.

Rao Sahib N. Siva Raj who had given notice to ask for leave to introduce a Bill to amend the Madras Hindu Religious Endowments Act, 1926, was not in his place when called by the hon. the President.

X.—A BILL FURTHER TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920.

Mr. P. C. MOSES:—"Mr. President, I move for leave to introduce a Bill further to amend the Madras Local Boards Act, 1920."

Mr. DANIEL THOMAS:—"I second it."

The motion was put and carried.

Mr. P. C. MOSES:—"I introduce the Bill."

[30th January 1934]

THE MADRAS DEBT CONCILIATION BILL.

Rao Bahadur T. A. Ramalingam Chettiyar who had given notice to ask for leave to introduce the Madras Debt Conciliation Bill was not in his place when called by the hon. the President.

XI.—ELECTION OF A MEMBER TO THE FINANCE COMMITTEE FOR 1933-34.

* The hon. the PRESIDENT:—“ I have to announce that Mr. J. K. Metherell is the only candidate nominated for election to the Finance Committee. As the number of vacancies is one, I hereby declare him duly elected to the Finance Committee.”

XII.—RESOLUTION ON A MATTER OF GENERAL PUBLIC INTEREST—REMISSION OF THE EXISTING RATE OF ASSESSMENT IN RYOTWARI LANDS IN THE PRESIDENCY.

* The hon. the PRESIDENT:—“ The House will now pass on to the resolutions. On the last non-official day, the House was discussing the following resolution of Mr. Arasu and the amendments thereto, viz.:—

Resolution.

‘ This Council recommends to the Government that a remission of 25 per cent in the existing rate of assessment on ryotwari lands in the Presidency be granted during fasli 1343.’

Amendment of Mr. P. V. Krishnayya Choudari.

- (1) ‘ Add at the end the words “ and that the remaining assessment on lands be collected in kind and not in money ”.’

Amendment of Mr. Basheer Ahmed Sayeed.

- (2) ‘ After the words “ assessment ” and before the words “ or ryotwari,” insert the words “ inclusive of water-cess and other cesses ”.’

“ Further discussion of the resolution and the amendments will now continue.”

12-15
p.m.

* Mr. K. R. VENKATARAMA AYYAR:—“ Mr. President, Sir, this resolution was being discussed last time and when the discussion reached a certain stage, it was found that it might be an advantage if the discussion stood adjourned in view of the general expectation that the subject was one which had sufficiently arrested the attention of the Government and was likely to command sympathetic treatment at the hands of the Government. As orders of Government were expected and there was very good reason to anticipate that these orders might go a long way and give general satisfaction to the people concerned, it was thought that there was not much to be gained by pressing forward with the discussion when there was that expectation. Orders have no doubt since issued, but have those orders satisfied the expectations of the public or the requirements of the situation with which we are face to face? That is the question. Although it is impossible to get the Government to assent precisely to what the representatives of the people might demand on the floor of this House, it must be said that it should have been possible for the Government to go forward farther than they have done, and the ryots concerned all over the Presidency are now feeling

30th January 1934] [Mr. K. R. Venkatarama Ayyar]

considerable disappointment at the scanty relief which alone has been vouchsafed by the Government in their order.

“ The resolution as moved on the floor of this House asks for a 25 per cent remission. In so far as the amendment has included water-cess and other cesses, I think it would be found at the end of the discussion that the general view of all the representatives of the people in this House would be in support of that amendment, because whatever remission is wanted is wanted not only in respect of the ryotwari assessment proper but also in respect of the water and other cesses. As for the precise percentage, which would be a fair percentage to remit, although the Government have not seen their way to remit or even suspend anything like 25 per cent, and although the Government have not even seen their way to adopt in toto the recommendations of the Finance Committee, it must be said that so far as the members of this House are concerned, there is good justification for them to urge that what would meet the requirements of the situation would be, not even a 25 per cent remission, but if possible a higher percentage. In view of the devastation by cyclone and floods in portions of the Presidency, it must be said that there is very good justification if only Government could manage to allow as much as 50 per cent remission. But, we the members of this House are not unaware of the impracticability of pressing forward excessive demands. Judging from the view-point of the ryots concerned, of what is barely just and strictly necessary to give them adequate relief, a 50 per cent reduction is equitable and absolutely necessary. But as Government has to be run and as notwithstanding the existing surplus amounts that are available as much as a 50 per cent reduction may not be feasible, I think it would really be not too much to stress that Government should in any case agree at least to a remission—not merely a suspension of 25 per cent.

“ Meetings have been held all over the Presidency, not simply in certain districts but in all the districts, and the affected ryot population have passed unanimous resolutions asking for a 50 per cent reduction, 33-1/3 per cent reduction and in some cases 25 per cent reduction. The Government have been duly informed from all over the Presidency of these resolutions. Conferences have been held almost everywhere and at the top of all these district, village and taluk conferences, there was a conference of the ryotwari landholders held in Madras quite recently on the 27th. On that occasion, the opinion of the ryotwari landholders of the whole Presidency was focussed and a strong case was made out for a remission of at least 33-1/3 per cent. I think, Sir, this is a case in which it is not as if we are going to enlighten the Government with new facts and figures. It is quite clear that Government is in possession of all the data requisite and it is only a question of how far Government is willing to put its hands upon the available surplus moneys and to adjust its policy in various directions in order to give the ryot population this much needed relief. After all the ryotwari population, who constitute the bulk of the population of this Presidency, are the mainstay of the Government and at the present time what with

[Mr. K. R. Venkatarama Ayyar] [30th January 1934]

agricultural indebtedness and the total volume of it, what with the continued low prices of agricultural products, what with the disturbance caused by the cyclone, floods and other abnormal happenings, Government has certainly to make up its mind to explore all ways of giving the ryot this much-needed relief. After all it has got to keep the ryots in possession of the lands in order that it may make out of the lands of the ryot population the revenue which you for all time expect to obtain from this main source of income. You cannot drive them off the land and yet think of land revenue. If you will only think of it from that aspect, I think you will feel constrained to grant that, as the present is an exceptional occasion, exceptional concessions must be the way of the Government in tackling the problem. It is not suggested at all that what may now be adopted by Government as an exceptional measure has for all time to be continued. No doubt, the question of land revenue and the principles of land revenue assessment require to be gone into with thoroughness and care and the whole subject has got to be rested upon an equitable and statutory basis. But that perhaps will be one of the first topics that will engage the attention of the new legislature under the Reformed Constitution. Meanwhile, all that is suggested is that as the present is an exceptional occasion, exceptional remedy should be resorted to in a sympathetic spirit by the Government not only from the point of view of the ryots but also from the selfish point of view of the Government itself because Government has to keep the land in the possession of the landholder in order to ensure a continuance of the land revenue as its main source of income. Unless therefore a reduction of at least 25 per cent, not only of the ryotwari assessment but also of water-cess and other cesses is agreed to on the present occasion, it will really be impossible for the landholders to continue in possession of the land and for the Government to make anything out of this important source of revenue.

"I therefore, without at all attempting to embarrass the position of Government, beg to suggest to them that they should go much farther than they have done in their recent orders. There was not sufficient reason for them to depart from the recommendation of the Finance Committee. Even if they went so far as the Finance Committee went, it would not really do. They should at least go forward further and agree to a 25 per cent reduction during this fasli—it should not be a case of mere suspension, because nothing is to be gained by allowing these arrears to accumulate, so that the Government might think of collecting them in the next year's demands from these over-burdened ryots. I would ask therefore that the whole matter should be reconsidered by the Government in a sympathetic spirit and that 25 per cent at least be remitted and not merely suspended."

* Mr. BASHEER AHMED SAYEED:—"Mr. President, on the last occasion, I spoke on my amendment, but not on the main motion."

* The hon. the PRESIDENT:—"I think the hon. Member has spoken on the main motion also last time."

30th January 1934]

* Mr. R. M. PALAT:—"Sir, this question of the enhancement of assessment has been agitating us in Malabar for some time. It is well-known that in the Native States of Travancore and Cochin, where conditions are identical and which adjoin British Malabar, remissions of 12½ per cent in some cases and more in other cases have been made from the main or old assessment, while in British Malabar the remission has been made from the enhanced rates only although the old assessment in Malabar was considerably higher than that in the States. Again a flat rate of 12½ per cent remission on the enhanced rates has been given throughout Malabar irrespective of the area so that the remission varies from place to place as only certain taluks have been settled, or in the alternative there has been no remission where there has been no enhancement. Government will say that as the financial systems of the Native States and of our Government are different, they are justified in following different rules as regards remission. My reply to it would be that in that case, the sooner the British system is scrapped and the Native State system is adopted the better, because the Native States are able to carry on their Government efficiently and cheaply and with less burden to the people than our Government in British Malabar. There have been remissions not only on the West Coast, but we also find them in Mysore and Hyderabad. Sir, the whole of the present settlement has been based on the assumption of a rise in prices but Mr. Bajpai has made a statement on behalf of the Government in the Assembly that the price of paddy has sunk to one-third of what it was a few years ago. This admission practically cuts away the ground from under the feet of the present attitude of the Government; the only justification even according to our Government settlement rules for any enhancement of revenue is enhanced prices."

"Sir, Mr. Thorne, who is present here and who was manager for 12-30 some time of the Zamorin's Estate will tell you that it was with the p.m. greatest difficulty that he was able to get his own pay during the period of kist collection. Therefore, if this was the case in spite of his excellent management, how then could he, or the Government expect the more or less uneducated and untrained and happy-go-lucky janmi in Malabar to pay his assessment? Then, there is this bogey always brought before us that if we ask you to make any remission in our assessment, we cannot have any grants for Local Self-Government or any nation-building departments. We must, first of all, live before having anything to do with nation-building. First of all, the body must be there before we try to build the body. The Government seem to lay more stress on body-building than the existence of the body itself. Then, there was a statement made by the hon. Sir Archibald Campbell with regard to the introduction of ryotwari settlement in Malabar. I will only read from page 576 of the Fifth report; the statement of Mr. Thackeray:—

"This equality of condition, in respect to wealth in land; this general distribution of the soil among a yeomanry, therefore, if it be not most adapted to agricultural improvement, is best adapted to attain improvement, in the state of property, manners and institutions, which prevail in India; and it will be found still more adapted to the situation of the country, governed by a few strangers, where pride, high ideas, and ambitious thoughts, must be stifled. It is

[Mr. R. M. Palat]

[30th January 1934]

very proper, that in England, a good share of the produce of the earth should be appropriated to support certain families in affluence, to produce senators, sages, and heroes for the service and defence of the State, or, in other words, that great part of the rent should go to an opulent nobility and gentry, who are to serve their country in Parliament, in the army and navy, in the departments of science and liberal professions. The leisure, independence, and high ideas, which the enjoyment of this rent affords, has enabled them to raise Britain to the pinnacle of glory. Long may they enjoy it; but in India that haughty spirit, independence, and deep thought, which the possession of great wealth sometimes gives, ought to be suppressed. They are directly adverse to our power and interest. The nature of things, the past experience of all governments, renders it unnecessary to enlarge on this subject. We do not want generals, statesmen, and legislators; we want industrious husbandmen.

"I do not want to read the whole, but am confining myself to what is applicable to the principles of settlement. These were the motives that induced the Government in those days. But now, since the reforms, I would say, and I want to make this quite clear, that those motives cannot, in my opinion ought not, now be adduced. After the reforms, the whole spirit has changed, or ought to have changed, as India is to be taken into partnership. What might have affected the settlement of the Presidency in those days, should not in any way be the motive at present. Therefore, I would request the Government again to reconsider the question. While urging that this 25 per cent remission on the main assessment should be possible and acceptable to Government, I must state our disappointment that they have not agreed even to the Finance Committee's recommendation of a modest reduction of 18½ per cent of the enhanced and not the main rate. The revenue lost to Government by a remission of assessment can be met by a reduction of pay of the establishment. The pay was raised during the years of war on the ground of the increase in prices and in the cost of living. The prices have fallen according to Mr. Bajpai and so the cost of living also would have gone down. There is no reason whatever why the pay of the Imperial Services and all services throughout India should be kept up at the increased level and should not be reduced. We had a proposal yesterday to get the number of taluk boards reduced. It was then calmly accepted by the Government that a number of the taluk board employees would be thrown out of employment. If local board employees could be thrown out of employment, then why not Government employees also both Imperial and Provincial? To me, Sir, the pledge of the Madras Government is as good as that of the Imperial Government or of the Secretary of State. Is it only a certain class of people alone that can bear the reduction? It stands to reason that all classes of people in the services can bear the same reduction both in their numbers and their rates of pay. The Imperial Services and local services are only names and arrangements made for the convenience of administration. There is very little difference in the essential principle of security of employment. So, Sir, to make up any money that would be required by remission, we could first of all impose a drastic reduction of salaries. We could also impose income-tax on pensions and pays drawn outside India, from Indian revenues. It is a generally accepted principle, Sir, except in India, that if any money is drawn from a country by persons resident outside the country, the country

30th January 1934]

[Mr. R. M. Palat]

from which the money is drawn is always entitled to impose an income-tax. I am not a financial expert; but these are a few sources that occur to me, which, with other means our Finance Member ought to be able to place before you, would be enough to make up for any reduction in land revenue assessment."

* Rao Bahadur Sir A. P. PATRO:—"On a matter like this, I am surprised to see that the benches on both sides are so sparsely populated. The attendance is very poor for the beginning. The interest on behalf of the poor cultivating ryot is manifested by the very little attention given to this very important subject. That shows that whatever one may talk outside when it comes to the solution of the problem and practical solution we have not been able to contribute anything to the ryot or the cultivator. From that preliminary remark, I may pass on and submit to the House that it is very easy to be popular by asking people not to pay taxes or to pay reduced taxation. But to say that you should pay higher tax or continue to pay what you have been paying is really very unpopular. By my position will be not to be influenced one way or other but to speak as an agriculturist and a landlord. Having responsibility of management of my lands, I am aware of the great blow that the landholders and cultivators have received on account of the present economic depression. There was a time when a garce of paddy was sold at Rs. 100 or 120; now the same quantity is sold at Rs. 40 to 42, and there is not even sufficient demand for this price. This has been so for the last two years. At the same time, we should remember that during past years landholders as well as agriculturists have had bumper crops, as it were, selling paddy at Rs. 110 and 120 for garce. From that time unnecessary luxuries were contracted and the standard of living was much raised. It is impossible now to maintain that standard under the present strained circumstances. Therefore, we should ask that the demand of land revenue may be reduced and that we need not pay for carrying the administration as we were paying before. This aspect of the question is not solely confined to this Province or India, but it is wide-spread all over the world. It is a world depression. As suggested by another speaker it should be considered not from the point of view of taluk or district, but from the point of view of the whole administration. The question being one of economic depression, are you prepared at present to stop all development in the administration? If you are prepared to say here in this Council that those Members of Government who adorn the Government Benches are merely there to mark time and do nothing for the advancement of the people, then of course there is justification in the very vehement remarks of my hon. Friend from Madura that not only 25 but even 33½ per cent should be remitted. On the other hand, we want the administration to be run on proper lines for the benefit of the people for which we are here and for which the hon. Members are also there. If anything has to be done to the people, is it fair to ask that one-third of the revenue of the Province should be cut down and yet the standard of efficiency and good administration should be maintained? How is it possible that both could be done at the same time? As hon. Members are aware, investments were made

[Sir A. P. Patro]

[30th January 1934]

not by those who cultivate the lands, but by capitalists and money-lenders as lawyers and others. Hon. Members would also note that investors in coffee, rubber and various other concerns are also hard hit. Similarly with regard to investments in banks. Bank-rates were reduced from $5\frac{1}{2}$ to even 2 per cent. The investments in the Imperial Bank and other banks have also suffered in that way by the interest being reduced because there is no demand for the money from the banks. Thus, this is a point to be considered not from the point of view of electors and elections, but from the point of view of justice to the taxpayer, namely, is it possible that investments which yielded a favourable rate could now be expected to yield the same rate? Is it fair on the part of those that have invested money in land to claim a reduction as of necessity? Why then, when you, the mirasidars, purchased the lands and don't cultivate them yourselves, why do you want to profit yourself in the name of the economic depression? The economic depression has affected not one single class of people; it affects all classes of people. The capitalists and big landholders are most vociferous and loud in their protest. But what about the poor man? I cannot understand how the reduction meets the needs of the situation. It goes to the benefit of the big pattadars. What has the Government done for the sake of the poor man? If they had considered the remission in the case of those who pay less than 10 rupees, if they take up courage in their hands and say, "We are going to benefit the cultivating ryot, who toils and earns his own livelihood himself with his family. Relief goes to such a person," then, it will be an act of kindness on the part of the Government to the actual sufferer. But, Government have reduced $12\frac{1}{2}$ per cent in the case of those districts where resettlement was made.

12-45
p.m.

"It is benefiting the big pattadars, the idle pattadars and the pattadars who have made money as money-lenders. It does not at all benefit the poor pattadars. If remission had been made entirely in the case of the poor ten-rupee pattadars, it can be said to be a very necessary thing. Take the case of concession in the income-tax. Then, Sir, what is the idea underlying this remission? Is it the case that the prices are low and therefore this remission is necessary? The poor cultivators borrow money at high rates of interest from the big landholders and are in course of time swallowed up by the latter. How does this relief help them? This should be realized by the Government.

"From another point of view also, I should say, the communiqué issued by the Government explaining their land revenue policy, must convince every one that it is impossible for them to do more than what they have done. The communiqué effectively answers all the arguments that the basic principle of resettlement should be altered altogether. Those arguments really mean a complete revolution in the revenue policy of the Government. That reversal of the policy may take place after the popular Government comes in. When there is the popular element on the Treasury Benches, you will have opportunities of changing the land revenue policy and adjusting other demands on the Government. But at present it is impossible to change the resettlement policy. To talk of basic principles on which the assessment is levied in this

30th January 1934]

[Sir A. P. Patro]

Presidency is all right. What is wrong with it nobody has shown. Mr. Palat asked, when it is possible for Mysore and Hyderabad to remit a large percentage of their land revenue, why is it not possible for the Madras Government to do likewise. I do not defend the Madras Government at all; but what I do say is that you should know the large amounts that are budgeted every year in our province for expenditure on development departments. I have looked into the budgets of two Indian States and on a comparison with them I find that there is no analogy. It is possible for them to show a higher percentage of remission. It is no good bringing in the conditions obtaining in Native States for comparison with ours."

MR. R. M. PALAT:—"On a point of order, Sir. I had not in my mind those considerations at all."

* Rao Bahadur Sir A. P. PATRO:—"I am only pointing out that the analogy of the Native States is not correct."

"Then again it is said that the revenue policy of the Government should be radically altered so as to effect a change in the method of classification. The critics forget in this connexion that in the resettlements there is no reclassification of the soils. What is done at resettlements is to note any rise in prices."

MR. R. M. PALAT:—"There has been reclassification."

* Rao Bahadur Sir A. P. PATRO:—"During resettlement they have only fixed up the tarams, noted the rise in prices and settled the increment not exceeding $18\frac{3}{4}$ per cent. That being the case, it is wrong to say that the basic principle should be altered immediately. It has been a surprise to me to find no practical suggestion emanating from the critics though there is no dearth of criticism of the land revenue policy. Nobody has suggested in what manner that policy could be changed. I therefore say that it is not fair that the Government should give a uniform rate of $12\frac{1}{2}$ per cent remission for all people. As a tax-payer I feel that I have to pay for the sake of the big landholders. I do not want that the Government should mulct me and benefit the rich landholder. What the Government should do is this: they should take up the question whether they could give relief to the ten-rupee pattadar. That would be a wise thing to do to relieve the distressed condition of the poor people. Such action would really help the actual cultivator. To my mind there is no justification for any other proposal. I do not see any justification for saying that 25 per cent or $33\frac{1}{3}$ per cent of the taxes should be remitted as suggested."

* Mr. U. C. SUBRAHMANYA BHATT:—"Mr. President, had it not been for the two or three statements made by the hon. Member, Sir Patro, I should never have risen to speak in support of this motion which is sure to get the unanimous support of this House."

"In the first place my hon. Friend stated that Mr. Palat was wrong in stating that, because remission was granted in Cochin and Travancore, remission should be given to Malabar also. I say, Sir, Sir Patro has not understood the proposition put forward by Mr. Palat. I may

[Mr. U. C. Subrahmanya Bhatt] [30th January 1934]

at once say that the rate of assessment in Cochin and Travancore is far less than the rate obtaining in Malabar and South Kanara, though the condition of the soil and the nature of the water-supply and the mode of cultivation are the same in all these places. Still, Sir, those Governments have realized that the depression is so severe and the fall in prices so catastrophic that they should go to the rescue of the ryots in their territories. Those benign Governments have given a remission of 12½ per cent and 25 per cent even when their tax-payers have a comparatively lighter burden than their neighbours in Malabar and South Kanara. It therefore stands to reason that in Malabar and South Kanara where the conditions and the sources of cultivation are similar to those in Travancore and Cochin the ryot's burden is far heavier; they should be given a remission of 25 per cent at least if not more.

"My learned Friend went on to argue that the interest on deposits in banks is low and so also the income derived from the investment in land and that therefore the ryots' difficulties are the same and he should not complain. Both come under the same category and therefore no relief need be given to the ryots. I may tell him that if the income of the investors in banks goes down they are charged income-tax only on the income they get, whether big or small, whereas in the case of the investors in land, whatever be the income derived, the assessment proposed and charged is the same. That is very unsatisfactory. That is the fallacy in the argument of the hon. Member from Ganjam. Far from showing that relief should not be given to the ryots, the illustration cited by my Friend supports the case of the ryots. Where income-tax is collected on the lower returns of the investor in banks the tax on the land should be also proportionate to the income received by the ryot and as the present income is less, the tax should be proportionately reduced.

"Then my hon. Friend said that, if we give a lower scale of pay to the Government servants, the efficiency of the Government would suffer. Sir, when prices went up and Government servants found it difficult to pull on, this House was called upon to vote for increased salaries for them. Did the House then grudge to vote for that grant? No. Now, why should they stick on to their high salaries and not come to the rescue of the ryots when the prices have gone down? When the prices were low and the Government servants were getting lower rates of salary, did efficiency in the administration suffer? By a cut in pay, how can the efficiency of the Government suffer now in view of the fact that prices are low?

"Sir, so far as South Kanara is concerned, I have got a special appeal to make. The conditions there are very miserable. So far as the ryots of South Kanara are concerned, I have given notice of a question which is yet to be answered asking for the number of holdings which have been put up for auction and sold for non-payment of assessment. A list of that kind would convincingly show how hard hit the ryots of South Kanara are. There have been a number of conferences of landholders of South Kanara. The South Kanara District Landholders' Association presided over by my hon. Friend Mr. Sami Venkatachalam

30th January 1934] [Mr. U. C. Subrahmanya Bhatt]

Chetti recently passed a resolution that nothing short of 25 per cent remission would meet the ends of justice and relieve the sufferings of the ryots of South Kanara. It was followed by two or three taluk conferences and there also resolutions have been passed to the same effect. So far as South Kanara is concerned, it is a country where the Government have not spent anything for water-supply. The South Kanara agriculturists depend solely upon the monsoon and upon private enterprise for water-supply so far as cultivation is concerned but still what is the condition there? The taxation on land is far higher than in other places in the presidency though the soil is comparatively not so rich as in many other parts of the presidency. Such being the case, why should South Kanara not be given a higher rate of reduction in the assessment than the mere 10 per cent reduction which is to be given to all the areas? I therefore request, Sir, this House, apart from what Sir Patro has said, to pass this resolution unanimously and come to the rescue of the ryots in this very critical hour. This House has always been ready at the time of emergencies to vote emergency grants to meet the needs of the Government and why should the Government not now come to the rescue of the ryots at this juncture?"

* Mr. T. C. SRINIVASA AYYANGAR:—"I do not think many words 1 p.m.
will be needed from me to support a proposition containing so reasonable a request and I would not have intervened in the debate but for the fact that the hon. Member, Sir Patro, has come forward with a speech which on close analysis appears to be contradictory in itself and also inconsistent with the whole principle underlying the proposal. One wonders whether he is not saying that the hon. the Revenue Member and his Colleagues have done a great mistake in granting a 12½ per cent remission in the assessment of land revenue. One wonders again, if Sir Patro had been consulted, whether he would have advised giving any remission at all. At the same time he has come forward with a proposal which takes one's breath away. He would support a proposal for the remission of revenue due from the poorer pattadars paying Rs. 10 and below. Is it merely by way of a controversy that he raises this proposition or is he convinced that a case for remission exists and that remission should be given only to poorer pattadars? And by a peculiar process of unexpressed definition he has assured himself that pattadars paying Rs. 10 and less are poor people and that pattadars paying Rs. 10 and above are rich people, and that in any scheme of remission all rich people should be taxed for the purpose of remitting the revenue payable by poorer pattadars paying Rs. 10 and less. I submit that Sir Patro's speech has not only not added any useful arguments one way or the other, but has created an amount of confusion and contradiction. As for the merits of the proposal under debate, it goes without saying that we are passing through serious times and very distressing conditions. Even in South India we have not escaped from the recent difficulties in the case of agricultural lands. On account of heavy storm in the Indian Ocean two or three districts in the South have suffered very seriously during the last week—the squally weather has caused considerable damage to

[Mr. T. C. Srinivasa Ayyangar] [30th January 1934]

both paddy harvested and also about to be harvested. The difficulties of the ryots have increased owing to the fact that prices have not shown any tendency to rise substantially. In these circumstances, would it be a sufficient relief if the ryot is given merely a remission of $12\frac{1}{2}$ per cent and that too in the shape of suspension? What would be the effect of this suspension? It would amount to an enhancement of revenue if it is sought to be collected next year. What I submit is that there should not be merely a suspension, but that there should be a remission and that too of a higher percentage."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"Just like my hon. Friend, Mr. Bhatt, I say I would not have intervened in the debate but for the fact that my hon. Friend, Sir Patro, made certain remarks which are somewhat surprising. That a man of practical experience and a person who occupied a responsible position in the Government for long years should have made such remarks is a thing that one cannot understand. For example, he said that the Government should have a census of all pattadars owning 10 acres. Then he had recourse to a plan whereby only small pattadars paying Rs. 10 and less should be given relief and that other pattadars should not be given any relief and if at all any relief is given to them only some of them should be given relief. I wonder whether he was speaking as a man of practical experience."

Rao Bahadur Sir A. P. PATRO:—"On a point of personal explanation, I said that every pattadar should be given remission according to the extent of land which he possesses, the smaller pattadar of course having the larger claim. It would be nothing short of ignorance to say that a census or a classification is required of all pattadars owning 10 acres of land."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"The information given by Sir Patro has not advanced the matter further. I think he is carrying coal to New Castle. I know much better than he does. He is a man belonging to Metropolis. I come from a place where I am in touch with the people who are large pattadars and also those who own 10 acres or even less than that, and I can speak with more authority on the subject than the hon. Gentleman, Sir Patro. He has put forward a very impracticable proposition and I do not think it is possible for any Government to lay down such a hard and fast rule. I am very glad that the Government have been more sympathetic. My Friend, Mr. R. M. Palat, referred to other Governments. I should think the only point he had in view was to emphasize the fact that Governments of Native States and other Provinces are sympathetic towards the ryots. Apart from that I do not think he had any other consideration. I do not think he was indulging in any manner of destructive criticism. What he wanted to point out and I also wish to point out is that every Government throughout the world is trying to be sympathetic to the ryot who contributes really to the resources of the State. When every other Government and administration is sympathetic, it is but natural that the Madras Government

30th January 1934] [Mr. M. Gopalaswami Mudaliyar]

should also be sympathetic towards their ryots, and we have all been very grateful to the Government for having issued the communiqué thus giving relief to the ryots. So far as I am concerned, it does not matter much about the percentage of remission that they have given. I need hardly say that a 25 per cent remission would satisfy me. After all, the percentage is fixed by them according to certain data. All that I am concerned with is that so far as the Ceded districts, Bellary, Coimbatore and Salem districts are concerned, the Government have only granted a suspension of $6\frac{1}{4}$ per cent. That is a point which the hon. the Revenue Member will, I hope, carefully consider. As one of his hon. Colleagues knows, we, in those districts, are in a very unfortunate position this year. Although we are not confronted with drought this year, we are suffering on account of excess of rains. We have double the normal quantity of rain and in consequence the crops have been spoiled or destroyed. In this connexion I also think that it is very necessary that I should bring to the notice of the hon. the Revenue Member that we are attacked with epidemics in our districts. All these add to the miseries of the ryots. For all these reasons I want to make an earnest appeal to the hon. the Revenue Member that there ought not to be any distinction between wet and dry lands. In this connexion, I want to remove one misapprehension in the minds of hon. Members of this House, viz., that the ryots are ashamed of begging. It is because of this economic distress that they come forward with appeals for relief. I hope this point will also be borne in mind by the Government in giving relief to the ryots."

* Sriman M. G. PATNAIK Mahasaya:—"Sir, the question raised is quite clear and I need not add anything to that but for the controversial turn it has taken on account of Sir Patro's speech. Sir Patro said that remission of rent should be raised in proportion to the lowness of assessment that is paid, and that smaller pattadars should be given a higher rate of remission than bigger pattadars. Of course almost every other hon. Member said that that was an absurd proposition. I think that is not so absurd as it appears to some of the hon. Members. The analogy of investors who invest money in business or in banks cannot be brought in here. Of course people who invest money in business or in banks are satisfied even if they get a lesser return than what they anticipated and are satisfied with a small profit. But in the case of small pattadars they have to live with the small income that they get from the lands. So if the whole amount or a large portion is not remitted, they will not be able to get on. Sir Patro wanted to emphasize this point. That is all. The only difficulty is whether it would be practicable for the Government to make such a differentiation. It is quite possible that a person might have purchased a small holding and be paying Rs. 10 towards assessment of that land or that a big pattadar might have a large family to maintain. Of course there are many considerations to be taken into account. If you want to take into consideration all those factors it would be impossible for any one

[Sriman M. G. Patnaik Mahasayo] [30th January 1934]

to come to any conclusion with regard to the amount of remission to be given in the case of the one or the other. On this ground, Sir Patro's proposition may be unworkable, but one cannot say that it is absurd.

1-15
p.m.

"Another thing that I wish to say is this: Often you find big pattadars coming forward and placing their grievances before the Government and asking them to give relief to them and also to the poorer pattadars. It is not always possible for the poorer pattadars to come forward with appeals. So the bigger pattadars should be sympathetic to persons who cultivate their lands. But these bigger pattadars want to collect as much as possible from the people who cultivate the lands, though they try to get as much remission as possible from Government. Therefore the bigger landholder should have sympathy towards the people who cultivate the soil. These big mirasidars do not have as much sympathy for the cultivators under them as they expect to get from the Government for themselves. The Government have come forward to give some relief to the ryotwari tracts. Certain amendments agreed to by all the parties were put before the Council during the discussion of the Estates Land Act Amendment Bill, but they were ruled out of order. In spite of the fact that those amendments have been agreed to by all the parties, the Government have not taken any steps to place them on the statute book. The tenants in estates deserve relief more than the tenants in ryotwari tracts. I appeal to the hon. the Revenue Member to lose no time to place those 'agreed' amendments on the statute book.

"I want to say a few words with regard to the Ghoomsur division of my district. Some time ago, the hon. the Revenue Member was pleased to observe that the kist should be collected only after the harvest is over. In my district as well as in several other districts harvest is over only in the month of January. Therefore, the kist should be made payable only in February. But that is not the case at present. Representations were made to the Collector, the Board of Revenue and the Government on this matter. The Government said: 'You people are going away to Orissa and we are not going to give you any relief even though it is in accordance with the principle enunciated by us.' That is very unjust and I hope the hon. the Revenue Member will revise the orders that the Government have passed.

"There is also another difficulty from which the people of the Ghoomsur division suffer. That division adjoins a number of feudatory States of Orissa. Large quantities of paddy are dumped into Ghoomsur from those States and this has reduced the price of paddy in Ghoomsur to an abnormal extent. Even Russellkonda is 50 miles from Berhampur and paddy has to be carried in carts. In these circumstances, the people of Ghoomsur are not able to sell their paddy or they get very low prices for it. The assessment should be reduced by 50 per cent if some relief should be given to them. A cart-load of paddy which used to sell for Rs. 40 is now selling at Rs. 10 or Rs. 12. In

30th January 1934] [Sriman M. G. Patnaik Mahasayo]

spite of all these the Government have not taken any steps to prevent the dumping of paddy into the Ghoomsur division notwithstanding the several representations made to them."

Mr. G. SIMILACHALAM PANTULU:—"Sir, however fallacious the arguments advanced by Sir Patro may have been, I see there is a principle involved in it. Even in municipalities, in the case of profession-tax, we see that the same principle is applied. We always see that anything that we do serves the greatest number of people. On that principle, I think the suggestion made by Sir Patro seems to be sound. But whatever that may be, it has become a commonplace with us here for people to advance some arguments as they are anxious to get a remission and for the Members on the Treasury Benches to advance some other arguments as they want to avoid giving a remission. I am not going to waste the precious time of the House by advancing commonplace arguments, but I see that the difficulty of the whole thing lies here. The officers who go about collecting the revenue are not given full freedom to report to the Government the actual state of affairs. If they felt themselves free to report to the Government the actual state of affairs, they would certainly do so. I find that many officers are afraid to report the actual state of affairs to the Government for fear they might lose their jobs. If the Government are keen about granting remission, they can find a way out of the difficulty. I appeal to the hon. the Revenue Member and the hon. the Finance Member to remove this popular impression, namely, that even though the representatives of the people know the facts about the condition of the people and vigorously represent them to the Government, it is impossible for them to convince the Government of the great need there is for a remission and get the required remission. If we are able to persuade the Government to give a remission at least this year as desired by many hon. Members, we will be justifying our existence here as representatives of the people. Otherwise it is a disgrace for any representative to come here, to make his representations to the Government and every time be told by the Government that they would not believe them and that they would rely only on the reports of their own local officers, who, as I have already pointed out, are afraid to report to the Government the actual state of affairs. If that is the state of affairs, there is no use of anyone continuing as a Member of this House. What is the use of discussing this question time and again and invariably getting the reply, 'No'? I suggest that if the Government felt any doubt about the actual state of affairs, they might appoint a committee to go into the question and send a detailed report. Mr. Gopalaswami Mudaliyar made some suggestions with regard to certain districts and some other hon. Members made some suggestions with regard to the deltaic districts. But Guntur is in an intermediate position being half dry and half wet. The conditions there are peculiar. It is only if we can do something to the ryots—I mean by ryots, the actual cultivators, the agriculturists—that we can justify our existence as representatives of the people. I

[Mr. G. Simhachalam Pantulu] [30th January 1934]

appeal to the Treasury Benches once again to see that we are not looked upon as fools in the estimation of the public by saying 'no' to all our representations."

* Rao Bahadur C. NATESA MUDALIYAR:—"Mr. President, I am extremely thankful to Sir Patro for having stimulated the discussion in the House. The House was getting rather dull and perhaps Sir Patro thought to himself: 'If I threw a pill too big to be swallowed, they might struggle with it to throw it out and in that process get themselves stimulated.'"

"Sir, this is not a question of Malabar or South Kanara, but this is a question of the Presidency as a whole. It is well known to all, I suppose even the Treasury Benches understand it, that the ryots are overtaxed. Some districts have been vociferous in their demands for reduction, but I should like to ask: 'What about the district of Chingleput?' That district is not so productive as Tanjore. Even in Tanjore which is considered to be most prosperous, the net income on an acre of land is only Rs. 7 in the case of first-class lands. The net income of the first-rate land is only Rs. 40 for a veli. How is it possible for a man to cultivate a veli if he has only Rs. 50 for maintenance of his family? If that is the state of affairs in Tanjore, how much worse should it be with districts like Chingleput where there has been no rain at all this year. I am glad the Collector there is taking some interest in the question and he may even recommend a remission of 50 per cent. But even that 50 per cent will not meet the needs of the situation.

"There is a universal complaint about the low prices of agricultural produce. These are selling at the same rate as they were selling in pre-war days. I do not think we should attempt to raise the prices of these foodstuffs, for the poor man will suffer. What we should do is to let the foodstuffs sell at the same price as they do now and cut the cost of administration. There has been a demand for Indianization of our services, and the justification for the demand is found in the fact that an Indianized service will be cheaper than the present service. If that is so, there is no meaning in Indianizing the service and paying the same high salaries to Indian Officers as to European Officers. A Provincial Service Collector may get two-thirds of the pay of an Indian Service Collector. The Governor, the Members of the Executive Council and the Judges of the High Court may get the same salaries as they get now; I do not object to that. But the officers in the other higher posts should get much lower pay. It is the elevation of economic condition of the people that is really at the bottom of the demand for Indianization. What is the use of having a top-heavy administration with many high-salaried officers, if that can be done only by squeezing the ryot and starving the development and nation-building departments? I appeal to the hon. the Revenue Member and the hon. the Finance Member to settle this question of salaries once for all. We cannot go on repeating the same tale every year of an increasing expenditure and thus not reducing the tax. If

30th January 1934] [Mr. C. Natesa Mudaliyar]

an European element is wanted in our services, let us pay the European officers overseas allowances so that they may get the same pay as they are getting now. But let the Indians who are serving the Government remember that they are serving their country. In Germany and other places, the Government servants get much lower salaries. The Captain of a German Ship gets Rs. 250, whereas the Captain of an English ship gets Rs. 600 or Rs. 700."

Mr. SAMI VENKATACHALAM CHETTI:—"What about Ministers?"

* Rao Bahadur C. NATESA MUDALIYAR:—"So long as the Members of the Executive Council get a certain pay, the Ministers also should get the same pay. Of course, we may change the rate in the Reformed Constitution, but for the present both should get the same pay.

"With regard to the benefit that the mirasidars will get, of course, if a small cultivator gets two annas, a big mirasidar will get Rs. 100. We should not grudge what the mirasidar gets. The two annas will be quite as useful to the small cultivator as the Rs. 100 to the big mirasidar. Let everybody be benefited. But there is no use of squeezing the ryot and starving the nation-building departments and inviting an iniquitous impost from the Central Government once more. I warn the Government seriously against this. So many years have passed and still there has been no improvement in the nation-building departments. I cannot say no but not enough. The hon. Member, Mr. Gopalaswami Mudaliyar, said that the Government is sympathetic, but I request them to be sufficiently sympathetic. If they remit 25 per cent, then they would be sympathetic. They have given this 12½ per cent remission, I believe, because of so much agitation.

"Most probably there will be a Commission sitting to apportion the contributions from various Provinces to the Central Government. That Commission may look at our accumulated balances and saddle us with a heavy contribution. Would they know that these balances have been possible only by squeezing the ryots and starving the nation-building departments? Would they know the difficulties that the ryots suffer by not being able to make both ends meet, especially the ryots in the Chingleput district? Resettlement once in thirty years does not mean that the Government should go on increasing the taxes irrespective of the conditions existing. If the conditions warrant, the taxes should be reduced. I request the Government to grant a remission of 25 per cent and to treat the Chingleput district with greater favour than other districts."

After Lunch (2-30 p.m.)

* Mr. P. PEDDI RAJU:—"Mr. President, Sir, I have to intervene in this debate. Last year a similar resolution was unanimously passed and there was not much contest. But unfortunately just now our knight Sir Patro uttered a note of warning to the Government practically against conceding the demands of the ryotwari landholders. I

[Mr. P. Peddi Raju] [30th January 1934]

am sorry that Sir Patro had removed himself from Ganjam and has become a metropolitan and has failed to represent the grievances of the voters whom he actually intended to represent. Moreover, my Friend hails from a district which is mostly zamindari and I feel that he can never realize the grievances of the ryotwari tracts. All the same, though the hon. the Revenue Member is absent, I can appeal to Mr. Thorne, the Revenue Secretary. The appalling condition of the upland ryots has been well described by my hon. Friend, Mr. Gopalaswami Mudaliyar. People generally think that the delta ryots are in a better position. I come from a district which is mainly deltaic. I think that Tanjore and Trichinopoly districts are like Godavari and Kistna districts. No doubt there was a time when people in these districts were in a better position. But the plight of the delta ryots now is much worse than it ever was. The price that is now existing is Rs. 2-6-0 per bag. Ten bags an acre is said to be normal yield in the delta. Even in the Government accounts—in the adangal—when ten bags is the yield, they put it as 16 annas crop. Last year in answer to my Friend, Mr. Krishnayya, the hon. the Revenue Member said that there may be lands in the delta which may yield 20 bags. This is an extraordinary circumstance which I can never realize. There is hardly a single acre in the delta which yields 20 bags. The average yield of land is only 10 bags an acre. At the rate of Rs. 2-6-0 a bag, the gross income per acre is less than Rs. 25. The average Government assessment in the delta is Rs. 10 to Rs. 12. It is not less than Rs. 10. The gross yield per acre is 10 bags an acre. What are the charges that have to be incurred by the ryotwari landholder for cultivation expenses, for harvest and for seasonal variations and other things? What is the benefit that he derives? Of course the Government may say and the hon. the Revenue Member has said that large amounts of money are being spent for the improvement of drainage and irrigation channels and that Government activities will suffer in the way of undertaking developments throughout. I have to say to the Government that the ordinary agriculturist does not care whether the Government undertake development in other directions so long as he suffers from the distress caused by the economic depression and the prevailing low prices. My hon. Friends have said that the cost of administration by way of salaries is too heavy and I will have to tell the Government that the ordinary peon in any department of the Government is much better than a landholder who has got 100 acres at the present time. It is high time that the Government should open their eyes and see that the ryotwari landholder is not oppressed. There is no reason to suck the blood of the ryot and then pay fat to the officials and some Round Tablers to go to England. It is advisable that the Government should retrench their establishments and cut short their expenditure and see that the general population in the Presidency do not suffer on account of the economic depression. Whether it is reasonable or unreasonable, whether the land revenue policy of the Government is placed on the statute book or not, it is the duty of any Government whether it is the British Government or a

30th January 1934] [Mr. P. Peddi Raju]

Swaraj Government to see that the general mass of the people do not suffer on account of the present economic depression. Sitting here, it is very easy to say that it is easy to pay the land revenue. The question is 'How are you to pay the heavy assessment, how are you to get from the landholder a portion of the produce he gets from the land?' I am sorry to see that the hon. the Revenue Member and the hon. the Finance Member have not realized the great distress existing throughout the Presidency. It is not one district that suffers. Every representative of every district complains about his own district, because he knows the state of things there. But it is for the Government to realize the difficulty felt throughout the Presidency. I have heard the officials saying that the registration of documents and the price of land are still found to be high. The reason is nobody is able to pay his dues and all lands are going into the hands of the money-lenders. If this state of things continues it is not only the poor ryot but also the rich ryot is going to insolvency. If the Government do not come to the rescue, I am sure and I can prophesy that all the lands will go to the money-lenders. Then there will be a revolution, if not some bloodshed and other things. The hon. the Revenue Member has toured throughout the Presidency. I do not know whether he has been intimated of this fact. There are places in the district where the money-lenders' houses are threatened to be dacoited some day or other. The villagers have all joined and they are trying to give any amount of trouble to the money-lender because the money-lender does not take the land and there is no way of paying the dues. It is not simply a question of paying assessment to the Government. The Government will have to consider the question from an economic point of view and to see how they can give relief. Twenty-five per cent remission is a very reasonable demand which the Legislative Council has made. I do not think anybody will be satisfied with 25 per cent. From the administrative point of view some amount of revenue is necessary and the Government must be satisfied with 75 per cent of the assessment. So I appeal to the hon. the Revenue Member and the Finance Member to see that at least this demand of the Legislative Council is met. I also request the Government that 25 per cent of the kist may be remitted this year and that they can wait and see what should be done next year. Last year the hon. the Revenue Member said that there was a tendency for rise in prices; but that prophecy has not been fulfilled. This year there has been a further fall of 25 per cent in the prices. The hon. the Revenue Member admitted last year that prices were too low and said that there is some chance of improvement. What is the condition to-day? It is much worse. So, the Government should not be blind to the distress existing in the country; they should open their eyes and give succour to the ryots."

* Mr. G. LAKSHMANA REDDI:—"Sir, I rise to support the motion. Of course my hon. Friend, Sir Patro, has got quite a different viewpoint of the Famine Code. According to the Government at any rate, when there are no crops, the Government can interfere and give remissions. But according to Sir Patro, where there is no crop, it is only

[Mr. G. Lakshmana Reddi] [30th January 1934]

the poor man paying a kist of Rs. 10 and less that should be given remission and not the other class of ryots. I do not think that his view will be accepted even by the Government.

“Coming to the question on hand, the Government suspended 12½ per cent kist last year in the case of some districts. But this year the Government have issued a communiqué stating that only 6¼ per cent of the kist will be remitted in the case of dry lands and 12½ per cent remission in the case of wet lands all over the Presidency. I submit that the situation this year is worse than last year all over the Presidency. So far as the Ceded districts are concerned, I have personal knowledge. Dry lands predominate there. The ryots there are in a very distressing plight. The yield this year also was poor. Add to this the abnormal fall in prices. There is very poor demand for agricultural produce. In most cases the yield is not enough to cover the agricultural expenses incurred by the ryot. I think that, for this year, at least 25 per cent remission is necessary. There is a clear case for remission of 25 per cent. I therefore earnestly request the hon. the Revenue and the Finance Members to agree to the modest request of the Mover.”

2-45
p.m.

* Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—“Sir, I do not understand, in fact I am very much surprised to see, how the Government failed to realize the distress prevailing among the people. If the Government had really known the difficulties, they would not have been so heartless. But I now see it is no wonder that the Government have not realized them when my hon. Friend, Sir Parasuram Patro, who says that he is an advocate of the cause of the people and who had been to England for the Round Table Conference to represent India, himself does not seem to have realized those difficulties. There is a sort of eyewash in his statement and I think nobody will be deceived by that. My friend says that the poor ryots who pay less than Rs. 10 should be given full remission and that the rich people should be made to pay, even so much as to cover the remission granted to the poor people. He knows very well that the Government will not accept such a proposal. There is no principle involved in that. It is only a camouflage. It is well known to the hon. Members here, and they have taken every opportunity to inform the Government of it, how acute the distress is that is prevailing in the country. I can speak about my own district with authority. There, so many very valuable lands have been sold for nominal prices, lands worth Rs. 50,000 have been sold for Rs. 2,000. There are several instances of this kind. Some time back, I asked a question to find out how many such lands were sold for nominal prices; the Government reply was that they had called for information and that the information had not been received.

“My friend, Dr. Natesa Mudaliyar said, it is not only a question of South Kanara or Malabar. It is true, but still there is something peculiar or special in the case of Malabar and South Kanara. Because, in all the other districts the tenants’ improvements are not taxed, while in Malabar and South Kanara where you have no Government irrigation

30th January 1934] [Mr. Mahmud Schamnad]

works and Government are not spending a pie for helping the ryots who cultivate their lands, tenants’ improvements are taxed. Although there is copious rainfall for three or four months in the year, all the water is washed down to the ocean and no measures are taken by Government to conserve the water by either anicuts or bunds, etc. On former occasions attempts were made to induce Government to conserve some water by anicuts, etc., in order to help the ryots in cultivating second and third crops. As it is, the people have to spend a large amount of money for building anicuts, digging big wells and tanks, etc. All that is never taken into account in taxing lands in Malabar and South Kanara and they are charged just in the same way as lands on the East Coast where they have got irrigation facilities, etc. You know, Sir, even recently several crores of rupees were spent on the Cauvery-Mettur project. When you compare the assessment in South Kanara and Malabar with that in the other districts, it will be found that the rate of assessment in South Kanara and Malabar is higher than that in the other districts. I wanted to know some time back by a question, whether the tenants’ improvements in South Kanara and Malabar were taxed. The answer was rather evasive. As it was an unstarred question, I could not elicit further information on the matter. The answer was ‘there are different kinds of tenants’ improvements, and all those kinds are not taxed.’ Some such answer was given. All over the Presidency ryots’ meetings have been held and resolutions have been passed and sent to the Government on the difficulty of paying the taxes, but Government seem not to have realized the difficulties of the ryots. My friend Mr. Palat said that remissions have been given on a much larger scale in the Indian States such as Hyderabad, Mysore, etc. That statement was challenged by my friend Sir Parasuram Patro who said that he knew the conditions of those States, that they did not spend much money as this Government on nation-building activities. May I know, if he has seen their budgets, what is the total income there, how much of it is provided for industries and other nation-building departments, and how much remission has been given there? He has not said anything about those things, but has simply said that they have provided very little for nation-building departments and that we here are spending so much more. It is not so, Sir. I find from the budget of those States and from other information available through the papers, that they have spent much more during the past three years on the agricultural and other departments than we have done in this province. Moreover we have large balances also; I do not know why we are accumulating these balances unless it be for helping the ryots in lean years, when they are in distress and difficulties. Simply because reforms are going to come and we are to have a reformed Government, we cannot go on accumulating balances for the future Government if we are ourselves going to be no more, to enjoy that future Government.

“It was asked on the last occasion when this same question was being discussed, by the hon. the Finance Member, whether we ought not to make provision for Part II Schemes for agriculture, industries

[Mr. Mahmud Schamnad] [30th January 1934]

and other departments. I say, we certainly should suspend those activities for some time until we are able to stand upon our legs. Every year you are making some provision from out of the revenue for 'Avoidance of debts,' for 'capital expenditure,' etc. They ought not to be provided for from revenue at all. They should be met from loans. When we cannot even manage to pay our assessment and make both ends meet, how can we provide for 'avoidance of debts' and for capital expenditure from revenue? If the Government are only sympathetic, they will find that the claim for 33 per cent remission is not at all excessive. Let them not think that by giving this remission of 25 per cent which is now asked for in this resolution, they cannot find sufficient money for the nation-building departments; even if it be so, let them suspend activities in those departments. Let them also take something out of the balances which are being kept separately. With these words, Sir, I support this resolution."

MR. SAMI VENKATACHALAM CHETTI:—"Mr. President, I consider that this subject is far too serious to be made a joke of by any hon. Member. This Council expects from the doyen of this Council much more seriousness at least in considering a matter which affects the very life and the main stay of both the Government and the people of the country. My hon. Friend, Sir Patro, began his speech by deploring the fact that both sides of the House are depleted in strength. Perhaps the reason was the possibility of Sir Patro's speech (laughter). I am glad Members were absent, lest they should also have suffered the same humility and the injury which those of us who were present here had the misfortune to undergo.

"Sir Patro has described his own speech very aptly. He said he was not saying anything either this way or that. That is a very bad description which could not possibly be made by anybody about his own speech. At one time he would say that the Government has to protect the ryot, that every possible facility should be given to the ryot and that this was not the time when the Government should be banking on their rules or regulations. At another time, he would say just the opposite. If any one reads his speech in connexion with the Budget Demand on Land Revenue, one would think that Sir Patro was quite a different incarnation from what he is to-day. To-day he is thoroughly changed. I do not know what that change is due to. Future events, people say, cast their shadows before. (An hon. Member: No motive please.) I am glad to be assured that there is absolutely no motive behind what he has said. But if that assurance had come from the hon. Member from Ganjam instead of from the hon. Member for Cuddapah, it would have been more assuring.

"Sir, I happened to travel a large tract of this Presidency during the last two or three months; and wherever I went, I found that the condition of the agriculturist whether he was a large pattadar or a small pattadar, was simply miserable, and baffled description. I am glad in this connexion to state that the Government are quite alive to the situation, that they recognize that the prices have fallen so low that it is

30th January 1934] [Mr. Sami Venkatachalam Chetti]

impossible for the cultivator or the pattadar to be able to pay his tax properly, and that if the Government had not been able to give him any adequate relief, it was because they had to meet other expenditure. There is no doubt some plausibility in that argument, but the question is: what is the other expenditure that is so paramount and that is so immediately necessary, even in preference to the relief that should be accorded to the pattadar during these times? I for one have no hesitation in saying that it is possible for the Government to retrench their expenditure considerably in order to give the relief that is asked for on the floor of this House and in several of the conferences of landholders held throughout the country. Sir, while admitting that the agriculturist is in a very bad condition, that he requires the support and protection of the Government, to restore the cut from out of the salaries of Provincial Service men seems to be an unpardonable mistake. Sir, that mistake ought to be remedied. I know very well that in recommending that course I am naturally injuring the interests of several Indians who are now in service; but that cannot be helped. And I do not think that any Indian in Madras who is receiving his salary without the cut would like to be in a better position when his neighbour, the agriculturist, is in dire circumstances. I am sure that if the proposition is put to them to-day, they would themselves surrender the cut. I therefore put before the Government this proposal: that if money is quite necessary, it can be found from the restored cut of the Government servants.

"Again, Sir, much is said about the expenditure that is necessary on the nation-building departments which are paraphrased in the language of my friend, Sir Patro, as the Development Department. I should like to have more details about these nation-building departments or the Development Department, whose needs appear to him more urgent than the relief that is absolutely necessary for the agriculturist.

"Sir, all that is possible and that can be spared for these nation-building departments is, I think, by one device or another taken away by the hon. the Finance Member. The Education Department is practically reduced to its former position, probably earlier than 1920 or 1922. By one method or another the hon. the Finance Member was so clever as to induce the Minister to fall in with his proposals, so much so that a good deal of the Education Budget is cut away. Sir, we have two Chancellors of Exchequer for the Madras Province. Sir Thomas Moir had an impregnable exterior, but Sir Hopetoun Stokes has a velvet glove on his iron hand. That is all the difference between these two Chancellors of Exchequer. I do not believe that so much money is necessary even for the purpose of maintaining the essential needs of the nation-building departments. It is all put up for the sake of argument that the nation-building departments will be starved if further relief is given. I beg to submit that, if it comes to that, I would rather prefer the nation-building departments to be starved than to allow the ryots going without any relief whatsoever from the Government.

"Sir, my hon. Friend, Sir Patro, suggested, as if to please the Government, that instead of giving wholesale remission at a certain

[Mr. Sami Venkatachalam Chetti] [30th January 1934]

percentage to all pattadars, a graded system might be adopted and particularly suggested the remission of the whole revenue that would be derived from the pattadars who pay an assessment of Rs. 10 and less. While saying this he made it appear to the Council that he himself being a ryot, that he himself having very much to do with the agriculturists, he had a better knowledge of the state of affairs than most of us can possess and I am afraid, Sir, he was speaking entirely without book. I do not know for one reason or another, why this statement showing the extent of holdings according to the assessment, has been omitted in the later reports of the settlement of land revenue. For instance, in 1931-32 we have not got the statement, but in 1930-31 there is. On calculation on the basis of whole remission in the case of all pattadars who pay Rs. 10 and less, the amount comes to 138 lakhs, whereas the Government proposals result only in a remission of 60 lakhs of rupees."

* The hon. the PRESIDENT:—" May I remind the hon. Member of the time-limit."

MR. SAMI VENKATACHALAM CHETTI:—" Was that proposition suggested only to defeat the other proposition that nobody should get remission, or was it suggested in favour of the Government, so that they may carry on the administration? Evidently, he has miscalculated the whole thing and thought that by quoting an extreme proposition he would be putting himself right with the poor people and also putting himself right with the Government. Sir, such a dubious position cannot possibly be sustained in a House which has access to facts and figures at a moment's notice. (Sir Patro: 'Pseudo-patriotism'). Sir, I do not know why this question of pseudo-patriotism should come in here. I have not loved England in preference to India and therefore the question of pseudo-patriotism does not arise. He must know the meaning of the words 'patriot and patriotism' before he can hurl that appellation on me. I wonder, Sir, when my hon. Friend is going to learn consistency, when he is going to learn restraint and when he is going to learn dignity in a House of this sort. (Mr. Basheer Ahmed Sayeed: Consistency is not a virtue.)

" Sir, with reference to the remission now suggested by the Government, there is one point to which I would like the Government to pay greater consideration. That is with regard to the difference they make between districts having recent resettlement and those districts which had been settled long ago. The result is that, with regard to resettled areas, the benefit they get is merely a remission of the increased assessment. With regard to the other districts, they get 9½ per cent more. It is desirable that, as the misery, the difficulty and the economic depression is universal, all the districts should be treated alike.

" There is also one more thing which I would like to submit to the Government. They have placed these proposals before the Finance Committee and the Finance Committee, thinking that a constructive proposal might help the Government, recommended a remission of 18½

30th January 1934] [Mr. Sami Venkatachalam Chetti]

per cent for wet lands and 9½ for dry lands. Whereas, the Government thought that a uniform 12½ per cent remission might be granted. The Government take advantage of the recommendation of the Finance Committee so far as the dry lands are concerned and would not accept the recommendation made so far as the wet lands are concerned. That is really unfair. In fact, the dry lands have never been quite so lucrative as the wet lands and, if remission should be granted, since people have suffered equally from the products of the dry or wet lands, they should not make a small difference between these two things. From this sort of difference it appears to me that the Government are parsimonious in the matter of affording relief in times like this, when I expect the Government to be more generous. The ryots stood by the Government all along. They have been responsible for filling up the coffers of the Government. They have been able not only to feed themselves but also the rest of the population and it is, therefore, desirable that Government should come to the rescue of the agriculturist in a generous measure, he being the mainstay of the Province. It is not unknown to the Government that other industries—other than agriculture—like steel, piecegoods and such other industries, are able to get protection by means not only of subvention but also through protective duties. Having regard to that, though that matter may not be within the province of the Provincial Government, it is desirable that the Provincial Government should point out the invidious distinction they are making between a commercial industry and an agricultural industry, and try to get some relief, if not by remission, at least by way of subvention to the agriculturists. It is this point of view that I want to urge upon the Government. It should not be supposed that Members of the Legislative Council are irresponsible in asking for such a high percentage of remission. It is not so. We are quite alive to the very depressing condition all round and it is impossible to be more moderate than to ask for a reduction of 25 per cent. If only we should adjust our demands to the needs of the country, to the existing state of affairs, the percentage of reduction that we ask for must certainly be greater. I dare say, so far as the facts and figures are concerned, Government are not willing to dispute them and I do not think they will have the hardihood to dispute them. Their difficulty, as I have said, may be with regard to the adjustment of the budget. Sir, adjustment of the budget may also be accomplished by raising a loan and it is not after all a very humiliating thing for a Government to raise a loan and adjust the budget for some years. We have done so in previous years when the exigencies of the situation required. (The hon. Sir Archibald Campbell: 'When?') Yes, during the war. After all, in the history of Governments, I do not think this is an undesirable course in order to tide over the difficulty. I place this matter before the hon. the Revenue Member, the hon. the Finance Member and other Members of Government, for a sympathetic, generous and broad-minded consideration and not to higggle over facts. It may be, Sir, that some facts may be wrong and some exaggerated, but there is no good of raising any objection on account of that. What we want is this. We want to impress upon you the need for giving a generous

[Mr. Sami Venkatachalam Chetti] [30th January 1934]

measure of relief, if you are convinced of the necessity of protecting the agriculturist from utter starvation and ruin and allow him to live, so that he may be able to feed the Government for all time to come."

MR. C. BASU DEV:—"Mr. President, if I rise to intervene in the debate on this difficult question of remission, it is to express my doubt whether this Council is after all proceeding in the right direction in this matter. This Council has no jurisdiction to tackle questions of exchange and other international issues and perhaps Members of this Council have thought fit to have recourse to the easy though momentary relief by granting remission. I must at the outset make my position clear and assure the agriculturist that I am in entire sympathy with his troubles and his difficulties. The hon. Member who preceded me has told the House how we had come across the indescribable misery of the agriculturist. I too have in my humble way come across the misery of the agriculturist, but in the course of the conversation I had with the agriculturists, I came to understand that what they really want is not the pittance of a remission of 12½ per cent or 25 per cent, but a more substantial and permanent relief and that can only be done by a thorough examination and revision of the system of land revenue in this Province. There is no good in resorting to this slipshod method of asking for remissions year after year and upsetting the administration of the Province. I would therefore respectfully suggest to this House that the better method would be to have a very thorough revision of the land revenue system. A 25 per cent remission which the hon. Members of this House suggest will not help the ryot substantially, nor relieve his distress. If a remission of Rs. 3 for a period of twelve months is given, I am sure it is not going to help him materially. I am not for one moment suggesting that no relief should be given to the agriculturists of this Province. (Mr. Basheer Ahmed: 'Then you want more relief to be given?') Every relief should be afforded to the agriculturist and the method you are suggesting is not the proper method as it would not give him adequate or permanent relief. (Mr. Basheer Ahmed: 'What is your method?') If the hon. Member will have patience to hear me out (Mr. Basheer Ahmed: 'It is impossible')—I am very sorry that even eight or nine years of experience in this Council has not taught him patience. (Mr. Basheer Ahmed: 'It is impossible.') I was suggesting that, instead of distributing a remission of 12½ per cent or 25 or even 50 per cent, if a substantial amount can be wholly set apart for examining the question of affording proper relief in cases of agricultural distress and making a permanent arrangement for meeting contingencies of this sort, the money would have been much better spent. If Government would only set apart the amount of the proposed remission for the purpose of a thorough overhauling of the system and enquiry into the methods by which such distress of the agriculturists could be met, I am sure that would be better and a permanent way of dealing with this question. (Mr. Basheer Ahmed: 'You will vote for this.') I do not know if the Agricultural department or any other department

30th January 1934] [Mr. C. Basudev]

concerned with this question has examined how far the supply is in excess of the demand.

"I do not know if the concerned departments have examined the 3-15 question of finding markets outside this Province for our produce. I do not know, Sir, if any research has been made as to how far other products can be produced in this country other than paddy and how far lands can be set apart for more profitable produce. I am sorry, Sir, I am only a layman in revenue matters. I could only offer what my humble intelligence tells me. I think that, instead of asking for remissions year after year, this House should address itself to solving the problem in a more satisfactory and more permanent way. I am not suggesting that no remissions should be given. I am one of those who suggested in the Finance Committee that a remission of 18½ per cent should be given. That would meet to some extent the discontent in some of the recently resettled districts. It is not going to be a substantial relief but it would be equal to the amount of enhanced assessment. With that view I suggested that the remission may be increased to 18½ per cent. I do agree with Mr. Sami Venkatachalam Chetti when he criticised the nation-building departments. I do not know what those departments are doing to really build up the nation. I join with him in questioning the utility of the work they are doing. The Agricultural department is trying to grow two blades where one grew. That will not solve the question. We must find out where to grow and what to grow. There is no good in simply growing paddy in all areas. With these words, I suggest that, instead of asking for 25 per cent, this House should think of supporting the recommendations of the Finance Committee."

* Sriman M. G. PATNAIK Mahasaya:—"My amendment will be to add the following words: '*Provided that in the assessment in the Goomsur division of the Ganjam district a reduction of 50 per cent be made.*' I have already spoken with regard to this amendment. It was not ready then. My reason is that Goomsur is situated at a great distance from the railway station, and paddy is carried in carts at great cost. Therefore, they have to sell paddy in the division at a low price. Secondly, the neighbouring States of Orissa are dumping large quantities of paddy in Goomsur and the price is thus kept down. These are the reasons I gave and I now formally move the amendment."

* Rao Bahadur Sir A. P. PATRO:—"I have great pleasure in seconding the amendment. It is difficult to commend this motion to those experts in this Council who do not know to distinguish between a rice plant and a chilly plant. If there are members who have come to that state of knowledge and yet can speak with authority on such important matters, then woe for the times and such party. But, we have not descended to that state of self-delusion. Self-discipline is a virtue which ought to be cultivated not only by every individual, but more so by those who are fortunate enough to be responsible Members of this House. When we forget that self-discipline, of course, we lose our position as responsible Members. I need hardly go into that matter at length. We

[Sir A. P. Patro]

[30th January 1934]

have got a very special case in Ganjam. In Goomsur, we have got a very long distance and on account of that, there is extra cost and added to this there are floods or other causes of ruin. It is specially because of this that this amendment is moved and I am sure that it will meet with the approval of the Government. Unlike other districts which are trotted out by hon. Members in the name of patriotism and whose patriotism is so notorious that I need hardly stoop to analyse . . .

MR. U. C. SUBRAHMANYA BHATT:—" May I know, Sir, whether a Member of this House can make an insinuation regarding the patriotism or the bona fides of other Members of this House? "

* The hon. the PRESIDENT:—" The hon. Member must have risen up earlier still."

* Rao Bahadur Sir A. P. PATRO:—" Thank you, Sir, for giving the apt reply to that very restless Member. However, there it is. With regard to Goomsur, there is a special case for a special treatment. It may not be known to certain people who pose themselves as leaders of people. Though Goomsur is in a corner of the Presidency, surely it is a deserving case and I would appeal to Government to treat this as a special case."

* MR. A. B. SHETTY:—" Mr. President, Sir, Sir Patro has drawn upon himself a shower of criticism from different sides of the House on account of some of the injudicious observations he has made. He must be consoling himself with the thought that hard words break no bones. Sir Patro is not right in thinking that, because some of the Benches in this House were thin when he spoke, the Members of this House are indifferent about this resolution. If there is one matter, Sir, on which all sections of this House are united, it is this question of giving adequate relief to the ryot, at this time of exceptional distress. The cry for relief comes not from one district or one set of people, but from all districts of the Province and from all sections of people from Ganjam down to South Kanara. It is very regrettable that Government have not seen their way to accept in full even the very moderate proposals made by the Finance Committee. The extent of relief decided upon by Government is not at all adequate to meet the needs of the situation at this time of exceptional distress. The position this year is much worse than what it was last year and Government themselves seem to have recognized this matter by coming forward, in however inadequate a manner, to give some relief to the ryots in all districts this year. Even last year, Sir, it was with great difficulty that the ryots paid their assessment. Many had to sell their jewels. Many had to borrow money at high rates of interest and in many cases Government had to take coercive measures and attach and sell lands for arrears of land revenue. Sir, now the prices have gone down by 40 to 50 per cent. The ryots find it very difficult to sell their produce. They cannot get credit. The position is very serious indeed. The Government plead that if they give large remissions, they cannot make sufficient provision for the nation-building departments, for Part II schemes. Government can afford to give

30th January 1934]

[Mr. A. B. Shetty]

more relief to the ryots. One way in which Government can find the money for it is by reimposing a cut on the salaries of their servants. The Madras Government were too hasty in restoring the cut imposed year before last. If there is one class of people who are to-day not only not affected by the present economic depression, but are even better off than what they were in previous years, it is the Government officials. Every rupee of the salary they are getting to-day is worth two times as much as what it was half a dozen years ago. So, Government can, without difficulty, reimpose a cut on the salaries of their servants. I do not think Government officials, feeling as they do for their fellow countrymen, will grudge bearing a share of the burden. Secondly, Sir, we found when the last Budget was presented that the Government had a closing balance of 271 lakhs. This accumulated balance can very well be utilized for giving relief to the ryots. Government must give up the policy of meeting capital expenditure out of current revenues and out of balances built up from current revenues. Government must explore all possible ways of giving help to the ryots at a time of distress like this because, as it has been repeatedly said, the agriculturists form not only the bulk of the people of this Province, but they pay the largest part of the Government revenue. Remission in revenue is not the only thing that Government can do to help the ryots. They must take steps to raise the prices of agricultural produce, to provide cheap credit and long-term loans, to help the cultivation of more profitable crops, to find markets for exporting paddy and to prohibit import of rice. Government will be judged by the extent to which they come to the help of the ryot at a time of exceptional crisis like this. The promotion of the welfare of the ryots will be the acid test by which Government will be judged."

* MR. K. KESAVARAMAMURTI NAYUDU:—" Mr. President, Sir, prices have now gone down by more than 55 per cent. Even a remission of 25 per cent will not go a great way in relieving the distress of the ryots. In Godavari, nobody is willing to pay Rs. 2 per bag. Formerly it was selling at Rs. 6. On account of this fall in prices it has been difficult for the poor ryots to meet even the cultivation expenses after paying the Government kist. The present prices are much lower than those obtaining at the time of the previous settlement. The proposed remission of 12½ per cent will not be of any help to them. Even for the cultivation expenses they have mortgaged their lands and parted with the little gold they had. Now is the time for the Government to show real sympathy and come to their rescue by giving at least 25 per cent remission.

" I wish in this connexion to say a few words about the Polavaram Island. There the protective bund was left incomplete for six or seven miles. Recently there were two very heavy floods and water rose 2 feet above the protective bund and remained there for about 20 days making the crops completely rot. The present rate of assessment on such lands is about Rs. 10-8-0 per acre. The Polavaram project also forms part of the Godavari delta system. The lands in the Godavari delta bring the Government a profit of about 14 per cent over the

[Mr. K. Kesavaramamurti Nayudu] [30th January 1934]

investment. I request the Government to combine these two projects and calculate the expenditure which the Government have incurred. By adding the investment on the Polavaram project to the investment on the Godavari delta system, the Government will find it possible to reduce the present rate of Rs. 10-8-0 assessment to the level of assessment which obtains in other ryotwari parts of the delta. That means they can reduce it to the level of Rs. 6-8-0. I request the hon. the Revenue Member to give a favourable consideration to the grievances of the ryots in the Polavaram Island and give them redress. With these few words I support the motion for reduction."

* Khan Bahadur P. KHALIF-UL-LAH SAHIB Bahadur:—"Mr. President, Sir, coming as I do from Trichinopoly, I shall be failing in my duty if I do not join in this debate and give expression to the prevalent feelings in the districts of Trichinopoly and Madura. Some hon. Members speaking before me said that during their tours in their districts or in other districts they came across ryots who told them that this would be no relief and that they do not want this relief. I am really at a loss to understand such a sort of ryot. At any rate, I may assure this Government that none such exist either in Tanjore, Trichinopoly or Madura, though they may be in existence in the districts which the other Members represent. The feeling is so acute for obvious reasons. A mirasidar friend of mine owning a village in Tanjore tells me that his tenants give him about 400 kalams of paddy which are sold at about 14 annas a kalam and by way of Government kist alone he has to pay about Rs. 360. So that, taking into account all his receipts and disbursements, he stands to lose some money from out of his pocket for the honour of possessing that village. This instance, I may say, is not a rare one. This difficulty is obtaining throughout these districts.

"Sir, is the depression a temporary one? The hon. the Revenue Member told us last year that it may prove to be temporary and the relief granted might be sufficient. Now we see that it is continuing. Last year the position of the ryot was somewhat better for the reason that the prices were a little higher and also for the reason that the ryot had some capital hoarded up in his notorious treasure troughs. The present high value of the gold has dragged out his entire hoarding and the same has been sold out to meet his present demand. This year the position of the ryot in the entire province is certainly more acute than what it was last year. This year they have nothing to fall back upon, his hoarded gold having been previously sold to relieve the pressure brought to bear upon him by the money-lenders and others. His position is now certainly unbearable. Moreover the difficulty of the ryots to-day consists not only in paying off the debts he has incurred, but also in meeting his day-to-day needs.

"Sir, I heard it said by one hon. Member that for a ryot paying about Rs. 100 as tax, Rs. 25 may not be a great relief. But, I may submit, Sir, I am a mirasidar myself and am paying a few hundred rupees by way of tax. This 25 per cent remission will certainly be

30th January 1934] [Mr. Khalif-ul-lah]

taken as a great relief by me and, I think from the experience that I have got of other mirasidars, and other ryots on a higher and on a lower footing, such a relief would be equally welcome to them.

"Sir I may say one more word in this connexion. It seems to me that the relief that is given must be an absolute remission and certainly not a suspension of collection merely, because, already the anxiety of the poor ryot is too much for him to bear. There is the money-lender watching him and there are also other things for him to attend to. Let not Government add to the acuteness of his anxiety by adding to it a suspension of tax dangling before him. My humble submission to Government therefore would be that any relief that must be given to the poor ryot must be by way of absolute remission.

"One hon. Member said that several ryots—though he himself did not believe it—told him that 25 per cent remission would not be a good relief. He closed his speech, however, by saying that he would recommend 18½ per cent relief. I wonder if 18½ per cent remission is in his opinion a substantial relief, whether 25 per cent or more would not be considered by him as a bigger relief. So, taking the entire case, I submit that there is a good case made out for remission and absolute remission being given.

"One word more, Sir. It has been said that the Government is blind and absolutely heartless in this matter. I have had some discussion, Sir, about this very matter and I must say that the Government is neither blind nor heartless. There is only a difference in view. Government seems to think that remission would not be a proper remedy and that the improvement in nation-building departments would serve as a better remedy. I may say at once that this is not at all a correct view of the present situation. I mean we cannot kill the present ryot and make the position better for the ryot to come. We must see that the ryot that we have is kept in a proper condition before we start making improvements which would be of a permanent nature. The first and foremost requirement to-day is the immediate relief to the ryot actually suffering and such immediate relief can be given only if we grant remission and certainly not by improving the nation-building departments which may in the long run prove advantageous. I therefore think that immediate relief should have preference."

* The hon. the PRESIDENT:—"Mr. Basheer Ahmed may move his amendment and at the same time confine his remarks to the amendment."

Mr. BASHEER AHMED SAYEED:—"I rise to move the amendment of which I have given notice, namely—

"that between the words "on" and "ryotwari" insert the word "all" and, secondly, after the word "lands" insert the words "irrespective of wet or dry".

"Sir, the reason why I have thought it fit to give notice of this amendment is this: In the recent communiqué which the Government issued they have shown a differential treatment between wet

[Mr. Basheer Ahmed Sayeed] [30th January 1934]

and dry lands. But, I am afraid, in the communiqué itself they have made out no case against a lower percentage of remission or suspension in the case of dry lands. The prices of crops have admittedly fallen. It cannot be said that they have fallen only in the case of wet crop, viz., paddy and not in the case of dry crops such as ragi, cholam or cumbu and such other products. In fact the prices of dry crops have always kept a certain ratio with those of crops like paddy. Whenever the price of paddy comes down, naturally the demand for this dry crop also comes down and there is an equal degree of fall in the price of dry crops as well. I therefore say, Sir, that the Government is not justified in proposing to suspend only 12½ per cent in the case of wet crops coming under the area settled after 1918-19 and only 6¼ per cent in the case of dry crops. Sir, there are dry lands which are cultivated with wet crops by Government water. In the case of those lands which are cultivated with wet crop by Government water, I have already moved and the amendment is before the House that the water-rate should also be included for purposes of remission or suspension. I believe, Sir, that the Government have done well in having included water-rate as well, but I would urge upon them the necessity and the justice of giving the same rate of suspension or remission in the case of dry lands as well. All that the Government have stated in their communiqué with regard to dry crops is this:

‘The prices of dry food grains rose similarly, but have not fallen so low.’

“This is a comment which does not comprehend any logic in it. If they have risen along with the wet crops, naturally they must have fallen also in the same ratio as the wet crops. The Government have, however, merely left the matter there and say that they have not fallen so low. All the same there is this admission that the prices of dry crops have fallen. But I submit that the Government have not investigated the extent to which the prices of dry crops have fallen. That being the case, in the absence of any investigation and without having made out a case against giving a similar suspension in the case of dry crops, it is but fair and reasonable that they should also include the dry crops for remission or suspension, whatever that might be.

“Sir, I would now pass on to the amendment that has been given notice of by my hon. Friend from Ganjam and which has been supported so vehemently by the other Friend from Ganjam. I submit that it is not merely Gumsur alone that is situated in a peculiar position. I have brought to the notice of the hon. the Revenue Member the case of those districts that have been very severely affected by the last cyclone—I mean the sad plight of South Arcot and Tanjore. Gumsur is not the only part of the district that has suffered seriously. In the case of certain important taluks in South Arcot and a major portion of Tanjore the condition is still more deplorable. In their cases, if Government merely state that Board’s Standing Orders will be given effect to and that the usual remissions will be given to them, it

30th January 1934] [Mr. Basheer Ahmed Sayeed]

will not be a sufficient or adequate relief. Government have promised at the end of their communiqué that such remissions as may be admissible under the Board’s Standing Orders or any other special orders may be passed by the Government. Collections have already commenced and I ask the hon. the Revenue Member as to what special orders the Government have passed or are going to pass. Under the present circumstances almost all crops have failed in the taluks of Chidambaram and Vriddhachalam. It has also been brought to the notice of the Government that Vriddhachalam has been affected by a new pest as well. So, this must receive a greater consideration at the hands of the Government than places like Gumsur. I would ask the hon. the Revenue Member and the Minister in charge to look into this fact and see how this pest has come in that taluk and what steps they have taken to prevent the spread of pest in other neighbouring taluks. I am afraid, if proper remedies are not taken, the pest will spread in the neighbouring taluks and Government will be placed in a worse position than they are at present. As it is, in the Press Communiqué the Government have stated that some concessions have been given to the ryots. I do not see exactly what concessions they have given. They say they have so many proposals under consideration and effect will be given to them in due course. I want to bring to the notice of the hon. the Revenue Member that the several concessions they claim to have given to the ryots have not been given to the ryots in Tanjore and South Arcot by the authorities subordinate to the Government. The Deputy Collectors and the Tahsildars do not allow any concessions allowed by the Government to be enjoyed by the ryots. The latter are not even allowed to take even fallen trees in order to rebuild their houses. I therefore request the hon. the Revenue Member to direct the Deputy Collectors and the Tahsildars to give the ryots such relief as is possible which would not entail any loss to the Government. Even such kind of relief is denied to the ryots of South Arcot. Some poor people have been prosecuted because they took one or two fallen trees to rebuild their houses. In South Arcot prosecutions were launched upon some poor persons for removing small things. I would therefore appeal to the hon. the Revenue Member that there is a case for special treatment being meted out in the case of cyclone affected areas in South Arcot and Tanjore and would ask him to pass early orders giving those ryots some special treatment or extra remission. It will not be enough, if the Government confine themselves merely to Board’s Standing Orders. The Board’s Standing Orders themselves require revision and it would be desirable if Government would take up revision of those orders as soon as possible, because, as has been pointed out by the ryots of South Arcot and Tanjore, the old system of settlement is not really the right kind of settlement. I do not want to go into that question in detail now. The communiqué has not taken into consideration this aspect of the question. Cultivation to-day calculated even according to Mr. Jackson’s report is not profitable. Government’s claim of 50 per cent is nearly 115 or 110 or 90 per cent. Statements showing these facts

[Mr. Basheer Ahmed Sayeed] [30th January 1934]

have been asked and furnished by the mirasidars of Chidambaram taluk to the hon. the Revenue Member and the hon. the Finance Member in statements 'A,' 'B' and 'C.' They have shown from the settlement report of Mr. Jackson that the several tarams into which he has classified land do not yield so much profit to ryots. The Government themselves have not examined those statements in their Press Communiqué and have not made any mention of the profitable nature of cultivation. It must be taken for granted in the absence of any contradiction by the hon. the Revenue Member that every taram rate particularly in the lower Coleroon anicut is a rate not warranted by figures and even according to Mr. Jackson's calculation the ryots are working at a minus balance and none of them are making any profit. This, the Press Communiqué has not referred to and it would have been beneficial if Government had included an examination of this aspect of the question as well. I hope the Government will accept or are going to accept 25 per cent or 18½ per cent remission and include dry assessment also for remission.

"I may, before I conclude, mention that all over the districts there has been a demand for more than 50 per cent reduction. Obviously that seems to be a very reasonable request. The position of the ryots is worse than it was at any other time. Unless 50 per cent reduction is given to them, there will be no real relief to them. But I am not going to press that point. There are so many things in the Press Communiqué which the Government will do well to examine and in the case of Tanjore and South Arcot, I hope they will be pleased to issue special orders giving them a special remission. I therefore move my amendment."

The PATTAGAR OF PALAYAKOTTAI spoke in Tamil seconding the motion.

* Mr. W. K. M. LANGLEY:—"I had no intention of intervening in this debate, but on reconsideration I thought, there might be some misunderstanding if I did not take part, in view of the fact that I took some part in a similar discussion during last year's budget, and that some explanation might be called for if I did not take part in this particular debate. I am afraid, as far as I am concerned, I cannot accept Mr. Arasu's proposal which recommends a reduction of 25 per cent all round. I cannot support a resolution of that nature. While I am afraid I cannot support such a proposition I ought also to make it plain that I do not speak on behalf of the Group with which I am connected but am speaking for myself. So, it should not be understood that the Group with which I am connected supports a general reduction of 25 per cent in the land revenue assessment. On the other hand I should certainly not like to go so far as Sir A. P. Patro to whom I listened with absolute amazement when he was speaking on this resolution. He appeared to be opposed to this resolution, yet he actually suggested, I believe—Mr. Sami Venkatachalam Chetti has already dealt with it—that land assessment in the case of those who are paying Rs. 10

30th January 1934] [Mr. W. K. M. Langley]

and less should be remitted entirely. I understand that those who pay Rs. 10 and less represented 70 per cent of the ryotwari landholders of the Madras Presidency. So, while I cannot support Mr. Arasu in the matter of reduction of 25 per cent all round, I am afraid it would be still more impossible for me to support Sir Patro's proposal that there should be a general reduction of 70 per cent, a proposition which seems to me to be absolutely barren of statesmanship.

"Nevertheless, I do feel, and coming from Malabar I could not possibly help feeling, that some measure of relief is called for and to that extent I must express my gratitude for the proposals of Government for the reductions that they have suggested. But I confess that as far as Malabar is concerned—I admit that it is the only district of which I have personal experience—it struck me when the proposals came out that the reductions proposed were extremely meagre. I think last year Malabar was given a reduction of 12½ per cent on most of its lands. Everybody will tell you in Malabar, and I challenge the Government to ask their own officers—that the condition of Malabar and the condition of prices in Malabar is infinitely worse now than it was a year ago. If it was justifiable to reduce the assessment in Malabar by 12½ per cent last year, well, I think some larger remission is justifiable on the present occasion. And when I refer to Malabar, I think I can equally speak for South Kanara which is faced with very much the same problems with which Malabar is faced. I expect that most people who have read the papers will recollect an important speech made by H. H. the Zamorin in Calicut itself, in which he stated that he was only able to meet the last assessment through the fortunate fact that he received the Government malikhana just at the same time and was able to meet it out of that. Those who are not so fortunate as to receive malikhana from the Government—you can imagine their condition. It is undoubtedly the fact that the great landholders of Malabar are borrowing money in order to pay their assessment. They deserve every possible consideration at the hands of Government. It is all very well to speak of lands held by investors and not by poor ryots. The land is held in Malabar by the big janmis who have all the responsibilities and none of the advantages of the big zamindars of the East Coast. Where their own tenants cannot meet the assessment, it is notorious that the janmis have to do so on their behalf.

"My Friend, Mr. Patnaik, has already, I believe, moved an amendment relating to his district or one division of his district. (Interruption.) That is what I am doing. I am not far wrong. If that particular district is impoverished, all I can say in that respect is, if wealth has not accumulated in Goomsur, man has certainly not decayed in a district which has produced two such prominent Members of this House as Sir A. P. Patro and Mr. Patnaik, but if the district is in need of special consideration at the hands of Government, I claim that, if there is any special consideration to be shown to any district, it is only justifiable that it should be shown to my own district of Malabar and its allied district of South Kanara.

[Mr. W. K. M. Langley] [30th January 1934]

"As I have remarked, I am afraid I cannot support the particular resolution before the House. But I would have been glad if the Government had accepted the recommendations of the Finance Committee. On that basis, I think I could have justifiably taken part in any division which might arise. As it is, I am afraid I cannot vote one way or the other.

"As regards the special Government communiqué which was issued some time ago and to which our attention has been forcibly drawn by Government and by most of those who have spoken during this debate, I have read it, I hope, with sufficient care and I have read it several times over. It seems to me that the thing which mainly emerges from this communiqué is that it suggests that the ryotwari system in this Presidency has entirely broken down. I know that the gentleman, under whose signature this communiqué was issued and who made that brilliant speech on behalf of the Government during the last budget session, referred with the deepest respect to Sir Thomas Munroe and others who gave us the ryotwari system. It seems to me that the system, say what you like, is a species of socialism. It is an arrangement by which the Government, after certain deductions took nearly 50 per cent of the yield of the land. That was based on theories which obtained and which were workable 100 years ago when produce was as good as money and in fact, in most parts of the country at any rate, passed as money. The Government, it seems to me, are now in the same position as the United States of America in respect of most of their creditors. They ask their creditors to pay them in a commodity which they simply cannot produce. Their creditors are prepared to give them either goods or services, but they cannot give them what they do not possess, which is gold. In the same way, the Government, under the ryotwari system and the way it is worked to-day, cannot accept their share of the produce in the produce itself. They call upon those who produce the produce to pay their share in something which to the producer, it is not exaggeration to say, is simply unobtainable. It is all very well to refer to the market prices of the produce and so on, but it must be remembered that these prices just like the prices of stocks and shares are the quoted prices so long as the market is not flooded. Now it is notorious that the godowns and warehouses on the West Coast as well as the kalams in Malabar are bulging with paddy at the present moment, which is simply unsaleable. It is all very well to say that paddy sells at so much per garce or so much per para or so much per any other measure you like. It is only worth that so long as there is somebody to buy it at that price. If all the paddy is put on the market simultaneously, it will simply mean that the price will not be so much per para or so much per garce, it would be nil, it would have no value whatsoever. It seems to me that we are facing what may turn into a very serious situation in this Presidency in the matter of this unsaleable produce on which the Government build their hopes for realizing their land revenue. Surely the Government may be faced with a similar situation to what obtains in many of the wheat

30th January 1934] [Mr. W. K. M. Langley]

countries where wheat is being burnt in incinerators in large quantities, because there is a large surplus which has no value whatsoever. Similarly in Brazil where the staple produce is coffee,—my hon. Friends from South Kanara will tell you—it is being burnt at the rate of 10 to 15 million bags per annum. You should look at what is happening in other countries. You may be faced with a similar situation in this Presidency where paddy accumulates to such an extent that it might reach a stage of being definitely unsaleable and large portions of it might have to be taken off the market and destroyed. In that event, any sort of remission that the Government might give would be absolutely valueless. The Government should very seriously and very carefully consider the suggestion that was made on the other side of the House by Mr. Basu Dev who made a most valuable contribution to the debate to-day. I think he suggested that a most careful examination should be made not only of the ryotwari system but also of the whole agricultural system of the Presidency.

"Now, in this communiqué there is a paragraph which interests me particularly. I confess that some of the earlier paragraphs do not explain very much to a layman like myself, but there is one particular paragraph on which, I think, I do know something and that is the paragraph on page 4 which mentions the measures which Government are proposing to take in order to try and alleviate the situation. Well, I have no hesitation in stating that these particular measures that they propose are almost entirely valueless. It is true that railway rates have to some extent been reduced and to that extent, possibly, some of the mirasidars of Tanjore may be getting a slightly better market for their rice down in Ceylon. The only other suggestion is looking for fresh markets. How can the Government of Madras expect to find new markets for a produce like paddy when the whole of the paddy growing countries of the world, where marketing of paddy is a fine art, cannot find an outlet for it? Let them look at the state of Burma. If there were new markets for paddy, would Burma and Siam not have found them quickly? As it is, the state of Burma as a paddy-growing country is far worse than the state of India. And if the Government of Madras seriously think that they are going to be able to find a new market for their paddy, then, I am afraid they are suffering under a deplorable delusion. Nevertheless . . . (Interruption.) That is what I am coming to—other crops. I am glad to see that I have stung Sir A. P. Patro into a valuable suggestion. That was the suggestion: other crops which might be grown in the place of paddy. I met a friend this morning who is very much interested in agriculture. He deals in an article which is enormously used in this Presidency and all over the world—fertilizers. He was telling me about some striking work which he had inspected only yesterday. It was being carried out by a man who happened to find himself by various accidents in possession of a considerable quantity of land which hitherto had been used only for paddy. He knew that it was no use growing paddy on that particular land; he immediately decided to grow sugarcane on

[Mr. W. K. M. Langley] [30th January 1934]

that land. He was doing that with very striking results and very considerable profit to himself. I put it to this gentleman: when so much of the land now on paddy can be cultivated with sugarcane, why do not the ryots do that? His reply was that the ryots were extremely conservative people, their family system was such that if a bright son proposed the turning of paddy land into sugarcane land, he would be told that what was good enough for his father and grandfather was good enough for him also. The ryots feel a hesitation in altering the ancient system of the family, the principal reason being they have no confidence, feel no certainty as to the future prices for sugarcane. That is hardly surprising, because the price of sugarcane is artificially kept up by the enormous protective tariff on sugar and they feel that these enormous duties might be removed at any moment and the price of sugarcane might slump. The conservative father to whom I have referred would then tell his son, 'well, I told you so.' That is their fear. It seems to me that a great deal might be done by the Agricultural Department to encourage and persuade the ryots to cultivate other crops rather than paddy.

4-15
p.m.

"Obviously the crop which must strike everybody as being the crop which should be immediately grown, as soon as possible in large quantities, is sugarcane. But the question is whether the Government would definitely arrive at some figure and guarantee the buying rate at a certain figure for a ryot's sugarcane. I do not know if some such guarantee can be given. It seems to me that many thousands of acres in this Presidency, which now are only producing paddy and are not in a position to pay their assessment, can grow very valuable crops like sugarcane, which would enable them to pay their full assessment and the ryots would thus be in a better position to meet the demands of Government from a reliable source of income."

* Dr. P. SUBBARAYAN:—"Sir, this is not the first time that Mr. Langley has impressed the House with his lucid and cogent arguments, because whenever he intervenes in debate, he is always able to contribute something to the knowledge of hon. Members of this House. The remedy that he has suggested of growing sugarcane in paddy lands is indeed one that ought to be investigated and his suggestion to have most of the paddy lands converted into lands growing sugarcane deserves every consideration. As has been pointed out by himself, in a place like the United States they have arrived at a situation when they had to give up growing wheat when there was no market to be found for this commodity. We are slowly coming to a situation like that even in this Province. As he pointed out, you may very well say that you have got so much paddy in your hands and so you ought to be able to pay the kist the Government demand. But as he lucidly explained, it is not possible for the ryot to sell that commodity, and the Government want their revenue in money. If the poor agriculturist has to pay revenue, he must naturally borrow by mortgaging his land which now has become less valuable than it was in the old

30th January 1934]. [Dr. P. Subbarayan]

days, or by pledging his jewels. My hon. Friend, Mr. Khalif-ul-lah Sahib, pointed that, owing to the rise in the price of gold, that commodity has already gone out of the country—because of the high price that has obtained for gold during the last three or four years. So, here again you have a situation in which the ryot is not in a position even to raise money on credit to pay his kist to the Government. I am thankful to the Government, as other hon. Members of this House were, for the remission that they have granted by the communiqué which they have recently issued. The only point we make is that the remission does not go far enough to alleviate the plight of the agriculturist as it stands to-day. I was rather surprised when, in spite of the arguments Mr. Langley adduced for the remission, he said that he was not in a position to go as far as Mr. Arasu's resolution for remission of 25 per cent. All his arguments on the other hand were really for not only 25 per cent but even more; because he gave other instances to prove that the plight of the agriculturist was such that he was not able to meet the demand of the Government. But he ended by saying that he is not going to vote one way or the other, because he felt that the demand made by Mr. Arasu's resolution went further than he expected.

"I do not know the reasons which made the Government not to accept the proposals of the Finance Committee. I believe that, when they went before the Finance Committee, they were willing to give reduction by 12½ per cent on dry lands in the areas that were settled after 1919 and the same rate was to be applied with regard to wet lands. The Finance Committee felt that this did not go far enough as far as wet lands were concerned and therefore they reduced even the Government proposal of 12½ per cent for dry lands in the recently settled districts to 6¼ per cent and suggested that 18¾ per cent might be given to wet lands in recently settled districts. The Government on the one hand accepted the proposal of the Finance Committee because they found that this will save them a certain amount of money by reducing the suspension of dry rate from 12½ per cent to 6¼ per cent. After accepting this proposal of the Finance Committee they rejected the further proposal of the Finance Committee which, I believe, was dependent on this. As Mr. Langley pointed out, the owners of wet lands were suffering more than the owners of dry lands in spite of the argument adduced by my hon. Friend, Mr. Basheer Ahmed. There is no doubt that all prices have gone down. The fall in price of wet crops is much more than that of dry crops. My hon. Friend, Mr. Basheer Ahmed, forgets that the assessment which the owner of a wet land has to pay is comparatively more than that which the owner of a dry land has to pay. Therefore, the former deserves a little more reduction than the owner of a dry land. That is the reason why the Members of the Finance Committee came to the conclusion that 18¾ per cent reduction should be given on such lands. I was told on good authority that the remission which is granted now amounts to Rs. 60 lakhs for the fasli year, that is the year beginning from July to the end of June, and that if the 18¾ per cent reduction were accepted, it would be about Rs. 72 lakhs. As my hon. Friend, Mr. Shetti, pointed out, there is a balance

[Dr. P. Subbarayan] [30th January 1934]

with the Government of Madras of over Rs. 2 crores. The Government replied that there would be demands every year and, if those demands were granted, the balance will not be sufficient to meet the demands of the Legislative Council year after year.

“ At the same time it was also mentioned that, if such remissions are given, it would be impossible to carry on the activities of what they call the nation-building departments. But my answer to this is this. Whatever may be the desire of the people to advance in the matter of education, sanitation, medical relief and industrial pursuits, people have got to live before they can think of these necessary, but not essential, pursuits. Because, when famine faces them and when it is impossible for them to meet even their daily wants, their thoughts of education and sanitation can really not bother them very much. If it is not possible for the Government to collect revenue to the extent that they will be able to carry on the activities of these departments, they must naturally apply the pruning knife to these departments. I think it was one hon. Member—I forget his name for the time being—who said that in spite of the existence of the Agricultural Department and the existence of the hon. the Minister for Development for the last 13 years, the Development Department has developed perhaps in expenditure but has not really developed the activities of the people at all. The hon. Minister who is sitting on that Bench himself pleads guilty to that charge for the simple reason that, even though the researches carried on by the Agricultural Department may be such as to produce two blades of grass where one blade grew, the ryot, as Mr. Langley pointed out, will allow his land, owing to his conservatism, to yield only one blade of grass or even half a blade of grass as he is supposed to do because of the economic situation. Therefore, if that is the experience of the existence of these Development Departments, I would suggest that, if the Government find it difficult to meet the expenditure for these Development Departments, they might stop those activities for the time being. The hon. Minister says ‘abolish.’ He not only agrees with my suggestion but, after the experience of these years, he has come to the definite conclusion that abolition might be the solution of the problem. (Interruption by the hon. Mr. P. T. Rajan.) The hon. Minister has evidently changed his view. Therefore the situation is one that really demands a radical remedy and that radical remedy can only be found by the Government sympathetically considering the demand of the ryots; because, if the ryot is not prosperous, the Government cannot eventually collect the revenue. As Mr. Langley rightly pointed out, if he has no money to pay, if he has no credit that he can get from outside, it will be impossible for the Government even to collect revenue, whatever may be the process they may adopt, because this is an economic proposition. Unless a person is in a position to pay, whatever may be the law and the procedure, you cannot collect money if it does not exist. There will come a time when the ryot will be in such a position that he will not be able to pay the kist whatever may be the situation. Therefore it is but right that the Government, who, I know, have the interests of the people at heart as much as we on this side of the House, should

30th January 1934] [Dr. P. Subbarayan]

come to the rescue of the ryot and view this whole question in a large-hearted manner than a private landholder who is always looking for the money he can get, because he is living on that money, and act as the father of the people whose interests they have at heart and think that in the prosperity of the people lies their own prosperity. Therefore, I am sure that the Government would realize the present economic situation and the dreadful condition of the agriculturist and would see their way to accept the resolution of this House at least to the extent of the recommendation of the Finance Committee which, I hope, they will deeply consider and ponder over before the budget is introduced in this House.”

* Mr. DANIEL THOMAS :—“ Mr. President, Sir, after the speeches of the last two hon. Members, Mr. Langley and Dr. Subbarayan, there is really nothing left for me to say. I would make only one suggestion. In the course of the discussion of the issue now before the House various suggestions of far-reaching character have been made. The suggestion made by Mr. Langley and the suggestions made by my hon. Friends, Mr. Basu Dev and Sir Patro, will have to be considered in the years to come. Many far-seeing and statesmanlike suggestions for the improvement of the condition of the agriculturist in this Province will have certainly to be put forward for the proper consideration of the authorities. With regard to the remarks made by Sir Patro, I have one suggestion to make and that is, I do not think that Sir Patro meant that the figure of Rs. 10 pattadar should be a fixed figure. I take it the suggestion he wanted to make to the Government is that in any scheme that may be formulated for the ultimate benefit of the ryots of this country, allowance will have to be made for such ryots as are having income below a certain quota. So far as the income derived from commerce or by following the various professions is concerned, incomes below a certain figure are exempt from taxation. I believe that in the years to come, when the land revenue policy will be placed on a statutory basis, some allowance will have to be made for the peasant proprietors or cultivators whose income fall below a certain figure. It may be that in the years to come our land revenue system may have to be recast or revolutionized on the basis that all incomes of cultivators won't be taxable and that incomes of proprietors and landowners below a certain figure would be exempted from taxation. With reference to the suggestion thrown out by Mr. Basu Dev as regards the solution of the problem of the agriculturists of this Province by finding the necessary marketing facilities for them, that is a question which I believe, will receive the serious attention of the Government and of the public in the years to come. They are all, however, questions of a far-reaching character which are not going to take any shape in the near future. The immediate problem before us, that faces the ryot to-day, is not any of these large questions, but the question as to how he is going to pay the tax for the current fasli, which comes off in March and April. I think all questions of a far-reaching character such as the recasting of the land revenue system or the improvement of the Development departments of Government, etc., or the placing of agriculture on a better basis in this province—all these questions are not going to be taken up now. My

4-30
p.m.

[Mr. Daniel Thomas] [30th January 1934]

hon. Friend Mr. Langley, as my Friend Dr. Subbarayan pointed out, has painted in very realistic colours the desperate condition of the ryot and also added that he was not in a position to vote for the 25 per cent reduction which is asked for in this resolution. At the same time, he pleaded that for Malabar and South Kanara special considerations should be shown. We have some time back had an amendment by my Friend Mr. Patnaik, who stated that for the Goomsur division in Ganjam district, a special reduction of 50 per cent should be made. I believe that every Member of this House who represents any area will be able to convince this House that his particular area deserves special treatment. The ultimate result of every Member claiming a reduction of 50 per cent for his district will be that a uniform rate of 50 per cent remission should be allowed to all the districts of the Province. But all of us do not want to go so far; in regard to my own district of Tinnevely, I can make the same claim and I can prove it by facts and figures. I received only the other day some facts and figures from a highly placed retired Government servant. He said he owned $1\frac{1}{2}$ acres of wet land in Kallidaikurichi of the Ambasamudram taluk of Tinnevely, one of the most fertile areas in the Tambraparni Irrigation System in our district. He said that the kist for that area of $1\frac{1}{2}$ acres was Rs. 29 and odd. My Friend from South Kanara claimed that his district was the heaviest taxed district in the province. I think I can claim that Tinnevely is the heaviest taxed district. That gentleman, as I said, was paying a kist of Rs. 29 and odd. The year before last he had an income from that land of about Rs. 39, and that was the net income. So, out of it he paid Rs. 29 towards kist and profited to the extent of Rs. 10. That was the position year before last; but in the current year, the total income that he derived from his land was only Rs. 19 and odd and he told me—he is a pensioner of the Madras Government drawing a fairly large amount as pension—that out of the pension that he received, he made good the deficit of Rs. 10 and paid the kist for the land. That may very well be nothing for a Government servant drawing a large pension, but what about the ordinary ryot, I ask? The ordinary ryot who has no pension or any other resources to fall back upon, whose condition was so aptly described by my Friend, Mr. Langley, what is he to do? Where is he to get the money from for paying the Government kist? I am only reminded of that old story which I read in my school days, about half the profits. A man carried a large fish into a palace with a view to get presents, but the gate-keeper claimed half the profits. The man consented and when he was asked what he wanted, he said he wanted 100 lashes, so that half of them may go to the gate-keeper. Similarly here, if the Government claim 50 per cent of the profits and if the ryot has no profits at all but is faced with a deficit, will the Government share with the ryot one-half of his deficit? That is the logical way in which the question should be solved now. I do not however want to stand on mere logic; I believe the Government are fully appraised of the situation of the ryots in all parts of the Province. I believe, as my Friend, Dr. Subbarayan, said, the Government are not less backward than any of us in this House in considering the actual relief and measures of amelioration necessary for the ryot. I take it that both the Government

30th January 1934] [Mr. Daniel Thomas]

and we are agreed that the ryot does stand in need of relief to the extent not only of 25 per cent, but more. We ask for only 25 per cent, because we claim that that is a reasonable claim which the Government, by adjusting its finances, would be able to meet in the present circumstances. The Government agree that the ryot does stand in need of 25 per cent relief. The only difference between us is whether the 25 per cent reduction, which will probably result in Rs. $1\frac{1}{2}$ crores of revenue remission, can be made good from other sources. On that matter, my Friend, Mr. Shetty, has very well pointed out that there are various sources from which this amount can be met. It could be met from three sources, from the opening balances, through observing economy in Part II Schemes, and by having a graded cut in the salaries of Government officials. My Friend, Mr. Shetty, also referred to this aspect of the question, in some detail. If you take the salaries of public servants of the Province as they stand to-day and as they stood before the year 1914, I believe the present figures come to something like double the figures for 1914. If you again take the position of a Government servant before 1914 drawing a certain salary, and if you take a man who was making out his livelihood by other professions such as commerce, agriculture or industries and if you take the same people now, you will see that a vast change has taken place in their respective positions to-day. The Government servant drawing Rs. 100 or Rs. 200 in 1914 is at the present day enjoying practically twice the advantages that he enjoyed in 1914; whereas the agriculturist or the industrialist or the trader or other professional man who was getting Rs. 100 or Rs. 200 in 1914 is hardly able to make both ends meet, and his income is hardly one-half, as compared to 1914. I believe this is a reasonable statement. Some of my Friends say that the Government servants will themselves be coming forward to accept this cut, as a self-denying ordinance. But human nature is not after all so generous in a matter affecting financial matters. I would say it is not unreasonable to expect that when the whole province is so hard hit, when every section of the population, agriculturist, industrialist, professional men, etc., is suffering badly, the public servant also should come in for his share and should be made to contribute his quota towards restoring a better financial equilibrium in our Province.

“ Then, Sir, I have only one other suggestion to make to the hon. the Revenue Member. In the matter of concessions which have been allowed by the Government thus far, a distinction is sought to be made between certain districts which were recently resettled and certain others which were settled earlier. I think the figures on which such distinctions are made are not quite accurate. Whatever may have been the difference in prices between the times of the first and the next settlements, no increase has been made anywhere, of over $18\frac{3}{4}$ per cent. $18\frac{3}{4}$ per cent is the maximum rate of increase in any district. In Tinnevely the settlement was made in 1910 or so, and an increase of $18\frac{3}{4}$ per cent was made; in Tanjore which was settled some years ago, the increase was the same $18\frac{3}{4}$ per cent. So, I say, whatever was the difference in prices between one settlement and another, the maximum increase is only $18\frac{3}{4}$ per cent.

[Mr. Daniel Thomas] [30th January 1934]

So far as the actual rate of increase for Tinnevely or Tanjore is concerned, the rate is the same. Similarly in the case of other districts, and nowhere has the maximum increase been more than 18½ per cent. This fact will have to be taken into consideration in regard to the other districts which claim a similar concession now. I would submit that taking the conditions as they are at present, there is practically no difference between district and district in the matter of the distress suffered; the ryots in all the districts are very badly off. I would submit that the wise policy and the large-hearted policy of the Government should be to make no distinction between one district and another and to see that this concession is made available equally to all the districts."

* Mr. K. KOTI REDDI:—" Mr. President, Sir, if I rise now to support this motion, it is not because I think I can augment the arguments and the information that have already been brought to bear in support of this resolution, but because I think Government have not really realized the situation of the ryot in this Presidency and therefore it is the bounden duty of each one of us here to express what he feels about the resolution and to bring to the notice of the Government, if they can be convinced, the dire consequences that would follow as a result of the Government not accepting this resolution, this modest proposal of 25 per cent remission, as I should put it, in the present circumstances. Before going into the question in detail, I would like to bring to the notice of the Government one or two facts within my own knowledge. There have been many Members here who have already spoken and who gave information to the Government, not from direct knowledge but from information derived from the ryots. I claim, Sir, to be an actual cultivating ryot and I can give information to the Government with regard to the profits that are made out of cultivation, information which I have in my possession, accompanied by facts and figures. If the Government care to go into those facts and figures and the accounts that I am keeping, they will know what a landowner is making as profits out of his land. Sir, it is said that the position of the dry land is a little better than the position of the wet land. I am acquainted with both kinds of lands; but I believe the position of the dry land is not in any way better than that of the wet land. Both of them stand on the same footing of a profitless concern.

4-45
p.m.

" Sir, I have got an account of the money that I have got out of the cultivation of my lands covering about 200 acres of dry land for the last four years. I have not brought them here, but if Government cares I shall send for them and let them go through them and find out what is it that I have realized from the cultivation of those lands. The amount that I have made, I may say, is a very big zero even without paying anything to the manager who is looking after the cultivation. That is the state of affairs that actually exists in this Presidency at the present moment. Government may easily say that the position is not so bad as that. It is notorious that the ryot is so fond of his land that he is even prepared to sell away whatever he has for meeting Government revenue. As a matter of fact, for the last three or four years, in order to raise the amount necessary for paying the revenue due to Government, and for

30th January 1934] [Mr. K. Koti Reddi]

meeting other necessary expenditure, the ryots have sold away almost all their jewels. On another occasion last year I have pointed out the desirability of investigating how much gold has been sold away by the ryots in order to pay the revenue and how much of their jewels have been pledged with money-lenders including the Imperial Bank for this purpose. Government do not seem to have cared to investigate. Only recently the Government of India has come forward and appointed some experts from England to investigate into the question and to make an economic survey of this big country including, I believe, the Madras Presidency. What the result of that investigation will be, I do not know. But I can say only this, that though the Government may wait for the result of that investigation the ryot cannot. The point that we have to immediately consider is how the ryot is going to meet Government revenue. He has sold away his jewels already. If he is able to raise a loan, he is certainly prepared to do so and pay the revenue, but it is a well-known fact that in many districts—at least so far as the district with which I am acquainted is concerned—the ryot has no credit. No money-lender is prepared to lend him money even though the ryot is prepared to take it at an exorbitant rate of interest, unless jewels are pledged with him, which the ryot has not got, for he has sold away whatever he had last year. That is his position.

" Now, let us consider the prices that are ruling at present. I have some knowledge of the actual prices of some of the produce from lands. In regard to groundnut, it is rather unfortunate that Government do not seem to keep an account of prices of groundnut, for I do not find in any report any information about the prices of groundnut in various districts. For this one has only to rely on the information given in newspapers. In the years 1916, 1917 and 1918, the price of groundnut per maund was about Rs. 1-6-0, but subsequent to that prices rose. I remember I actually sold in one year at Rs. 3 per maund. In many years it was more than Rs. 2 varying between Rs. 2 and Rs. 2-8-0 and it would certainly be much more in places which are very near the markets. I am speaking of a place which is 26 miles from the nearest railway station. Now, what is the price? Last year at about November or December it began with 11 annas and never rose beyond 13 annas. The year before last, it was much better, it began with 12 annas and went up to Rs. 1-8-0, and there was a sudden rise of prices—I do not know the reason, probably it was due to the shortage of production. But this year, the price began with 5 annas to 6 annas per maund fresh from ground and after some time it went up to 8 annas or 9 annas and now the price is 10 annas. One has only to compare 8 annas or 9 annas with Rs. 2 or Rs. 2-8-0. In this connection, we have to take into account the price of seed and the cost of harvesting which alone would even now be at least 5 annas to 6 annas per maund and various other expenses. I leave it to Government to think what will be the consequences of a state of things like this.

" So far with regard to groundnut which has been the chief commercial crop in both the black cotton and red soil tracts. For the last ten years, groundnut has practically taken the place of cotton as the first

[Mr. K. Koti Reddi] [30th January 1934]

commercial crop. Then, with regard to cotton itself, the position is not in any way much better. Though I am not so much acquainted with the prices of cotton, yet I have some knowledge of this also. In 1918 and subsequent years the price was about Rs. 250 or Rs. 300 and it went up even to Rs. 500 per kantiam, but anyway the average price of cotton was not less than Rs. 200, but last year and one or two years previous the price never went beyond Rs. 80 and it is the same to-day, I believe. No doubt as a result of the Japanese agreement, the price has gone up a bit but has not materially increased.

“Then, with regard to cholam, the position is much the same. In this case also, in the year 1918, the price of one putti, i.e., 640 Madras measures, was about Rs. 140, and for some years after at any rate it did not go below Rs. 120. For the last two years, the price is only Rs. 40 and to-day I am told it is somewhere about Rs. 33. That is the state of affairs to-day.”

* The hon. the PRESIDENT:—“The hon. Member has already exceeded the time-limit.”

* Mr. K. KOTI REDDI:—“With regard to the interesting question that has been raised as to the reform that would probably be necessary with regard to the land revenue settlement, I am also very much interested, but I believe the time at my disposal is short to deal with it now, and I do not therefore propose to discuss the question. Whatever it may be, we are now bringing to the notice of the Government the extraordinary position which the ryot now occupies. He has practically no resource for him to pay the land revenue, and unless the Government comes to his rescue, one cannot realize what his position will be in the future. Probably Government will have to take up all the land which they have been claiming as theirs. The position of the agricultural labourer to-day is much better than that of a ryot, for he has to pay both to the labourer as well as to the Government and the wages of labour have not gone down in proportion to the decrease in the price of commodities. It has been said that if we can ask the Government to make a distinction between a big and a small ryot there is a better chance of getting the sympathy of the Government. As regards the person owning a large extent of land, as I have already shown, nothing remains to him after paying the Government, but the small ryot who actually cultivates his own land makes something because it is the wages of his own labour, but even then there is not much left for him to meet his other expenses. I would certainly welcome, as suggested by some hon. Member, if a distinction is made between the small pattadar and a big ryot or a big landholder. If Government are prepared to accept that suggestion, personally I would be satisfied. An ordinary pattadar who pays Rs. 50 and less, even according to Government's own calculation, cannot be making annually much profit and, if Government is prepared to give full remission to all such pattadars, let them not give any remission to the others. Will they do it?”

30th January 1934]

* The hon. the PRESIDENT:—“I hope the hon. Member will conclude his speech.”

* Mr. K. KOTI REDDI:—“There are a number of sources by which, if only the Government have a will, they can get the amount necessary to give relief to the ryot. Other Governments had the will and they have been doing it, and other countries are taking measures in order to meet the situation that has arisen on account of the economic depression. If this Government can be convinced to take a sympathetic attitude towards the ryot who pays the Government, let them come to his rescue immediately instead of killing the goose that lays the golden eggs. There are many ways by which they can meet the present situation. They can remit 25 per cent and I am sure even if they remit 50 per cent it would not be much. As a matter of fact, even to-day I received a petition from the ryots of my district bemoaning of their condition and asking me to take the petition to His Excellency the Governor and make proper representations on their behalf. What the ryot in the village is keenly feeling is, when he, who pays every one, is actually suffering, how can this heartless Government pay such high salaries to Government officials. When the prices of commodities went up and this Government proposed increase of salaries, this Council did not grudge to increase the salaries of officers and when the prices come down—not twofold but even fourfold,—is it not fair for us to expect these officers to share the distress of the ryot, not merely by a 10 per cent cut, but even much more than that in order to help the ryot who has helped him in times of need? That is the direction in which Government ought to proceed first; and if they cannot do that, there is the surplus. If such surplus cannot be utilized on an occasion like the present when there is so much distress, what is the use of that? I do not think a better occasion would come to the Government to use the large surpluses at the disposal of the Government.

“I can suggest some other sources but as the time at my disposal is very short, I can only appeal to the Government to have some heart for the ryot who has been helping the Government and everybody.”

* The hon. the PRESIDENT:—“Further discussion upon this resolution will continue to-morrow.”

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

XIII.—PAPER LAID ON THE TABLE OF THE HOUSE.

U.O. Note * No. 6766-C-5, dated 22nd January 1934, with reference to the answer to the supplementary question to Legislative Council Question No. 410 answered on 8th November 1933.

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

[30th January 1934]

APPENDIX I.

[Vide answer to question No. 543 asked by Mrs. K. Alamelumangathayamma at the meeting of the Legislative Council held on the 30th January 1934, page 131 supra.]

Statement showing the daily average attendance of patients in the Out-patient department of the Government Hospital, Sivaganga, from 19th June 1931 to 31st October 1933.

Year.	Months.	Males.	Females.	Children, both males and females.
1931	June ..	31.66	2.16	20.24
	July ..	31.29	16.45	26.32
	August ..	32.26	13.39	25.38
	September ..	34.80	14.60	20.80
	October ..	28.81	13.13	15.06
	November ..	27.73	16.06	24.29
	December ..	26.42	19.39	21.06
	January ..	28.03	20.03	16.71
	February ..	33.28	12.97	17.00
	March ..	30.42	13.10	14.06
	April ..	36.80	17.97	19.93
	May ..	54.22	25.74	34.81
1932	June ..	56.90	27.33	32.57
	July ..	72.74	29.20	42.06
	August ..	63.13	28.52	38.38
	September ..	52.46	27.40	30.92
	October ..	55.81	27.06	30.98
	November ..	60.03	26.57	25.64
	December ..	56.61	25.91	24.41
	January ..	59.35	26.44	25.46
	February ..	59.14	28.94	26.70
	March ..	59.71	27.84	29.09
	April ..	63.80	21.40	22.95
	May ..	69.75	24.69	37.07
1933	June ..	69.11	27.41	29.66
	July ..	62.39	26.37	25.05
	August ..	66.76	31.65	29.77
	September ..	87.40	35.88	32.89
	October ..	93.92	42.00	35.45

[30th January 1934]

APPENDIX II.

[Vide answer to question No. 551 asked by Subadar-Major S. A. Nanjappa Bahadur at the meeting of the Legislative Council held on the 30th January 1934, page 137 supra.]

Statement referred to in answer to clause (c) of the Legislative Council Question No. 779.*

Officers from whom report was received.	Appointment for which applications were made.	Number of rejected applications from ex-army men.	Reasons for rejection.
1 Collector of Malabar ..	Kolkaran, Eruvetti amsam.	2	(i) Applicants resigned their previous appointments in the Malabar Special Police. (ii) In regard to the appointment of village officers, the rule generally followed is that of succession.
2 Do. ..	Adhigari, Areacode amsam (temporary).	1	Applicant has neither house nor property in Areacode amsam.
3 Collector of North Arcot ..	Clerk or accountant.	1	Not qualified for employment under the ministerial service rules.
4 Collector of Madura ..	Peon	1	Applicant was reported to be lazy and indifferent.
5 Collector of North Arcot ..	Clerk	1	Not qualified for employment under the ministerial service rules.
6 Sub-Collector, Chandragiri ..	Dalayal	5	Vacancy filled up by one who had put in 6½ years service with reference to paragraph 3 of G.O. No. 415, Public, dated 26th March 1930.
7 Collector of Malabar ..	Kolkaran, Makreri amsam.	2	Rule generally followed in regard to appointment of village officers is that of succession.
8 District Judge of Madura ..	Appointment in District Court.	1	Discharged from the army for inefficiency.
9 District Judge of Salem ..	Dalayal (temporary), District Munsif's Court, Namakkal.	4	Did not appear for interview on the stipulated date (one of the four was however appointed subsequently.)

[30th January 1934]

APPENDIX III.

[Vide answer to question No. 553 asked by Mr. U. C. Subrahmanya Bhatt at the meeting of the Legislative Council held on the 30th January 1934, page 138 supra.]

A memorandum from the Landholders' Association, South Kanara, Mangalore.

To the Hon'ble Diwan Bahadur Sir M. KRISHNAN NAYAR,
Law Member, Government of Madras.

SIR,

[Forest—Reserves in South Kanara—Withdrawal of concessions.]

Since Government have taken the extreme step of withdrawing the concessions or privileges which the ryots enjoyed hitherto in twelve reserve forests of the North Mangalore division and one reserve forest in the South Mangalore division of this district since 1st April 1933, several meetings of the ryots have been held and memorials and petitions have been submitted to Government from various quarters including this association protesting against the said withdrawal but the association keenly regrets to find that Government have not yet been pleased to cancel the same.

2. Amongst the various meetings so held since 1st April 1933 an important meeting was held under the auspices of this association at Kirimanjeshwar in the Coondapoor taluk on the 8th of October last, when Mr. A. B. Shetty, M.L.C., a member of the Executive Committee of the Association, and Mr. K. R. Karant, its Secretary, were specially present. One hundred and forty ryots representing as many as 21 villages of the north and north-west portions of the Coondapoor taluk were present. The question of the withdrawal was discussed in all its aspects and the resolutions passed at the said meeting have amongst others been considered by the executive committee of the association at their meetings held at Mangalore on the 15th and the 22nd of October 1933. The tale of woe and suffering expressed, at the said meeting of Kirimanjeshwar by the ryots present on account of the withdrawal of the concessions, to the said representatives of the association was truly heartrending.

3. The committee has at the said meetings also discussed the reports of the Conservator of Forests and the Chief Conservator of Forests printed and laid on the table of the Legislative Council with reference to the supplementary question to question No. 73 asked at the meeting of the Council on 2nd August 1933. After deeply considering the above as well as the various representations received by the association regarding the withdrawal from the ryots of the concerned areas the executive committee have authorized the secretary to submit this memorandum on

[30th January 1934]

behalf of the association to Government and have also authorized Diwan Bahadur B. Mahabala Hegde, B.A., B.L., President of the Association, to interview the Hon'ble the Law Member at Madras and supplement this memorandum as may be necessary.

4. It is to be highly regretted that in the matter of the withdrawal of the concessions which has hit hard the lives and well-being, or more truly the struggle for existence, of thousands of people solely depending upon cultivation in the numerous villages in which the aforesaid reserves are situated, and in which the said concessions have been withdrawn since 1st April 1933; and even though the position of the ryots has become almost desperate, both on account of the withdrawal as also on account of the keen economic depression prevailing in the district, Government should be turning a deaf ear to all representations. It is indeed sad that in this matter the one-sided reports of the Forest department which, it is respectfully submitted, appear to have absolutely no feeling towards the ryots concerned, and the sole objects of which appear to be to advance the theory and science of forest conservancy and its revenue regardless of all practical considerations, should outweigh with Government the fortunes and miseries of thousands of these cultivators.

5. In taking the drastic step which Government have done, the association respectfully ask Government whether they have seriously considered the following questions. Have they cared to make an enquiry on the spot as to how many thousands of families are depending for their livelihood entirely upon agriculture in the numerous villages in which the concessions are now closed? Have these people any other means of substituting the numerous needs, which till now they have been getting from these reserves, for the vast quantities of green and dry leaves for their manure, grass for the fodder of their cattle, fuel for their agricultural and domestic needs, etc.? Has anyone, before closing these concessions, as if by a stroke of the pen, ever practically demonstrated to them or shown to them there are other ways in which their needs could be satisfied? Will Government be pleased even now to ascertain the thousands of rupees in the shape of land revenue and cesses which they are obliged to pay Government year after year? Is it not worthwhile making an enquiry as to how they are to cultivate their lands in the absence of these vital necessities, make a living out of cultivation, and yet continue to pay assessment to the Revenue department? Are the Forest department of Government and its own Revenue department so divorced from each other that the former does not care as to how the latter is to collect its revenue? Have Government ever paid serious heed to the ever increasing demands of more and more population living in these areas which are coastal parts of the district? The reserves in question were constituted some 30 or 40 years ago at a time when population was very much less and the needs of cultivation also much less than now. Since that time both have increased, if the association is not mistaken, by more than 50 per cent and yet in all this period, far from trying to meet the ever increasing demands of both, making more and more lands available out of these reserves for the purposes, and

[30th January 1934]

absolute purposes too, of cultivation and also lessening the rigours of the forest laws to suit such needs, the attempt seems to be the other way, namely, to curtail cultivation, to increase the extent of reserves in these thickly populated areas, to afforest for the first time even to-day fresh reserves in them and thereby render cultivation almost impossible. Will Government be pleased to order a survey, even on an approximate scale, if not for all the villages concerned, at least for a few typical amongst them of the various hardships and miseries and losses which are caused to the ryots of these villages, day-in and day-out, on account of the reserve forests of the Government? How many thousands of valuable cattle which is the best portion of the wealth of these cultivators is being destroyed year after year by the tigers and panthers abounding in these forests! In practically every field growing a crop in the villages concerned a good portion of the same is devoured and devastated by the wild bears, monkeys and various other kinds of animals that are infesting the forests and which are increasing in numbers year by year. And what of the enormous sufferings these poor people are put to on account of the ever increasing malaria which has become a permanent factor in these regions! Will Government be pleased to call for figures, let alone of cattle, of men, women and children in the villages concerned, apart from other affected portions of the district where the case is much worse, what not even human life is safe, of the men, women and children who are killed or mauled by the tigers and panthers in these areas? Particularly in the Coondapoor taluk, since the last six months, this trouble seems to have increased all of a sudden and it is high time that Government took note of these and allied matters. The association has heard of a society being formed at Madras for the preservation of wild life. Is it not far more important that something is done to set afoot an organization for the preservation of the very lives of these cultivators and of their cattle which after all have some claim upon the Government?

6. Quite recently a much revered and respected Catholic priest living in one of the villages, wherein these concessions have been withdrawn, has written as follows to a member of the association:—“ . . . They (the menials of the Forest department) give too much trouble to the villagers and extort money and if their thirst is not quenched make false cases and add to the weight of the forest laws which are already unbearable. I am not a prophet. Yet I can foresee that people will not be able to live around these reserves after some years. Their crops are destroyed by wild animals. Their livestock is reduced by the panthers and tigers. Yet the Government is merciless. It is a pure tyranny.” People sitting at Madras or the high-placed officials of the Forest department may laugh at this! And yet, anyone with a heart and who has an intimate knowledge of the forest areas of this district cannot say that the condition of things spoken to by this sincere and disinterested priest is anything but true and correct. Sir, even worms are said to turn. But it may be only in proverbs. If elsewhere they do not and cannot, is it really worthwhile for the Government to

30th January 1934]

tread and kill them beyond all hope of recovery or redemption? Have the cultivators of this area no claim at all to a more human existence, let alone a decent one?

7. Dealing specifically with some of the important points noticed by the Conservator of Forests in his report referred to above, he appears to think that these reserves are being used and exploited only by the ‘vociferous landlords’ and not by the actual cultivators. This is an entirely mistaken idea. The well-to-do landholders who have their own ‘hadies’ or petty forests, which the Conservator refers to, are few and far between. It is not every ryot in a village, or even a landlord who has some tenants under him, that can afford to own a ‘hadi’ in these areas. The hundreds and thousands of petty landholders or the much numerous class of the chalgeni tenants (tenants from year to year) have no ‘hadies’ whatever to draw upon for their requirements. The association does not believe that it has ever been the case of the Forest department that the thousands of the villagers, mostly actual cultivators, if not paid coolies, walk every day to and from anything between 5 to 10 miles, to obtain and carry headloads of these manure leaves or fuel to sell them to others. If that is not the case and if people have ample leaves in their own ‘hadies,’ as the Conservator seems to assume, why should these people put themselves to all this trouble?

8. Another remark of the Conservator is that these concessions have been largely abused in certain parts of the district. As regards the general charge of abuse, whilst the association will not deny some abuses here and there which are in the nature of things inevitable, it emphatically denies that it exists to the enormous extent which the department would try to make out. In fact the Conservator himself admits that to some extent such abuses are inevitable, that the rules are indefinite, that their practical application is more difficult and that therefore some amount of abuse is bound to exist. The association would however submit that if due and proper allowance is to be made for the large demands of thousands of acres of cultivation that depend solely upon these concessions and for the very great needs of the domestic lives of thousands of families living in these vast areas the so-called abuses are surely not serious. It is rather unfortunate that in considering the question of these abuses the mind of the Conservator should have been prejudiced by the lawlessness of the northern portions of Coondapoor taluk. One imagines that this has reference to the civil disobedience activities last year in respect of some of these reserves. The association deeply regrets the activities in respect of such forests by some of the persons concerned. But can anyone say that the whole-sale populations of these areas have taken part in these activities? Otherwise it would be wrong to penalize the entire people of these areas for the misguided activities of a few.

9. Speaking of these abuses the Conservator himself admits that in certain parts, as for instance the Mandakole reserve, the abuses of the concessions have greatly abated after the District Forest Officer had an

[30th January 1934]

interview with the villagers. The Forest Administration Report for 1930-31, Volume I, paragraph 113, would show that the forest village system including the Todar and Hosabettu reserves of the North Mangalore division has worked satisfactorily. And yet these concessions are withdrawn on 1st April 1933 also in those two reserves. Is it credible that in this short interval extraordinary abuses could have taken place? This association does not think so.

10. On the other hand there lurks in the mind of the association a shrewd suspicion that the story of these abuses with respect to most, if not all, of the reserves in question, is really the result of a deliberate change of policy with respect to these reserves by the Forest department. It has been repeatedly stated in the past on behalf of Government that the reserves in question as well as others called "Ryots' Forests" are intended mainly to supply the agricultural and domestic needs of the ryots residing in their vicinity. On 16th March 1928, Sir Archibald Campbell spoke as follows in the Legislative Council (vide Council Proceedings, Volume 41, page 242):—"The forests of the province are classified into two classes, the Provincial Forests and the Ryots' Forests. The Provincial Forests include those which it is desirable to work commercially and for which as much revenue as possible could be obtained. The Ryots' Forests are those which are near villages and are not so important commercially but are important to the local people." Said Sir Thomas Moir, some time earlier, in the Legislative Council (vide Council Proceedings, Volume 35, page 304):—"We do not forget and have never forgotten that its (the Forest department's) main object is to supply the needs of the people and it must pay attention to the fact that the ryots do require fuel, that they require timber for houses, that they require implements for agriculture and that they require grazing for their cattle." The words of the memorable resolution of the Government of India on the forest policy of the Government stated so long ago as 1894 are still more clear and stand amidst much of the present trouble and darkness, as a beacon light. It is printed in the Forest Code obviously as the guiding star to the department. But the present attempt of the department in closing the concessions altogether in some of the reserves and threatening to close them entirely in all the reserves of this district in the immediate future seems to show as if the wise words of the above resolution are no longer to be respected. In a word, it looks as if so far at any rate the people of this district are concerned, hereafter, the people are to exist entirely at the mercy of the Forest department and not that the Forest department is to exist for serving the needs of the people.

11. Even at the risk of repeating the relevant portions of the above resolution the association craves leave to quote them:—"The needs of communities dwelling on the margin of forest tracts consist mainly in small timber for building, wood for fuel, leaves for manure and for fodder, thorns for fencing, grass and grazing for cattle and edible forest produce for their own consumption. Every reasonable facility

[30th January 1934]

should be afforded to the people concerned for the full and easy satisfaction of these needs. It should be distinctly understood that considerations of forest income are to be subordinated to that satisfaction. . . . It should also be remembered that, subject to certain conditions to be referred to presently, the claims of cultivation are stronger than the claims of forest preservation. . . . Such restrictions as may be necessary for the preservation of the forest or for the better enjoyment of its benefits should be imposed. But no restrictions should be placed upon reasonable local demands merely in order to increase the State revenues. . . . The inferior subordinates of the Forest department are perhaps as reliable as can be expected on the pay which we can afford to give, but their morality is no higher than that of the uneducated class from which they are drawn, while the enormous areas over which they are scattered and the small number of controlling staff render effective supervision most difficult. It is not right in order to protect the grass or grazing dues on plots of wastes scattered over the cultivated district, to put it into the power of an underling to pound or threaten to pound cattle on the plea that they have overstepped the boundary between their owners' field and the next. It is to be distinctly understood that the Government of India do not desire that the grazing should be looked upon primarily as a source of revenue." To close the reserves for the just and necessary satisfaction of the several needs of the cultivators in this district as Government have done by their withdrawal of the concessions since 1st April last, and to threaten to do so in all the reserve forests in the extremely hilly and forest areas of this district is to give the complete go-by to the aforesaid resolution of the Government of India and the openly acknowledged policy of this Government itself hitherto, and it is respectfully submitted, a clear breach of faith. The attempt on the part of the Forest department in this district appears to be not to exploit the vast extent of the dense, the first rate and primeval forests situated on the ghaut and sub-ghaut regions of this district from one end to the other, as they deserve to, and ought to, be exploited commercially, but to leave them practically untouched, and on the other hand to change the ryots' forests which have all along been held out to be ryots' forests where only fuel was to be got into sandalwood and other kinds of exploitation forests, and for this purpose to close them entirely to the people and deny them all their legitimate needs irrespective of all considerations of justice and common humanity. Otherwise what right or justice is there in closing a reserve like the Thodar or Hosabettu situated amidst thousands of cultivators into sandalwood forests? Will the Forest department be pleased to state the total net revenue that they have been able to provide the Government with ever since the department was started in respect of the reserves with which we are now concerned as against the revenue paid in this period in the shape of land revenue and cesses by the people in the villages concerned and vastly more than this the terrible and stupendous losses which the people have suffered by reason of the devastation of their cattle and crops,

[30th January 1934]

direct and indirect, solely due to the proximity of the reserves in question? If figures are forthcoming it will no doubt be found that the former is practically nothing compared with the latter.

12. Before leaving the question of these abuses finally, this association has repeatedly represented in the past that there is no use of compiling an impractical list of as many as 35 species of prohibited and classified trees from which leaves and twigs shall not be removed but which list cannot be known or remembered by even many of the forest guards or foresters and which has been compiled irrespective of the sufficiency or otherwise of other species that would be necessary to satisfy the legitimate demands of the cultivators.

13. Whilst the Forest department appears to have been always anxious to point out and emphasize abuses of concessions on the part of the illiterate and ignorant villagers, will the department show an equal anxiety to look into the record of its own subordinates who have been, to some extent at least, responsible for some of these abuses? It is an open secret that in almost every part of the district wherever there are the reserves the villagers are practically compelled to submit themselves to almost a systematized form of corruption either for the very use of these concessions on the part of the people or for being saved from the tyranny of false and manipulated forest cases. In fact even in the case of the very reserves which are now closed and which form the main object of this memorandum one could find that still certain people in many of these villages are being allowed to remove manure leaves and fuel, but only the charges levied are much more excessive than used to be extorted in the past. The association does not wish it to be understood that it sympathizes in the least with the ryots who have recourse to such unlawful means though it cannot but regret the existence of circumstances which drive them to such a course. To the Forest department it would, however, say that some amount of self-introspection would not be entirely out of place.

14. There is one matter in the report of the Chief Conservator of Forests referred to above which would require some elucidation. It appears therefrom that the proposal is to close the reserves for these concessions in the interior of the district and then to work towards the sea where the demand is admittedly the heaviest. But unfortunately the reserves now closed are all the coastal reserves and not the interior ones at all. Every one of these reserves is situated as already stated above amidst largely cultivated and thickly populated villages. How happens it then that the process instead of commencing from the interior towards the sea is working in the opposite direction?

15. There is one remark, if it cannot be called also an argument, of the Conservator in his report referred to above which requires an answer. He says that South Kanara is setting up 'awkward precedents' and wants to know as to why it should get the concessions free. Herein lies most of the misfortune of this district. The Forest Officers who come to this district and are transferred almost every year or every other year are

[30th January 1934]

absolutely ignorant of the past history of this district and are equally out of touch with the habits, needs and requirements of its people. Anyone who wants to do some justice to the people of this district, belated though it be, would do well to peruse and study its past history from the memorable minute of the Hon'ble Mr. Robinson, Second Member of the Board of Revenue, dated 3rd December 1870. Therein he will find traced most authoritatively how step by step after the advent of the British rule in this district in 1799 the valuable and immemorial private rights of the people of this district were confiscated and deprived one by one. To Mr. Robinson and to some of the Collectors of South Kanara quoted in that minute who put up a stubborn fight for the Kanara cultivator as against the inroads of the enthusiast of the Forest department on the one hand who appear to have existed even at that time, and those of the Revenue Department on the other, the ryots of Kanara shall ever be grateful though it must be admitted that all along it has been a losing fight! Therein one will find how private rights in land in this district were in no way different from those in the sister district of Malabar. The only difference in the ultimate result appears to be largely due to the fact that whilst in Kanara the people begged and petitioned and begged and lost, the people of Malabar appear to have taken to stronger and more convincing methods and won. In the said minute and in the proceedings of the Board of Revenue, dated 21st March 1871, which conceded the substantial justice of the people's claim urged by Mr. Robinson, will be found a chapter both as to the forest as well as the land revenue administration of this district which exposes the systematic confiscation of private rights and privileges which had begun prior thereto but has gone on ever since and continues to do even to-day. Let it be clearly remembered that the concessions so-called are after all the survivals of some of these old rights and privileges. It will be well for the Forest department to remember that the forests in question were being enjoyed by the agriculturists of the vicinity for hundreds of years prior to their reservation for the satisfaction of all their domestic and agricultural needs and that these concessions are not mere favours created and bestowed for the first time by Government. This was expressly admitted by Government in their answer to question No. 650 asked in the Legislative Council on 11th October 1924 by the member for South Kanara, Mr. B. Mahabala Hegde (now Diwan Bahadur). It was stated by Government that the reserve forests of this district of the IV class numbering 59 were being enjoyed prior to such reservation by the agriculturists for the above purposes. The fact is that, except for the immemorial forests on the ghaut section of this district, most of the rest of the lands including the forests therein were the properties of the people. States the Imperial Gazetteer of India (1886), Volume 7, page 376: "The forest land is of vast extent, but the exact area is unknown, as the district (South Kanara) has never been surveyed. Most of the land is private property, and only a few forests near the ghauts are owned by Government." The holdings or 'wargs' of the people included not only the actual lands under cultivation but also the surrounding tracts of hilly wastes which grow the necessary grass,

[30th January 1934]

fuel, green manure and other materials so necessary for the cultivation of the wet lands and gardens and forming a necessary adjunct thereto. Previous to the advent of the British rule and for nearly a century thereafter the assessment payable to Government on such an holding was fixed with respect to its entire extent and not merely with respect to the cultivated portion thereof. The proprietors called 'wargdars' or 'mulgars' had in their possession what were called 'mulpattas' or 'title deeds,' some of which were found in 1800 by Mr. Munro, the first British Collector of the district, to be even 300 or 400 years old and which gave to their owners the most complete form of private property ever known in any country. What happened subsequently to these mulpattas and to the valuable rights of which they were the muniments of title is too sad a tale to recount. Nor would all that be necessary in this connexion except to inform the high officials of the Forest department as to why Kanara alone enjoys these concessions free and why it should be free hereafter also. Suffice it to say that many of these private forests were reserved as Government forests paying practically little or no compensation. In their place, as shadows for the substance, were granted these forest concessions in the reserves on the one hand and what are called 'kunki' privileges on the other. The former are now tottering whilst with the many inroads that have been made upon the latter from time to time they have now become as precarious as ever. It looks as if all that one can do is to appeal to the sense of justice of Government, and to 'Heaven' above in the last resort!

16. Having said this much the association would like to assure Government of their readiness to co-operate with them in their attempts to see that the concessions in question are used as fairly and properly as may practicably be possible. The association feels that the people who benefit by these concessions should to some extent at least be prepared to come forward and share the responsibility of the protection of the forests concerned. The question of the working of panchayats for this purpose has been both put to the people as well as considered by the Executive Committee of the association but unfortunately it is found from past experience in this district as well as by the local peculiarities that the panchayats do not work satisfactorily at all. One chief reason for it is that unlike as in the East Coast districts where the villagers live in a centralized and compact area and can easily watch one another, here all the district over one would find houses and properties spread out in almost every nook and corner. Some villagers will be found living on the edge of a forest whilst there will be others living even four or five miles away. It is extremely difficult for people to work in such conditions as a panchayat and assume the entire responsibility of the protection of a forest either from the abuse of the concessions or from fires. The association has however asked some of the villagers concerned and they have agreed to form some form of 'vigilance committees' to undertake the responsibility of reporting cases of abuse to the concerned officers of the Forest department and to keep a general watch on the proper use of the concessions by the people. This was expressly put to the ryots assembled at the Kirimanjeshwar meeting

30th January 1934]

and approved by them. The association would undertake in the first instance to organize such committees of responsible ryots with a view to achieve the above purpose.

17. The association would earnestly urge upon Government the imperative need of lessening the rigors of the forest laws in respect of the reserves in question and also in similarly situated reserves with a view to meet and adjust the increasing demands of cultivation. Larger extents of lands from out of these reserves must be made available to the people who are ever-increasing population. If the Forest department, situated as it is, cannot be made to change their angle of vision, the association would urge very strongly to put all such reserve forests under the Revenue Department as the latter are in touch with the people, know their difficulties, and are responsible for the timely collection of thousands of rupees in the shape of land revenue from the people of these areas. If this cannot be done, the association would earnestly press upon Government the need for the constitution of a representative committee for the whole district in which the Forest department, the Collector of the district and responsible non-official representatives of the ryots who are affected by the reserves in the district might be represented. This committee might meet once or twice a year and discuss the hardships of the ryots whether with respect to the concessions or otherwise or the charges of abuses that may be brought against the people by the department and thereby exercise a proper influence on the ryot population concerned.

18. Next the association would urge some modifications of the rules governing these concessions so that they may be capable of practical use and enforcement and may satisfy the particular and special needs of particular localities. For instance, as already stated, there is no use in sticking fast to the entire list of the 35 species prohibiting people from removing leaves and twigs. The number should be reduced to a reasonable limit, regard being had to the sufficiency or otherwise of particular species in particular localities. Or again take the case of the removal of undergrowth in coastal reserves up to a limit of 200 yards from the limits of private holdings or half a mile in the case of others. As the Conservator remarks in his report referred to above this rule has not been of much practical utility. As the Conservator observes the main object of this concession is to keep away the wild beasts from the cultivation. But surely the means of an average cultivator do not allow him to clear away all this wide and indefinite belt. What would really achieve this object and which would be well within his means, and at the same time make the concession incapable of abuse, is to so modify it as to permit him to clear away a belt of say only 50 yards in the first instance allowing him to cut and remove all kinds of shrubs and trees, subject of course to the claim of the Forest department for such trees cut; and if he so clears that belt, to allow him to cut another 50 yards with similar conditions. The exact form of the rule proposed above might be altered after discussion but on the lines indicated the rule will go a great way to reduce the devastation of crops by the wild animals particularly the wild-boars and monkeys.

[30th January 1934]

19. In conclusion the association begs to urge upon Government the imperative need of cancelling forthwith the withdrawal of the concessions and to see that the legitimate needs of the people are met as far as possible and are not altogether denied and also to take on hand the changes proposed herein as early as possible.

I have the honour to be,

Sir,

Your most obedient servant,

(Signed) _____,

Secretary, *The South Kanara
Landholders' Association.*

MANGALORE,
8th November 1933.

APPENDIX IV.

[Vide item IV at page 141 supra.]

BILL No. 11 OF 1933.

THE MADRAS PUBLIC LIBRARIES BILL.

To

THE HONOURABLE THE LEGISLATIVE COUNCIL
OF THE GOVERNOR OF MADRAS.

WE, the members of the Select Committee appointed to consider the Madras Public Libraries Bill (Bill No. 11 of 1933), have the honour to submit the following report.

2. The Bill was published in the *Fort St. George Gazette* in English on the 15th August 1933, in Tamil, Kanarese and Telugu on the 3rd October 1933 and in Malayalam on the 24th October 1933.

3. We met on the 11th and 12th December 1933 and on the 16th January 1934 and considered the provisions of the Bill. On the 18th January 1934, we met and passed our report.

4. We have made various changes in the Bill. The following are some of the more important of them.

[30th January 1934]

Clause 3.

The draft Bill had not provided for bringing within its scope private libraries. They have now been brought within its scope. A definition has been accordingly added to clause 3 defining a "recognized library."

Clause 6.

It is desirable to specify as far as possible in one place the powers and duties of the Provincial Library Committee. Clause 6 has therefore been so amended as to enumerate the powers and duties of the Provincial Library Committee.

As regards the constitution of the Committee, the names of the Director of Public Instruction, the Librarian of the Connemara Public Library, the Librarian of the Madras University Library and one member appointed by each of the linguistic library committees to be constituted under the Act, have been added. The provision for the representation of the Madras Library Association by two members elected by its Council has been omitted and in its stead the number of persons to be nominated by the Local Government has been increased from two to four. It is expected that in nominating persons to the Committee, the Local Government will take into consideration the claims of established library associations in the Presidency, to due representation on the Committee.

A new chapter has been added after Chapter III to provide for the constitution of Linguistic library committees. The constitution of such committees is to be provided for by rules framed for the purpose by the Local Government. The powers of the Linguistic library committees shall be merely advisory.

A new clause has been added after clause 7 of the Bill in order to give direct power to the local library authorities to establish and maintain public libraries.

Clause 8.

In regard to the constitution of every local library authority, the District Educational Officer has been added as ex-officio member of the Library Committee of the district board concerned; and a new clause has been

[30th January 1934]

added empowering local library authorities to act under this Act where any conflict should arise between the powers given under this Act and the powers already possessed by them under their constitution.

A new chapter regarding recognized libraries has been added and it provides that no charge shall be levied for admission to a recognized library or for the use of the library within the premises. While public libraries will be under an obligation to lend out free of charge, private libraries are not obliged to do so. Provision has also been made for grants being made to recognized libraries by the Local Government, Corporation of Madras, district boards and municipalities and for inspection of them.

Clause 31.

The rule-making power of the Local Government has been extended so as to include, as a necessary consequence of the amendments already proposed, rules for the conditions of the recognition of libraries as recognized libraries, for constituting linguistic library committees and for making contributions and grants-in-aid to recognized libraries. We have also decided that the rules framed by the Local Government under section 31 should be placed on the table of the Legislative Council before they become final.

5. As the changes made by us are not very material we do not think it necessary that the Bill should be republished.

A copy of the Bill as amended by us is annexed.

YAKUB HASAN (*Chairman*).
P. SUBBARAYAN.
BASHEER AHMED SAYEED.
ABDUL HAMEED KHAN.
R. MADANAGOPAL.
R. K. VENUGOPAL.
MAHBOOB ALI BAIG.
A. B. SHETTY.
P. S. CHETTY.
K. V. KRISHNASWAMI AYYAR.
V. P. NARAYANAN NAMBIYAR.
GANALA RAMAMURTI.
T. S. RAMASAMI AYYAR.

30th January 1934]

H. M. JAGANNATH.
C. BASU DEV.
M. SCHAMNAD.
W. ERLAM SMITH.
M. S. SRESHTA.
U. C. S. BHATT.
C. NATESAN.
V. M. RAMASWAMI.
K. ALAMELUMANGATHAYARAMMA.
V. T. ARASU.
V. DHARMALINGAM PILLAI.
P. BAYAPPA REDDI.
T. M. MOIDOO.
P. C. MOSES.
SAMI VENKATACHALAM.
S. KUMARASWAMI.
S. M. K. BEYABANI.
B. POCKER.
E. C. SMITH.
V. I. MUNISWAMI PILLAI.
N. GOPALASWAMI.

MINUTE OF DISSENT.

Under clause 4, the Inspector of Municipal Councils and Local Boards or such other officer as the Local Government may direct *shall be* the Director of Public Libraries. Under clause 5, the Director shall superintend and direct all matters relating to public libraries and connected with the exercise of powers and performance of duties by local bodies under the Act. He will be ex officio Secretary of the Provincial Library Committee constituted under clause 6. The Committee can delegate to the Director any of its powers and duties detailed in clause 6 (1). The Director seems to have the duty of distributing grants to local library authorities and to recognized libraries. Under clause 11 (1), the Director will have to scrutinize schemes for constitution of libraries and under clause 19 (2) he will have to scrutinize schemes for removal of illiteracy.

[30th January 1934]

All these will add very substantially to the Inspector's work if he is to be the Director of Public Libraries under the Act. I do not consider that the office of the Inspector can take on more work than it has at present. I may add that I can find no provision in the Bill indicating who should bear the cost of the superintending staff proposed to be employed.

22nd January 1934. E. CONRAN SMITH.

BILL No. 11 OF 1933.

THE MADRAS PUBLIC LIBRARIES BILL.

As amended by the Select Committee.

WHEREAS it is expedient to provide for the establishment and maintenance of a system of Public Libraries, and for the comprehensive development and organization of rural and urban library service, in the Presidency of Madras;

AND WHEREAS the previous sanction of the Governor-General has been obtained to the passing of this Act;

It is hereby enacted as follows:—

CHAPTER I.

Preliminary.

- Short title. 1. This Act may be called the Madras Public Libraries Act, 193 .
- Local extent. 2. It shall extend to the whole of the Presidency of Madras.
- Interpretation. 3. In this Act, unless there is anything repugnant in the subject or context,—
- “ Director. ” (1) “ Director ” means the Director of Public Libraries;
- “ Public Library. ” (2) “ Public Library ” means a Library museum or art gallery established or maintained under the provisions of this Act or the Madras City Municipal Act, 1919, or the Madras District Municipalities Act, 1920, or the Madras Local Boards Act, 1920, as amended from time to time; and

30th January 1934]

(3) “ Recognized Library ” means a Library museum or art gallery established and maintained by an individual or a body other than (i) the Government, (ii) a local library authority, (iii) an university, (iv) an educational institution like a school or college, and other than one established under the provisions of the Madras City Municipal Act, 1919, the Madras District Municipalities Act, 1920, or the Madras Local Boards Act, 1920, but recognized under the provisions of this Act in accordance with the rules made thereunder.

CHAPTER II.

Control of Public Libraries.

4. The Inspector of Local Boards and Municipalities or such other officer as the Local Government may direct shall be the Director of Public Libraries. Director of Public Libraries.

5. Subject to the control of the Local Government, the Director shall superintend and direct all matters relating to Public Libraries and connected with the exercise of powers and performance of duties by local bodies under this Act. Duties of Director.

CHAPTER III.

Constitution of Provincial Library Committee.

6. (1) The Local Government shall constitute a Provincial Library Committee which shall have the following powers and duties:— Constitution of Provincial Library Committee.

- (a) To make recommendations to the Local Government on schemes and by-laws submitted under this Act by Local Library authorities.
- (b) To make recommendations to the Local Government on any proposal by a Local Library Authority to raise a library rate.
- (c) To advise the Local Government on the amount that should be set apart every year for contribution towards the library fund maintained by Local Library Authorities and for payment as grant-in-aid to recognized libraries.

[30th January 1934]

- (d) To submit to the Local Government proposals to award special grants to Local Library Authorities and to recognized libraries for specific purposes.
- (e) To advise the Local Government on the request received from a Local Library Authority for sanction to borrow money for any of the purposes under this Act.
- (f) To maintain a list of recognized libraries and to include in the list and to remove from it the names of libraries from time to time.
- (g) To arrange for the periodic inspection of Public Libraries and recognized libraries.
- (h) To submit for consideration by the Local Government draft rules for carrying into effect the purposes of this Act.
- (i) To frame standing orders to regulate its own business.
- (j) To constitute committees for dealing with questions coming within its purview and to delegate any of its powers to them.
- (k) To delegate any of its powers to the Director of Public Libraries.
- (l) To frame regulations for the guidance of the Director of Public Libraries in distributing the grants to Local Library Authorities and to recognized libraries.
- (m) To frame regulations for the academic and professional qualifications necessary for different grades of librarians and library staff.
- (n) To arrange for the professional training of librarians and library staff either through the universities or other agencies or by the maintenance of a School of Library Science.
- (o) To stimulate the publication of books suitable for Public Libraries and of proper bibliographical standard.
- (p) To arrange for the publication of book lists from time to time for helping Library Committees of Local Library Authorities and recognized libraries, in book selection.

30th January 1934]

- (q) To arrange for research in and standardization of library practice, library furniture and library apparatus.
 - (r) To consider the annual report submitted by the Director of Public Libraries and submit the same with modifications, if necessary, to the Local Government on the progress made by the Local Library Authorities in regard to the working of this Act.
 - (s) To frame model schemes for the guidance of Local Library Authorities.
 - (t) To frame model by-laws for the guidance of Local Library Authorities.
 - (u) To frame model library rules for the guidance of Library Committees of Local Library Authorities and recognized libraries.
 - (v) To refer specific questions to linguistic Library Committees under this Act and to consider their advice and to take such action on it as may be deemed necessary.
 - (w) To convene conferences of representatives of Local Library Authorities and other bodies interested in library work to consider general questions of library policy and library standards.
 - (x) To exercise such other powers and perform such other duties as may be necessary for the proper administration and execution of this Act and the rules and regulations framed thereunder.
- (2) The Committee shall consist of the following Membership members, namely:—
- (a) the Minister in charge of Education;
 - (b) the Director;
 - (c) the Director of Public Instruction, Madras;
 - (d) the Librarian, Connemara Public Library;
 - (e) the Librarian, Madras University Library;

[30th January 1934]

(f) one member appointed by each of the Linguistic Library Committees constituted under this Act;

(g) three persons elected by the Legislative Council; and

(h) four persons appointed by the Local Government.

President
and
Secretary.

(3) The Minister in charge of Education and the Director shall respectively be the President and the Secretary of the Committee.

Term of
office.

(4) Members of the Committee other than *ex officio* members shall hold office for three years from the date of their election or appointment, as the case may be.

Chapter IV.

Constitution of Linguistic Library Committees.

Constitution
of Linguistic
Library
Committees.

7. (1) There shall be a Linguistic Library Committee for each of the following languages, namely, Tamil, Malayalam, Kanarese, Telugu, Urdu and such other languages which the Provincial Committee may decide upon, to be constituted by the Local Government in accordance with the rules framed for that purpose.

Powers and
duties.

(2) The Linguistic Library Committee shall advise the Provincial Library Committee on such matters arising under this Act, as may be referred to them.

CHAPTER V.

Constitution of Local Library Authority.

Local
Library
Authority.

8. (1) For the purpose of organizing and administering Public Libraries there shall be a Local Library Authority for the area of each Municipality and each District Board.

Its constitu-
tion.

(2) Such Authority shall be—

(a) for the City of Madras, the Corporation of Madras;

(b) for a District Municipality, the Municipal Council thereof; and

(c) for the area of every District Board, the District Board of the district.

[30th January 1934]

9. In addition to the powers in this behalf which a Local Library Authority may possess under any other enactment for the time being, it shall be competent to a Local Library Authority to establish and maintain Public Libraries.

10. For the area of every Local Library Authority, there shall also be a Library Committee, constituted in accordance with the scheme made under the provisions of this Act: Library Committee.

Provided that the District Educational Officer shall be an *ex officio* member of the Library Committee for the District Board.

The powers and duties of Local Library Authorities in respect of libraries shall be exercised in accordance with the provisions of this Act, notwithstanding anything contained in any other enactment for the time being.

11. (1) Any Local Library Authority may, and, if required by the Local Government, shall submit to the Local Government through the Director, a scheme setting forth the manner in which it proposes to constitute the Library Committee for its area and to perform its duties and exercise its powers in relation to Public Libraries. Submission of Scheme by Local Library Authority.

(2) Every scheme for the constitution of a Library Committee shall, wherever possible, provide, that not less than two of its members shall be persons, who, in the opinion of the Local Library Authority, possess special qualifications for serving on the Library Committee, though they may not be members of the Local Library Authority. Terms of Scheme.

(3) Every scheme submitted by a District Board shall specify the number of villages or panchayats its library service is proposed to reach, any arrangements it has made with them for contribution to its library fund and other matters, if any, conducive to the efficiency of its rural library service. It may also provide for constituting Village Library Committees, wherever necessary, for advising its Library Committee on the local requirements. Special terms of a District Board Scheme and Village Library Committee.

(4) Before submitting a scheme under this section, the Local Library Authority shall publish its Publication of Scheme.

[30th January 1934]

proposals in such manner as it may consider suitable or as the Local Government may require, and shall consider any representations made to it by any person or body of persons in respect thereof.

Modification
and replace-
ment by new
scheme.

(5) Any scheme under this section may, with the approval of the Local Government, be modified or replaced by a new scheme; and the provisions of sub-section (4) shall apply to such new scheme in like manner as they apply to an original scheme submitted under this section.

CHAPTER VI.

Approval of Scheme.

Approval of
Scheme by
Local Gov-
ernment.

12. (1) The Local Government may approve any scheme submitted to them under this Act by a Local Library Authority, and thereupon it shall be the duty of the Local Library Authority to give effect to the scheme.

Return of
Scheme.

(2) If the Local Government are of opinion that a scheme does not make adequate provision for all or any of the purposes to which the scheme relates or that the scheme requires modification for any other reason, they may return the same to the Local Library Authority with suggestions for its modification.

CHAPTER VII.

Powers and Duties of Library Committee.

Reference to
Library
Committee.

13. (1) All matters relating to the performance of any duties or the exercise of any powers under this Act by a Local Library Authority (other than the power of raising a rate or borrowing money) shall be referred to the Library Committee appointed for its area, and the Local Library Authority before performing any duties or exercising any powers, shall receive and consider such report:

Provided that in cases where in the opinion of a Local Library Authority, a matter is urgent, such reference or consideration shall not be necessary:

Provided further that where action has been taken by a Local Library Authority on the ground of urgency, without such reference or consideration, a

30th January 1934]

report of the action taken and the circumstances which necessitated the taking of such action, shall be placed before the Library Committee at its next meeting.

(2) The Local Library Authority may delegate to the Library Committee, subject to such restrictions or conditions as it may impose, any powers or duties under this Act (other than the power of raising a rate or borrowing money).

Delegation
to Library
Committee.

14. A Library Committee may, subject to any directions of the Local Library Authority, appoint such and so many sub-committees consisting either wholly or partly of members of the Committee, as it thinks fit.

Appointment
of Sub-
Committees.

CHAPTER VIII.

Co-operation and Constitution of Regional Committee.

15. (1) For the purpose of performing any duties or exercising any powers under this Act, a Local Library Authority may enter into such arrangements as it may think proper for co-operation with any other Local Library Authority or Authorities and any such arrangements may provide for the appointment of a Joint Committee, for the delegation to that Committee of any powers or duties of the Local Library Authorities (other than the power of raising a rate or borrowing money), for the contribution to be paid by each such Local Library Authority, and for any other matters which may be necessary for carrying out the arrangement.

Arrangement
for
co-operation.

(2) A report of the arrangements made under sub-section (1) and of the constitution, powers and duties of the Joint Committee, if any, shall, within fifteen days, be made to the Director.

Report to
Director.

16. (1) The Local Government may, on the application of two or more Local Library Authorities, by scheme provide for the constitution and establishment of a Regional Committee for their combined area, for such purposes as may be specified in the scheme as being purposes relating to matters of common interest

Constitution
of Regional
Committee.

[30th January 1934]

concerning libraries which it is necessary or convenient to be dealt with in relation to a group of Local Library Authorities:

Provided that no Local Library Authority shall be included in such scheme without its consent and no Local Library Authority shall be obliged to continue in the scheme except in accordance with the provisions of the scheme to which it has consented.

Powers of Regional Committee.

(2) Where a Regional Committee has been constituted as above mentioned, it shall exercise such of the powers and perform such of the duties of a Local Library Authority (other than the power of raising a rate or borrowing money) as may be necessary for carrying out the purposes for which it was constituted.

Modification and replacement by new scheme.

(3) A scheme constituting a Regional Committee may, on the application of one or more of the Local Library Authorities concerned, be modified or replaced by a new scheme, and such scheme shall provide for dealing with any properties or liabilities of the Regional Committee, when the Regional Committee is discontinued.

CHAPTER IX.

Powers and Duties of Local Library Authority.

Vesting of property.

17. All movable and immovable properties acquired or held for any Public Library, or for any of the purposes of this Act, shall be vested in the Local Library Authority concerned.

Powers and duties of Local Library Authority.

18. (1) The Local Library Authority may, for organizing and administering its Public Libraries or for exercising any powers or performing any duties under this Act—

(a) provide suitably-fitted buildings, books, periodicals, newspapers, maps, specimens of Art and Science, lantern slides, cinema reels, apparatus, other necessary materials and conveniences;

(b) acquire, purchase or hire land or other properties, and erect, take down, rebuild, alter, repair and extend buildings and fit

30th January 1934]

up, furnish and supply the same with the requisite furniture, fittings and conveniences;

(c) accept any endowment for any purpose connected with this Act;

(d) subject to the rules framed by the Local Government in this behalf, appoint salaried officers and servants, punish and dismiss them; and

(e) provide for lectures and such other activities as may be conducive to the carrying out of the purposes of this Act.

(2) With the previous sanction of the Local Government, the Local Library Authority may discontinue any Public Library provided by it or change the site of any such institution. Discontinuance of Public Library and change of site.

19. (1) Where in the opinion of a Local Library Authority, the adult population within its area or any part or class thereof is unable by reason of illiteracy to take full advantage of the benefits of the library service provided by it, it may cause an enquiry to be made by the Library Committee touching the conditions as regards such illiteracy within the area, other schemes at work for the removal of the same, the funds, other than public funds, available for the purpose, and all other relevant matters. Enquiry before scheme for removal of illiteracy among adults.

(2) The Local Library Authority shall then consider the report of the enquiry furnished by the Library Committee and submit **through the Director** a scheme to the Local Government setting forth any proposals as to the manner in which it intends to provide for the removal of such illiteracy and the funds it proposes to spend for the purpose. Scheme for removal of illiteracy.

(3) Without prejudice to the powers above mentioned, it shall be competent to a Local Library Authority, for the like purpose,— Co-operation with other persons or bodies.

(a) to associate with any person or body of persons willing to co-operate in the matter; and

(b) to aid such person or body of persons by giving the use of such of its lands, buildings, furniture, apparatus, or other property, as may be necessary.

[30th January 1934]

But, save as provided in a scheme approved by the Local Government, it shall not expend moneys or make grants.

CHAPTER X.

*Admission to Public Libraries.*Admission to
Public
Libraries.

20. No charge shall be made for admission to a Public Library provided by a Local Library Authority or, in the case of a lending library, for the use thereof by the inhabitants of the area of such Local Library Authority; but the Library Authority, if it thinks fit, may grant the use of a lending library to persons not being inhabitants of the area, either gratuitously or for payment.

By-laws by
Local
Library
Authority.

21. Subject to the provisions of this Act, a Local Library Authority may make by-laws,—

- (a) for regulating the use of the Public Libraries under its control, the contents thereof and the admission of the public thereto;
- (b) for protecting the same and the furniture and contents thereof from injury, misuse or destruction;
- (c) for requiring any guarantee or security from any person using them and against the loss of or injury to any books or other articles; and
- (d) for enabling the officers and servants of the Library Authority to exclude or remove therefrom any person offending against the provisions of this Act or the by-laws.

Offences and
punishment.

22. (1) Any person (i) who in a Public Library or other institution maintained under this Act, to the annoyance or disturbance of any person using the same—

- (a) behaves in a disorderly manner; or
 - (b) uses violent, abusive or obscene language; or
 - (ii) who, after proper warning, persists in remaining therein beyond the hours fixed for closing;
- shall be liable to be excluded or removed forthwith from the premises, and shall also be liable on conviction to a penalty not exceeding ten rupees.

30th January 1934]

(2) An offence committed under the above sub-section shall be triable in the manner provided for summary trials by Chapter XXII of the Code of Criminal Procedure, 1898.

CHAPTER XI.

Acquisition and Alienation of Lands.

23. Any immovable property required by a Local Library Authority shall be deemed to be land needed for a public purpose within the meaning of section 4 of the Land Acquisition Act of 1894, and may be acquired under that Act.

24. A Local Library Authority may, with the approval of the Local Government, sell any lands or buildings vested in it, or exchange any such lands or buildings for any other lands or buildings and the money arising from the sale or received in part exchange, shall be used for the purchase of other lands or may be applied for any purposes for which capital money may be applied, as approved by the Local Government.

CHAPTER XII.

Finance.

25. (1) With the previous sanction of the Local Government, a Local Library Authority may raise a library rate in such manner and at such rate as may be determined by it from time to time.

(2) Such rate when payable to a district board or a municipal council or the Corporation of Madras shall be liable to be collected in the same manner as other taxes payable under the provisions of the Madras Local Boards Act, 1920, the Madras District Municipalities Act, 1920, or the Madras City Municipal Act, 1919, respectively.

26. (1) Every Local Library Authority shall maintain a fund called the Library Fund from which its expenses shall be met.

(2) To this fund shall be credited,—

- (a) any amount raised as library rate;

Credits to
Library
Fund.

[30th January 1934]

- (b) the amounts, if any, which may be transferred to it from the general funds of the body which has been constituted the Local Library Authority;
- (c) amounts realized from endowments, if any;
- (d) any contributions received from other bodies or persons;
- (e) any amounts that the Local Government may contribute towards the fund; and
- (f) any special grants that the Local Government may make for specific purposes, with or without conditions or limitations.

Power to borrow.

27. A Local Library Authority may with the sanction of the Local Government borrow money for any of the purposes under this Act on such security as the Local Government may approve.

CHAPTER XIII.

Accounts, Audit, etc.

Maintenance of accounts.

28. (1) Separate accounts shall be kept of the receipts and expenditure of a Local Library Authority and the same shall be audited like the other accounts of the local body constituting such Local Library Authority. The audited statement and the report accompanying it shall be published in such manner as the Local Library Authority may determine or the Local Government may require.

Inspection of accounts.

(2) All accounts maintained by a Local Library Authority shall be open, at all reasonable hours, to inspection by any rate-payer within the area and he may make copies and extracts.

CHAPTER XIV.

Inspection, Returns, Reports, etc.

Inspection of Public Library.

29. The Local Government may by their officers or by other organization inspect any Public Library or other institution maintained by a Local Library Authority for the purpose of satisfying themselves whether the purposes of this Act are being properly fulfilled.

30th January 1934]

30. (1) It shall be competent to the Local Government to hold a public enquiry for the purpose of exercising any of their powers or performing any of their duties under this Act.

(2) A copy of the report of such enquiry shall be furnished to the Local Library Authority concerned before action is taken upon it.

Report to be furnished to Local Library Authority.

31. A Local Library Authority shall send such reports and returns and give such information to the Local Government as they may require.

Reports, returns, and information to Local Government.

32. The Local Government shall annually lay before the Legislative Council a report of the progress made in regard to the working of this Act during the preceding year.

Report by Local Government to Legislative Council.

CHAPTER XV.

Recognized Libraries.

33. (i) No charge shall be made for admission to a recognized library or for the use of the library within the premises.

Recognized libraries.

(ii) The Local Government, the Corporation of Madras, the district boards and the district municipalities within whose local areas a recognized library is situate may contribute to the finances of such recognized libraries subject to the rules framed in this behalf.

(iii) The Local Government may by their officers or by other organizations inspect a recognized library in order to satisfy themselves that the purposes of this Act are being properly fulfilled and that they conform to the rules.

(iv) Any person (1) who in a recognized library, to the annoyance or disturbance of any person using the same,—

- (a) behaves in a disorderly manner; or
- (b) uses violent, abusive, or obscene language; or

[30th January 1934]

(2) who, after proper warning, persists in remaining therein beyond the hours fixed for closing; shall be liable to be excluded or removed forthwith from the premises, and shall also be liable on conviction to a penalty not exceeding ten rupees.

(v) An offence committed under the above subsection shall be triable in the manner provided for summary trials by Chapter XXII of the Code of Criminal Procedure, 1898.

CHAPTER XVI.

Rules and By-laws.

Power to
make rules
by Local
Government.

34. (1) The Local Government may, by notification in the *Fort St. George Gazette*, make rules consistent with this Act for carrying into effect the purposes of this Act.

Subject
matter of
rules.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide,

- (a) for prescribing outlines of the scheme to be submitted under Section 11 and the manner in which publicity shall be given to any proposed scheme;
- (b) for the maintenance of the minutes of proceedings by Local Library Authorities and the inspection thereof;
- (c) for the accounts to be maintained by the Local Library Authorities and where any powers or duties have been delegated to Library Committees, by such committees;
- (d) for the auditing of the accounts, the conditions under which rate-payers may appear before the auditors, inspect books and vouchers and take exception to items entered therein or omitted therefrom and the publication of the audited statement and the report accompanying it;
- (e) the conditions of service of the salaried officers and servants of the Local Library Authority;

[30th January 1934]

(f) the conditions of recognition of libraries as recognized libraries;

(g) for constituting linguistic library committees under this Act;

(h) for making contributions and grants-in-aid to recognized libraries by the Local Government, the Corporation of Madras, District Boards and Municipalities; and

(i) for all other matters which have to be dealt with by rules under this Act.

(3) All such rules shall be laid on the table of the Legislative Council before they become final.

35. (1) The Local Library Authority shall have power to make by-laws, not inconsistent with this Act or the rules made thereunder, for the efficient exercise of its powers, the due fulfilment of its duties and the proper administration and execution of this Act.

Power to
make by-
laws by
Local
Library
Authority.

(2) Such by-laws may provide,

Subject
matter of
by-laws.

- (a) for the procedure and meetings of the Library Committee;
- (b) for defining the powers and duties of the Library Committee;
- (c) for the due performance by all its officers and servants of the duties assigned to them; and
- (d) for all other matters which have to be dealt with by-laws under this Act.

(3) A copy of the by-laws made under this section shall be submitted, as early as possible, to the Local Government, who may suggest such alterations or amendments thereof, as they may think fit.

Submission
of by-laws
to Local
Government.

[30th January 1934]

APPENDIX V.

[Vide item XIII—Papers laid on the table of the House—at page 197 *supra*.]

LAW (GENERAL) DEPARTMENT.

U.O. NOTE No. 6766 C-5, DATED THE 22ND JANUARY 1934.

COMMUNICATION TO THE LEGISLATIVE COUNCIL.

With reference to the answer to the supplementary question to Legislative Council Question No. 410 answered on 8th November 1933, the information contained in the annexure hereto is placed on the table of the House.

V. N. VISWANATHA RAO,
Secretary to Government.

To the Secretary, Legislative Council office.

ANNEXURE.

QUESTION NO. 410—STARRED.

Mr. Basheer Ahmed Sayeed.

Will the Hon'ble the Law Member be pleased to state—

(a) whether it is a fact that 14 of the under-trial prisoners in the Madras Conspiracy case are kept in three small rooms; and

(b) if so, how many are kept in each room and what the dimensions are of the rooms and what the arrangements provided for their daily needs and calls of nature are?

Answer.

(a) As there was over-crowding in the under-trial yard of the Penitentiary, Madras, 14 of the under-trial prisoners concerned in the Madras Conspiracy case were for a time kept in three large cells. When room was available later on, they were given a separate association block in the under-trial yard itself. Five of them were subsequently classified as special class under-trials, and the remaining nine were given the alternative of having an association block or having the three cells. They chose to occupy the three cells.

(b) Originally when there were 14 under-trials in the cells, four were confined in one cell and five in each of the other two cells. Subsequently, when there were nine, three were kept in each of the cells. The dimensions of the cells are 12' 5" × 9' 10" × 14' 1" or 12' 5". During the day-time they used the general latrine in the under-trial yard and in the nights they were provided with urine pots in the urinal recesses provided in the cells.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR
OF MADRAS.

Wednesday, 31st January 1934.

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. 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, K.C.I.E., C.S.I., I.C.S., The hon. Sir Hopetoun. 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 Miran Sahib Bahadur. Alamelumangathayaramma, 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. Gopalaswami Ayyangar, Diwan Bahadur N. Harischandrudu Nayudu, Mr. A. Hood, I.C.S., Mr. H. M. Indrayya, Mr. C. Jagannatha Raju, Rao Bahadur G. Jagannatham, Mr. H. M. Jayaram Nayudu, Rao Sahib C. Kesavaramamurti Nayudu, Mr. K. Khalif-ul-lah Sahib Bahadur, Khan Bahadur P. Koti Reddi, Mr. K. Krishnayya Choudari, Mr. P. V. Krishnamurti, Rao Bahadur D. Krishnan, Mr. C. Kuppuswami Choudari, Mr. J. Ladden, Mr. W. W. Lakshmana Reddi, Mr. G. Langley, Mr. W. K. M. Madanagopal Nayudu, Mr. R. Mahboob Ali Baig Sahib Bahadur. Mahmud Schamnad Sahib Bahadur, Khan Bahadur. Manikkavelu Nayakar, Mr. M. A. Metherell, Mr. J. K. Moidoo Sahib Bahadur, Khan Bahadur T. M. Moses, Mr. P. C. Muhammad Meera Ravuttar, Mr. K. P. V. S. Muniswami Nayudu, Diwan Bahadur B. Muniswami Pillai, Rao Sahib V. I. Muthiah Chettiyar, Mr. M. A. Muthu Chettiyar, Rao Bahadur P. C. Nachiyappa Gounder, Mr. K. A. Nadimuthu Pillai, Mr. A. Pl. N. V. Nanjappa Bahadur, Subabar-Major S. A. Narasa Reddi, Mr. T. 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. Patnaik Mahasayo, Sriman M. G. Patro, Kt., Rao Bahadur Sir A. P. Pattagar of Palayakottai. Peddi Raju, Mr. P. Pocker Sahib Bahadur, B. Premayya, Mr. G. R. Rajagopala Pillai, Mr. P. V. Raja of Khallikote. Ramachandra Padayachi, Mr. P. K. Ramakrishna Reddi, Mr. 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. Ratnasabhapatil Mudaliyar, Diwan Bahadur C. S. Sahajanandam, Swami A. S. Sami Venkatachalam Chetti, Mr. Sesha Reddi, Mr. B. P. Shetty, Mr. A. B.

[31st January 1934]

PRESENT—cont.

Simhachalam Pantulu, Mr. G.	Thangal, Mr. P. M.
Singam Ayyangar, Mr. K.	Thomas, Mr. Daniel.
Siva Raj, Rao Sahib N.	Thorne, C.I.E., I.C.S., Mr. J. A.
Sivasubrahmanya Ayyar, Mr. K. S.	Vasudeva Pillai, Mr. V. G.
Smith, C.I.E., I.C.S., Mr. E. Conran.	Venkatachala Reddiyar, Mr. K. C. M.
Soundara Pandian, Mr. W. P. A.	Venkatarama Ayyar, Mr. K. R.
Sreshta, Mr. M. S.	Venugopal Nayudu, Rao Bahadur R. K.
Srinivasa Ayyangar, Mr. T. C.	Viswanatha Rao, Diwan Bahadur V. N.
Srinivasan, Rao Bahadur R.	Yahya Ali Sahib Bahadur, Khan Bahadur.
Sriramulu, Mr. G.	Yakub Hasan Sahib Bahadur.
Subbarayan, Dr. P.	Zamindar of Chemudu.
Subrahmanya Chetti, Rao Sahib P.	Zamindar of Kirlampudi.
Subrahmanya Bhatt, Mr. U. C.	Zamindar of Mirzapuram.
Sundara Rao Nayudu, Mr. T.	
Syed Tajuddin Sahib Bahadur, Khan Sahib.	

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Law and Order (General)

Alleged arrest and detention of certain students of Madras during the Viceregal visit to the City.

* 556 Q.—MR. U. C. SUBRAHMANYA BHATT: Will the hon. the Home Member be pleased to state whether it is a fact that two students of the Law College and two of the Christian College, Madras, were arrested in connexion with His Excellency the Viceroy's visit to Madras and kept in the Penitentiary; if so, for what offence and under what provision of law were they arrested and for what time detained?

A.—Yes. They were arrested by order of a Presidency Magistrate under section 107, Criminal Procedure Code, on information placed before him that there was danger that they might commit offences during the visit of His Excellency the Viceroy to Madras. They were released on 20th December 1933.

Presses

Discharge from service of temporary pieceworkers of the Composing department, Government Press, Madras.

* 557 Q.—MR. V. M. RAMASWAMI MUDALIYAR: Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that the services of all the temporary pieceworkers in the Composing department of the Government Press, except a few, were dispensed with during the course of the year 1931; if so, how many were sent out, how many were retained and what the reason was for sending out so many workers; and

(b) how many were taken back in the years 1932 and 1933 and for what work?

[31st January 1934]

A.—(a) The services of 161 temporary compositors were dispensed with during 1931, owing to slackness of work. This number leaves out of account those re-entertained in the course of the year. In addition, eight composing machine operators were discharged for inefficiency and irregular attendance, and new men were appointed in their places. The total number of pieceworkers in the composing departments at the beginning of the year was 283 including the eight composing machine operators discharged and the number on the rolls at the end of 1931 was 122 including the newly appointed composing machine operators.

(b) Eighty-six temporary compositors were re-entertained owing to general increase of work and the transfer of settlement work from private presses to the Government Press.

Working hours of the B.M. Press, Mangalore.

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

(a) whether it is a fact that the workers of the B.M. Press, Mangalore, made representations to the Inspector of Factories, Madras, and the Collector of South Kanara bringing to their notice the fact that they are made to work longer hours every day than is allowed by the Factories Act; and

(b) what action the Government have taken or propose to take regarding the same and to enforce the strict observance of the rules regarding hours of work prescribed by the Factories Act in the said factory in future?

A.—(a) An anonymous petition was received by the Chief Inspector of Factories in October 1932 and another petition in December 1933 alleging that certain operatives of the press were made to work longer than the prescribed hours of work. No representation was received by the Collector of South Kanara.

(b) The petitions were enquired into by the Inspector of Factories and it was found that the allegations were unfounded. As the provisions of the Indian Factories Act were not violated no action was necessary.

Administration of Justice

Cancellation of pleaders' sanads for participation in the Civil Disobedience Movement.

* 559 Q.—MR. K. A. NACHIYAPPA GOUNDER: Will the hon. the Law Member be pleased to state—

(a) how many advocates, how many High Court vakils and how many pleaders are practising in each district in this Presidency;

(b) what the rate is of fees collected for the grant of sanad to each;

(c) in how many cases the sanads have been cancelled in each district during 1931 and 1932 for improper behaviour;

[31st January 1934]

(d) whether sanads have been cancelled for taking part in the Civil Disobedience Movement; and

(e) if so, in how many such cases the sanads have been cancelled and who the victims are?

A.—(a) A statement^a showing the number of advocates, High Court vakils and pleaders in each district and in the city of Madras is laid on the table.

(b) (i) For the grant of certificate—

Before the Indian Bar Councils Act, 1926, came into force to an advocate or a High Court vakil Rs. 625; After the Indian Bar Councils Act, 1926, came into force to an advocate Rs. 625.

(ii) For the grant of a sanad—

To a first-grade pleader, for each year Rs. 25.

To a second-grade pleader for each year Rs. 15.

(c) In one case in North Arcot during 1931 and in two cases in Guntur during 1932.

(d) No.

(e) Does not arise.

Forests

Memorandum on forest grievances submitted by the South Kanara District Landholders' Association.

* 560 Q.—MR. U. C. SUBRAHMANYA BHATT: Will the hon. the Law Member be pleased to state—

(a) whether recently he has received a copy of the memorandum on forest grievances submitted by the South Kanara District Landholders' Association; if so, whether he will be pleased to place a copy of the same on the table of the House; and

(b) what action have the Government taken or propose to take in the matter?

A.—(a) & (b) The attention of the hon. Member is invited to the answer given to his question No. 553 on the same subject.

MR. U. C. SUBRAHMANYA BHATT:—“ May I know, Sir, when the orders could be expected on the memorandum? ”

THE HON. DIWAN BAHADUR SIR M. KRISHNAN NAYAR:—“ I told my hon. Friend the other day that I would do my best to pass orders as early as possible.”

Memorandum from the Landholders' Association of South Kanara regarding the withdrawal of forest concessions.

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

(a) whether the Government have recently received a memorandum from the Landholders' Association of South Kanara regarding the withdrawal of forest concessions; and

^a Printed as Appendix I on page 302 infra.

[31st January 1934]

(b) whether they have considered the said memorandum and passed any orders on it?

A.—(a) & (b) The attention of the hon. Member is invited to the answer given to question No. 553 on the same subject.

Irrigation.

Improvements to the supply channel of the Machavaram-Mopad tanks from the Manneru river in Kandukur taluk.

* 562 Q.—THE KUMARARAJA OF VENKATAGIRI: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that recently an estimate was prepared by the Executive Engineer, Nellore, for improving the supply channel to Machavaram-Mopad tanks from Manneru river in Kandukur taluk, Nellore district; if so, the amount of the estimates and the details of the proposal;

(b) how that estimate and the proposals thereon compare with those prepared in 1925;

(c) whether the ryots to be benefited by the channel collected half contribution towards the improvements and paid it in the Kandukur sub-treasury;

(d) if so, who ordered the collection and payment of the contribution by the ryots;

(e) whether it is a fact that a large sum of over Rs. 20,000 collected and remitted to the treasury was ordered to be taken back by the ryots;

(f) what the reasons are for such conflicting orders—ordering collection and remittance at the first instance and returning the money at a later date; and who all the officers are that are responsible for such orders and what their names are; and

(g) whether the Government will be pleased to call for a detailed report on the matter and state what the present proposals are to improve the said supply channel and the Machavaram-Mopad tanks?

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

(g) Yes. A report has been called for.

Land Revenue Administration

Distraint and sale of lands in the South Kanara district for realization of arrears of land revenue.

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

(a) the number of cases of arrears of land revenue in each of the taluks in the district of South Kanara during the last fasli;

[31st January 1934]

(b) the number of cases out of the above in each taluk in which arrears were realized after distraint and after sale of patta lands;

(c) the number of cases out of the above in which arrears are still to be realized; and

(d) in cases in which lands were sold for realizing revenue, the amount due from each pattadar and the price realized at each sale and the class and extent of the land sold?

A.—(a) to (c) The Government have called for the information.

(d) The Government have not the information.

Mr. U. C. SUBRAHMANYA BHATT:—" May I know, Sir, whether the hon. Member will place the information on the table of the House? "

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

Applications from ex-army men for lands on darkhast.

* 564 Q.—Subadar-Major S. A. NANJAPPA Bahadur: Will the hon. the Member for Revenue be pleased to state the number of applications for land on darkhast received from ex-army men for each district, number of applications successful and number rejected and the grounds thereof for each district from 1st January 1933?

A.—The Government have not the information, and cannot obtain it without giving subordinate officers a great deal of labour.

Public Service

Direct recruitment to the posts of upper division clerks in the Madras City.

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

(a) whether any of the candidates selected by the Services Commission are directly recruited as upper division clerks in the Madras City; and

(b) whether graduates belonging to the Depressed Classes or those classed as 'Other communities' are given special preference in this matter?

A.—(a) Some candidates selected by the Madras Services Commission are recruited directly as upper division clerks in the Secretariat; the Government have not the information whether this is also done in other offices in Madras, but the Statutory Rules governing recruitment to the Madras Ministerial Service permit direct recruitment of candidates approved by the Madras Services Commission as upper division clerks.

(b) Under the communal rotation rule one out of every twelve vacancies should be filled by a member of any 'Other community' including 'scheduled classes.'

[31st January 1934]

Employment of and grant of lands on darkhast to ex-army men.

* 566 Q.—Subadar-Major S. A. NANJAPPA Bahadur: Will the hon. the Member for Revenue be pleased to state—

(a) whether any representation was made to the Government regarding the non-enforcement of G.Os. No. 415, dated 26th March 1930, No. 590, dated 25th May 1931, No. 1544, dated 2nd December 1932, and No. 288, dated 3rd April 1933, regarding the grant of land on darkhast and the giving of appointments to the ex-army men and their sons and by whom; and

(b) what action the Government have taken to see that the Government Orders referred to above are strictly carried out?

A.—(a) A representation on the subject was received from the hon. Member himself and has been investigated. The hon. Member is referred to letter No. 27438-4, Public (Military), dated 27th January 1934. Other representations have from time to time been received from ex-army men.

(b) The Government have no reason to believe that their instructions are not being generally carried out, particularly since the issue of G.O. No. 288, Public (Military), dated 3rd April 1933. The issue of further instructions to ensure preference being given to men discharged from the Madras Pioneers and other recently disbanded regiments is under consideration. Individual cases will be investigated, if brought to notice.

Local Self-Government

Appointment of executive officers to municipalities.

* 567 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the total number of municipalities in Andhra districts to which executive officers have been appointed and those to which executive officers have not been appointed;

(b) the total number of municipalities in Tamil and other parts to which executive officers have been appointed and those to which executive officers have not been appointed;

(c) the number and names of municipalities in the Presidency to which the Government contemplate appointing executive officers in the near future and the reasons therefor; and

(d) whether it is a fact that the Government contemplate appointing executive officers to the municipalities of Mangalore and Calicut; and if so, the reasons therefor?

A.—(a) & (b) The attention of the hon. Member is invited to the appended statement ^a, from which it may be seen to which of the municipalities in the Andhra and Tamil districts Commissioners have been appointed.

^a Printed as Appendix II on page 303 infra.

[31st January 1934]

(c) & (d) Government have under consideration the question of notifying some more municipalities for the appointment of a Commissioner, in the interests of their administration but it is not possible to say definitely at this stage whether the municipalities mentioned will be included.

Mr. U. C. SUBRAHMANYA BHATT:—"May I know what the criterion is for appointing executive officers to municipalities? And whether in all cases the Government feel that they are in the interests of the administration?"

The hon. the RAJA OF BOBBILI:—"In all cases where, in the interests of the administration, the Government feel that the appointments are necessary, the appointments are made."

Mr. U. C. SUBRAHMANYA BHATT:—"What is the nature of the interests of the administration? Is it misadministration or maladministration?"

The hon. the RAJA OF BOBBILI:—"The interests of the administration mean the interests of the tax-payers."

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know how it is that in certain districts having bigger municipalities, commissioners are not appointed, as in the case of Anantapur? I mean in the case of Nandyal an officer is appointed, while in Guntur no appointment has been made. The matter has been in correspondence for so many years with the Government."

The hon. the RAJA OF BOBBILI:—"I do not know what the correspondence is to which the hon. Member refers. The appointments are not made with regard to the size. Whenever the Government feel that, in the interests of the administration it is necessary, it will be done."

Mr. U. C. SUBRAHMANYA BHATT:—"Is Mangalore one of the municipalities for which an officer is contemplated?"

The hon. the RAJA OF BOBBILI:—"I cannot say in the case of municipalities where appointments have not been made whether they will or will not be notified for the purpose."

Mr. U. C. SUBRAHMANYA BHATT:—"With reference to answers to (c) and (d), I just want to know whether Mangalore is one of those municipalities."

The hon. the RAJA OF BOBBILI:—"It is not possible for me to say. Sir, till the Government passes orders; we treat the matter as confidential."

Mr. P. PEDDI RAJU:—"May I know, Sir, whether a commissioner has been appointed for the Palacole Municipality?"

The hon. the RAJA OF BOBBILI:—"No commissioner has been actually appointed, Sir. There has been a special officer now. When the elections are carried out, the municipality will be reconstituted."

31st January 1934]

Mr. G. SIMHACHALAM PANTULU:—"Is there not a proposal, Sir, to appoint an executive officer for Guntur?"

The hon. the RAJA OF BOBBILI:—"Government are considering various names; but till orders are actually passed, they are treated as confidential."

Mr. V. T. ARASU:—"May I know, Sir, whether it is a fact that in the case of certain municipalities, commissioners are appointed in spite of resolutions passed by the majority of the councillors concerned?"

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

Mr. V. T. ARASU:—"May I know, Sir, from the hon. the Minister whether he will furnish a list of such municipalities?"

The hon. the RAJA OF BOBBILI:—"I cannot off-hand give this information, Sir."

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I know, Sir, whether it is not a fact that it is the interests of the administrations which govern the conditions to the appointment of commissioners?"

The hon. the RAJA OF BOBBILI:—"I have stated that more than once."

Mr. V. T. ARASU:—"May I know, Sir, the reasons which weighed with the Government in throwing out the resolutions passed by the municipal councillors protesting against the appointment of commissioners?"

The hon. the RAJA OF BOBBILI:—"These appointments are made in pursuance of legislation passed by this House and, whenever Government feel that such appointments are in the interests of the municipality, they are making them."

Appointment of panchayat officers.

* 568 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government have appointed panchayat officers for all districts;

(b) if not, what the reason is for the delay in making the appointments; and

(c) what the reasons of the Government are for not placing these appointments in the hands of the Public Services Commission?

A.—(a) & (b) Government have since appointed district panchayat officers for all districts, except Nellore, the Nilgiris and Tinnevely. Appointments for these districts are under consideration and will shortly be made.

(c) Under section 8 of the Madras Services Commission Act, 1929 (Madras Act XI of 1929), the Commission shall advise the Local Government in regard to recruitment to any provincial or subordinate service. The service of district panchayat officers is not such a service.

[31st January 1934]

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know, Sir, why the Government propose to exclude the appointments of panchayat officers from the list of posts to be recruited by the Public Services Commission? "

The hon. the RAJA OF BOBBILI:—" It is not quite clear, Sir. The answer clearly states that the Public Services Commission is intended to deal only with Government services."

Mr. P. V. KRISHNAYYA CHOUDARI:—" When the Government have taken power from the district boards to do justice, thinking that the local board presidents would not do what they could do in the interests of public, why should Government take the responsibility of appointing panchayat officers and not get the thing done by the Public Services Commission to avoid unnecessary odium? "

The hon. the RAJA OF BOBBILI:—" I have already stated that it is not a matter for the Commission."

Mr. V. T. ARASU:—" May I know, Sir, whether there are any proposals now before the Government to provincialize these services and, if there is such a proposal, will the Government consider the desirability of making the Public Services Commission recruit the candidates instead of themselves doing the odious task? "

The hon. the RAJA OF BOBBILI:—" At present, Sir, they are under the local board services. Ultimately, it may be possible to class them with the Provincial Services. Then, as a matter of course, the Public Services Commission will make the recruitment."

Qualifications of District Panchayat Officers appointed by the Government.

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

(a) what the names and addresses are of persons who have been appointed by the Government as district panchayat officers so far;

(b) to which district each of such persons has been appointed;

(c) what the educational as well as technical qualifications of each is; and

(d) what the pay drawn by each is and in which scale?

A.—(a), (b) & (c) A statement ^a is appended.

(d) A fixed salary of Rs. 150 per mensem for the present.

Continuance in office of District Panchayat Officers appointed by Presidents of District Boards.

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

(a) in how many districts district panchayat officers have been appointed by the Government;

^a Printed as Appendix III on page 304 infra.

[31st January 1934]

(b) in which district or districts persons appointed by the president, district board, still continue in office as district panchayat officers; and

(c) what the Government's reasons are in each case for allowing the officers appointed by the presidents of district boards to continue in office still, and what the qualifications of each of such officers are?

A.—(a) Government have so far appointed district panchayat officers for twenty-two districts. Appointments for the remaining three districts, viz., Nellore, the Nilgiris and Tinnevely, will be made in due course.

(b) The district panchayat officers appointed by Government in Anantapur, North Arcot, Coimbatore, Ganjam, Madura, Ramnad, Tanjore, Vizagapatam and South Kanara, are persons who were appointed as district panchayat officers by one president, district board or another, before Government took power to control the service of district panchayat officers and the officers first appointed by the presidents, district board, in North Arcot, Coimbatore, Madura and Vizagapatam are continuing in the same districts;

(c) Government made the appointments and postings of the officers with due regard to administrative exigencies and efficiency. The attention of the hon. Member is invited to the statement appended to the answer to his starred question No. 569 which contains the particulars in regard to the qualifications of the officers.

Educational qualifications of the District Panchayat Officer, Salem.

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

(a) whether district panchayat officers have been appointed by the Government to all the districts;

(b) if not, how many districts have yet to be filled by persons to be entertained by the Government;

(c) when Salem district is likely to have such an one;

(d) who the present district panchayat officer at Salem is;

(e) what his educational as well as technical qualifications are;

(f) whether exemption from educational qualifications has been granted to him; if so, from which date to which date;

(g) whether it is on account of the dearth of candidates that such exemption has been granted to him; and

(h) what the qualifications generally prescribed are for district panchayat officers?

A.—(a), (b) & (c) The attention of the hon. Member is invited to the answer to clause (a) of his starred question No. 570;

[31st January 1934]

- (d) M.R.Ry. T. Janakirama Ayyar was the District Panchayat Officer when notice of this question was given.
- (e) He has passed the old Lower Secondary Examination and completed the Matriculation course and has passed in the second class, the examination for draughtsmen held by the College of Engineering, Madras;
- (f) Yes; the exemption was in force from the 24th September 1932 until the officer appointed by the Government relieved him.
- (g) No; the exemption was granted on a consideration of the officer's long experience in the service of local boards as draughtsman, local fund overseer and officiating assistant engineer.
- (h) The qualification originally prescribed was the minimum general educational qualification prescribed in Article I of the Public Service Notification and the Account Test. The general educational qualification has since been raised to the possession of a degree of any of the recognized universities.

Alleged maladministration of the Panchayat Board, Chennur, Cuddapah district.

* 572 Q.—MR. T. NARASA REDDI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government have received memorials from the people of the locality that the President, Panchayat Board, Chennur, assessed people heavily and arbitrarily to the profession taxes;

(b) whether it is a fact that the members of the Panchayat Board and its President were asked to show cause why the Board should not be superseded for the maladministration of the affairs concerning Panchayat Board;

(c) whether it is a fact that Chinnamachupalli and Jangamreddipalli villages of Chennur Panchayat Board were recommended by the Collector and the President, District Board, Cuddapah, to be excluded from the panchayat limits as they derive no benefit from the Board;

(d) what action the Government have taken on the recommendations of the President, District Board, and the District Collector; and

(e) whether the Government are aware of the fact that there were instances of serious breaches of peace between the rival parties of the Panchayat Board and that the parties were bound over under security proceedings?

A.—(a), (b) & (c) Yes.

(d) Government have ordered the exclusion of the villages from the limits of the panchayat with effect from 1st April 1934.

(e) No.

31st January 1934]

Co-operation

Selection of candidates for Co-operative Inspectors' posts by the Madras Services Commission.

* 573 Q.—MR. P. V. KRISHNAYYA CHOUDARI: Will the hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that the Madras Services Commission called for applications for Co-operative Inspectors' posts more than once in the course of the last twelve months;

(b) what the reasons were that led the Commission to do so instead of calling for applications once in every year; and

(c) whether all the candidates selected by the Commission have been provided with posts?

A.—(a) No.

(b) Does not arise.

(c) No.

Veterinary

Vacancies remaining unfilled in the Civil Veterinary Department.

* 574 Q.—MR. A. B. SHERTY: Will the hon. the Minister for Public Works be pleased to state—

(a) whether several vacancies in the Civil Veterinary Department have been kept without being filled up for months together and, if so, the reasons for it; and

(b) whether candidates of any particular community were debarred from applying for the selection of Veterinary Assistant Surgeons recently made by the Madras Services Commission and, if so, for what reasons?

A.—(a) A few vacancies remained unfilled for a time as the Director of Veterinary Services had to obtain orders of Government in regard to the appointment of candidates who were either not graduates of the local college or were subjects of Indian States.

(b) Owing to the paucity of candidates from other communities, Brahman candidates were recruited in the last two years in larger numbers and to redress this over-representation as required by rule 5 of the General Rules for Subordinate Services recent selection was restricted to communities other than Brahmans.

Education

Proposal of the Tadepalligudem Taluk Board to appoint Hindi teachers in the higher elementary schools.

* 575 Q.—MR. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether the taluk board of Tadepalligudem, West Godavari district, wanted to appoint teachers to teach Hindi in its higher elementary schools; and, if so, whether the board has been permitted by the Government to do so; and, if not, why not; and

[31st January 1934]

(b) the municipalities, taluk and district boards in whose schools Hindi teachers have been appointed and the number of schools to which such teachers have been appointed?

A.—(a) In March 1933, the taluk board proposed the appointment of Hindi teachers on Rs. 20 each per mensem in four higher elementary schools and the debit of the expenditure to the Elementary Education Fund under its control. The Government did not sanction the proposal as Hindi is not one of the subjects which can be included in the curriculum of elementary schools.

(b) Hindi teachers have been appointed in the schools under the local bodies mentioned below:—

Name of the local body.	Number of schools in which Hindi teachers have been appointed.
Elementary—	
Municipal Council, Cocanada	1
Do. Coimbatore	1
Taluk Board, Sattur	1
Secondary—	
District Board, Vizagapatam	1
Do. East Godavari	5
Do. West Godavari	1
Do. Guntur	1
Do. Nellore	4
Do. Ramnad	1
Municipal Council, Nellore	3
Do. Mayavaram	2
Do. Salem	1
Do. Tiruppur	1

Mr. P. V. KRISHNAYYA CHUDARI:—“ May I know, Sir, why religious instruction is permitted for Muslims, though it is not provided in the curriculum and why similar permission is not provided in regard to Hindus? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I do not see any connexion between religious instruction for Muslim pupils and Hindi.”

S. M. K. BEYABANI SAHIB Bahadur:—“ May I know, Sir, whether the Government will consider the desirability of utilizing the services of Hindustani teachers for those who are anxious to learn Hindustani in schools wherever possible? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ Government are not permitting the employment of Hindi teachers.”

31st January 1934]

S. M. K. BEYABANI SAHIB Bahadur:—“ May I know, Sir, whether Government will consider the question of giving facilities for those people who are anxious to learn Hindustani whenever Hindustani teachers are available in the various places? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ That question has never been considered.”

Mr. P. V. KRISHNAYYA CHUDARI:—“ May I know, Sir, whether the scripts for Hindi and Hindustani are entirely different? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ I do not know, Sir.”

Non-admission of students of the Law College into the Victoria Hostel.

* 576 Q.—Mr. P. C. MOSES: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether it is a fact that Law College students have been refused admission to Victoria Hostel; and

(b) if so, the reasons for it?

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

Mr. V. T. ARASU:—“ May I know, Sir, whether it is suggested by the answer that Government have no information, that the Government have absolutely no control over this hostel? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ The hon. Member is right.”

Amalgamation of Muslim and non-Muslim schools pursuant to the Champion Scheme.

* 577 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether it is a fact that the educational authorities are enforcing the Champion scheme with regard to amalgamation of Muslim schools with non-Muslim schools;

(b) whether the Government have issued any orders to exempt Muslim schools from the operation of the Champion scheme; and

(c) if so, whether the Government will be pleased to place the same on the table of the House?

A.—(a), (b) & (c) The latest orders of the Government as regards the amalgamation and concentration of elementary schools are to be found in G.O. No. 1639, dated 9th September 1933, a copy of which has been placed in the Council Library.

The scheme of amalgamation and concentration dealt with in that Government Order has not yet been put into operation.

[31st January 1934]

UNSTARRED QUESTIONS**Administration of Justice**

A Bill to amend the Civil Procedure Code so as to abrogate the provision relating to arrest and imprisonment for debts.

578 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 of India called for suggestions from the Local Government for keeping in abeyance the practice of issuing arrest warrants against the judgment-debtors in satisfaction of the decrees issued by the civil courts;

(b) whether the Government will be pleased to state their views in the matter; and

(c) whether the Government contemplate to present a Bill for the amendment of the Civil Procedure Code in view of putting an end to the issue of civil warrants of arrest?

A.—(a) The question on which the Government of India called for the views of the Local Government is whether arrest and imprisonment for debt where no contumacy is proved should be abolished either generally or for particular classes of persons.

(b) No.

(c) No.

Forest Panchayats

Alleged irregularities on the part of the President, Forest Panchayat, Nampalle village, Chittoor district.

579 Q.—Mr. C. R. PARTHASARATHI AYYANGAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that there have been factions in Nampalle village, Chittoor taluk, in respect of the election of members and of the President of the Forest Panchayat;

(b) whether enquiries have been held by the Deputy Collector of Chittoor, in connexion therewith and, if so, what is the result of his report from the statements recorded by him of certain ryots at Irala camp;

(c) whether any complaints have been made to the Collector of Chittoor, that the President, Forest Panchayat, Nampalle, has been abusing his position in the matter of issuing permits and preventing permits being issued to other bona fide cattle owners; and

(d) what steps have been taken by the Collector of Chittoor to rectify these abuses?

A.—(a) to (d) A memorial on the subject was received by Government in December 1933 from certain ryots of Nampalle village. The petitioners were informed that they should appeal to the Board of Revenue before approaching the Government. The Government have called for a report on the allegations made in the question.

[31st January 1934]

Land Revenue Administration

Constitution of a new district from the remains of Ganjam with the addition of Palkonda taluk in the Vizagapatam district.

580 Q.—Rao Sahib Pandit GANALA RAMAMURTI: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have under consideration any proposal to constitute the remaining portion of the Ganjam district which is not included in the New Orissa Province and the Palkonda taluk in the Vizagapatam district as a separate district with Chicacole as its headquarters instead of including the same in the Vizagapatam district;

(b) whether the District Collectors of Ganjam and Vizagapatam were consulted in this matter; and

(c) whether they advised the Government favouring this proposal?

A.—(a) & (b) Consequent on the proposal to transfer a portion of the Ganjam district to the New Orissa Province, various suggestions for the reorganization of districts have been examined by the Board of Revenue in consultation with the Collectors concerned. The Board's proposals are under the consideration of the Government. One of the suggestions examined was to form a new district with Chicacole as its headquarters by adding a portion of the present Vizagapatam district to the portion of the Ganjam district which will be retained in this province.

(c) The Government are not prepared to announce the opinions given by the Collectors.

Education

Judgment by the Assistant Sessions Judge, Calicut, in the case of alleged defalcation in the Malabar District Educational Council.

581 Q.—Mr. P. MADIHUSOODHANAN THANGAL: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether the Government are aware of the dismissal of the Malabar District Educational Council defalcation case on the 20th November 1933 from the Court of the Assistant Sessions Judge of Calicut and the grave charges of mismanagement made in the judgment by the learned Judge against the President and staff of the Council; and

(b) in the light of the disclosures made in the judgment, whether the Government are intending to hold any enquiry or take any action?

A.—(a) The Government are aware.

(b) The Government are proposing to take necessary action in the matter.

[31st January 1934]

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

NON-OFFICIAL BUSINESS.

II.—RESOLUTION ON A MATTER OF GENERAL PUBLIC INTEREST— REMISSION IN THE EXISTING RATE OF ASSESSMENT ON RYOT- WARI LANDS IN THE PRESIDENCY.

* The hon. the PRESIDENT:—“ The discussion on the Land Revenue Remission resolution will now be resumed.”

* Mr. V. M. RAMASWAMI MUDALIYAR:—“ Mr. President, Sir, I rise in my seat to intervene in this debate for more than one reason. In the first place, previous speakers coming from various districts of this Province have joined hands in ventilating individual grievances of their particular districts along with the general representations that they have made. It is needless for me to say that the agriculturists of this Province have made out an unanswerable case. The unanimity and depth of expression of opinion both on the floor of the House as well as outside it, and the arguments and figures that have been adduced, have placed the case of the landholders in an unassailable position. But a far more convincing argument which is more eloquent than any other argument has been placed by my hon. Friends Mr. Langley on the one hand and Mr. Daniel Thomas on the other. Sir, it is needless for me to say that facts are more convincing than arguments and in a humble way I would appeal to the Government to take a dozen cases of landholders in any part of this Province and investigate their true economic position. I will indeed be surprised and in fact the House will indeed be surprised if any landholder or any agriculturist can claim that his occupation has paid him any profitable return at any time whatsoever.

“ Sir, I would also like to advert to one or two arguments that have been placed for the consideration of this House. My hon. Friend, Mr. Basu Dev, said: ‘ What does it matter if a pittance of relief of 25 per cent is given to the small landlords.’ Sir, I do not know whether he realizes that to a small landholder even a couple of annas would go a long way towards his family budget. If a landlord who pays a kist of Rs. 10 can be relieved to the extent of Rs. 2-8-0, I may assure my hon. Friend, it would be a great relief. In fact my opinion is that more relief should be given to this class of people than is contemplated in the resolution. Sir, it is one of the points indirectly though satirically suggested by the gallant knight from Ganjam when he made a proposal that landholders paying less than Rs. 10 as tax should be exempted from such payment. I do not think, Sir, that the suggestion he made is so harebrained as some people make it out to be. In the very Government communiqué issued on the subject of land revenue remission, a distinction is sought to be made between cultivating landlords and non-cultivating landlords. Whatever may be the position of the Rs. 10 pattadars in individual cases, I daresay most of them are cultivating landlords and it is their case that deserves the strongest support from this House and from the Government.

31st January 1934] [Mr. V. M. Ramaswami Mudaliyar]

“ Sir, I do not grudge relief to the richer landlords; but it is these Rs. 10 pattadars who form, about 70 per cent of the landholders that stand in need of urgent relief in a larger measure. I know, Sir, that the finances of this Government will be sorely taxed by such a proposal. Well, I do not therefore plead for the complete wiping off of the taxes due from this class of people at present. But I am sure, even for that, the time will certainly come and the sooner the question is tackled the better.

“ Sir, two years ago, several Members of this House, from their experience and from their intimate contact with the population of this Province seriously warned the Government of the said plight of the agriculturists. The Government, or at least the hon. the Finance Members then took up an attitude of plight and optimism and withdrew the several measures of retrenchment, especially the cut in the salaries of Government servants. Sir, it seems to me that the attitude that he took up was the attitude of the snake-charmer toying with the snake of finance. He plays with it and then gets bitten. Sir, I do not know what the snake-charmer—the Finance Member has got in his sleeve to effect a cure for the financial condition of the agriculturists.

“ There is one other point on which I would like to say a word, and that is that any relief given to the agriculturist must be quick and immediate. If, on the other hand as suggested, this relief is to await a decision of a committee that may be appointed to set on foot an enquiry for the solution of the larger agricultural problems, such belated relief will be absolutely of no avail to the landlords. Such belated relief, let me impress upon the Government, would do good to nobody. The ryots are in such a bad condition to-day. Sir, if no relief is vouchsafed to them at the present time, they would be irretrievably lost. They would be tied hand and foot and delivered over into the hands of the money-lenders. Their morale will be so much crushed that they will become mere serfs. From that position it will be impossible to retrieve them later.

“ Sir, much has been said about the role which the agriculturists play in the Government of countries. India is no exception. The agricultural population has always been the backbone of Government and stands for all that makes for stable Government. He is the unit of the home and the home is the unit of the nation. While we talk so eloquently of the utility of the agriculturists to the Government of the country, what is the attitude that you take towards them? Sir, the hon. Member, Mr. Langley, in the course of his remarks, spoke a word or two about certain steps, the Madras Government propose to take to improve the lot of the agriculturists. Sir, he especially pleaded for a changeover from one mode of cultivation to the other. He urged that it is the conservatism of the agriculturists that is in a large measure responsible for not changing over from paddy cultivation to sugarcane. Sir, may I remind him and also the Madras Government that that is not the only reason why a changeover is not possible. I am speaking with

[Mr. V. M. Ramaswami Mudaliyar] [31st January 1934]

some experience in this matter and from the experience that I have derived from a discussion with the ryots of the district with which I am in a manner connected. Sir, I may at once say that the chief reason why a changeover from one crop to another is not possible is not only the conservatism of the agriculturists which no doubt exists, but the fact that they have no capital money to invest to initiate the changeover. It is the duty of the Government, if it is really serious, to find the necessary initial capital for the agriculturist to set himself up. I may also inform Mr. Langley and the Government of Madras that a mere changeover is only a palliative and that unless something more radical is done in the method of production and distribution by socializing them, this problem could never be really solved. Let us for one moment imagine that our Province will become one of the foremost provinces in sugarcane growing. There is nothing to prevent the other provinces from repeating the same performance and the result will be that we will be faced with the spectacle of competition and cut-throat competition which is facing the entire world to-day. Sir, interprovincial arrangements, nay, international arrangements even with regard to the agricultural produce will be necessary to find a solution for this problem of over-production. Sir, one more statement in the communiqué to which I should refer, as displaying a policy of defeatism that has overtaken the Madras Government and it is thus: 'Nothing that the Government can do will go very far to remove them till prices rise.' That is like saying that the disabilities of the agriculturists will exist till prices rise. Sir, prices cannot rise unless the Government moves in the matter. We have before us the example of what America is doing to raise the prices in that land, standing in a direct contrast to the attitude of this Government.

"Sir, passing on, I read with tears, and I believe every agriculturist will have read with tears, the tragic statement made by the Government as follows:—

'The Government received a very small portion of the great profit made in the boom period and they might logically claim that they should not reduce the revenue until that is all spent.'

"Sir, I do not know the basis of this information. So far as I know and so far as I have been able to ascertain from big landholder friends—for instance from the hon. Member sitting to my left—I can assure the Government that there has been no landlord that has made a fortune or laid by a great store at any time. Agriculture at its best was only self-sufficing and agriculture at present is in a plight where it is absolutely impossible to make both ends meet. Therefore, the boom period to which the communiqué and the consequent hoarding never existed. Agriculture never added and never will add to the coffers of the landlord."

* The hon. the PRESIDENT:—"The hon. Member's time is ending."

Mr. V. M. RAMASWAMI MUDALIYAR:—"One minute more, Sir. Before resuming my seat, I must place before the House the fact that

31st January 1934] [Mr. V. M. Ramaswami Mudaliyar]

sooner or later the question of land revenue taxation must be tackled and the sooner it is done the better. Sir, this House must consent to give up a large portion of the land revenue from its budget. I hope, Sir, that when the time comes hon. Members will tackle this question in right earnest.

"I also want to urge upon the serious consideration of the Government some modification of the steps by which land revenue arrears are recovered. Sir, the first step provided under the Revenue Recovery Act is the attachment of cattle, then food grains, then the attachment of crops standing on the land and then the land itself—Sir, various ryots' conferences held in my district have suggested that during this period of acute distress, the first two steps might be cut out and if necessary the final step of attaching the crops on the land or the land itself might be taken. This is suggested because we, the Hindus especially, have got a sentimental attachment to the cattle and to living beings around us. This attachment is universal because we find as for instance the Europeans are more attached to dogs than to human menials round them. That is sentiment. I plead that Government will consider the suggestion that has been put forward."

Mr. M. B. RANGASWAMI REDDI spoke in Tamil as follows:—

"கனம் அக்கிராஸ்துதிபதி அவர்களே!

"இவ்வருஷம் லாண்டு ரிவினியூ கிஸ்து குறையுமென்று நாங்கள் எதிர் பார்த்தபடி அரகிரை கமிட்டியாரும் செய்யவில்லை. அவர்கள் செய்தது கூட கவர்ன்மெண்டார் செய்யவில்லை. என் நண்பர் டேனியல் தாமஸ் சொன்னார். அவரவர்கள் அவரவர்கள் டிஸ்ட்ரிக்ட்பற்றி பேசும் போது நானும் என் ஜில்லாவைப்பற்றி பேசுகிறேன் என்று சொன்னார். நான் எல்லாரும் பேசினபடி பேசவில்லை. உண்மையாய் இன்னு சொல்லவில்லை. முன்னாடி அதாவது 1933-ம் ஆண்டு நவம்பர் மீ 17-உயில் கனம் ரிவினியூ மெம்பருக்கும் கவர்ன்மெண்டுக்கும் எழுதியிருக்கிறேன். இந்த ராஜதானியில் மழை குறைவான ஜில்லாக்கள் நார்த் ஆற்காட் 10, செளத் ஆற்காட் 8, செங்கல்பட்டு 14, சித்தூர் 6, ௭ இங் மழை என்று கவர்ன்மெண்ட் ரிபோர்டில் காணப்பட்டிருக்கிறது. அதிலிருந்து நாங்கள் எவ்வளவு கஷ்டப்படுகிறோம் என்பது விளங்கும். மணிலாவானது எங்கள் ஜில்லாவில் சென்னை ராஜதானியில் விளையும் ஜில்லாக் களில் இரண்டாவது ஜில்லா. ஷே பாரம் ரூபாய் 120 ஒரு காலத்தில் விற்பதானது—தற்காலம் ரூபாய் 17 விற்கிறது. நெல், புகையிலை, வெல்லம் முதலியவைகள் கூட அப்படியே சரியான விலையில்லாமல் இருக்கிறது. கிணர் இறவை ஜில்லாவாகிய எங்கள் ஜில்லாவுக்கு மிகவும் அதிக சலுகை காட்டவேண்டியது அவசியம். குடிகள் படுப்பாடு சொல்லத்தரமல்ல. நைஜாம், திருவாங்கூர், மைசூர், பிரஞ்சுகவர்ன்மெண்டுகள் ரிமிஷன் 30 பெர்சண்டுக்கு மேல் கொடுத்திருக்கிறார்கள். மேலும் ரிவினியூ உத்திறவில் 1858-ம் வருஷத்தில் செட்டில்மெண்டார் கவனித்து வரி போட்டதாயும் அதற்கு மேல் ரயிலும் போக்குவரத்து வசதிகளும் ஏற்பட்டதாலுண்டான விலைவாசிகள் லாபம் குடிகள் அடைவதாக சொல்லியிருக்கிறார்கள், அதுசரியல்ல. ரோட் செஸ்வினாலும் ரயில்வே செஸ்வினாலும் கவர்ன்மெண்ட் உதவியாலும் போடப்பட்டது, அது சரியான வே காரணமல்ல. 1858-ம் வருஷத்தில் பாரஸ்டு டிபார்ட்மெண்ட் இல்லை. ஒரு தழை மேய்கால்வரி, கலப்பைவரி கிடையாது. இப்பொழுது எத்தனையோ வரிகள் ஏற்பட்டுவிட்டது. குடிகள் மிகவும் கடனாலும் குடும்ப சிலவுக்கில்லாமலும் வரிகட்ட முடியாமலும் கஷ்டப்படுகிறார்கள். மேலும் முன் வருஷத்தில் யெல்லா லாண்டு ரிவினியூ வரிக்கும் அனா 2 ரிமிஷன் கொடுத்து இவ்வருஷம் நஞ்சை

11-30
a.m.

[Mr. M. B. Rangaswami Reddi] [31st January 1934]

க்கு 2 அணை, புஞ்சைக்கு அணை 1 ரூபாய்க்கு குறைவு ஏற்படுத்தியதானது மிகவும் ஏமாற்றத்தை தருகிறது. இதுகளை யோசித்து கவர்ன்மெண்டார் 100-க்கு 25 வீதமும் எங்கள் ஜில்லாக்களுக்கு அதிகமும் கொடுக்க வேண்டுமாய்க் கோருகிறேன்.

“ஸர் ஜேம்ஸ் மெஸ்டன் தீர்ப்பு படுத்துவதற்கு நமது மகாணத்திற்கு 350 லட்சம் வஜா செய்து ரூம்ப டிபார்ட்மெண்டுகளை சிருஷ்டித்து ஷே பணத்தை சிலவு செய்து விட்டார்கள். சம்பளம் உயர்த்தினார்கள். இதுகளை அப்போதே கவனித்தால் இவ்வளவு கஷ்டம் நேர்ந்திருக்காது. உத்தியோகஸ்தர் 40 ரூபாய் சம்பளம் வாங்குவதும் 40 ஏக்கர் வைத்திருக்கும் ஒரு குடியானவனும்கூட யென்று சொல்லக்கூட இடமில்லை. இதுகளை கவனித்து தீர்வை வஜா செய்யக்கொடுக்கிறது.”

* Mr. K. P. RAMAN MENON:—“Mr. President, Sir, I feel it is my duty that I should say a few words on this motion, and in so doing I have to enter a protest at the inadequacy of the land revenue concession. It is with a feeling of surprise and disappointment that I read the Government Order, and I find that it contains nothing but a reiteration of the old arguments advanced in favour of resettlement. First of all, let me examine the Government's statement that they are entitled to half the produce of the land. Is it founded on the theory that the Hindu Rajas of old were so doing? I wonder from where the Government got this idea. For to speak the truth, as far as my reading of ancient Indian history goes, the Hindu Rajas never claimed more than one-sixth of the produce of the land, what is known as ‘shadamsom.’ Again the Government forget the fact that during the days of the Hindu Rajas, there were no stamp-fees, no court-fees, no road-cess, no income-tax, in fact none of these things which are now levied and collected from the people. All that the ancient Hindu Rajas levied was some revenue in return for the protection of person and property that they afforded to their subjects. Thus that theory falls to the ground.

“Then again, is this tax a tax on the land or on the avocation of the people? If it is on the avocation, where then is the justification for the Government for increasing the rate beyond all bounds of endurance? Take for instance income-tax; the highest rate of income-tax, is 4 annas in the rupee; why should the agriculturist pay 8 annas in the rupee.

“Then again, Sir, with reference to the prices, it is stated that the prices were very high during a certain period, that is, from 1912 to 1921, and during this period the ryots must have laid by a certain amount of money, which the Government are legitimately entitled to claim. Now are Government aware of this fact that any profits that the agriculturist has made out of the boom in prices have already been utilized in purchasing other lands, and thus there is nothing for him to fall back upon to meet the present crisis?

“Again, with reference to the prices, I have had the good fortune to be in management of my tarwad both during the years anterior to the old settlement of 1900 and posterior to the last resettlement of 1930. Therefore I know the price prevailing in my district before 1900. So

31st January 1934] [Mr. K. P. Raman Menon]

far as the price of coconuts is concerned, the level of price has now gone down even below that which obtained during the years prior to the old settlement. Then the coconut was worth Rs. 20 to 25 per 1,000, and now it is selling at Rs. 12½ or Rs. 15 per 1,000; and this slump in price can be attributed to some extent to the importation of Ceylon coconut through Cochin. I am told that Cochin coconut oil has a great marketable value, and taking advantage of this, it appears some gentlemen in Cochin are importing coconuts from Ceylon, turning them out into oil and passing off the product as Cochin coconut oil. This is doubly disastrous, inasmuch as it destroys the oil industry in Malabar and also spoils the fair name of the Cochin oil.

“Again, Sir, it was pointed out with reference to resettlement, that in the Native States of Travancore and Cochin there is a greater amount of remission of land revenue than that which obtains in this Province. A doubt was expressed as to this disparity in taxation and so I mention facts known to me personally. My tarwad owns lands in Cochin and in Malabar and so I can say that the disparity in the rate of assessment is striking. Although the income from the lands in Cochin State is almost the same as that I get from the lands in British India, this assessment in British India is more than double. For the Cochin lands I pay a revenue of Rs. 690; while for those in British India I pay Rs. 1,600 as revenue. In Cochin, out of the sum of Rs. 690 as revenue, the Durbar has, this year, remitted as much as one-fourth of that amount. Even with reference to the Government Order issued by the Government the benefit accruing therefrom has not been brought home to the ryots. For I wrote to some tahsildars in my district as to the exact effect of this Government Order; and I received replies from some that accounts for the amsams for revenue collections have not been yet prepared. That shows that sufficient instructions have not been given to the Revenue officers. May I point out that two out of the four kists are already over? Besides this, I have to say another fact also. After the resettlement operations in some taluks of my district, the agriculturists have to pay a higher rate of assessment than before; and it is not understood by the officers concerned whether this Government Order is to take effect with regard to those taluks where resettlement has not taken place also.

“Again, Sir, there is another Government Order which has been issued by the Government. It is no doubt very beneficial to the ryots. It says that wherever lands have been reclassified, wherever unoccupied land has been converted into garden land, the assessment should be spread over a period of 12 years. But as a matter of fact the assessment is being collected; the total amount within three years. I had a talk with some officers in my district and from the conversation I learnt that they have not understood the Government Order correctly. An amsam official told me that the Settlement department prepared accounts wherein such increased taxes have to be collected within

[Mr. K. P. Raman Menon] [31st January 1934]

three years and these accounts have been confirmed by the Revenue Department. Thus the amsam official is bound to collect the assessment as enhanced within three years of the resettlement. What is the use of a Government Order which is not given effect to? I have written a letter to the Revenue Secretary about this and I do not know what action has been taken on this matter. I have not received any reply yet.

“It was suggested by Mr. Langley in his speech that, if as a matter of fact the crops are changed to sugarcane, it might be profitable to the ryots. I am afraid the gentleman who gave that information to Mr. Langley does not know the real state of affairs with regard to Malabar. I myself personally know the efforts made in this behalf by the late Kavalappara Moopil Nayar, and that big janmi himself told me that his efforts to raise some other crop instead of the usual one on his lands proved useless. Again, Sir, I know a certain European company, I forget the name, started a sugarcane station very near the Mankara railway station on the banks of the Ponnani river. For two or three years they carried on sugarcane cultivation and afterwards dropped it altogether. If big European companies like that could not work out such schemes, I fail to see how an ordinary cultivator could do it with any profit to him. So the proposition that sugarcane cultivation will be profitable to the cultivators is perhaps illusory. So far as our districts are concerned, unless more capital is forthcoming, it will not be possible for people to take up cane cultivation. It is not merely on account of conservatism of the ryots that they do not take up to cane cultivation. They require more capital and such capital is not forthcoming. Our people look askance at investing more capital, or they have no capital.

“Sir, we certainly expected the Government would have accepted the recommendation of the Finance Committee and reduced the present rate of tax to pre-settlement level. That also has not been done and it has caused disappointment to people all round. I submit that, if as a matter of fact you want a population that is contented and not discontented at the attitude of the Government, you will have to reduce land-tax and chalk out a new policy so far as land revenue is concerned. The names of Sir Thomas Munroe and others are no doubt regarded with great respect, but they should not be worshipped as fetishes. As has been practically shown, these theories do not work now. You must set about and find out what is necessary for the irreducible minimum of a living wage of the people of this Presidency, what is the net produce of the land and then make the necessary deduction for cultivation expenses, etc., and settle once and for all what percentage you will take out of the net produce. Unless and until you do that, this haphazard system of raising the land revenue once in so many years will not work. I therefore appeal to the Government to give up that line of land revenue policy and chalk out some other policy and thus free the ryot population of this Presidency from perpetual uncertainty as to his economic condition.”

31st January 1934]

* Mr. V. P. NARAYANAN NAMBIYAR:—“Mr. President, when during the last session of the Council it fell to my unhappy lot to move that the consideration of the resolution be adjourned to this session, along with other hon. Members, I too thought that there would be some real alleviation of an exceptional situation, because the hon. Gentleman, the Revenue Member, had with great earnestness said:

‘I can assure the House that the Government fully realize the seriousness of the present situation and the difficult position in which the ryots are placed in respect of land revenue and water-cess.’

“This solemn pronouncement was made on the eleventh day of the eleventh month of the year that has just drawn to a close, yet the New Year gift of the Madras Government to the suffering ryots of the Presidency was non-acceptance in its entirety of even the modest recommendations of the Finance Committee. The Press Communiqué announcing the concessions in respect of payment of land revenue and water-cess attempts to justify the position of the Government. But a close consideration of the document serves more to bring out in clearer light two facts, (1) that the Government of Madras is a paper Government, a Government which ignores the human aspect of the present depression and which relies merely on arithmetical calculations worked out on paper and (2) that even when dealing with exceptional situations the Madras Government will not come down from the Olympic heights of prestige. Otherwise there is no reason for the Government to reject the recommendation of 18½ per cent in respect of wet assessment made by the Finance Committee and stick on to the 12½ per cent proposal of the Government. Anyway, I feel relieved to find that the prestige of the Government is worth but 6½ per cent. The Finance Committee made the recommendation of 18½ per cent only for districts and portions of districts where the resettlement rates have been issued in or after the year 1918-19. Prior debates on enhanced assessment have made it clear that the resettlement rates are unacceptable. I do not want to repeat the arguments advanced more than once on the floor of the House, but there is an additional ground to show that the resettlement rates have not been correctly fixed. When the late Romesh Chander Dutt wrote a series of open letters to the Government regarding the land revenue policy of the Government, the Board of Revenue, Madras, in a reply to the Government of India's enquiry into the matter, wrote as follows in paragraph 35 of the Resolution of the Board of Revenue No. 542, dated 6th December 1900:—

‘The normal gross produce, i.e., the gross produce struck on a comparison of good and bad years, is valued by a very favourable commutation rate which is usually considered below the average of the previous twenty years for which, moreover, all years of scarcity and high prices are excluded.’

“Have all years of high prices been excluded in fixing the resettlement rates? Sir, they have not been excluded.

“How widespread is the dissatisfaction with the Government's attitude towards the question of relief to the ryots may be judged from

[Mr. V. P. Narayanan Nambiyar] [31st January 1934]

the numerous conferences and protest meetings held all over the Province demanding a uniform reduction of at least 25 per cent immediately. If the reports received from the Collectors, the say of hon. Members representing the various districts, the grievances urged by the many deputationists, and the resolutions passed at the numerous conferences—all tend to the irresistible conclusion that the ryot is unable to pay the land revenue, that his capacity to pay is nil, may I ask, without attempting to make debating points, what further facts and figures do the Government want to grant substantial relief to the poor ryot? Lamenting over the 'fate of nation-building departments and Muslim education' does not gain for the Government the support of anybody. For, if one thing is clearer than anything else, it is that the present depression has hit all districts hard and those who have been asking for relief have been demanding relief for all districts. How acute is the distress and how very difficult it has become to pay the land revenue may be seen from one typical instance from Malabar. The Zamorin of Calicut who presided over the Second Malabar Land Revenue Conference spoke as follows:—

'As for the actual hardships the people suffer they have become unbearable. I hope I shall not be accused of impertinence if I make an allusion to my own case. Land revenue due by the Zamorin's estate comes about one lakh and seventy-five thousand rupees. On the 31st of March I had to pay for fasli 1342 Rs. 13,000 and odd exclusive of huge sums paid through tenants. The Panniyankara amsam adhikari would not leave my house unless and until the whole sum was paid in cash. Not a rupee out of this huge sum has been recovered from those who are liable to pay. You may be surprised at my being in possession of such a large sum as Rs. 13,000 at one time. I may tell you twelve out of the thirteen thousand represents the malikhana I received just two weeks before. What my treasury balance or bank balance looked like on 1st of April I need not describe. At the other extreme there are cases which I could name of extremely poor people, so-called jannis, whose cooking and other utensils have completely disappeared, the poor fellows crying how to cook to-morrow's meal. I am not exaggerating.'

It will not be easy for the Government to brush aside this version as an exaggerated picture of the situation, for people in Malabar have reasons to believe that the report of their popular Collector, Mr. T. B. Russell, whose services Malabar is indeed sorry to lose, has brought to the notice of the Government the actual state of affairs in the district. At a Darbar held in Calicut on the 18th of November 1933, the Collector is reported to have said:

'I think you will listen with greater attention to what I have to say on some of them, if I begin with that which I am sure, is uppermost in your mind as it is in mine, the question of the great fall in the prices of agricultural produce, the hardship resulting therefrom to agriculturists and the consequent difficulty of paying land revenue. The attitude of Government was stated clearly in the recent debate in the Legislative Council, when the two Government Speakers made it plain that Government were giving the closest consideration both to the difficulty of paying taxes on the one hand and the need for providing Government with funds adequately to perform at least its essential functions on the other. Of necessity the former consideration is my direct concern and for the present I can only express my fullest sympathy for the agriculturist in the difficult times and assure you that any recommendation I make to Government takes full account of it.' (The Madras Mail, Monday, November 20, 1933.)

Should not a Government which cares for the well-being of the people do something effective when conditions are so bad? Some days back

31st January 1934] [Mr. V. P. Narayanan Nambiyar]

at a meeting held in the Loyola College in connexion with the birth control agitation, the Rev. Father Basenach, an eminent Professor of Economics, said as follows:—

'The poverty of India's teeming millions is indeed appalling but it is seen just as much in the thinly peopled as in the thickly peopled regions and requires no hypothesis of overpopulation to account for it, there being an ample, sufficient cause in various obvious and admitted evils. When salt shall be sold in India at cost price and usurers punished as thieves, when rational village tribunals and properly paid Police are at work, when fixity of tenure is universal and deep wells abundant, when each village has its grain store to meet failure of crops, when the peasantry is relieved of a third of their taxation, then and not till then, if the woeful poverty continues, will it be time to attribute it to overpopulation.'

May I ask the Government whether the time has not come to relieve the peasantry of a third of their taxation? If the hon. Gentlemen occupying the Treasury Bench do hold the view that the time has not yet come, the verdict of future historians about them, to borrow the words of a distinguished citizen of Madras, will be:

'There are many high-placed people who seem to expect that the agriculturist should consent to live on half the income in order to enable the Government to carry on with doubled expenditure. These are the direct spiritual descendants of those who made the French Revolution both possible and inevitable.'

"Sir, these words were uttered by a gentleman who should to-day have been occupying the Treasury Bench had he not resigned his appointment as Law Member. I refer to Mr. T. R. Venkatarama Sastriyar. Harsh words these, but it is obvious they have been provoked by the unreasonable attitude of the hon. Gentlemen occupying the Treasury Bench, who seem to have forgotten that there could be no more imperative responsibility than that of enabling the ryot, who represents the vast bulk of the people of this Province, to live."

* Rao Bahadur A. T. PANNIRSELVAM:—"Mr. President, Sir, for the past three years, and in particular, during the last two sessions of the Council, this question of land revenue remission has been practically a standing resolution before the Council. At almost every available sitting of the House, this question has come up with a systematic regularity, I might say with a tiresome regularity. I should perfectly sympathize with the Government if they felt sick of this resolution being brought up time and again and the self-same arguments being advanced on every occasion. But I can assure the Government that we, for our part, do not relish bringing it up time and again and trying to convince the Government on the plight of the peasants of the Province. If, however, this question comes up on every available occasion and whenever it comes up, if every member thinks it his duty to have his say, I feel that the Government have to thank themselves, because it is the attitude of the Government that has been forcing on us this position. We do not like coming forward like mendicants time after time with a persistency and importunity which in any other case would have had a better response. On this question of remission, this House has been adopting an attitude about which the Government could have no cause to complain. Whenever the Government took a sympathetic

12
noon.

[Mr. A. T. Pannirselvam] [31st January 1934]

attitude, the House has readily responded. Last year, the Government gave us a suspension with a possible final remission of $12\frac{1}{2}$ per cent. However unsatisfactory the amount of remission was, however little it went to meet the needs of the situation, we welcomed it and expressed our heart-felt thanks to the Government and supported them in carrying out their work. In November last, when this resolution came again before the House, we had that sympathetic, and even encouraging speech from the hon. the Revenue Member, and as a consequence, there was not a single Member of this House who demurred to the postponement of the consideration of this resolution to this meeting. Just about that time, meetings were held in every village in every district, and the ryots passed resolutions wherein they described their pitiable conditions graphically and requested the Government to grant a remission of $33\frac{1}{3}$ per cent which alone would meet the needs of the situation. In spite of our feeling that a very much higher percentage, say 25 per cent, of remission was required, we received the recommendations of the Finance Committee with some feeling of relief, because we felt that giving effect to those recommendations would go some way to meet the needs of the situation. We thought we had something after all, because we had the unanimous backing of the Finance Committee. We were told that the recommendation of the Finance Committee was unanimous. If that recommendation had been accepted in toto, this resolution might probably not have been pressed to-day, or at least, very few would have come forward to support the resolution after the generous gesture shown by the Government in accepting the modest recommendations of the Finance Committee. If therefore we feel ourselves obliged to insist on a remission of 25 per cent, it is due, if I may say so, to the ungenerous and unreasonable attitude on the part of the Government in refusing to accept the very modest recommendations of the Finance Committee.

“As far as the merits of the case are concerned, I feel I can add very little to the debate. Arguments which have been advanced since yesterday have been advanced for the last two years and repeated over and over again by hon. Members. I do not think I can improve the position by merely saying in my own words those arguments and those reasons which necessitate a very generous treatment of the ryots on the part of the Government. If, however, I wish to say a few words on this occasion, it is merely to utter a word of warning to the Government. Till recently this question was treated, as it ought to be treated, wholly as an economic question, as a question affecting the position of the peasant and the agriculturist; but recently, Sir, signs have not been wanting to show that in certain quarters political capital is sought to be made out of this situation. Parties are being formed, apparently to afford relief to, or advocate the cause of, the peasants, but they are parties which really have a political colour. I wish the Government took note of the fact that the present distressed condition of the ryots is sought to be taken advantage of by political forces which might not

31st January 1934] [Mr. A. T. Pannirselvam]

always be conducive to law and order. The Government would therefore be strengthening those forces by refusing to give this little relief to the people, to which they are entitled, the little relief which has been recommended by the Finance Committee, the little relief which may not go very far, but would certainly convince the people that the Government is sympathetic to them and that they are considerate in their demands.

“Finally, I wish to say a few words about my own district. I feel it necessary to do so, because the other representatives of my district have already spoken last November and they are precluded from speaking to-day. Speaking on 10th November last, Mr. G. Ranganatha Mudaliyar said that he would not like to put forward any special plea on behalf of his district. If to-day I wish to say a few words by way of special pleading for my own district, it is not because I want to copy other hon. Members who have spoken for special consideration being shown to their own districts, but it is because of the havoc caused by the recent cyclone in certain portions of my district subsequent to the debate of the 10th November. It is true that the Government have stated in their communiqué that this remission would not preclude the granting of the usual remission under the remission rules. But I want to ask whether those remission rules would take note of anything except the damage to the paddy fields by the cyclone. If the departmental rules for remission were applied only with regard to the havoc caused to the paddy fields by the cyclone, any remission that might be granted would not afford any real relief at all, because there are thousands of other ways in which the cyclone has injured the people. Apart from the loss of life of a few hundred people, thousands of cattle have perished and thousands of revenue-yielding coconut trees have been uprooted. And where the cyclone has not been strong enough for the trees to be uprooted, all the produce expected from those trees has been lost. I am more particularly referring to the produce of the tamarind tree which supplements the income of the ryot for the year. Then again acres and acres of plantain gardens have been devastated wholesale, just at a time, four or five weeks before the Pongal season, when the crop was just maturing. If the Tanjore ryot gets anything out of the plantain gardens, it is only during the Pongal season; it is only then his crop matures and he realizes some money; but this cyclone pulled down almost every plantain in all parts of the district. It was not merely the coastal taluks of Shiyali, Mayavaram, Negapatam and Tiruturaipundi that suffered most, but even the far-off Tanjore taluk was not spared. Three or four days after the actual cyclone, I visited some of these parts and it was a heart-rending sight to see large extents of plantain and betel gardens with not a single tree or plant standing up and everything pulled down by the cyclone.

“It was stated that relief in the case of the more well-to-do mirasidars is not urgent, but I must say that this cyclone has caused them greater loss and made them more helpless than even the poor peasants

[Mr. A. T. Pannirselvam] [31st January 1934]

and the poor pattadars. Hundreds of their cattle have been killed; their coconut trees have been uprooted, their tamarind trees have dropped their fruits and all their plantain trees have been pulled down. In addition to all this, they have also this loss to face, namely, the thousands of huts they had provided for their cultivators have been destroyed and every one of these huts has to be restored at their cost. No doubt the Government have been generous as far as cyclone relief is concerned and I take this opportunity, on behalf of the Tanjore district, of tendering my heart-felt thanks to the Government for their very generous contribution of Rs. 5,000 in regard to the cyclone relief. But that is a relief which will be given to the poor man who has lost his property, and not to the well-to-do landlord who is driven to the necessity of finding the wherewithal to put up these huts for their tenants. In this general depression when the yield from their lands is almost nil and when they find it difficult to pay their assessment, they are faced with the problem of finding money to substitute the cattle which they have lost and re-build the huts for their tenants and cultivators.

12-15 p.m. “In conclusion, I should like to state that, if the Finance Committee’s recommendation had been accepted, we would with a feeling of gratefulness towards the Government not have pressed this resolution. At least I for one would not have lent my support to this resolution for the 25 per cent remission. I can only submit that there is no other way now left to us except to lend our whole-hearted support to the resolution of Mr. Arasu. Our action is guided more by the irresponsiveness of the Government than because we have any desire to embarrass the Government.”

* Rao Bahadur R. SRINIVASAN:—“Mr. President, Sir, hon. Members who spoke yesterday and to-day have shown one side of the picture. I should like to show the other side of the picture. The rich landholders try to have more lands in addition to the lands they already possess. They would not give their lands to the benefit of the poor people. They want to shut out poor people who can take the land and cultivate them. They do not utilize the land for the purposes they hold it. They abuse the land; they abuse the produces of the land and the water in the village. Lands need not be used for the cultivation of paddy alone. They can be used for producing sugarcane, tobacco, maize and so many other classes of grains. The big landholders will not allow their lands to be used for grazing of their own cattle, poultry-farming, etc. These big landholders want to shut out the poor people. They will keep all the lands for themselves; they will not utilize them; they want to live in luxury. They abuse not only their landed assets but also their labour assets.

“Since two years I was trying to get a piece of land, to the extent of a few acres for an ex-service man. This piece of land was wanted by the mirasidar himself. I tried my best. I saw the Revenue Divisional Officer, but the influence of the mirasidar went too far. The

31st January 1934] [Mr. R. Srinivasan]

Revenue Inspector said that the land was required for the common purposes of the village. That opinion was endorsed by the Revenue Divisional Officer, and it was endorsed by the Collector. The land was not actually required for any common purpose. It was required only for the private use of the mirasidar. A big landholder would not use the land and at the same time he would shut out others. Similarly he abuses the labour also. For instance, the wages the landholder was giving some years before was four measures of paddy a day which was worth about eight annas. Now the very same four measures of paddy is worth only two annas. The poor labourer has to feed himself, his wife, and children, cover their nakedness and do so many other things. Now remission is asked for by the mirasidars. They have not increased wages of their labourers in coin or kind to meet the present day requirement. They not only abuse the asset of the land but they abuse the labour also. They roll in motor cars. They live in palatial buildings in the city. Mention was made that they had to pledge their jewels. If these people want to stick to their land depriving others from utilizing the land, they must pledge all what they possess.

“The administration must go on. We want large sums of money for education, for medical aid, roads, sanitation, irrigation, justice, police and so many other things. Are we to forego all these necessary and most important things on account of the luxuries of the big landholders who want remission? I, therefore, take this opportunity of impressing upon the land-owners either to utilize the land themselves or to give up the land for the benefit of others. At the same time I am not hard-hearted towards land-owners. I must say that remission should be given in those areas affected by cyclone and to those who own less than 20 acres or so. I am against the remission of assessment in the case of big land-owners.

“I may mention, Sir, that this land-owning class monopolizes the services. They are everywhere. It is not because the land does not yield they have no other alternative to live upon. Some of the landholders are occupying high positions under the Government. Are they to get remission? If I may be permitted to say so, a lot of Members of this hon. House are land-owners. Therefore I oppose this resolution.”

* Rao Bahadur R. K. VENUGOPAL NAYUDU:—“Mr. President, Sir, so much has been said by hon. Members of this House regarding the general principles which should guide the solution of land revenue problems. I have nothing to add to what has already been said. But I shall confine myself for the present to the affairs of my district, South Arcot. It is my duty, Sir, to make a general appeal for remission with regard to South Arcot along with other districts. I have also to make a special plea for the South Arcot along with the Tanjore district. The agricultural products in the South Arcot district are mainly three, i.e., paddy, groundnut and sugarcane. It is needless for me, Sir, to add that all these products have utterly failed. The position is worse this year than during the previous year. With regard to paddy, there has

[Mr. R. K. Venugopal Nayudu] [31st January 1934]

not only been fall in prices; but a pest has also spoiled the paddy crop in some taluks of the district. Thousands and thousands of acres of sugarcane—sugarcane cultivation is very costly—have been devastated by a pest unheard of within the living memory and also by the cyclone in the South Arcot district. With regard to groundnut also, not only has there been a fall in prices; there has been fall in quantity of the produce. That crop also has been devastated by pests, and untimely rains. When all these three products have miserably failed, it is, I submit, the duty of the Government to come forward with generous help to the ryots. The arguments of special plea put forward by the hon. Member for Tanjore apply in toto to the South Arcot district also especially to Chidambaram and Cuddalore taluks. Not only some taluks of the Tanjore district but also some taluks of the South Arcot district have been terribly affected by the cyclone. The cyclone effects have been the worst in the Shiyali taluk of the Tanjore district and in the Chidambaram taluk of the South Arcot district. The havoc committed by the cyclone cannot be fully described by words. The tamarind trees have been uprooted; the sugarcane plants have been completely spoiled; paddy which was ready for harvest was harvested by the cyclone itself and the storm carried away the produce to places unknown. In these circumstances at least the minimum reduction of 25 per cent is essential and nothing less than that will satisfy the ryots of the South Arcot district. The misery of the ryot has been increased manyfold by this cyclone. The Government have promised to take into consideration the relief that can be given under the Standing Orders of Board of Revenue. When they do so, I request that they should not forget the parts affected most by the cyclone in the South Arcot district. Whatever may be the relief that may be given, will not be enough to enable the ryot to pay the balance without difficulty. At the present moment the ryot has nothing on hand to pay the kist. Even last year many of the jewels worn by their wives and daughters had been pledged by the ryots; this year they are trying their utmost to sell them away, but nobody will come forward to purchase the same. When such is the state of things, how can the ryots pay the kist? Any relief which is to be given, to have any effect, must be given immediately. If the relief is not granted immediately, it is equivalent to no relief being given. Even before I left South Arcot for this meeting, I heard that the village munsifs of some of the villages, which were inundated for two days by sea water during the storm, have applied for the help of the Sub-Magistrate and the Police to attach the movable properties of the ryots. When such is the case, I request that the Government should come forward immediately at least with a remission of 25 per cent, quite independent of the remission promised under the Standing Orders of Board of Revenue.

“ I would like to point out another matter. The Government have made a distinction between dry lands and wet lands. That in my humble opinion is unreasonable. Dry lands in the Tanjore and South Arcot districts have suffered most by untimely rains, pests and storm and cyclone. Dry lands produce groundnut, sugarcane, etc. All these

31st January 1934] [Mr. R. K. Venugopal Nayudu]

crops have been spoiled and failed. I therefore request that the Government will be pleased to reconsider their decision and grant the same rate of remission for the dry lands as for the wet lands. With these words I support the resolution under discussion.”

* MAHBOOB ALI BAIG SAHIB Bahadur:—“ Mr. President, Sir, it does not require eloquent speeches or elaborate arguments to bring home to the Government the miserable condition of the ryot in the country. Any passing man can find for himself the precipitous fall in the income of the ryot on account of the sudden decline in prices of agricultural products. It can therefore be imagined easily, that unless his liabilities are reduced or his assets are increased, the ryot will go to rack and ruin. That the Government have been keenly alive to this catastrophe will be easily seen from the gesture they have made in the recent communiqué. But I am afraid, Sir, that the Government have not addressed themselves to the problem in its correct perspective.

“ The issues that arise out of this problem are: first, whether it is possible to revive the prices; if so, what are the steps necessary to be taken in that behalf. Secondly, if after investigation it is found that the prices could not be revived to their former level, what are the steps necessary to see that the ryot is in a position to adjust his budget, so that he and the Government may be saved from the impending catastrophe. I have heard, Sir, with close attention the several speeches delivered by hon. Members of this House both yesterday and to-day. We must be very thankful to Mr. Langley for the very valuable observations he made yesterday in his speech, in that he correctly attributed the cause of the fall in prices to the general economic depression in the world on account of the accumulation of gold in the hands of a few industrial and creditor countries and the consequent decrease in the volume of gold in the money markets of the world, and also the over-production on account of competition, in the industrial countries. Consistently, therefore, Sir, he should have held that the liabilities of the ryots must also be reduced in accordance with the fall in prices. His suggestion, Sir, that some other products, such as sugar, should be cultivated, is a good suggestion; but it does not go the whole length which is necessary. Sir, a general rise in the price of commodities is necessary for solving this problem. If we investigate this problem and see whether it is possible to restore the prices to their former level, we are confronted with very intricate and international problems. The currency or the monetary system of the world has become so unstable and chimerical. We are all aware, Sir, of the gigantic efforts made by the Government of the United States by which it seeks to distribute money among the people, in the shape of wages, by undertaking huge works, so that money may be circulated among its people. Their efforts to restrict production are also in progress side by side. There are certain other countries which resort to inflation of currency, which is considered to be a doubtful remedy. In addition to this, in the particular case of India, the ratio question stands in our way, and that is

12-30
p.m.

[Mr. Mahboob Ali Baig] [31st January 1934]

considered an additional reason for the fall of prices in India. All these remedies, Sir, are not, however, within the competency of this Local Government, and they are not easy also to deal with. Therefore, we come, Sir, to the irresistible conclusion that at least in the near future, a rise in prices is impossible.

“ Then, the next issue arises, as to what under these circumstances, if a rise in the price of commodities is not possible, the Government or the people can do, so that the ryot can adjust his budget. Government are aware that it is necessary for the economic existence either of the ryot or of the Government that the ryot's budget must be adjusted. The only difference between the ryot and the Government is: whereas the Government can force its citizens to pay their usual taxes so that its assets may be in the normal condition, the ryot cannot force his buyers to pay the usual prices for his commodities. That is the only difference. The plea for the revision of these taxes is not a plea, Sir, so much based on the failure of crop on account of drought or inundation; it is not a case where the ryots have got money and do not pay; but it is simply a case where the purchasing value of the rupee has gone high and consequently prices of commodities have gone low. Is it not just, proper and wise that the Government which received the revenue and expended it in the past when the rupee value in terms of purchasing power was at a certain ratio, now, that that ratio has changed, should collect taxes and spend them according to the change in the ratio, in regard to the value of the rupee in terms of its purchasing power? What is happening now is this: the classes that receive money from the Government are reaping benefit at the sacrifice of the giving classes, i.e., the ryots and others who pay taxes to the Government. It is therefore, Sir, up to the Government to take courage in both hands and pursue a very strong policy, because extraordinary circumstances require extraordinary remedies. I think, Sir, it is a very unpleasant suggestion that I am now making to the Government, but that is the only and the logical conclusion in view of the rise in the value of the rupee. Why should the ryot who was paying Rs. 10 when the rice bag was worth Rs. 9 or Rs. 8 pay the very same amount of Rs. 10, as kist now when the rice bag is selling at Rs. 2-8-0 or Rs. 3? Why should the receiver of Government money, I mean the Government official, receive the same sum of Rs. 100 as before, now that the money value in terms of purchasing power has risen twofold or threefold? It is nothing but the logical conclusion of the economic disturbance of money value in the market. Therefore, my submission is this: let the Government have always this before them as their motto, that the Government exists for the people and not the people for the Government.”

* Mr. T. S. RAMASWAMI AYYAR:—“ Mr. President, Sir, I find that the proceedings of the Finance Committee, dated the 4th of January 1934, which have some bearing on the resolution now under discussion have been placed on the table of the House to-day. Perhaps, Sir, it may be worth while, before the discussion proceeds further, to note the

31st January 1934] [Mr. T. S. Ramaswami Ayyar]

principles on which this resolution was originally put forward, the principles on which the Finance Committee came to a decision and also try to find out how far the Government are prepared to concede the points raised either by the Council or by the Finance Committee. I think, Sir, when the resolution was moved in January last year, it was based on the fact that prices had gone down steeply and it was absolutely necessary, if the agriculturist was to be placed on his feet, that he should be given some relief by way of remission of land-tax. The resolution was based, as was remarked by the previous speaker, not on the ground of failure of crops but on that of the fall in prices. Under the Standing Orders, it was not possible for the Government themselves to give relief in such a case; but the Council thought that an inroad might be made on the policy of the Government with regard to land revenue settlement and some relief should be given to the ryot. We are thankful to the Government for having accepted the Council's resolution. Though originally it was a case of suspension, later the suspended tax was remitted. Therefore, the Council's resolution was in a way accepted by the Government. I say 'in a way' because though the Government accepted the principle of the resolution, they gave effect to the recommendation only in respect of about twelve districts in the Presidency. The Government thought that in the case of the recently settled districts, viz., those that were settled after 1918-19, the commutation prices were fixed at a higher rate than in the case of other districts. They thought that a case had been made out in regard to those districts. But when the resolution was again renewed at the instance of my hon. Friend, Mr. Arasu, in November last, it was felt by various Members of this House, that the case for remission existed not only in the case of the twelve districts that had been granted relief by the Government but in the other districts as well. When the Government expressed their view that it would be possible for them to consider the situation after receipt of the reports from Collectors and after consideration by the Board of Revenue, the Council agreed to have the resolution adjourned to this session. After the Government received the reports, they prepared a note for the consideration of the Finance Committee as to the ways in which effect could be given to the suggestions made on the floor of this House. The Government made certain proposals which roughly were as follows. In the case of the recently settled districts, they thought a remission of 12½ per cent might be granted with regard to wet lands, and with regard also to the water-rates. In the case of the other districts, the Government suggested that the suspension of the kist could be to the extent of about 6¼ per cent. With regard to dry lands again, the Government came forward with a suggestion that dry lands in the recently settled districts could have 6¼ per cent suspension. When the question was placed before the Finance Committee, one anomaly was noticed, viz., that while remission with regard to dry lands was to be given in respect of the recently settled districts, no concession was to be granted at all in the case of the other districts. In the case of those other districts

[Mr. T. S. Ramaswami Ayyar] [31st January 1934]

certainly suspension was to be given in respect of wet lands, but with regard to dry lands no relief was to be afforded. The Finance Committee thought that it was necessary that, if relief was to be given to the agriculturist, it should go round and everybody should be benefited.

12-45 p.m. " In the case of dry lands, it could not be said with as much force as in the case of wet lands that there was great difference in resettlement rates. Whether the districts were settled after 1918 or before 1918 or 1919, the increase in the settlement rates was not so different between district and district as to make out a case in respect of some districts and not in respect of other districts. The Finance Committee therefore thought that $6\frac{1}{4}$ per cent remission all round would meet the case.

" Now, Sir, the Government's proposals were sought to be increased by the Finance Committee with regard to the other rates. The Government said that $12\frac{1}{2}$ per cent could be suspended in the case of the recently settled districts; the Finance Committee recommended that $18\frac{3}{4}$ per cent would be needed. In the case of the other districts the Government's suggestion was that there could be a suspension of $6\frac{1}{4}$ per cent; the Finance Committee recommended that that rate could easily be increased to $9\frac{3}{8}$ per cent. The Finance Committee came to this conclusion after a thorough examination of the question by not only taking into consideration the need of the agriculturist but also the finances of the Government. We are glad to find that in respect of most of the recommendations of the Finance Committee, the Government have accepted them, but the question arises as to whether or not the Government could accept one main recommendation of the Finance Committee, which according to the Government entails a little more loss of revenue, and that was with regard to the suggestion that in the case of the recently settled districts, the remission should be at the rate of $18\frac{3}{4}$ instead of $12\frac{1}{2}$ per cent. I think that was the only point on which the Government and the Finance Committee disagreed. If I speak to-day on the merits of the case, it is only to state to this House that under the circumstances it was possible for the Finance Committee to go forward only with a suggestion like the one made by them.

" It may be within the knowledge of this House that two years ago, the Finance Committee of this House was constituted into Retrenchment Committee, which had to cut down the normal expenditure of this Province and to set up what may be called a ' standard budget ' because it was expected that the income of this Province would go down. Originally, the Government contemplated that the income would go down on account of the fall in excise revenue, but the Retrenchment Committee even at its first meeting stated that the Government should anticipate not only a fall in excise revenue but also in land revenue. The Members of the Retrenchment Committee felt that the prices of agricultural produce tended to fall. That point also was noted by the Government. The Retrenchment Committee went even farther

31st January 1934] [Mr. T. S. Ramaswami Ayyar]

than the Government originally wanted them to do, and were of opinion that the normal budget should be so balanced as to cut down the expenditure by about a crore or so. We now find, Sir, that the normal budget has been cut down to that extent. This aspect was considered by the Finance Committee at its meeting on the 4th January last. It had to take into consideration the fact that since the budget had recently been cut down it would be difficult to prune it still further. The Committee took into consideration the loss of revenue that any remission would entail. By giving effect to the resolution of this Council that was passed in January last, the loss of revenue to Government was about 33 lakhs. This year, unless I am mistaken, I think the recommendation of the Finance Committee would entail a loss of revenue to the extent of about 60 lakhs or so. But the Government by giving effect to all but one of the recommendations of the Finance Committee have agreed to forego a revenue of about 52 lakhs or so."

The hon. Sir HOPETOUN STOKES:—" Sir, the Finance Committee's recommendation worked out to three-quarters of a crore and the Government are proposing to give about 60 lakhs."

Mr. T. S. RAMASWAMI AYYAR:—" I am obliged to the hon. the Finance Member for the correction. The Finance Committee's recommendation entailed a loss of about 75 lakhs and the Government have now agreed to forego a loss of about 60 lakhs. It has been remarked by previous speakers that, if the Government had agreed to the recommendations of the Finance Committee, it would have been possible for this House to accept the position taken up by Government and not have pressed this motion to a division at all. In a matter like this, one has to realize the difficulties that the Finance Committee were confronted with in balancing the budget for a year like this. For example, on the question of Part II Schemes, the Finance Committee had to bestow their most anxious consideration, and they could not easily bring themselves to cut down items of expenditure on some very important essentials. As a matter of fact, it was with the greatest difficulty that they could make themselves responsible for cutting out of the budget a lakh of rupees required for the supply of radium to the Government hospitals. The Committee felt that the purchase of radium at a time like this would be a great advantage specially when it was very much in need for cases of cancer, but the coat had to be cut according to the cloth and so the purchase had to be given up this year. If I have to refer to this detail and also to the fact that the Finance Committee had to decrease the demand for village communications and rural water-supply, it is because it was felt by the Finance Committee that it was not an easy thing to take the responsibility for much retrenchment.

" On the other hand, Sir, the case of the agriculturist was certainly a very hard one and all other subjects that should otherwise invoke

[Mr. T. S. Ramaswami Ayyar] [31st January 1934]

the attention of a responsible Government had, as it were, to be put aside, because the need for giving relief to the agriculturist was so great. I refer to these matters in detail to show that the Finance Committee did not pass their resolution in a light-hearted manner. The Committee went into the whole question and while appreciating the Government's point of view it did its best with the information that was available before it to meet the case of the agriculturist as well. I wish that it had been possible for the Government to accept the recommendations of the Finance Committee entirely, but according to the Press Communiqué we find that the Government have accepted the other recommendations of the Committee and have not been able to accept the recommendation with regard to the remission of kist in the recently settled districts.

"The Finance Committee also went into the question of affording other reliefs to the agriculturist. For example, it was found possible to make some provision in the budget for appointing a marketing officer. The Finance Committee also appreciated one view-point which was expressed by more than one Member of this House, namely, that some attempt should be made by the Government to give facilities to the agriculturists to change the crop. It was thought desirable that wherever possible sugarcane should be tried in the place of paddy. Accordingly, the Finance Committee accepted the recommendation of the Government that a demonstration farm should be opened at Patrukottai in the Tanjore district in the new delta area to encourage the ryots to grow sugarcane instead of paddy. These by themselves may be small matters, but they indicate the manner in which the tackling of this question could be attempted. We are now in a state of world-wide depression and he would indeed be a brave man who could say 'I shall give a ready solution to the problem.' We can only suggest various methods by which the condition of the agriculturists could be alleviated.

"There is one suggestion that I would like to make and that is, that the Government should come forward with a grant for giving loans to the agriculturists. The trouble to-day in the economic condition of the world, and especially of this country and our Province in particular is that, while there is a plethora of money, the agriculturists' credit is very low. Governments can command any amount of money if they only want it, at a cheap rate, but the ordinary ryot is not able to raise money, and that is because, as they say, though there is money, there is no credit. The agriculturist commands very little credit in the market due to the fall in prices which has adversely affected the value of the land. He cannot raise money even by mortgaging his lands, for the banker or the money-lender is not prepared to lend large sums to the agriculturist. If, on the other hand, Government only care to put forward a big scheme—of course it requires the courage of a Roosevelt—they could raise large sums of money and advance them to the agriculturists on long term loans. After all, the

31st January 1934] [Mr. T. S. Ramaswami Ayyar]

Government can only get from the agriculturist what he can pay, but they should try and make it possible for him to pay. There are other avenues also which Government should certainly explore before they can say that it is not possible to do anything further.

"In conclusion, I suggest that this Council do seriously take into consideration the recommendations of the Finance Committee before finally coming to a conclusion on the resolution."

At this stage Mr. M. A. Muthiah Chettiyar took the Chair.

Rao Bahadur P. C. MUTHU CHETTIYAR addressed the House in 1 p.m.
Tamil:—

"கனம் அக்ஷிபாஸ்திராஜி அவர்களே ! நிலவரிக்கில் 1343-ம் பரவிற்கு வரூப ரொட்டி குறைத்து வசூல் செய்யவேண்டுமென்பதை நான் ஆதரிக்கிறேன்.

"ஒவ்வொரு கனவான்களும் அவைவர்கள் ஜில்லாவின் கஷ்டங்களைப் போன்ற தும் நஞ்சை பயிர்தான் விலைவாசி'நஷ்டமெனவும் புஞ்சை பயிர் அத்தனை இலா ததுமெனவும் அவைவர்கள் எடுத்தும் சூயஸ்மோ அதேயே பேசுகிறார்கள்.

"நான் அப்பாவின் மெய்யப் பாதரோ அவர்கள் இந்த ஹவுஸில் என்னும் தாக்கி சொன்னவையென்பன. ஆனால் எவ்வளவு வெறுமை சிந்தைமுள்ளவன். அவர் கேட்கையில் 10 ரூபாய்க்குள் பட்டாபாடங்களுக்கு புது வரூப செய்யவேண்டு மென்றும் அதற்கு மேற்பட்டவர்களுக்கு ஒன்றும் வரூப செய்யக்கூடாதென்றும் அவர்களையற்றி ஆக்ஷிபாஸ்திராஜி அவர்கள் ஜில்லாவிற்கு பாதும் 50 பெர்சன்டு தன்னிக்கொடுக்கவேண்டியும் பேசினார். அவர் வாயறுவிக்ஞும் போது எழுவகிலும் சம்பாத்தியம் செய்தவர் அல்ல. யாரோ தந்தவர் பெரும் பட்டாபாடியுள்ளவரிடம் அவர் எதிர்பார்த்தபடி கிடைக்கவில்லை போலிருக்கிறது. அந்நிலையிலுக்கும் கோயம் இங்கு தாக்க சந்தர்ப்பம் கிடைத்தது போலிருக்கிறது. அப்படி நம் கவர்ன்மெண்டு பாபகஷம் நீண்டிருமா ? ஒந்தகாலும் நீண்ட காலம் பிண்டி பாதரோ சுற்றறிந்த விவசாயிகள் அவை அறியாது வெளி வந்திருக்கும் வார்த்தையிலிருந்து எழுவகளுக்கு புது தன்னையும் தன் அபிமான ஜில்லாவுக்கு 50 வீதம் தன்னையும் சுய அக்கரையில் சென்னையாயி றோம் கஷ்டநஷ்டங்கள் நேர்த்திருக்கிறதென்பது உண்மையாகவே ஏற்படுகிற தல்லவோ.

"கவர்ன்மெண்டாருக்கு இந்த ஹவுஸில் இம்மாதிரி தெரிவித்துதுதான் அறிய வேண்டியது போலிருக்கிறது. இந்த பாலிசியை நான் ஒத்துக்கொள்ளவில்லை. ஒவ்வொரு ஜில்லா அதிகாரிகளாலும் எல்லா சமாசாரங்களும் அப்போத்கூடப்போது தெரிந்தே வருகிறார்கள். ஆனால் இந்திய அதிகாரிகளையிருப்பவர்கள் துணி வாக்க கவர்ன்மெண்டாருக்கு விசுவாசமானவையே எதார்த்தத்தை தெரிவிக்க மாட்டார்கள். ஜிரோபரிய அதிகாரிகள் அவர்கள் சாண்டிரியத்துக்கு போயிருந் தாலன்றி நேரில் டவுன்களில் கிராமங்களில் உள்ள கஷ்ட நஷ்டங்களை பார்த் திருந்தால் எதார்த்தத்தையே தெரிவிப்பார்கள்.

"இந்த ஹவுஸானது மிஸ்டர் லாங்கி துரையை அறிந்திருப்பதானது கொஞ்சம் அதிர்ஷ்டமே. ஏழை ஜனங்களுடனும் கிராமங்களுடனையும் நன்றாய் பழகும் படியான முயற்சியிலுள்ளவராதலால் அவர் எதையும் மறைக்காமலே சொல்ல வேண்டியிருந்தது. நமது குஜாங்க பிரதிநிதிகளோ அவ்விதம் பழகுவதற்கு எந்த சந்தர்ப்பத்திலும் இடம் கொடுப்பதில்லை. அவர்கள் சிநேகமும் கஷ்டம் தெரியாத முடியாத கனவான்களுடனே பழகுவதால் அவர்கள் அறிய முடியாத தவர்களாய் விடுகிறார்கள். முற்காலத்திய கர்நாடக குஜாக்கள் பிரஜைகளிடம் வைத்துள்ள எண்ணமும் அவர்கள் நடத்திய முறையும் தெரியாத விஷயமா ? இரவுகளில் சென்று உலக வார்த்தைகளை எதார்த்தம் அறிந்து பாதுகாத்து வந்திருக்கிறார்கள். நம் குஜாக்கம் அது புத்திசாலிகளானதாலும் இவர்கள் வியாபார முறையுள்ள குஜாங்கமாகச்சே எதிரிகள் எமாந்தார்கள் என்பதை சுமத்த யோசனையுள்ளவர்கள்.

[Mr. P. C. Muthu Chettiyar] [31st January 1934]

“கனவான்கள் வித்தியாசமாக கவர்ன்மென்ட் 12½ பெர்சென்ட் ரெமீஷனைக் கவனிப்பது 18½ பெர்சென்ட் ரிபர்டி செய்தார்கள். இதைக்கூட அங்கீகரிக்காதது மொல இரண்டு திணைகளாக இந்த ஹைதில் என்னை கனவான்களையும் இதே விஷயத்தைப் பேசும்படி பார்த்து வருகிறார்கள்.

“இப்போதின் சந்தர்ப்பம் எப்போது கிடைக்கும். உலக முறையும் சட்டத்தையும் அடைந்து எப்படி நன்றாய் அறிந்த கவர்ன்மென்ட் பார் இதில் மிகு செய்ய யோசிக்கலாம்? அத்தகைய காரியம்? அத்தகைய செட்டிமென்ட் விஷயமாயும் ஹைஸ்கூலுக்கு உரிய நியாயத்தையும் முந்திய நவம்பர் மாதம் பட்டத்தில் நான் விவரம் சொல்லியிருக்கிறேன். இந்த மட்டிக்குத் தன்னிலைக்கு மிகு நேர்ந்திருக்கிற விவரம் பட்டம் மென்டம் அதிக மலிவு புயல்வற்றுகளையும் அதனால் உள்ள கெடுதியும் அறிவிக்கிறேன்.

“எங்கள் ஜில்லாவைப்பற்றி சில சமயங்களில் மலிவு மிஷன் தும் வெள்ளத்தினால் இக்கையிலுள்ள எவ்வளவு தேய்ந்ததையும் உயர்ந்த மரங்களையும் பார்க்கலாம். விவரம் கூறுகிற அறுவடை செய்யமுடியாத சேற்றுக்குள் அமுத்தி முடித்துவிட்டன. ஆனால் நின்னியை மென்ட் இதை பார்த்திருப்பார்கள்?

“இப்போது ஹை மெட்டிமென்ட் சாஸ்திர ஹைவா? இது ஒரு சட்டத்தையும் திருத்துவதன் முறையா? கவர்ன்மென்ட் பார் பார்த்துக் கொள்ள சரியான முறையில் கைக்கொடுப்பதில் கைக்கொடுக்க அடங்கிக்குவதன் தாத்தாவைமிக விரும்புவதைகள். இதை ஒரு மெட்டிமென்ட் பார்த்துக்கொள்ள?

“முறாக்களுடைய கேள்வியைச் சொல்லும் பிறகுக்கொண்டே. பிரஜைகளுக்கு கேள்வி மும் சொல்லும் முறையாகவே. சொல்லும் அளவு மெட்டிமென்ட் மெட்டிமென்ட் தான் நான் முறையாக முறையாக என்னை மெட்டிமென்ட் கருத்து. இந்தியா கவர்ன்மென்ட்டுக்கு சொல்கிற வேண்டியதை முன்னையே சொல்கிறியது மொக இப்போது கமர் இரண்டரை கோடி மிகுதி மிகுக்கும்மெட்டி அளவு பிரஜைகளுக்கு கஷ்டத்துக்கு பார்த்து கொடுப்பதில் யோசிக்கிறது மொகத்தாது.

“விளைபொருள் விவசாயி யேறி இருக்கும்மெட்டி முன்னறை கோடியாயிருந்த சம்பளத்தை 6½ கோடி ஆக்கிவிட்டிருக்கிறேன்! அந்த எண்ணத்தையும் பார்ப்பதையும் இந்த சமயம் யோசித்து பார்க்கலாம். மிகுதி பணத்தை கவர்ன்மென்ட் பார் என்னை செய்கிறது? சிறுசில்களை பிழைக்கும் வழியில் புகுத்துவிடுகிறார்கள். எந்த ஸ்கீமும் செய்ய இந்த சமயம் தேவையா?

“எல்லா டிரேமும் கெடுதலாயிருக்கிறது. விவசாயிகளோ பருத்துய்யம் சொம்ப. இத்தகைய இன்கம்பள்கள் எதலியதை குறைக்க இந்தியா கவர்ன்மென்ட்டுக்கு கிபர்சுக்கு இந்த மிஷனாகவே. பெருமையுடன் தயான குறைமுடிய ஹைஸர் பின் பைனான்சு மென்ட் ஸ்கீம்கள் அவர்களுக்கும் ஹைஸரின் நிவிண்டி மென்ட் சர் ஆர்வியட்டு கம்பென் துறை அவர்களுக்கும் இந்த சமயம் ஹைஸராக அவர்கள் அபிப்பிராயத்தை காட்டுவதானது எத்தெய்வமும் அவர்களை புகுத்துகிறார்களா? கவர்ன்மென்ட்டை கட்டாயப்படுத்த ஒரு அதிகாரமும் நியாயமும் இல்லை. கெஞ்சி தயவாக யாசகமாகத்தான் கேட்கலாம்.

“நாமெல்லாம் அளவு குறைந்தார்கள். பரி வந்தவுடன் கத்துமோம். நமது தாய் நல்ல தித்தியான விஷயங்கள் அமுத்தத்தை கொடுக்கும். பரி தீர்த்ததும் அந்த அமுத்தத்தின் மதிப்பை அறிவாது தன்னிவிடும். அதை தாய்மார்கள் எடுத்து பந்தேயாண்டே செய்வார்கள்.

“குழந்தைகள் கதறுவதை தாயாயுள்ள கவர்ன்மென்ட் கோபிக்குமா? நம் பசியை சொல்ல சலுகையுண்டு.

“எனக்கு சொந்தம் இராமநாதபுரம், மதுரை ஜில்லா. இதின் அக்கரைக்கு நான் சொல்லவில்லை. எல்லா கனவான்களும் அவரவர்கள் ஜில்லாவையே குறிப்பிட்டார்கள். எப்படி கற்பத்துக்குரியது தாயாருக்குமோ அவ்விதம் கஷ்டமானதும் மார்கட்டும் பணக்கட்டும் சில இடத்துக்கு மட்டும் எப்படி இருக்கும். ஆதலால் மேற்படி இரண்டு ஜில்லாவுக்காக நான் விரும்பவில்லை. அதை

31st January 1934] [Mr. P. C. Muthu Chettiyar]

நண்பர்கள் வித்தியாசமாக அக்கரையாக நினைத்தால் அந்த ஜில்லாவைச் சார்ந்த கனவானும் இங்கு இருக்கிறார். அந்த ஜில்லாவின் கேஷமத்துக்கு வெளியில் சொல்லாவிடினும் உள்வயணமாக சொல்லத்தான் இருக்கும். ஹைஸரின் மெம்பர் பாத்ரோ அவர்கள் ஜனங்கள் திருப்திக்கு பேசுகிறார்களென்றார். இது அப்படியல்ல. நான் அதைப்பற்றி பிறுத்திக்கவில்லை. அதை நேரில் ஆண்டு வந்த பூர் மிலுகதி தாய் இருக்கிறேன். அவர்களிடம் உண்மையாய் முறையிடுகிறவர்களையும் அந்த ஜில்லாக்களையும் அவள் பாதுகாப்பில் இருக்கிறதென்பது ஹை அவள் எப்படியும் ரகசிப்பான் என்பதிலும் சந்தேகமில்லை. ஆனதால் முன் வருஷத்திய மாதிரி சில ஜில்லாக்களை யோஜிக்கப்படாது. லாண்டு ரிவினியூ வானது அட்மினிஸ்ட்ரேடிவ் உபயோகத்துக்காக புஞ்சை நஞ்சை என்றும், ஓடுபொகம் இருபொகம் என்றும், குயிட் ரெண்டு என்றும் தண்ணீர் தீர்வை என்றும், அயன் இலம் ஜம்ன் கிரமமென்றும் வைத்துள்ளதே. எல்லாம் நில வகுப்பாகவே. முன்னாடி மாதிரி கவர்ன்மென்ட் பார்த்துவிட்ட உத்திரவில் சில இடங்களில் பாதங்களை உபயோகிக்காது நஞ்சை புஞ்சை என்ற வித்தியாசமின்றி எல்லாவித நிவினியூவுக்கும் இந்த பிராவின்கு பூருவுக்கும் வஜா செய்ய வேண்டியும் பைனான்சு கமிட்டியார் சொல்லியுள்ள 18½ பர்செண்டுக்குமேல் சொல்ப வித்தியாசமா யிருப்பதால் பிரஜைகள் கேஷமத்தை கருதி 100-க்கு 25 வீதம் வஜா செய்து உதவி புரிவது பொருத்தமாயிருக்கு மாதலாலும் அவ்விதம் செய்யவேண்டியாயும் பிரார்த்திக்கிறேன்.”

* Mr. M. S. SRESHTA:—“Mr. President, Sir, this resolution has been very exhaustively discussed and I do not wish to say many words on the subject. I believe there is a feeling on the Government side that the agitation for remission is more or less put up and that we, Members of the Council, are agitating for remission and reduction of tax because otherwise we may not be re-elected at the next election. I may assure the Government Members that this is not the fact. The feeling for a reduction of tax is widespread. I quite realize the difficulties of the hon. the Finance Member. I have personal experience of the manner in which he is trying to balance the budget and I know he has many difficulties to face and he has exercised great patience and ability in balancing the budget. Difficulties, no doubt, there are. But all the same, it must be remembered that the case of the ryot is a very difficult one. It is perhaps thought that we are trying to benefit not the actual ryot, but the middleman. I should like to disabuse the hon. the Revenue Member, that it is not so. The prosperity of the country is bound up with the prosperity of the ryot. Unless we help the ryot, it will not be possible to increase the prosperity of the country. What the hon. the Finance Member feels is that it will not be possible to meet the wishes of the Council without trenching on the reserve fund. What I feel is that there is a good case made out for trenching on the reserve fund. As Mr. T. S. Ramaswami Ayyar pointed out, the reserve was fixed at a time when the financial position of the country was not so sound. But now, the reserve might be trenced upon without any disaster to the country. Another reason why we should not have such a large reserve is this. I think there will not be incentive for more economies. I am very much against the pay cut. I think salaries of Government servants should not be reduced. But, if the alternative is that the assessment is not to be reduced, then I will say the pay must be cut. There must be not a uniform cut, but a graded cut. I think it

[Mr. M. S. Sreshta] [31st January 1934]

is almost a scandal that salaries in this country are very high. I mean the salaries of higher officials. If you look at salaries in Japan, you will be surprised to see what low salaries are given there. In the case of Europeans who come here, it may be justified. But, there is no justification for our fellow countrymen being paid high salaries at the present moment. I now come to the question of how to reduce the cost of administration which is scandalously high. How is it to be reduced? Is it to be reduced by reducing salaries? I think not, Sir. I think the staff should be reduced. The number of clerks and the number of peons, I think, are far too many. If the staff is reduced by 10 per cent, still the work of the administration can be carried on. I am sure that, besides the salaries and staff, there are various other means of reducing the cost. If the head of a department pays a surprise visit to his office he would see how many people are working. These reductions can be effected without any damage to efficiency. All these matters in any case deserve the consideration of the Government. The Finance Committee, I believe, constituted itself into a Retrenchment Committee and it went into various matters. I did not see the report. I do not know whether it went into the question of reduction of staff and the reduction of leave concessions and so on. If it has not been done and even if it has been done, let it be reconsidered. Mr. Tottenham made valuable suggestions. I do not know if they are kept in mind. Not only is the staff overmanned as a rule—it is undermanned in certain cases—but there is no delegation of duties. If you want anything to be done, the officer says: 'I have no power or he says, 'It is with another officer. Another man has to sign it.' This kind of work is a disgrace to the administration. It is extremely expensive. When Government say they cannot balance the budget, they must go and see how the delegation of duties can be increased and expenditure reduced. I would ask the Members here if they do not find considerable difficulty in drawing their travelling allowance. I have been agitating for this for the past two years. We have got to wait sometimes 48 hours to get our travelling allowance. One clerk says 'I have got the papers here. But I have got to get money from somebody else.' The Accountant-General's clerk says, 'The paper has not come to me and as soon as it comes to me, I will deal with it.' Every Member of Council knows about this. I should like to know why this is tolerated even in this Council. The Secretary of the department is also here, and I hope he will take up this matter and see that this abuse is removed. The time of the clerk is wasted and our own time is wasted. If there is any doubt in the mind of the Secretary, let it be removed now and here. I should like to know whether any Member of Council would contradict me about this delay. There are various directions in which the cost of administration could be diminished by removing all the overlapping and by concentrating work in certain persons only.

"The next point is, Sir, that we should exploit all possible sources of revenue. I should take up another question, namely, the question

31st January 1934] [Mr. M. S. Sreshta]

of Excise. It is a very large source of revenue. We know a large amount of money goes out of this country because of liquor. If good liquor is made here, a good deal of money can be saved here. I was told by Mr. Wright, the head of Messrs. Parry & Co., that it is quite possible to improve the quality of liquor here. That is a source, which ought to be exploited, to see whether an increase in revenue could not be derived by improving the quality of the liquor. Instead of the money going to foreign countries, let that money come to us.

"Then, I come to another question. That is the question of the method of collection of land revenue. I do not know how far I am right in saying that the cost of collection of land revenue is about 30 per cent. I understand that this question was considered by the Madras Government and it was found that it was 20 per cent and not 30 per cent. Is it not possible to devise some method of collecting land revenue which will be cheaper? Is it not possible to tax agricultural incomes as is done in Australia? Possibly, in that event there will not be so much leakage of expenditure. This point is a very important one and I know it will not be decided during this financial year. This might be kept in mind. A Committee might be immediately appointed to consider how land revenue might be collected with less expenditure.

"Having regard to the possibility of increase in the revenue and diminishing expenditure, I think Government will take courage in their hands and grant us the concession which is asked for by the Council as a body. We, Members of Council, are responsible people. We are responsible to the people. We say that it is desirable that Government should accede to our request. If they agree to our wishes, there will be considerable incentive to increase the revenue."

At this stage the House rose for lunch.

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

Mr. M. A. MANIKKAVELU NAYAKAR:—"Mr. President, if I now rise to speak on this motion, it is not because that I can give any further information regarding the sad plight of the ryots or because I can describe more graphically the hopeless condition of the ryots, but it is only to show that my silence should not be taken to mean that I have no interest in about 80 per cent of the population of our Province. Sir, it cannot be denied that we are passing through a very acute economic depression. It has been conceded even by the Government in the Press Communiqué which they have issued that the prices are very low. The fall has not yet been arrested but on the other hand it tends to go down further. The very fact that the Government came forward to give relief at least to a small extent shows that there is something abnormal, in the conditions obtaining in the Presidency. The relief now asked for is no doubt a temporary one for meeting the present abnormal conditions; the other and bigger question of the

[Mr. M. A. Manikkavelu Nayakar] [31st January 1934]

relationship between the Government and the ryots and the policy of the Government in the matter of resettlement remain to be settled. It has been suggested by certain hon. Members who spoke before me that this sort of relief can only be a temporary thing. That is no doubt true, and the Government sooner or later will have to go into the question of settling the relations between themselves and the ryots.

“ I think their theory of fixing the assessment is to allow for the cost of cultivation and take about 50 per cent of the net profit. In theory it is no doubt all right, but when it is worked out in practice, they take a much larger percentage than 50 per cent. In calculating the expenses of cultivation such as the cost of seed and labour a very low rate is fixed and the actual amount the ryot has got to pay for seeds and the cost of the labour that he contributes are not properly taken note of. For instance, a farmer works in the field with all the members of his family, and no labour charges are deducted for that by the settlement parties. It does not stop with that. Even when the farmer engages labour and cultivates his lands, the average labour charges are not deducted. The Government arbitrarily fix a certain amount for cultivation expenses. They ignore the standard labour wages. Though this is a question with which we are not immediately concerned, it is a thing which will have to be settled sooner or later either by this Government or by the Government that is to come.

“ Sir, as far as I can see, the main objection on the part of the Government to give a large amount by way of relief is that it will mean a bigger loss in their income. My answer to that is that, if the Government has a will to carry out the policy of giving relief to the ryots and if they want to abide by the public opinion expressed outside this House and also by the sentiments expressed in this House, they can find a way to meet this fall in their income. Sir, a 25 per cent relief to the ryots will amount to about 1½ crores. This amount could be easily found by imposing a cut on the salaries of Government employees and by applying the pruning knife to the expenditure on the General Administration of this Province. Sir, with regard to the salary cut the Government can very well adopt a graduated cut so as to give them a saving of at least Rs. 40 lakhs in the expenditure on account of salaries in this Province. Sir, if there is any class of persons that are not at all affected by this economic depression, it is the Government employees. Every profession, every business and every industry has been affected by the depression, but the Government employees are quite all right. They are not only not affected by the depression, but they gain by about 35 per cent or so on account of this fall in prices. In fact, they are growing fat by this economic depression which has affected all others except themselves.

“ Then, with regard to the cutting down of expenditure under General Administration, the Government have effected a saving of one

31st January 1934] [Mr. M. A. Manikkavelu Nayakar]

crore of rupees already by the efforts of the Retrenchment Committee. But I think there is still scope for saving at least ½ a crore more under the expenses connected with General Administration. The other source from which they can find funds is the reserve balances. Now the Government have fixed that at least 1¼ crores of rupees should be the standing balance at the disposal of the Government. I do not see any reason why they should maintain that balance even at this critical juncture when we are faced with such acute economic depression. Abnormal conditions should be met by abnormal measures and I would suggest to them to take away 50 lakhs from their reserve balances and utilize that sum for giving this extraordinary relief claimed on behalf of the ryots. No doubt it would not be a recurring saving. It will be available only once. But we can have recurring savings from the salary cut and retrenchment in other directions. In all it will give a recurring saving of about a crore of rupees and a non-recurring saving which will be available for the current year of Rs. 50 lakhs. The reserve balance will then be about 75 lakhs of rupees.

“ Sir, in this connexion I want to refer just for a minute to the recommendations of the Finance Committee. It should not be understood, Sir, that the Finance Committee recommended what they did recommend as the maximum. No higher figure could be fixed because then the recommendation would not have been unanimous. Individual Members were for recommending 25 per cent relief, but, in order to put forth a united front, we agreed to have the very modest recommendation which entailed to the Government a loss of Rs. 72 lakhs in their income from land revenue. The Government very cleverly adopted every item of recommendation which was made by the Finance Committee except one—an important one which would have meant an expenditure of about 12 lakhs of rupees. By not giving effect to the 18½ per cent relief to the resettled districts, the Government have been able to retain in their hands a sum of Rs. 12 lakhs. Then they came out with a communiqué saying that substantially they have carried out the recommendations of the Finance Committee. That may be so in theory, but practically they have not given effect, in spirit, to the modest recommendations of the Finance Committee for relief.

“ Sir, in granting relief to the ryots, they may also bear in mind the need of giving greater relief to the pattadars paying Rs. 10 and less. I cannot, however, agree with the hon. Member who said that the entire kist should be written off in the case of small pattadars and that no relief should be given to the bigger pattadars. Bigger pattadars also stand in need of relief, but only they do not require relief to such a large extent as the smaller pattadars. If 10 per cent or 12½ per cent relief is given to the bigger landholders, 25 per cent relief may be given to the smaller pattadars or persons paying a kist of Rs. 10 and less.

[Mr. M. A. Manikfavelu Nayakar] [31st January 1934]

"In conclusion, I just want to say one word about my own district and that not with a view to seek any special treatment for it at the hands of the Government. I want to point out the unfairness with which my district has been treated. Resettlement took place in my district in the year 1912-13 when the level of prices was fairly high and I understand—if I am wrong the hon. the Revenue Member will correct me—the settlement officer recommended an increase of about 18½ per cent, the Board of Revenue fixed it at 20 per cent or 21½ per cent while the Government fixed it at the high rate of 25 per cent. When that is the case, when the assessment has been increased by 25 per cent in my district, it deserves special treatment. I urge that just before the outbreak of the war when prices were very high settlement in my district took place and there was an increase of 25 per cent in the assessment, and so it deserves a greater amount of relief."

2-45 p.m. * Khan Bahadur YAHYA ALI SAHIB Bahadur:—"Mr. President, Sir, I wish to confine myself to one or two aspects of the matter, because the remaining aspects of the question have been discussed threadbare on the floor of this House. There has already been a full dress discussion on the various aspects of this question and therefore I do not wish to repeat what has already been said. The one point I wish to emphasize at the outset is that it seems to me that the budgetary situation is not so gloomy as has been sought to be represented by the Government. In the note circulated to the Finance Committee, which has been placed on the Table of this House to-day some of the figures set out there are very encouraging. I find, Sir, in the note stated that the accumulated revenue balance at the end of the year 1934-35 is expected to stand at 223.68 lakhs without providing for Part II schemes. Out of this sum, Government proceed to say that at least 125 lakhs should be always retained as the minimum reserve fund against all possible emergencies. I should like to know from Government whether there is any greater emergency than the present one. Then Government proceed to say that the excess over this minimum amount is 98.68 lakhs. I venture to think that that large figure is rather a luxury, especially in times of emergencies like the present one. Though I do not pretend to be a financier in any sense of that term and though I do not possess the superior merit of an expert like the hon. Member in charge of that port folio who adorns the Treasury Bench, I at the same time feel that a sum of 50 lakhs ought to be a perfectly reasonable sum sufficient to meet cases of emergencies and the remaining balance can conveniently be set apart to be utilized for nation-building purposes.

"Then again, Sir, the note proceeds to say, that out of this sum a certain amount has to be earmarked for Part II Schemes. In connexion with the general discussion on the Budget last year it was mentioned by me as well as by other hon. Members that the policy adopted by the Madras Government of spending on Capital Works money from the ordinary revenues is financially unsound. I find the figure of 40 lakhs as having been provided, during the current year, to be spent on Capital

31st January 1934] [Mr. Yahya Ali]

Works out of the ordinary revenue. If this amount is spared, then it can be utilized to make good the loss in land revenue this year.

"Then again, Sir, I am glad to see that the Government have now decided to confine expenditure on Part II Schemes to 20 lakhs, and not only that, this expenditure is to be met not from the ordinary revenues but from the balances. Therefore, Sir, so far as I can envisage the financial position of the Province on the 31st March 1934, there will be a balance of about 2 crores. Hence I venture to say that the argument that the financial position of the Government is really an obstacle in the matter of granting the request of this House is baseless. Now after all, what does the present resolution mean? Here, I am only echoing what has already been said by my hon. Friend, Mr. Pannirselvam, who told the House how some of us on this side of the House have been constrained to support this resolution, because there is no other proposition which the Government are prepared to accept. Now, Sir, if Government would only accept the recommendations of the Finance Committee, probably myself and members belonging to my party would not support this resolution. And after all, may I for one moment ask the Government to ponder over what the commitments of the Finance Committee's resolution would involve? As it is, I believe, the difference comes to twelve to fifteen lakhs. In view of the figures I have already quoted with reference to the general financial position, I fail to see what real difficulty there is in the way of Government accepting the revised suggestions of the Finance Committee. I do not wish to labour that point any further.

"Government have admitted the economic condition in the country in this very note; for they say 'The general trend of the prices of agricultural produce has been and is still downward. The downward trend is not always marked; but it is present everywhere. The prices of commodities generally show no particular inclination to fall much, if at all, below the appreciably lower level to which they had already fallen before the prices of agricultural produce began to slump. The value of land has fallen appreciably. It is difficult for persons dependent on land to secure advances from co-operative societies and their indebtedness to the societies is increasing appreciably owing to the difficulty which the societies have in collecting their outstandings.' Besides this we know how many insolvency petitions and how many distresses against personal property we come across in our courts of justice every day nowadays. From this it is clear that the situation is very hard and so it is but proper that Government should agree to go one step further beyond what they have already done and satisfy the united and legitimate demand that has been now so earnestly voiced on the floor of this House.

"It has become a convention in this House to say a word about the district to which one belongs before winding up, and so I wish to occupy the House on that matter for a few minutes. Unfortunately in giving remission, a distinction is made between districts where resettlement operations were carried out before the year 1918-19 and those where resettlement was carried out since then. I submit this distinction is not fair;

[Mr. Yahya Ali] [31st January 1934]

for every district has been equally hard hit, and therefore there is absolutely no justification whatsoever to draw that distinction. Now with reference to the level of prices prevailing in my district what is said in this note applies *mutatis mutandis* to my district just as much as to any other district. In addition to this there has recently been a cyclone, and the havoc wrought by it has been seen by the hon. Revenue Member during his recent tour. Needless to say that the cyclone resulted in breaching the biggest reservoir in the district, and a column of 7 feet of water escaped devastating the neighbouring lands and gardens and causing enormous loss to the ryots. I therefore pray Government to consider all these things and treat my district with special consideration and grant the relief asked for, as in the existing conditions the meagre relief available under the remission provisions of the Board's Standing Orders is utterly inadequate."

* Rao Bahadur T. M. NARAYANASWAMI PILLAI:—" Mr. President, Sir, I rise to support the motion under discussion. If I rise to speak, it is not because I feel I have anything valuable to contribute, but because I feel I ought to associate myself with what has been said on this matter. Sir, I have read the communiqué of the Government, and I find that it tacitly admits the position which we are all contending for. We say that the prices have fallen; and that it is unjust to maintain and take from us the present high land tax. Now they say that there is a steep speedy fall in prices and therefore even according to them the present level of price does not justify the taking from us the present high rate of tax. Then what is it that justifies the demand at the present time? So far as this question is concerned, really I find no reason adduced in this communiqué. What they seem to say amounts to this. 'We cannot grant you funds for Part II schemes without this extra taxation. If you want your Part II schemes you must vote for this taxation. If you want land revenue to be reduced, then you will have to forego your Part II schemes. You cannot have both things simultaneously, because it is impossible to grant both. Therefore behave like good boys.' Now, Sir, if it is a question of an alternative between having Part II schemes and the grant of remission, I shall unhesitatingly prefer at this moment remission. I cannot look with equanimity upon the Part II schemes being carried out, while the people are groaning under the weight of a high level of taxation. Again, if Government are unable to accede to 25 per cent remission, why can't they grant 20 per cent or 18½ per cent remission as unanimously recommended by the Finance Committee? It cannot be contended that the financial position, does not warrant a remission of this kind. I have been a Member of the Retrenchment Committee in 1931-32, and I know the hon. Finance Member. He has a good head and a large heart; and it is not impossible for him to devise ways and means without touching the accumulated surplus. Further, I for one, will certainly prefer the desirability of enforcing a salary cut at this juncture. I am not speaking in a spectacular way. I certainly do want Government to respect the sacred obligations which they owe to

31st January 1934] [Mr. T. M. Narayanaswami Pillai]

their servants. But in doing so I want them to take into account the peculiar financial position of the present day agriculturist. Last year when I stated that there is a general fall in prices, the hon. the Revenue Secretary wished that I referred to certain facts. Subsequent to that the hon. the Revenue Member himself had been on a tour in my district and on that occasion the Deputy Registrar had been collecting statistics from the records under the control of the farms run by the Government department itself; the co-operative societies submitted accounts before the Registrar in this behalf, and these were submitted to the hon. the Revenue Member, and we thought that we had convinced him that the present level of prices does not justify the taking of this rate of tax.

" Therefore, Sir, if this steep fall is admitted, really there is no 3 p.m.
ground to refuse this demand. The present demand is quite a modest one. Certainly we have taken into consideration the difficulties of the Government. It is not as if we are unmindful of their difficulties. There are times when Government have to put up with certain difficulties. Our Province will not become bankrupt if they resort to this method. So, the Government will be well advised in accepting the recommendation of the Finance Committee and give the remission they suggested.

" There are two points with regard to the order of the Government, One is the distinction which is made between dry lands and wet lands. In the present order the dry lands get a lower rate of remission. There is no justification for it. Last year they gave a uniform remission outright to all lands including the dry lands; at present that rate is reduced to 6½ per cent. The owners of dry lands are at present placed in a more disadvantageous position. There is no justification for the Government to do so. The second point is that the rate fixed by the Government is 12½ per cent at the most. I feel this is inadequate. We desire that a remission of not less than 25 per cent is called for at present."

* AHMED MIRAN SAHIB Bahadur:—" Mr. President, Sir, I heartily associate myself with the supporters of this resolution. In doing so I should like to say a few words.

" Hon. Members of the House are aware that next to the Coleroon tract, where an increase of 30 per cent was levied, Tinnevely district is the most highly assessed district in the whole Presidency. The fall of prices of both wet and dry grains is also abnormal in that district. For the last six years, as has been admitted by the Government, the prices have been on the downward march and there are not the least signs of any recovery. No one can say whether the climax has been reached at all. The resolution before the Council, I submit, suggests only a modest remission of 25 per cent, though the state of things which obtain in the district of Tinnevely and other districts justify even 50 per cent remission of land revenue. But that is not the demand before the Government. The commutation rates, on the basis of which the enhancement of 21 per cent was made, are now proved to be fatal to the interest of poor ryots. Cultivation has long ago ceased to be a profitable occupation. If the cultivators

[Mr. Ahmed Miran] [31st January 1934]

are still hanging on to the lands it is not because of their choice but because it is the occupation of their forefathers handed down to them from generation to generation. Five years ago the rural indebtedness of the ryots was appalling and the economic depression has aggravated the condition to an extent beyond description. The Government have admitted that the suffering of the people throughout all the districts is uniform and that leaving a few exceptions the enhanced rate of assessment also does not exceed 18½ per cent. That being the case, it is not intelligible why Government should make distinction between the districts, settled in and after 1918-19 and the remaining districts. Such distinctions are invidious and would cause greater discontent. I would therefore urge that the rate of remission should be uniform in all the districts. When the ryots want an immediate and substantial relief in the shape of remission, what purpose would it serve them if the Government were to deliver a sermon on the principles and methods of settlement? The acute situation has brought to the forefront the injustice of periodical settlements and the necessity for placing the land revenue system on a legislative basis; but the Government in their communiqué have not chosen to deal with these points but have only dilated upon the 'usual' and unconvincing arguments of the cutting off of grants to the nation-building departments. It is true that large sums of money are spent year after year for the Industrial and Agricultural developments but can the Government deny that most of the money is consumed by their own servants in the shape of salaries and allowances and that no real benefit is derived by the agriculturist who contributes more than one-third of the revenue to the Government? When the poor ryots cannot have the satisfaction of a single meal a day and more than a pair of clothes for the year, there are Government servants who are drawing fat salaries and leading a luxurious life. In their case, the purchasing power of the rupee has become doubled and trebled and they do not seem to be affected in the least by the economic depression around them. It is true that the Imperial Services are made to forego 5 per cent of their salaries but there is no reason why the Provincial Services should not also forego a similar percentage, if not more. The Finance Member has been accusing the Members of this House of irresponsibility and an absence of constructive suggestion. While refuting this baseless charge against the hon. Members, I challenge the Government to tell the House what constructive proposals they have themselves devised to afford relief to the suffering ryots. If they are sincere and earnest about protecting the ryots from utter ruination, let them accept the motion that may be moved some time hence suggesting a cut in the salaries of the Government employees. That is certainly a constructive suggestion for the Government to act upon.

"No doubt, it is the Reserved Half that is administering the Finance and the Revenue Departments of the Government. But one would like to know what exactly is the advice that has been tendered by the Transferred

31st January 1934] [Mr. Ahmed Miran]

Half in the matter of relieving the distress of the ryots. The Ministers should have shown some ways and means to the Reserved Half to balance the Budget after affording adequate relief to the ryots. The Transferred Half commands a big majority behind it and their suggestions must have great weight and effect with the Reserved Half. If they have not already made themselves felt as they should have done, there is still time to regain their lost position.

"It will not be enough if the Ministerialist Party or if many of them vote for this resolution, but it will be the duty of the Ministers to see that this resolution is carried into effect. If they are not able to do it, then they will have to confess their failure and make room for others.

"With these words I strongly support the resolution and the various amendments moved thereto."

Diwan Bahadur S. ELLAPPA CHETTIYAR:—"The hon. Members of this House have described in detail the difficulties that are being experienced by the agriculturists of this Presidency in the matter of payment of land assessment on account of the low prices of paddy and other produce. I do not think it is necessary for me to add anything more. What they have said applies to Salem district also. If I want to say anything regarding Salem district, I can say that the agriculturists in that district are worse off than those in other districts. So I request the Government that, whatever remission they give to other districts, they must give the same to Salem district also."

* Mr. K. S. SIVASUBRAHMANYA AYYAR:—"Sir, if I rise to support this motion, it is not without a certain amount of hesitation, because I have to go against the mandate of my constituency. My constituency has asked me to move for a reduction of 33½ per cent. If I have not chosen to do so, it is only in order to secure unanimity on this resolution. Government in announcing the relief they have granted to the ryotwari population of this Presidency have published along with their communiqué an annexure in which they have attempted to elucidate the land revenue policy of the Government and also other factors which are usually considered by the Settlement Officer when he resettles a district. If you look into that communiqué, you will find there is nothing new or illuminating. All the points raised in the communiqué have been very ably dealt with by almost all Members who spoke before me in this House. Anyhow I would be failing in my duty if I did not refer to one or two points referred to in that communiqué. It is represented there that the price of a garisai of paddy is Rs. 143 and the Settlement Officer has proceeded on this assumption. When the resettlement was carried out in Tanjore, if the commutation rate of about Re. 1-1-3 or Rs. 143 per garce had been adopted in commuting the value of the whole outturn, there would have been absolutely no justification, I submit, for the enhancement of this 18½ per cent over the previous commutation rate of Re. 1-0-8. Secondly the Government themselves have realized the exact situation to which the ryotwari population of this Presidency has been reduced.

[Mr. K. S. Sivasubrahmanya Ayyar] [31st January 1934]

They have stated in their communiqué that 'something has been done.' But here as representatives of the people we differ from them and say that it is not 'something that has been done,' but nothing has been done practically to make the ryot live even a hand-to-mouth living. If the same state of affairs is allowed to continue for some time more, I am afraid there would be no ryotwari population left and there would be no need for the Government to collect any revenue. It is stated in some quarters that the cry is generally raised from Tanjore. Let me not be misunderstood if I press the claim of Tanjore specially after the havoc caused by the cyclone and the recent unseasonal rains. It is the hardest affected district since it has the largest paddy-growing area and since it does not grow any other agricultural crop to any appreciable extent except perhaps a very small quantity of groundnut and coconut and that is why the cry has emanated from that district. The prices of these agricultural commodities have gone so low that the Government communiqué itself has admitted that fact. The argument that the nation-building departments will have to be starved if the remission of 25 per cent as suggested in this resolution is given effect to, cannot stand a moment's scrutiny. If the nation itself is going to be effaced from its existence for whom do the nation-building departments exist? I submit, as my hon. Friend, Mr. Narayanaswami Pillai, suggested, that I would certainly prefer not giving effect to Part II schemes in order to give a remission of 25 per cent in land revenue assessment to the ryotwari landholders to help them in their present distress.

3-15
p.m.

"There is no doubt that all these facts are in favour of the ryots. But whatever that may be, I appeal to the Government to view the situation with some imagination and sympathy. If only there is a will on the part of the Government to rescue the ryot population, there will certainly be a way and the way will be found very easily.

"Some hon. Members have suggested the imposition of a cut in salaries of Government servants with a view to giving relief to the ryotwari population. Our Province being mainly an agricultural one, the welfare of the people depends on the welfare of the agricultural population. Therefore giving relief to the agricultural population should have precedence over everything else. I think the claim of the agriculturists for relief is paramount and comes first and foremost before everything else. The rupee has appreciated in value by 30 to 40 per cent during the last three years and therefore the imposition of a cut of 5 or 10 per cent in salaries will not affect the loyal services. It also behoves the loyal services to give up a portion of the high salaries granted to them during the boom years, in order that some relief may be granted to the distressed agricultural population.

"In this connexion we have to note also what other Governments have done for their ryot population. In every instance, they have viewed the case of the agriculturists very sympathetically and granted the necessary relief. For example, the Legislative Council of the Central Provinces made a unanimous recommendation for a reduction of 25 per cent of the

31st January 1934] [Mr. K. S. Sivasubrahmanya Ayyar]

assessment. In the course of the debate, the hon. the Revenue Member of that Government observed that the assessment in that Province was considerably lower than the assessment in Madras. When a remission has been given even in a Province with such low pitch of assessment, have not the agriculturists of this Province a right to demand a more generous treatment at the hands of the Government? In Burma, where the cultivation expenses incurred are practically very little and where the rate of assessment is only 50 per cent of ours, the Government there also have granted a remission varying from 15 to 50 per cent. The Indian States for too in several parts of India have not been lacking in sympathy. For instance, in Hyderabad, Travancore and Cochin and various other States, liberal remissions have been granted. The Raja Sahib of Bobbili—he is not here now in the House—has granted, I understand from the papers, a remission of 12½ per cent in his estate. Thus nobody seems to be lacking in sympathy in this matter. I am surprised to see, however, that our Government should view the matter so mercilessly. In the last fasli they were pleased to give a suspension of 12½ per cent, which they later on converted into a remission in the case of the districts resettled after 1918-19. When they granted a remission of 12½ per cent to the above resettled districts last year, is it just, I ask them, to grant the same amount this year also? Are not these districts at least entitled to a remission and not suspension of 12½ per cent and an additional 9¾ per cent granted to districts settled before 1918 or 1919 especially when one lean year has followed another lean year? There seems to be some misunderstanding created somewhere by interested parties, it may be, that the agitation is kept up merely for political purposes and that only the big mirasidars and the money-lenders are going to be benefited by this remission and that it is not going to help the smaller pattadars at all. I cannot agree with this view. Even a small reduction, say a reduction of Rs. 2-8-0 for a pattadar who pays Rs. 10 is not a small thing and will be of great help to him. At a recent conference of the ryots of my district, it was urged that a reduction of 33½ per cent as the irreducible minimum should be given and that the Legislative Council should press for it. At that conference, it was the smaller pattadars who pressed for this reduction and not the bigger pattadars and the money-lenders alone. The fact is that the money-lenders of yesterday are becoming the landholders of to-day and if things continue at this rate they in their turn will become paupers. Probably it is only a vicious circle and I do not know where it will lead us. In other ways too, the Government have been adding to the burdens of the ryot. For instance, the orders passed in G.Os. No. 474, dated 15th March 1933, No. 1853, dated 5th October 1932 and No. 1238, dated 14th July 1933, show that the Government have been anxious to undo the very settlement policy by means of executive orders to suit their convenience. They raise the classification of the irrigation sources, impose flat water-rates, enhance the second crop rates and other rates so that the revenue may be augmented by putting more and more burdens on the rate-payer. The Government have attempted in various ways to take away with one hand what has been

[Mr. K. S. Sivasubrahmanya Ayyar] [31st January 1934]

given with another. I therefore appeal to the Government to cancel the orders I have referred to above forthwith. Lastly, Sir, I would appeal to the Government to remember the observation made by the Government of India regarding the land revenue policy. They have said: 'It is unwise to exact from impoverished persons a revenue which they really cannot pay, merely because they are under an engagement to pay it.'

"With these remarks, I appeal once more to the Government to view the case of the poor ryots with some imagination and sympathy, so that he may be allowed at least to live for some more time, even though it may be a hand-to-mouth existence."

* Rao Sahib V. I. MUNISWAMI PILLAI:—"Mr. President, this resolution has been before the Government and the public for the last two or three months and there has been a lot of agitation on this question. Therefore it is the duty of every one of us here to consider the question carefully before we go to vote on it. The Government on their part have been considering this question carefully and they have given their views in the communiqué issued by them as well as in the proceedings of the Finance Committee. If the resolution is given effect to, the Government fear that their balances will be shattered, they will not be able to balance their budget and they will have no money to carry on the Part II schemes. Unfortunately, I have to view this question from the point of view of how it will affect the depressed classes. For, when the Retrenchment Committee made retrenchments in expenditure, it was the Labour department that suffered greatly at their hands. The Committee abolished the post of Commissioner of Labour and reduced the grant of Rs. 2½ lakhs, set apart for the betterment of the depressed classes. This year also when the Finance Committee was considering Part II schemes I understand that they have already decided to cut off Rs. 75,000 from the amount that was set apart for the betterment of the depressed classes. If this resolution is passed, it will not be surprising if the Government cut off what little they have already allotted for this very important department which works for the betterment of the depressed classes. I would appeal to the Government and also the hon. Members of this House to devise means by which it will be possible to give this relief without abandoning such important Part II schemes as I have referred to. I myself went to some of the districts after the cyclone and I saw that the ryots have been hard hit by the devastating cyclone. As to the pros and cons of the resolution before the House, we have to think of some means by which this relief can be given and the Government left with enough money to carry on their administration. Some hon. Members have suggested a cut in the high salaries of Government servants and I too join with them in making this suggestion. There is a feeling in the minds of the public that this Government is paying its Provincial Services much larger salaries than other Provinces are paying theirs. The Government should take note of this feeling and do something so that some of the money that is being spent in this direction may be usefully diverted for the purpose of such important schemes as I have mentioned.

31st January 1934] [Mr. V. I. Muniswami Pillai]

"Apart from that I know that Government have been wasting a lot of money on schemes known as public utility schemes. I have brought to the notice of Government some such schemes during previous years but they have taken no note of what I said. For instance, the Government spend a lot of money on their cinchona plantations on the Anamalais in spite of the fact that the plantations are not very successful. After all, 3-30 p.m. the planters who are likely to take interest in the cinchona plantations ask for a guarantee and, if that is given, I do not think that a large amount of money should be spent from the coffers of the Government.

"Secondly, Sir, I know that much money is wasted in the experimental gardens in the Nilgiris; I mean the fruit gardens and the experimental seed farm. I know that the ryots can produce better seeds and can manage their cultivation better. If such schemes are weeded out, I am sure that we can find much money at a time like this. After all, the happiness of the ryots will be the happiness of the agricultural labour. I know as a matter of fact that it is the depressed classes that give the largest percentage of agricultural labour. The sad plight of some of the districts which have suffered of late will increase the disabilities of the depressed classes. So, I must appeal to the Government to come to some arrangement whereby they can accept the recommendations of the Finance Committee to tide over the difficulty.

"Coming as I do from the Nilgiris, though my own district has not suffered by the recent cyclone, it has suffered very much owing to the abnormal weather conditions prevailing there. The ryots are suffering a great deal on account of the low price that is obtaining in our district for potatoes. The Government have not taken any steps to alleviate the distress caused by the importation of foreign potatoes into this land. Large quantities of foreign potatoes are being now imported to Madras. The price in my district for potatoes is so low that the agriculturist feels it very hard. Any remission in land revenue may not be very advantageous to my district. But in the interest of the depressed classes, I would request the Government to do something, so that the agriculturist may find some consolation in the remission of the land kist."

Swami A. S. SAHAJANANDAM spoke in Tamil supporting the resolution.

* Mr. J. A. DAVIS:—"Sir, though we are all in sympathy with the ryots, yet there are certain aspects of the matter which have not been touched upon. On the Nilgiris the operations of the Agricultural Department, side by side with the extended use of chemical manures, which is being used in potato cultivation on lands which were formerly cultivated with hardly any manure are resulting in the yield being increased by several fold with the result that the potato market is overstocked. The railway to some extent has come to the rescue with reduced rates of transport but this does not help sufficiently.

[Mr. J. A. Davis] [31st January 1934]

“Then again in distant Ootacamund the market is filled with Japanese rice. This rice is being brought into Madras in large quantities and though the matter has occupied the attention of the Assembly nothing so far has been done to stop its importation. It is therefore surprising that the ryot cannot secure a market for his paddy. It seems high time that the Madras Government took the matter up with the Government of India. The tea industry was in a bad way but tea planters have been far seeing and have resorted to voluntary restriction which is now legalized and which has proved their salvation. Surely, therefore, it is not too much to ask for early steps being taken to keep foreign rice out of the Indian market. Until some such relief is given it becomes incumbent upon us to support the resolution before the House.”

3-45 p.m. Mrs. K. ALAMELUMANGATHAYARAMMA:—“Mr. President, Sir, representatives of the various districts in this Council have expressed the hardship which both landlords and farmers feel in having to pay the usual kist assessment on their lands. I have no personal interest in the matter: but from what other Members in the Council have said and from what I have seen with my own eyes in the course of visits to various places down to Chidambaram, I can testify to the havoc caused by the recent cyclone in various places in South Arcot; even in Tanjore, places like Shiyali have been hard hit. This has all been published in Government Communiqués. I have seen how longstanding and deeply-rooted trees have been plucked as it were by the roots and laid flat on the ground. Even trees which still stand erect have been so shaken that their leaves seem to get no sap from the roots and are withered. Paddy, sugarcane and other crops have been ruined. Round about Cuddalore nearly 200 acres have been made unfit for cultivation by the salt water of the sea having come into the land. The soil will require nearly two years to be made fit again for cultivation. I pray that the Government should consider with sympathy the case of poor agriculturists who pay kist varying in amount between five and ten rupees. Owing to the fall in prices of food-grains during the past two years, even mirasidars are unable to dispose of their produce with any profit. This state of things is well described in the Tamil proverb ‘உழைப்பவர் கண்ணிக்குப் பிள்ளைத் தாயால் ஒழுகக் குகூட மிஞ்சாது.’ If one looks into the income and expenditure account farmer, one will see that not even a quarter of a measure of paddy is left for him. If such is the lot of independent agriculturists, it is needless to describe the helpless condition of their labourers. It is the duty of the Government to consider the hardship of both, capitalists and labourers, in this connexion and to give both of them the sorely needed relief in the shape of a reduction in the demands made upon them.”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“Mr. President, Sir, I wish to support the resolution now under discussion. The parties affected by this resolution, which if carried and if given effect to by the Government, are the ryots who are the mainstay of the State, the Government and also the Government servants, which term includes

31st January 1934] [Mr. C. S. Ratnasabhapaty Mudaliyar]

not only the higher-paid officers, but also those who are on low scales of pay. If you take the condition of the ryots who contribute to the coffers of the State, they again can be classified into three classes, viz., the poor classes of the ryots or the labourers, the middle classes of people and also the rich ryots. If you take the earnings of the labourers, they are very low; so also is the case of the middle class people. Their plight is indeed very very miserable. The condition of the rich people, one can say, is rather tolerably better than that of either the middle-class people or the labourers. When the conditions are such, I cannot understand why Government should be accumulating their finances to the detriment of the conditions of the poorer ryots. I am sure the Government, if only they have the will, can find some way to find the funds to give this concession on a greater scale to the ryots. If you take the period of the non-co-operation movement, the excise revenue was very unexpectedly cut down, and in spite of that, the Government managed to run the administration, and that most efficiently. I think the people who largely contribute to the coffers of the State are now in a much worse condition than they were at the time of the non-co-operation movement. When Government found it possible to run the Government in those days without resorting to any extraordinary retrenchment or cut in any direction, I consider that now it must be equally possible for the Government to agree to reduce their receipts from the poor ryots and thus help the people to a very great extent.

“I also wish to say a few words in connexion with the distinction that is sought to be made in the concession given as between the people owning wet lands and those owning dry lands. I am of opinion that the concession should apply in a greater measure to people who own dry and garden lands than to those who own wet lands. Wet lands are generally in the deltaic tracts and they are also owned by a better class of people. It is my opinion that the concession should apply in a greater measure to people who own dry lands and also garden lands. If only the Government instead of saying that 12½ per cent for wet lands and 6¼ per cent for dry lands alone would be given, say, condescend to give a concession of 25 per cent to dry lands, 18¾ per cent to garden lands and only 12½ per cent to wet lands, I think such a step will be very well appreciated by all the ryots in the Presidency.

“With these few words, Sir, I support the resolution.”

* The hon. Sir ARCHIBALD CAMPBELL:—“Mr. President, Sir, I have been following the discussion with very great attention, and I am afraid in view of the considerable number of speeches made, it is not possible for me to reply individually to all the remarks of the hon. Members. Hon. Members quite naturally and quite rightly have spoken on this motion largely from the point of view of their own districts, and some have put forward special reasons, such as cyclones and floods, to explain why their own particular districts should receive better consideration than the other districts in the shape of a large measure

[Sir Archibald Campbell] [31st January 1934]

of remission. Sir, we are not now concerned with any relief that should be given on account of cyclones and floods. There is provision already for such relief in our Board's Standing Orders. I think hon. Members are well acquainted with the fact that remissions and suspensions of revenue can be granted by our subordinate authorities; and even if they are not sufficient in the opinion of the local authorities, the standing orders provide for a special report being made to the Government. The terms of the note on this matter are very wide; and if I am allowed, I shall read it:—

‘It owing to the operation of causes other than those contemplated in this Standing Order, it should appear to the Collector that special measures of relief, whether by way of postponement of kist or otherwise, are required, he must at once submit a detailed report to the Board in order that the orders of Government may be obtained.’

That, Sir, covers cases which are not covered by the ordinary standing orders. Therefore I think that I need not take up the time of the House in discussing in any great detail what is to be done with reference to cyclones and floods. I may say that the Government are always ready to give relief in such cases. I may also remind the House that in 1930–31 when there were severe floods in the Tanjore district, the total remission that was given in that district amounted to nearly eleven lakhs of rupees. We had reports from our Collectors recently as regards the probable amounts of remission to be granted in certain districts on account of the seasonal mishaps such as floods and so forth, and the figure comes to nearly Rs. 4 lakhs. That includes the Ganjam district for which alone the figure is something just over Rs. 8,000, of which I believe something like Rs. 5,000 is to be allowed in the Goomsur division. I would therefore suggest, Sir, that it is not necessary to press the amendment suggested by my hon. Friend Mr. Patnaik that there should be a special 50 per cent remission in respect of the Goomsur division of the Ganjam district. The question of relief necessary on account of floods and other causes will be very carefully considered by the local officers. The figures which I have given, i.e., of nearly Rs. 4 lakhs which I just mentioned, do not include the figures for remission on account of cyclone in the last month, December, in the South Arcot, Tanjore and Trichinopoly districts, of which we have not yet received estimates.

“Sir, in some cases I think hon. Members have rather exaggerated their cases. Allegations have been made that agriculture is no more a remunerative occupation in this Presidency and other suggestions of that kind have been made. I may say, Sir, that exaggerations of that nature do not help the Government to arrive at a true and statesmanlike decision on the points at issue. I feel, however, that I must meet the points to some extent.

“It may interest hon. Members to know that during the period 1903–04 to the year 1931–32, holdings in this province increased from 23,100,000 acres to 27,700,000 acres, that is to say, an increase of 20 per cent in 28 years. It may be thought that this was entirely due to an increase in the area of dry lands; but it is interesting to know that

31st January 1934] [Sir Archibald Campbell]

the wet holdings increased by 21 per cent and the dry holdings by 19.6 per cent. In the same period, or very nearly in the same period of 30 years, i.e., 1901 to 1931, the population increased by 22.1 per cent. Now, Sir, at a time such as that which we have been passing through, we should naturally expect that lands on the margin of profitable cultivation would go out of occupation and that there would be a certain number—even a considerable number—of relinquishments. I therefore asked for figures showing the excess of relinquishments over darkhasts or applications for land. These figures as a matter of fact show that in fasli 1341, there was a net excess of land granted on darkhasts over land relinquished of 49,064 acres and in fasli 1342, there was a similar excess of 42,741 acres. Sir, I think those figures are very encouraging and do not support the view that agriculture is ceasing to be a remunerative occupation in this province.”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“What percentage is given to ex-army men?”

* The hon. Sir ARCHIBALD CAMPBELL:—“I cannot answer that question now. The relinquishments have not been very marked considering that millions of acres are under occupation in this province. The Government have recently published a Press Communiqué setting out the principles of the land revenue policy and dealing to some extent with the present situation. That has been mentioned by several hon. Members and in particular by Mr. Langley. He said that it showed that our land revenue ryotwari system has broken down; I should like to remind the House that not only our ryotwari system has been strained, but that the other systems such as the banking systems, the trading systems, the currencies, etc., of the various countries of the world have also given way or broken down under the great strain which has been placed upon them in the last two or three years. And because our ryotwari system has suffered a similar strain, that is no reason for condemning it wholeheartedly or failing to recognize the benefit it has conferred on this province during the past century. What we are here for to-day is to consider what measures, either temporary or permanent, could be adopted to meet the particular crisis which has now arisen, which can be expected to relieve the ryots of this province.

“We have to make, as has been done in the case of the other systems which have broken down, some special arrangements, either temporary or permanent, to meet the crisis that faces us at present. We have, last year—and this year we are adopting the same course—sanctioned certain suspensions, large suspensions I should say, of revenue which were not provided for under the normal working of the ryotwari system; this year we have also made substantial remissions outside our ordinary system. Now, Sir, Mr. Langley stated that we were doing what is quite impossible now, in demanding money, a commodity which they cannot produce under our ryotwari system, because money no longer exists. Sir, during the past two or three faslis, our land revenue has been paid almost as regularly as in previous years.

[Sir Archibald Campbell] [31st January 1934]

4 p.m.

“ The balance left uncollected at the end of the last fasli was, if I remember rightly, 1.25 per cent of the demand and is slightly better than in the previous fasli. During the last month, i.e., in December, the collections amounted to 70.5 per cent of the current demand as opposed to 77.1 per cent in the previous December and 75.4 per cent in the December before that. I think that meets the allegation that there is no money. Indeed some hon. Members suggested that money is cheap, and there is plenty of money going and that Government should raise loans. It may be true no doubt that in some cases the ryots have to mortgage their land or jewels in order to raise money, but I believe, an ordinary way of saving money in this province is to invest it in land or to invest it in jewels, and certainly those who invested their money in gold have got a very good return for any gold they have now sold. That, Sir, is a method of putting funds aside against a rainy day such as the one from which the ryots are suffering at the present time. We are meeting temporarily their immediate difficulties by means of these suspensions and remissions. But I hope, hon. Members won't regard those as permanent measures of relief. It will mean a very considerable reduction of the resources at the disposal of the Governments of the future. That is a matter for very careful consideration by hon. Members of this House. It is very easy for my hon. Friend, the Finance Member, and myself to earn cheap popularity by giving large remissions of land revenue. We should not have to meet the difficulty in future, while endeavouring to balance the budget due to our having large remissions from one of the principal sources of revenue. Such remissions, if adopted, on those lines would be against all principles of land revenue though they might of course be acceptable to this House and to the country at present. The concessions which we propose to make are indeed more than are actually required if one considers simply the present prices as compared with the prices on which the present assessments are based. We have recognized that the standard of living has risen and the prices have fallen of some of the principal products especially paddy and that the ryots have difficulties in meeting other claims made on them. (Mr. A. Ranganatha Mudaliyar: ‘ Are present prices less than the commutation prices taken into account at the last settlement? ’) In some cases they are now less, but in many cases the remission that is proposed more than counterbalances the difference. The claims on the agriculturists are not merely the land revenue but also various other claims such as those of money-lenders from whom they have from time to time borrowed money not merely for the purpose of paying the assessment but for other purposes as well. We must therefore look for and find other remedies besides the remission or suspension of land revenue. Various suggestions have been made from time to time as for instance those made at the Economic Conference at Annamalainagar the other day where this matter was very carefully discussed and suggestions were put forward. It was expected that a Bill dealing with Debt Conciliation would have been before this House by this time, but it has not been

31st January 1934] [Sir Archibald Campbell]

introduced. (Mr. P. V. Krishnayya Choudari: ‘ Why not Government take it up themselves? ’) Government will consider the suggestion of the hon. Member. In the Press Communiqué we gave examples of certain measures which might be adopted for relieving the ryot. One of the solutions for the present trouble will be found in the reorganization of trade and the consequent increase of prices which is likely to follow. We have put in our Press Communiqué a suggestion that the freights on railways might be reduced or other marketing facilities might be improved and that other crops might be substituted for paddy.

“ Now, Sir, Mr. Langley referred to those suggestions with considerable contempt. Apparently he was under the impression that the Government had in view only the question of finding new markets for our paddy outside India. He pointed out that paddy is produced in numerous other countries. He evidently had in view only paddy or rice when he made his observations. There are, on the other hand, various other commodities as well as paddy. But, as regards paddy, I may point out that the Economic Enquiry Committee presided over by Mr. Vernon in 1931 found that as a matter of fact this Presidency, although it does export a certain amount of rice, for example, to Ceylon and Hyderabad, on the whole required more paddy for consumption than it produces. So, on the whole we are an importing country in respect of paddy and not an exporting country. That was the decision arrived at by that Committee. So, the question of finding exports for rice or paddy to new markets outside India is not a very pressing question, but what we do want is to improve our own internal marketing facilities and to get people to combine together to keep up prices; and we also want to improve the marketing facilities of other products besides paddy. These are matters which this Government in consultation with the Government of India are considering. The internal markets for paddy and rice cannot be said to be organized even in important distributing centres. The Government of India therefore propose to entertain an expert marketing officer and have suggested the formation of provincial marketing boards with provincial marketing officers. To this we have provisionally agreed and in the meantime the Madras Government will almost immediately employ an officer on special duty to examine the question in advance with special reference to the present harvest and marketing season. The trade at present is chaotic and have to concert measures for its improvement. The foreign market for paddy and rice is normally in Ceylon and that chiefly in the way of export of the superior quality of rice from Tanjore and its neighbourhood. The competitor in this market is Burma where the rice industry is well organized, its rice is more in demand now by reason of the reduced purchasing power of the Ceylon consumer. To meet the competition in this foreign market, we have in the first instance secured a reduction in railway freight on the South Indian Railway. This might have gone further if the Ceylon Government Railway had co-operated with us. The result has been an increase in the export of paddy and we hope that if the reduction in freight is continued, the

[Sir Archibald Campbell] [31st January 1934]

export will increase still further. We have also applied for the opening of the Port of Tranquebar for the export of rice; this should benefit the exporters from the northern part of Tanjore. (Mr. P. V. Krishnayya Choudari: 'Were similar concessions given in other railways?') That is certainly a very good point made by the hon. Member, but as the hon. Member is aware railways are not under this Government and if any case is put up, I am sure this Government will support any such request for a reduction in freight. The Government of India have under consideration the suggestion made by this Government that special preference might be secured for Indian rice in the Ceylon market under the Ottawa Agreement. This would, I believe, operate against the rice of any other countries. We have subscribed to a suggestion that prohibitive duties should be imposed on rice from foreign countries and we addressed His Exalted Highness the Nizam's Government regarding the need for reducing their import duty on rice from the Circars which has been recently imposed and we have managed to get a small reduction in the import duty though we are not satisfied with that. We are trying to get them to lower the duty still further according to the Treaty limits, viz., 5 per cent ad valorem. (Mr. P. V. Krishnayya Choudari: 'Can they tax against the Treaty?') They should not levy any other rate than what they are entitled to levy under the Treaty. Formerly they taxed very much."

Mr. A. RANGANATHA MUDALIYAR:—"How long will it take for these proposals to be carried out and what will happen to the people in the meanwhile?"

* The hon. Sir ARCHIBALD CAMPBELL:—"We have taken measures to give some immediate relief; I am now speaking of permanent measures. In the meanwhile, we have tried to form a co-operative marketing association in Tanjore for rice, but this broke down even from the start, as the Registrar's suggestions were not accepted by the local interests. Some time ago, there was a special enquiry made in regard to marketing facilities in the Circars, but no special action was found necessary."

"As regards trade generally, as hon. Members are aware, two experts have been recently brought out from home by the Government of India to study chiefly the collection of statistics relating to production and trade. This will certainly have some effect on our marketing. Co-operative marketing has not been generally successful in this Presidency. Though we have suggested this for several years, so far no successful effort has been made except the Tiruppur cotton market. The association recently started in South Arcot in respect of co-operative marketing of groundnut shows some promise of success. An association has been recently formed in Nellore for the improvement of marketing of Nellore rice, but no recent information has been received as to its activities. Hon. Members are aware that the Commercial Crops Act was passed recently and it is hoped to take action under that Act ere long which we trust will have a beneficial effect on cotton and other commercial crops."

31st January 1934] [Sir Archibald Campbell]

"Mr. Langley spoke with approval of the suggestion to grow 4-15 sugarcane in the place of paddy. I may state that this is not a new p.m. idea we hear now for the first time. The Agricultural department, I know, has been urging this for very many years. It is by no means a new idea. At the same time, I do not wish to subscribe to the suggestion that it is the conservatism of the ryot which has prevented its general adoption. To begin with, sugarcane could not hitherto be grown except as a ten-months crop. Therefore, assured irrigation for that period is quite essential. Ordinary wet land which would get water for one season is not suitable for growing sugarcane. That accounts for a very large proportion of the wet land in this province. Another matter is that you must have a factory to which you can take the sugarcane close at hand if you are to get the best value out of the cane. It is perfectly true that by the use of the ordinary country mills and the ordinary country method of dealing with the juice, you can get jaggery. But, you do not get the full value of the sugar. To meet the difficulty of having to irrigate the sugarcane crop for the period of ten months which it requires to mature, the Agricultural department has been for some years experimenting and endeavouring to obtain another kind of sugarcane which can be grown on what is called a single crop wet land and they have succeeded in getting a hybrid of cholam and sugarcane which will mature in six months. I think this cane is now being largely adopted; I believe, it has been adopted and grown in Northern India. (Voices: 'Bihar.') We have done a great deal for the introduction of other crops or the improvement of other crops in this Presidency such as cotton and groundnut. Cotton has been improved and a certain variety can be grown with the help of irrigation. I am speaking of the Cambodia cotton. I submit, Sir, that the criticism which Mr. Langley made when he spoke is by no means justified. He implied in his speech that the Government have been asleep for all these years and have done nothing to help the ryot either to grow new crops or to improve the marketing of crops other than paddy. Another matter which is most important is the question of grading which is receiving considerable attention. As regards groundnut, attention has been constantly drawn to the necessity of a good finished product. Our groundnut kernels have a bad name in the world's markets largely owing to defective methods of preparation. A leaflet has been recently prepared and distributed widely and Chambers of Commerce have been addressed. Reference was made to the importation of Ceylon copra on the West Coast and the damage it is doing to the reputation of the West Coast oil. This Government suggested to the Government of India that a tariff should be imposed on imported copra in the interest of the West Coast purchaser. But, we have just heard that nothing will be done until the report of the Special Officer is received when the matter will receive the consideration of the Government of India."

"I think, Sir, I have given sufficient details of the measures Government are taking so far as they can for dealing with the situation. I referred just now to the collection of land revenue and it may be of

[Sir Archibald Campbell] [31st January 1934]

interest for me to give some figures as to the extent to which it was necessary to resort to the sale of land to recover the arrears of land revenue in recent years. In fasli 1338, that is to say, before depression began, 18,437 acres were sold for arrears of land revenue. In fasli 1340, the first year of the slump, 47,242 acres were sold; in fasli 1341, the area sold was 27,322 acres; and in fasli 1342, the last fasli, 25,608 acres were sold. (A voice: 'Nothing more to sell, I suppose.') I think those figures are very small considering that the holdings exceed 27 millions of acres.

"Then, one or two suggestions have been made. One was that Government should advance money to the ryots to enable them to develop their lands, for example to make them suitable for growing sugarcane and such other purposes. As a matter of fact, we do now make considerable advances to ryots. I believe the amount advanced under the takkavi system of loans is about 18 lakhs a year. A good deal was said about the introduction of economies in the provincial administration. During the two years from 1930 to this year, the cost of administration has been reduced from 18 crores to about 16 crores. Considerable economies have been already introduced. (Mr. K. Koti Reddi: 'It is not the cost of administration alone; it is the whole expenditure.') Yes. I refer to the whole expenditure. The balances are being reduced and my Friend the hon. the Finance Member will deal with that matter when he comes to deal with the budget. We gave very careful consideration to the suggestions of the Finance Committee and the recommendations which had been made to this Government. This Government in its original proposals thought they were being generous. They went beyond what according to the reports of their officers was really necessary to meet the exigencies of the case. We thought that the Finance Committee proposals went in one respect certainly much too far. For that reason, we could not adopt them; we reduced the percentage suspension of revenue on wet land in recently settled areas from 18 $\frac{3}{4}$ to 12 $\frac{1}{2}$ per cent. The original proposal of Government would have cost nearly 52 $\frac{1}{2}$ lakhs in 1343 and 54 $\frac{1}{2}$ lakhs in 1344. The Finance Committee's recommendations would have cost 72 $\frac{3}{4}$ lakhs in the current fasli, and 75 lakhs in the next fasli. The final proposals made by the Government if the amounts suspended are ultimately remitted will involve a loss of 59 $\frac{3}{4}$ lakhs in the current fasli, and if continued a loss of 61 $\frac{3}{4}$ lakhs during the next fasli. The difference in faslis is due to the fact that there are certain increment remissions which have been already granted."

MR. A. RANGANATHA MUDALIYAR:—"May I know the districts in which the original proposals of Government have been revised to their disadvantage as a result of this?"

* THE HON. SIR ARCHIBALD CAMPBELL:—"Those districts which have been resettled since 1919."

MR. A. RANGANATHA MUDALIYAR:—"All of them are getting much less than they would get under the original proposals of Government."

31st January 1934]

* THE HON. SIR ARCHIBALD CAMPBELL:—"On dry lands, yes, but that was the recommendation of the Finance Committee. These proposals are necessarily broadly based, and we could not possibly go into the detailed examination of each man's income. It is quite impossible to do anything of that kind. Whatever we give, we have got to give quickly and therefore the system must be broad and simple. For that reason, we have adopted the present method which has received the approval of the Finance Committee. Some hon. Members have asked why we discriminate between those districts that were settled after 1919 and those settled earlier. As I have already explained, the point is that in those that have been settled since that date the high prices after the war were necessarily taken into consideration whereas there were no such high prices to be considered in the case of those settled before that date, the former have been paying higher rates of assessment for some years, than they would have paid if they had been settled before that date."

"After listening to what transpired in the course of this debate, the Government still feel that they cannot go still further than what they have already decided upon. The percentage which this resolution proposes, namely, 25 per cent, is a much greater concession than the exigencies of the case really require. It is quite possible in particular cases, people may still be put to a considerable difficulty in paying land revenue. As I said, we cannot deal with each individual case. The cost of carrying out the proposal in this resolution will be about a crore and a half, that will be an unnecessarily high standard of concession and we cannot accept this proposal. We feel, Sir, that the proposals already made by the Government, erred, if they erred at all, on the side of generosity. We have given very greatest consideration to the needs of the ryots. We have obtained reports from the Collectors and the Board of Revenue with regard to the position in which the ryots are now placed. We have not only considered whether land revenue was paid last year, we have also had enquiries made on various other points and we have obtained a report also from the Registrar of Co-operative Societies. I am mentioning these facts to show that we have made careful enquiries regarding the economic condition of the ryots and we feel that the proposals that we now make will certainly meet the needs of the situation."

* THE HON. SIR HOPETOUN STOKES:—"Sir, I have already said what I have to say in the earlier stage of this debate on the last occasion. I did not intend to take part again because most of what I have to say on these topics will be appropriately dealt with in discussing the budget and I propose to deal with them on that occasion. You know what my particular point of view on this motion is and I do not wish to repeat what I said on the last occasion when this resolution was under discussion. As regards the debate that has been taking place to-day and yesterday, there was one particular financial matter that I would like to touch upon though it is one which I have already touched upon in my former speech, and that is the obsession which many members labour

4-30
P.M.

[Sir Hopetoun Stokes] [31st January 1934]

under that, because you have a certain amount of accumulated balances you can proceed to surrender revenue and thereby go on meeting new recurring charges. It is quite impossible to be going on drawing on balances for these purposes. Some hon. Members said that this is not a recurring charge. What is it? It began in fasli 1342, continued in 1343 and I have not the slightest doubt that in fasli 1344 there will not be another howl for more remission. You must exercise a certain amount of restraint and commonsense. It is quite impossible for you to go on drawing on your balances for that sort of expenditure. This must be clear to anybody who takes a long view. Now, as a matter of fact, you will find when you come to the discussion of the budget that your balances are being considerably reduced and that it will not last for more than a couple of years. But I do not wish to prejudge the discussion on the budget and I daresay my hon. Friends are anxious to look at it. I wish now merely to emphasize the particular point to be borne in mind when we are discussing a matter of this kind."

* Mr. V. T. ARASU:—"Mr. President, we have had a rather interesting debate on the resolution which was moved by me at the last meeting of the Council recommending to Government that a remission of at least 25 per cent be given to the ryotwari landholders in this Presidency. Sir, from the speeches made in the Council both at the last meeting and at this meeting, it should be evident to the Government that there is not even one hon. Gentleman present in this House who does not feel that the plight of the agriculturists to-day is very bad and that therefore the Government ought to come to their rescue. Perhaps I may say, Sir, that only one hon. Gentleman made bold to say on the floor of this House that he had had occasion to talk to agriculturists and ryots in several parts of the Presidency and that they had told him that they did not want this pittance of 12½ or 18¾ or 25 per cent remission, that they did not care for it at all and that they were anxious to have some permanent relief being given to them. Sir, I refer to my hon. Friend Mr. Basudev who, according to his own admission, is neither an agriculturist nor even one acquainted with agriculture. He described himself as a layman. According to his own admission therefore he has to be classed in the category of carpet-baggers. So, I believe this House would not have taken him seriously when he made that statement.

"I would now refer to the speech made by the hon. the Revenue Member. We were very much disappointed to hear that speech. The hon. the Revenue Member admitted that the Government are fully aware that prices have fallen low generally and that in some cases they are very much lower than the commutation rate which was the basis of the assessment. Having made that statement, the hon. the Revenue Member would still have us believe that the ryot still finds it profitable to carry on the agricultural industry. The hon. the Revenue Member called the statement by an hon. Member of this House that agricultural operations would cease if no relief is given to the agriculturists, as an exaggeration; and, in support of that he produced certain figures. The

31st January 1934] [Mr. V. T. Arasu]

hon. the Revenue Member said that the percentage of collection in the last two or three faslis showed that the ryots are only too willing to meet the demand made on them by the Government and that it was only the agitators who went about saying that the ryots were not in a position to pay. That is, at any rate, the implication of the statement made by the hon. the Revenue Member. But, Sir, I would most respectfully point out to the hon. the Revenue Member that it is wrong to say that the percentage of collections is an indication of the prosperity of the people. Take, for instance, the case of a municipality where the percentage of the tax collected is 100 per cent. Is that in any way an indication of the prosperity of the people inhabiting that locality? To my mind it is only an indication of the fact that the Revenue Officers are efficient and are doing their duties properly. I am prepared to admit that the staff employed by this Government to collect land revenue is very vigilant and uses all the resources at its disposal to compel the ryot to meet in time the demand made on him. Sir, in some cases also I am aware of the fact that some Collectors and Deputy Collectors offer rewards to the village munsifs and village karnams for good and prompt collections; and this reward acts as an incentive to the village officers to use all coercive measures to make the ryot pay his kist in time. It is not, therefore, right to say that, because Government have been in a position during the last one or two faslis to collect their revenues fairly fully and periodically and without very much difficulty, and that during the last fasli also practically the whole of the revenue demand has been collected, the people are prosperous and are in a position to pay the revenue demand.

"Sir, the hon. the Revenue Member went on to detail at some length the steps which both this Government and the Government of India propose to take in order to improve the position of the agriculturists. The hon. Member said that the Government of India propose to appoint certain marketing officers and that they had already appointed two statistical experts. I think the hon. Member referred to Dr. Robertson and Dr. Bowley who have come down here. Sir, I would like to take this opportunity to enter my emphatic protest against this Government contributing anything to the Central Government for the so-called enquiries which the Government of India propose to institute. What the Government of India and sometimes this Government also do on matters of this kind is this: they import certain officers as experts to advise the Government for temporary periods; but ere long they are made permanent with a large permanent staff attached to them. These things end in additional recurring charges being imposed on the revenues of Government. Therefore I take this opportunity of suggesting to the Government that they should not contribute even a single pie for this purpose. Even assuming that the Government of India propose to take some measures in this matter, and that the same are going to produce beneficial results, it will take some time to materialize in improving the prosperity of the ryots. I ask whether we are going to wait till then? One hon. Member, I believe it was Mr. V. M. Rama-

[Mr. V. T. Arasu] [31st January 1934]

swami Mudaliyar, speaking on this motion said that, if relief is going to be given at all, it ought to be given to-day; because it is urgent. Sir, time is the essence here and therefore I would request that whatever relief is proposed to be given it should be given immediately. There is no use saying that the Government are going to provide this facility and that facility at some future time. If we wait till then, I may assure the Government that the ryot would have disappeared and would have been driven from his land.

"The hon. the Revenue Member in support of his statement that it is an exaggeration to say that agricultural operations would cease if immediate relief is not granted said that the purchase of lands year after year from the Government showed an increase and that it proved that people were still anxious to buy lands and to cultivate them. Sir, if only the hon. Member would take the trouble to analyse the figures, he will find that nearly 90 per cent of the lands assigned during the last three or four faslis have gone to the depressed classes and to ex-service men. Therefore it cannot be said that assignments indicate the demand for land. I know that in several districts people who have received assignments of land from Government have not started cultivation at all. I therefore submit that the fact that about 49,000 acres of land have been assigned during fasli 1340 is no indication that agriculture is a paying proposition to-day. The other figure which the hon. Member furnished in support of his argument is that while during fasli 1338 about 48,000 acres of land were sold for arrears of land revenue, during fasli 1340 only about 22,000 acres were thus sold. From these figures the hon. the Revenue Member drew the conclusion that the Government have been able to collect the revenues very easily, in fact more easily than they were able to collect in fasli 1338 or in the earlier faslis. To draw the conclusion from these figures that the people are willing or are in a position to pay the assessment, is wrong. The premises certainly do not warrant such a conclusion.

"The hon. the Revenue Member wound up by saying that if we give this remission we will be setting a very bad precedent and that 'we would be setting up a very high standard of concession.' These are the very words used by the hon. Member. Sir, I am not in a position to understand what the Revenue Member meant when he said that they would be setting up a very high standard of concession. The concession now asked for is neither high nor unreasonable nor is it going to be a recurring charge as he would have us believe. If prices continue to be what they are to-day or if they are going to decline further, no doubt we will be compelled to come forward again and ask for similar concessions during the coming fasli as well. But I hope that there will be no need for a repetition of this demand. At any rate let us hope that the measures the Government are now taking by way of providing marketing facilities, etc., will result in the improvement of the price level of staple commodities."

4-45 p.m. * The hon. the PRESIDENT:—"Order, order, the hon. Member has already exceeded his time-limit and unless he closes his speech soon there will be no time for voting."

31st January 1934] [Mr. V. T. Arasu]

* Mr. V. T. ARASU:—"I would finish in a few moments, Sir. The hon. the Finance Member in his speech on the last occasion, that is, on the 10th November last, stated that the Members seemed to be anxious about the budgetary position of the ryots alone and they did not care about the budgetary position of the Government. Sir, the same charge can be levelled against the hon. the Finance Member as well. He seems to be anxious to collect for Government as much revenue as possible irrespective of the fact whether the ryot is able to pay or not. His position reduces itself to this: 'Whether you are able to make both ends meet or not I don't mind; you must pay and you must enable us to carry on.' If that is the argument of Government, I have nothing to add."

* The hon. the PRESIDENT:—"I will read the substantial proposition first: 'This Council recommends to the Government that a remission of 25 per cent in the existing rate of assessment on ryotwari lands in the Presidency be granted during fasli 1343.'

"I will now put the first amendment to the vote of the House. The question is: *Add* at the end of the resolution the words 'and that the remaining assessment on lands be collected in kind and not in money'."

The amendment was lost.

* The hon. the PRESIDENT:—"I will now put the amendment of Mr. Basheer Ahmed to the vote of the House. The question is: After the word 'assessment' and before the words 'on ryotwari' *insert* the words 'inclusive of water-cess and other cesses'."

The amendment was carried.

* The hon. the PRESIDENT:—"I will now put the second amendment of Mr. Basheer Ahmed to the vote of the House. The question is: Between the words 'on' and 'ryotwari' *insert* the word 'all.' After the word 'lands' *insert* the following words 'irrespective of wet or dry'."

The amendment was carried.

The hon. the PRESIDENT:—"I will now put Mr. Patnaik's amendment to the vote of the House. The question is: *Add* the following at the end, 'provided that in the assessment in the Ghumsur division of the Ganjam district a reduction of 50 per cent be made'."

The amendment was lost.

* The hon. the PRESIDENT:—"I will now put the main resolution as amended, to the vote of the House. The question is: 'This Council recommends to the Government that a remission of 25 per cent in the existing rate of assessment inclusive of water-cess and other cesses on all ryotwari lands irrespective of wet or dry in the Presidency be granted during fasli 1343'."

[31st January 1934]

The motion was declared carried and a poll was demanded and the House divided thus:—

Ayes.

- | | |
|---|--|
| 1-Mr. K. R. Venkatarama Ayyar. | 29 Mr. C. R. Parthasarathi Ayyangar. |
| 2 „ T. C. Srinivasa Ayyangar. | 30 „ K. Koti Reddi. |
| 3 „ Sami Venkatachalam Chetti. | 31 Rao Bahadur C. Natesa Mudaliyar. |
| 4 Khan Bahadur Mahmud Schammad Sahib Bahadur. | 32 Mr. M. B. Rangaswami Reddi. |
| 5 Mr. A. Pl. N. V. Nadimuthu Pillai. | 33 Diwan Bahadur S. Ellappa Chettiayar. |
| 6 „ V. T. Arasu. | 34 Mr. R. M. Palat. |
| 7 „ A. B. Shetty. | 35 Rao Bahadur T. M. Narayanaswami Pillai. |
| 8 Rao Bahadur P. C. Muthu Chettiayar. | 36 Mr. G. Simbachalam Pantulu. |
| 9 Mr. M. A. Manikkavelu Nayakar. | 37 „ T. Narasa Reddi. |
| 10 „ Abdul Hameed Khan. | 38 Rao Bahadur A. T. Pannirselvam. |
| 11 „ Basheer Ahmed Sayeed. | 39 Mr. G. Ranganatha Mudaliyar. |
| 12 „ K. A. Nachiyappa Gounder. | 40 Khan Bahadur Yahya Ali Sahib Bahadur. |
| 13 The Pattagar of Palayakottai. | 41 Mr. M. Devadasan. |
| 14 Mr. K. S. Sivasubrahmanya Ayyar. | 42 „ B. P. Sesha Reddi. |
| 15 „ P. Peddi Raju. | 43 „ G. Sriramulu. |
| 16 „ K. Singam Ayyangar. | 44 „ P. C. Moses. |
| 17 „ Ahmed Miran Sahib. | 45 „ W. P. A. Soundara Pandiyan. |
| 18 Diwan Bahadur B. Muniswami Nayudu. | 46 „ P. Bayappa Reddi. |
| 19 „ C. S. Ratnasabhapati Mudaliyar. | 47 „ P. K. Ramachandra Padayachi. |
| 20 Mr. M. S. Sreshta. | 48 „ G. Lakshmana Reddi. |
| 21 „ P. V. Krishnappa Choudari. | 49 „ K. M. Doraiswami Reddi. |
| 22 Sriman M. G. Patnaik Mahasayo. | 50 „ J. A. Davis. |
| 23 Mr. C. Indrayya. | 51 „ Daniel Thomas. |
| 24 „ J. Kuppuswami Choudari. | 52 Swami A. S. Sahajanandam. |
| 25 „ Mahboob Ali Baig. | 53 Rao Sahib P. Subrahmanya Chetti. |
| 26 „ G. R. Premayya. | 54 „ D. V. Narasimhaswami. |
| 27 „ Madhusoodhanan Thangal. | 55 Mr. A. Harischandradu. |
| 28 Rao Bahadur R. K. Venugopal Nayudu. | 56 „ K. Kesavaramamurti Nayudu. |
| | 57 „ S. M. K. Beyabani Sahib. |
| | 58 „ A. Ramakrishna Reddi. |
| | 59 „ A. Ranganatha Mudaliyar. |

Noes.

- | | |
|--|--|
| 1 The hon. Sir Mahomed Usman. | 11 Diwan Bahadur N. Gopalaswami Ayyangar. |
| 2 „ Diwan Bahadur Sir M. Krishnan Nayar. | 12 Mr. R. Madanagopal Nayudu. |
| 3 „ Sir Archibald Campbell. | 13 „ E. Conran Smith. |
| 4 „ Sir Hopetoun Stokes. | 14 „ T. Sundara Rao Nayudu. |
| 5 „ Diwan Bahadur S. Kumaraswami Reddiyar. | 15 Khan Sahib Syed Tajuddin Sahib Bahadur. |
| 6 „ Mr. P. T. Rajan. | 16 Rao Bahadur R. Srinivasan. |
| 7 „ the Raja of Bobbili. | 17 Mr. V. G. Vasudeva Pillai. |
| 8 Diwan Bahadur V. N. Viswanatha Rao. | 18 Rao Sahib V. Dharmalingam Pillai. |
| 9 Mr. J. A. Thorne. | 19 „ D. Krishnamurti. |
| 10 „ H. M. Hood. | 20 Rao Bahadur Sir A. P. Patro. |
| | 21 Mr. C. Basu Dev. |

Neutral.

- | | |
|---|-----------------------------------|
| 1 Subadar-Major S. A. Nanjappa Bahadur. | 3 Rao Bahadur G. Jagannadha Raju. |
| 2 Rao Sahib V. I. Muniswami Pillai. | 4 Mrs. K. Alamelumangathayaramma. |

Ayes 59. *Noes* 21. *Neutral* 4.

The motion was carried.

31st January 1934]

III.—ANNOUNCEMENT REGARDING THE APPOINTMENT OF
CHAIRMEN OF CERTAIN SELECT COMMITTEES ON BILLS

* The hon. the PRESIDENT:—“I have to announce that I have appointed Diwan Bahadur B. Muniswami Nayudu as Chairman of the Select Committee on the Madras Hindu Religious Endowments Act (Amendment) Bill, and Rao Bahadur C. Natesa Mudaliyar as Chairman of the Select Committee on the Madras Maternity Benefit Bill.”

The House adjourned till 11 o'clock the next day.

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

* Pamphlet No. 1 by Upton Sinclair on Birth Control.

* Pamphlet No. 2 by Dr. Sherwood Eddy on Family Limitation.

* Pamphlet No. 3 by G. Bernard Shaw on Birth Control.

* Pamphlet No. 5 by Sir George H. Kimbho on the menace of increasing population.

* Ethics of Birth Control by the Madras Neo Malthusian League.

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

[31st January 1934]

APPENDIX I.

[Vide answer to question No. 559 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 31st January 1934, page 234 supra.]

Statement.

Districts.	Advocates.	High Court vakils.	First-grade pleaders.	Second-grade pleaders.
Anantapur	9	Nil.	85	7
North Arcot	29	..	122	15
South Arcot	52	..	138	27
Bellary	24	..	74	6
Chingleput	34	..	140	15
Chittoor	16	..	110	16
Coimbatore	113	1	284	18
Cuddapah	17	..	75	4
Ganjam	16	6	105	23
East Godavari	40	2	242	22
West Godavari	32	3	205	14
Guntur	45	1	250	30
South Kanara	67	..	145	20
Kistna	30	..	201	16
Kurnool	10	..	75	5
Madura	6	115	222	31
North Malabar	45	..	83	20
South Malabar	118	1	294	22
Nellore	31	..	108	9
Ramnad	28	..	187	34
Salem	32	2	162	20
East Tanjore	52	2	128	11
West Tanjore	88	4	210	11
Tinnevelly	60	1	272	40
Trichinopoly	40	..	210	23
Vizagapatam	39	1	164	31
Total ..	1,073	139	4,291	490
Madras ..	1,677	..	..	..
Grand Total ..	2,750	139	4,291	490

[31st January 1934]

APPENDIX II.

[Vide answer to question No. 567 asked by Mr. U. C. Subrahmanya Bhatt at the meeting of the Legislative Council held on the 31st January 1934, page 237 supra.]

Anantapur—	Kanara, South—
1 Anantapur.	42 Mangalore.
2 Hindupur *	Kistna—
3 Tadpatri *	43 Bezwada. *
Arcot, North—	44 Masulipatam.
4 Gudiyattam	Kurnool—
5 Tiruppattur.	45 Kurnool.
6 Tiruvannamalai.	46 Nandyal. *
7 Vaniyambadi.	Madura—
8 Vellore *	47 Bodinayakan.
9 Walajapet.	48 Dindigul. *
Arcot, South—	49 Kodaikanal
10 Chidambaram.	50 Madura. *
11 Cuddalore	51 Palni.
12 Villupuram.	52 Periyakulam.
Bellary—	Malabar—
13 Adoni.	53 Calicut.
14 Bellary. *	54 Cannanore.
15 Hospet.	55 Cochin.
Chingleput—	56 Palghat.
16 Chingleput	57 Tellicherry.
17 Conjeeveram. *	Nellore—
18 Saidapet. *	58 Nellore.
Chittoor—	Nilgiris, The—
19 Chittoor.	59 Coonoor.
20 Tirupati. *	60 Ootacamund. *
Coimbatore—	Ramnad—
21 Coimbatore. *	61 Karaikudi.
22 Dharapuram.	62 Sivakasi.
23 Erode	63 Srivilliputtur.
24 Pollachi.	64 Virudhunagar.
25 Tiruppur.	Salem—
26 Udamalpet.	65 Salem. *
Cuddapah—	Tanjore—
27 Cuddapah.	66 Kumbakonam. *
28 Proddatur.	67 Mannargudi.
Ganjam—	68 Mayavaram.
29 Berhampore	69 Negapatam. *
30 Chicacole	70 Tanjore. *
31 Parlakimedi.	71 Tiruvarur.
Godavari, East—	Tinnevelly—
32 Cocanada.	72 Palamcottah.
33 Peddapuram. *	73 Tinnevelly.
34 Rajahmundry. *	74 Tuticorin. *
Godavari, West—	Trichinopoly—
35 Ellore.	75 Srirangam.
36 Palacole.	76 Karur.
Guntur—	77 Trichinopoly. *
37 Chirala.	Vizagapatam—
38 Guntur.	78 Anakapalle.
39 Narasaraopet.	79 Bimlipatam.
40 Ongole.	80 Vizagapatam.
41 Tenali.	81 Vizianagram.

NOTE.—Municipalities to which commissioners have been appointed are indicated by an asterisk.

[31st January 1934]

APPENDIX III.

[Vide answer to question No. 569 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 31st January 1934, page 240 supra.]

- 1 Mr. L. Madhava Reddi, B.A., B.L., Anantapur.
- 2 „ B. Rajagopal Nayudu, B.A., North Arcot.
- 3 „ C. Sundaresa Mudaliyar, B.A., B.L., South Arcot.
- 4 „ N. G. Reddi, B.A., Bellary.
- 5 „ P. K. Pushparaj, B.Sc., B.L., Chingleput.
- 6 „ K. Narasimhamurti, B.A. (Hons.), G.D.A. (Exam.), Chittoor.
- 7 „ T. Govindarajulu Nayudu, B.A., B.L., Coimbatore.
- 8 „ C. Appi Reddi, B.Sc., Cuddapah.
- 9 „ C. Narasimham, B.A. (Hons.), B.L., Ganjam.
- 10 „ R. S. Parthasarathi Rao, B.A., East Godavari.
- 11 „ A. Ramachandran, B.A., B.L., West Godavari.
- 12 „ T. A. Narasa Reddi, B.A., Guntur.
- 13 „ V. A. Adinarayana Reddi, B.A., Kistna.
- 14 „ K. Ramakrishnayya, B.A., BAR.-AT-LAW, Kurnool.
- 15 M.R.Ry. Rao Sahib R. Lazarus Avargal, B.A., Madura.
- 16 Mr. T. S. Minakshisundara Mudaliyar, B.A., Ramnad.
- 17 „ V. Sobhanadri Rao Nayudu, B.A., Salem.
- 18 „ C. Kadirvelu Mudaliyar, B.A., B.L., Tanjore.
- 19 „ T. M. Ramaswami, B.A. (Hons.), Cantab., Trichinopoly.
- 20 „ C. Vengal Rao, B.A., B.L., Vizagapatam.
- 21 „ H. H. Schamnad, B.A., Malabar.
- 22 „ C. T. Verghese, B.A., South Kanara.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR
OF MADRAS.

Thursday, the 1st February 1934.

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. | Mahmud Schamnad Sahib Bahadur, Khan Bahadur. |
| Krishnan Nayar, Kt., The hon. Diwan Bahadur Sir M. | Manikkavelu Nayakar, Mr. M. A. |
| Campbell, K.C.I.E., C.S.I., C.B.E., y.d., I.C.S., The hon. Sir Archibald. | Metherell, Mr. J. K. |
| Stokes, K.C.I.E., C.S.I., I.C.S., The hon. Sir Hopetoun. | Moidoo Sahib Bahadur, Khan Bahadur T. M. |
| Raja of Bobbili, The hon. the. Rajan, The hon. Mr. P. T. | Mbses, Mr. P. C. |
| Kumaraswami Reddiyar, The hon. Diwan Bahadur S. | Muhammad Meera Ravuttar, Mr. K. P. V. S. |
| Abdul Hameed Khan Sahib Bahadur. | Muniswami Nayudu, Diwan Bahadur B. |
| Ahmed Miran Sahib Bahadur. | Muniswami Pillai, Rao Sahib V. I. |
| Alamelumangathayaramma, Mrs. K. | Muthiah Chettiyar, Mr. M. A. |
| Annamalai Chettiyar, Mr. S. A. A. | Muthu Chettiyar, Rao Bahadur P. C. |
| Appadurai Pillai, Diwan Bahadur A. | Nachiyappa Gounder, Mr. K. A. |
| Arasu, Mr. V. T. | Nadimuthu Pillai, Mr. A. Pl. N. V. |
| Basheer Ahmed Sayeed Sahib Bahadur. | Nanjappa Bahadur, Subadar-Major S. A. |
| Basu Dev, Mr. C. | Narasa Reddi, Mr. T. |
| Bayappa Reddi, Mr. P. | Narasimhaswami, Rao Sahib D. V. |
| Beyabani Sahib Bahadur, S. M. K. | Narayanan Nambiyar, Mr. V. P. |
| Bhanoji Rao, Mr. A. V. | Narayanawami Pillai, Rao Bahadur T. M. |
| Birley, Mr. F. | Natesa Mudaliyar, Rao Bahadur C. |
| Devadasan, Mr. M. | Palat, Mr. R. M. |
| Dharmalingam Pillai, Rao Sahib V. | Pannirselvam, Rao Bahadur A. T. |
| Duraiswami Reddiyar, Mr. K. M. | Parthasarathi Ayyangar, Mr. C. R. |
| Ellappa Chettiyar, Diwan Bahadur S. | Patnaik Mahasayo, Sriman M. G. |
| Foulkes, Mr. R. | Patro, Kt., Rao Bahadur Sir A. P. |
| Gopalaswami Ayyangar, Diwan Bahadur N. | Pattabhiramayya, Mr. K. |
| Harischandrudu Nayudu, Mr. A. | Pattagar of Palayakottai. |
| Hood, I.C.S., Mr. H. M. | Peddiraju, Mr. P. |
| Indrayya, Mr. C. | Poecker Sahib Bahadur, B. |
| Jagannatha Raju, Rao Bahadur G. | Premayya, Mr. G. R. |
| Jagannatham, Mr. H. M. | Rajagopala Pillai, Mr. P. V. |
| Jayaram Nayudu, Rao Sahib C. | Raja of Khallikote. |
| Kesavaramamurti Nayudu, Mr. K. | Ramachandra Padayachi, Mr. P. K. |
| Khalif-ul-lah Sahib Bahadur, Khan Bahadur P. | Ramakrishna Reddi, Mr. A. |
| Koti Reddi, Mr. K. | Ramamurti, Rao Sahib Pandit Ganala. |
| Krishnayya Choudari, Mr. P. V. | Raman Menon, Mr. K. P. |
| Krishnamurti, Rao Bahadur D. | Ramaswami Ayyar, Mr. T. S. |
| Krishnan, Mr. C. | Ramaswami Mudaliyar, Mr. V. M. |
| Krishnaswami Ayyar, Kt., Diwan Bahadur Sir Alladi. | Ranganatha Mudaliyar, Mr. A. |
| Kumararaja of Venkatagiri. | Ranganatha Mudaliyar, Mr. G. |
| Kuppuswami Choudari, Mr. J. | Ranganatha Mudaliyar, Mr. M. D. T. |
| Ladden, Mr. W. W. | Rangaswami Reddi, Mr. M. B. |
| Lakshmana Reddi, Mr. G. | Ratnasabhapati Mudaliyar, Diwan Bahadur C. S. |
| Langley, Mr. W. K. M. | Sahajanandam, Swami A. S. |
| Madanagopal Nayudu, Mr. R. | Sami Venkatachalam Chetti, Mr. |
| Mahboob Ali Baig Sahib Bahadur. | Sesha Reddi, Mr. B. P. |
| | Shetty, Mr. A. B. |
| | Simhachalam Pantulu, Mr. G. |

[1st February 1934]

PRESENT—cont.

Singam Ayyangar, Mr. K.	Thangal, Mr. P. M.
Siva Raj, Rao Sahib N.	Thomas, Mr. Daniel.
Sivasubrahmanya Ayyar, Mr. K. S.	Thorne, C.I.E., I.C.S., Mr. J. A.
Smith, C.I.E., I.C.S., Mr. E. Conran.	Vasudeva Pillai, Mr. V. G.
Soundara Pandian, Mr. W. P. A.	Vedachala Mudaliyar, Mr. M.
Sreshtha, Mr. M. S.	Venkatachala Reddiyar, Mr. K. C. M.
Srinivasa Ayyangar, Mr. T. C.	Venkatarama Ayyar, Mr. K. R.
Srinivasan, Rao Bahadur R.	Venugopal Nayudu, Rao Bahadur R. K.
Sriramulu, Mr. G.	Viswanatha Rao, Diwan Bahadur V. N.
Subbarayan, Dr. P.	Yahya Ali Sahib Bahadur, Khan Bahadur.
Subrahmanya Chetti, Rao Sahib P.	Yakub Hasan Sahib Bahadur.
Subrahmanya Bhatt, Mr. U. C.	Zamindar of Chemudu.
Sundara Rao Nayudu, Mr. T.	Zamindar of Kirlampudi.
Syed Tajuddin Sahib Bahadur, Khan Sahib	Zamindar of Mirzapuram.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Agriculture

Action taken on the report regarding the fall in the price of coconuts.

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

(a) whether the officer deputed by the Government to enquire into the causes of the fall in the price of coconuts has submitted his report; and

(b) whether the Government have considered the report and whether they propose to take any action in the matter?

A.—(a) The local Government have not deputed any officer. The Imperial Council of Agricultural Research has employed an officer to enquire into the conditions of the supply of coconut products in India. This officer has not yet completed the investigation.

(b) Does not arise.

Mr. A. B. SHETTY:—“ May I know whether this officer is working under the direction of the Local Government or whether he is carrying on his investigations independently of the Local Government? ”

The hon. Mr. P. T. RAJAN:—“ The officer is not working directly under the Local Government. ”

Mr. A. B. SHETTY:—“ It has been mentioned in the answer that the Imperial Council of Agricultural Research has employed an officer. May I know whether that officer is working as a subordinate to the Local Government? ”

The hon. Mr. P. T. RAJAN:—“ The officer is working on behalf of the Imperial Council of Agricultural Research and the Director of Agriculture is giving him directions for the work. ”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ May I know, Sir, which are the coconut producing districts? ”

The hon. Mr. P. T. RAJAN:—“ I cannot reply offhand. ”

1st February 1934]

Mr. U. C. SUBRAHMANYA BHATT:—“ May I know which districts are going to be investigated by this officer? ”

The hon. Mr. P. T. RAJAN:—“ I think all those districts where there is coconut cultivation are under investigation by this officer. ”

Mr. U. C. SUBRAHMANYA BHATT:—“ May I know whether South Kanara is within his scope? ”

The hon. Mr. P. T. RAJAN:—“ If South Kanara is a coconut producing country, it will certainly be under his investigation. ”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I know whether the Madras Government is getting in touch with this officer? ”

The hon. Mr. P. T. RAJAN:—“ I do not think the Government need be in touch with this officer. But I think that officer would send a copy of the report of the work which he sends to the Imperial Council of Research to this Government also. ”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ May I know whether agricultural research includes the growing of coconut trees also? ”

The hon. Mr. P. T. RAJAN:—“ Yes. ”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I ask whether the Madras Government have issued instructions to coconut growers that they may make any representations to this officer? ”

The hon. Mr. P. T. RAJAN:—“ It is open to anybody to make representations to this officer. ”

Khan Bahadur Mahmud SCHAMNAD SAHIB Bahadur.—“ May I know what kind of researches this officer is making; is it about marketing or improving the growth of coconuts or what? ”

The hon. Mr. P. T. RAJAN:—“ In all matters affecting the coconut. ”

Registration

Posting to the sub-registry offices in South Kanara of clerks unacquainted with the local language.

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

(a) whether the Madras Services Commission have allotted for service as clerks in the sub-registry offices in South Kanara, candidates who do not know the local vernacular; and

(b) whether such men posted as clerks have been found unable to do the work required of them?

A.—In February 1933, the Collector of South Kanara had to allot Malayali candidates, who were next in order in the approved list of candidates for the South Kanara district, published by the Madras Services Commission, to the offices of the sub-registrars of Coondapoor and Udipi to fill places caused by leave vacancies. The Sub-Registrar, Udipi, reported that

[1st February 1934]

the clerk did not know Kanarese and that no work could be assigned to him. In March 1933, the Registrar of Assurances brought to notice a few instances in which clerks who did not know the local vernacular were posted to the sub-offices in his district and stated that work in those offices had been dislocated. The question of the amendment of the Madras Ministerial Service Rules so as to remove such difficulties is under consideration.

Provincial Finance.

Admissibility of travelling allowance under rule 95 of the Madras Travelling Allowance Rules.

* 584 Q.—Khan Bahadur P. KHALIF-UL-LAH SAHIB Bahadur: Will the hon. the Member for Finance be pleased to state—

(a) whether it is a fact that the Government have issued a Government Order in June 1933 amending rule 95 of the Madras Travelling Allowance Rules;

(b) whether in that Government Order, travelling allowance for journey to obtain second medical opinion in support of an application for extension of leave has been permitted;

(c) whether, with reference to the permission referred to in clause (b), petitions claiming travelling allowance under the Government Order cited above, have been received by the Government from and after June 1933; and

(d) if so, in which of the departments travelling allowance was sanctioned and in which of the departments travelling allowance was refused in such cases?

A.—(a) Yes.

(b) Subject to the restrictions laid down in the rule, it was intended to cover a journey to obtain a second medical opinion in support of an application for extension of leave and the rule was amended in June 1933 to make the intention clear.

(c) Claims under the rule do not require the sanction of Government, but may be sanctioned by the authorities specified in the rule. Only two cases have come to the notice of Government, one in the Revenue Department and another in the Law Department.

(d) The claims were refused in both the cases.

Irrigation

The Pennar-Kumudavathi project.

* 585 Q.—Mr. G. LAKSHMANA REDDI: Will the hon. the Member for Revenue be pleased to state at what stage the Pennar-Kumudavathi project is (in Anantapur district)?

[1st February 1934]

A.—On an examination of the scheme based on an estimate prepared in 1930, it was considered desirable to have the question of the availability of supply further examined by taking gaugings, for a period of five years, before coming to a conclusion on the feasibility of the scheme. For this purpose the Chief Engineer requires a special staff of one overseer and one gumasta for a period of seven months in each of five years, but it has not been possible till now, on account of financial stringency, to accord sanction to the employment of this staff.

Progress of the Tipayapalem project.

* 586 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the hon. the Member for Revenue be pleased to state—

(a) when the Tipayapalem project (Kurnool) was taken up and how much work is completed;

(b) whether the project will be ready by the end of 1934; and

(c) whether any Special Officer has been deputed to finish the work earlier?

A.—(a) It was taken up in 1931 but after an expenditure of Rs. 1,400 was incurred it was stopped owing to retrenchment. It was resumed in November 1932. The masonry core wall up to level + 550.00 including concrete has been completed between longitudinal sections 177 and 325. Masonry in the right flank weir has been raised to + 558.00 in the upstream wing and to + 563.00 in the other portions, except at the abutment, where the work has been stopped at + 556.00. The construction of temporary quarters for clerks and improvements to section officers' quarters have been completed.

(b) No.

(c) The work has been under execution by a special subdivision from the beginning.

S. M. K. BEYABANI SAHIB Bahadur:—“ With reference to the answer given to clause (b), may I know what difficulties the Government have in finishing this project by the end of 1934? ”

The hon. Sir ARCHIBALD CAMPBELL:—“ It is not possible to finish it earlier.”

Execution of drainage schemes recommended by the Settlement Officer, Guntur district.

* 587 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have received the information called for by them referred to in question No. 296, dated 2nd November 1933, from the officer concerned;

(b) if so, whether they will be pleased to lay it on the table of this House;

[1st February 1934]

(c) what the reasons are for not completing all the works till now; and

(d) whether it is a fact that in proposing the increased rate of land revenue, the cost of these drainage works was also included?

A.—(a) to (c) The report of the Chief Engineer for Irrigation has not yet been received.

(d) No.

Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I know whether it is not a fact that during the last settlement the land revenue rates were excessively charged for drainage purposes, etc., in Guntur district? ”

The hon. Sir ARCHIBALD CAMPBELL:—“ The answer is given in clause (d) of the answer.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ Sir, it was clearly stated in the Settlement Report that the increased rate was for the drainage works also.”

The hon. Sir ARCHIBALD CAMPBELL:—“ We are not able to trace such a statement in the Settlement Report.”

Security deposits for provision of pipe sluices from the ryots in the Kistna delta.

* 588 Q.—Mr. G. SIMHACHALAM PANTULU: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government are aware of the fact that security deposits are demanded by Public Works Department officers for providing pipe sluices from ryots in the Kistna delta;

(b) whether the Government are aware of the fact that even on the payment of security deposits the ryots are asked to get their own pipes at their cost and fix them for the irrigation of the lands; and

(c) whether there are any standing orders governing the fixing up of pipe sluices for the irrigation of lands?

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

Mr. G. SIMHACHALAM PANTULU:—“ May I ask the hon. Member to place a copy of the report when it is received on the table of the House? ”

The hon. Sir ARCHIBALD CAMPBELL:—“ The hon. Member's suggestion will be considered on receipt of the report.”

Land Revenue Administration

Attachment and sale of lands in South Kanara for arrears of land revenue.

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

(a) the number of defaulters whose lands were attached and the number of defaulters whose lands were sold for realizing the land revenue arrears of fasli 1342 in South Kanara;

[1st February 1934]

(b) the extent of land attached and the extent of land sold for realizing the said arrears; and

(c) the amount realized by such sales and the amount still remaining uncollected?

A.—(a) The number of defaulters whose lands were attached is 1,650. The number of defaulters whose lands were sold is 172.

(b) The extent attached is 2,953 acres of dry and 2,971 acres of wet land. The extent sold is 400 acres of dry land and 242 acres of wet land.

(c) The amount realized by such sales is Rs. 12,569. The Government have no information whether any portion of amount for the recovery of which land was sold still remains to be collected.

Mr. A. B. SHETTY:—“ May I ask whether the Government are aware of the price per acre of wet and dry land in South Kanara? ”

The hon. Sir ARCHIBALD CAMPBELL:—“ I must ask for notice of that question.”

Electricity

Progress of the Mettur Hydro-Electric Scheme.

* 590 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Law Member be pleased to state—

(a) at what stage the Hydro-electric scheme at Mettur is;

(b) to what places supply of current is to be made from there;

(c) when this scheme is likely to be completed and linked up; and

(d) what the charges which the Government propose to levy for the current to be supplied from this scheme are?

A.—(a), (b), (c) & (d) The hon. Member is referred to the answer given to question No. 368 at the meeting of the Legislative Council held on 4th November 1933. The position remains unchanged since that answer was given.

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“ May I ask whether the position remains unchanged since November last and during the last four months nothing was done? ”

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ I am sure that the Chief Engineer for Electricity is engaged in the preparation of detailed plans and estimates.”

Arms and Ammunition

Stoppage of issue of renewal licences for automatic firearms.

* 591 Q.—Mr. G. LAKSHMANA REDDI: Will the hon. the Home Member be pleased to state—

(a) whether any orders have been issued to the District Magistrates not to grant renewals of licences for automatic firearms; and

(b) if so, the reasons for issuing such orders?

[1st February 1934]

A.—(a) No, but instructions have been issued that the orders of Government should be taken before renewing licences for such weapons.

(b) Does not arise.

Mr. G. LAKSHMANA REDDI:—" May I ask the hon. the Home Member why Government insist upon orders being taken from them by the District Magistrates before renewing licences for automatic weapons? "

The hon. Sir MAHOMED USMAN:—" Because automatic weapons can easily be concealed or stolen and Government want that proper attention should be paid before licence is granted."

Mr. V. T. ARASU:—" May I ask the hon. the Home Member the difference between an automatic weapon and a revolver? "

The hon. Sir MAHOMED USMAN:—" From my point of view, an automatic weapon can be concealed or stolen more easily than a revolver."

Law and Order (General)

Arrests and conviction and discharge since June 1933 for offences of a political nature.

* 592 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the hon. the Home Member be pleased to state—

(a) what the number is of arrests of a political nature made in each month since June 1933 in each district; and

(b) how many have been convicted and how many have been let off?

A.—(a) The information is not available.

(b) A statement * showing the number of persons convicted of offences connected with the civil disobedience movement in each month since June 1933 in each district is placed on the table.

Mr. U. C. SUBRAHMANYA BHATT:—" In view of the fact that civil disobedience movement is not existing now, may I ask whether the hon. the Home Member will consider the advisability of releasing those people who have been sentenced but who are still in jail? "

The hon. Sir MAHOMED USMAN:—" I must ask for notice of that question."

UNSTARRED QUESTIONS

Irrigation

Provision of a flood bank to the Korayar river in the Srivilliputtur taluk.

593 Q.—Mr. M. D. T. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to lay on the Council table the report received in answer to question No. 445 asked at the meeting of the Council on 10th November 1933?

* Printed as Appendix I on page 371 infra.

[1st February 1934]

A.—The several clauses of question No. 445 are answered in the annexure.^a

Labour

Economic enquiry concerning industrial workmen and artisans.

594 Q.—Rao Sahib Pandit GANALA RAMAMURTI: Will the hon. the Home Member be pleased to state whether it is a fact that the Government are contemplating an enquiry regarding the present economic condition of the industrial workmen and artisans in this Presidency including their family budgets?

A.—The Royal Commission on Labour recommended that enquiries into the family budgets of industrial workers should be undertaken in Madras. The recommendation is receiving the attention of Government.

Police

Observations of the Assistant Sessions Judge, Calicut, on the conduct of the Police officer concerned in the investigation of the case of defalcation in the Malabar District Educational Council.

595 Q.—Mr. P. MADHUSOODHANAN THANGAL: Will the hon. the Home Member be pleased to state—

(a) whether the Government are aware of the dismissal of the Malabar District Educational Council defalcation case on 20th November 1933 from the Court of the Assistant Sessions Judge of Calicut and the grave allegation made in the judgment against the conduct of the Police officer or officers responsible for the enquiry of the case; and

(b) in the light of the disclosures made in the judgment, whether the Government are intending to hold any enquiry or take any action in the matter?

A.—(a) Yes.

(b) The Inspector-General of Police has been asked to report.

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

NON-OFFICIAL BUSINESS.

II.—A BILL TO AMEND THE MADRAS IMPARTIBLE ESTATES ACT, 1904 (BILL No. 11 OF 1932).

* The hon. the PRESIDENT:—" The House will now proceed with the discussion on the motion that the Madras Impartible Estates Act Amendment Bill (Bill No. 11 of 1932) as reported on by the Select Committee be taken into consideration."

^a Printed as Appendix II on page 372 infra.

[1st February 1934]

Mr. SAMI VENKATACHALAM CHETTI:—" May I know if this is in pursuance of an agreement that this Bill might be deferred to a later date? "

* The hon. the PRESIDENT:—" I think so. The agreement reached the other day was that the Bill should be deferred to a later date. Even otherwise nothing will stand in the way of our taking it up now."

* The KUMARARAJA OF VENKATAGIRI:—" Sir, I beg to move that the consideration of this Bill be adjourned till the next available non-official day. I make this suggestion because those of us who are interested in the Bill met last night to see whether an agreement was possible to be arrived at on the various amendments that have been given notice of. I, therefore, move that the Bill may be adjourned till the next available non-official day in order to enable us to arrive at an understanding on the various amendments."

Mr. V. P. NARAYANAN NAMBIYAR:—" I second it."

Mr. ABDUL HAMEED KHAN:—" Sir, the other day when a motion of this nature was brought forward by one of the hon. Members of this House, I said that, if hon. Members of this House chose to amend any Act, they must do so with a full sense of their responsibility to the Members of this House. Before they introduce any Bill, they must see what they are about. They must expect that there would be opposition to some of the provisions. I therefore respectfully point out to the hon. Mover that he is really not doing justice either to the cause that he espouses or to the Members of this House when he says that he is carrying on negotiations with a view to arrive at an agreement and that the consideration of this Bill should be postponed. As I said the other day, the Select Committee met a number of times and discussed the various provisions of the Bill. They also postponed the consideration of the Bill for some time. Hon. Members whose interests were affected were there and they expressed their opinions. I thought an agreement was reached unanimously at the Select Committee. I do not know what has happened subsequently that has necessitated the starting of negotiations on the part of Members of this House. The House would like to know all those facts. The hon. Member who moved for the adjournment of the consideration of the Bill said that he wished it to be adjourned till the next available non-official day. Of course, I know that the hon. the Leader of the House has told us that His Excellency the Governor will not allow us another non-official day during this session. Therefore, if the hon. the Mover of the Bill is agreeable to give up his own Bill, I have no objection; but is it certainly due to this House that, when Bills are brought forward, they are brought forward with a certain sense of responsibility. If they had no mind to carry them through, they ought not to have introduced them at all."

* Rao Bahadur Sir A. P. PATRO:—" I appreciate the vicarious suffering which the hon. Member who spoke before me would experience

1st February 1934]

[Sir A. P. Patro]

by a postponement of the consideration of this Bill. The hon. Mover of the adjournment motion has shown that there are important and radical changes in the provisions of the Bill with regard to the claims on the estates by decree-holders and by those who claim maintenance. The amendments given notice of by the hon. Member, the Kumara Raja of Venkatagiri, are also radical. These are things which cannot be easily disposed of. The persons affected are zamindars of impartible estates and the Mover also feels that an important measure like this which affects primarily the rights of the various impartible estate-holders should not be hurried through. Already the decisions on the rights of maintenance as reported in 16 Madras and other cases are so complicated and conflicting that we cannot hastily consider this measure in view of the large number of amendments that have been given notice of. Therefore, when there is an agreement between those who will be affected by this measure, I do not see any reason why there should be any opposition from any quarter whatever may be the vicarious suffering they may imagine to be undergoing."

11-15
a.m.

* Sriman M. G. PATNAIK Mahasaya:—" Sir, this Bill affects the zamindars most and therefore there is no use of rushing through it without convincing them that the Bill should be passed in a particular form. In our negotiations with them, we find that they are earnest in coming to a certain agreement on this question. We sat twice yesterday and we have agreed upon certain amendments of which we have given notice. The form of these amendments is being considered by the zamindars themselves. It is necessary that there should be some agreement between the parties concerned and in order to facilitate that, we should postpone the consideration of the Bill to the next non-official day. I appreciate the point of view of the hon. Member, Mr. Hameed Khan. He was the Chairman of the Select Committee and he knows a good deal about this question. Some of the zamindars attended the Select Committee and some considered carefully the provisions of the Bill, but there are many zamindars who did not pay attention to the provisions of the Bill and there is no harm in giving them an opportunity to consider them carefully, so that we may arrive at an agreement satisfactory to all concerned. It is with this object in view, I have agreed to the postponement of the consideration of the Bill."

* The hon. Sir ARCHIBALD CAMPBELL:—" Mr. President, Sir, I have only to say that from the point of view of Government, I have no objection to the adjournment of this measure. In fact, I should like the Bill to be adjourned if new proposals are going to be made on behalf of one party or the other. The Government have already examined the proposals on the agenda and, if new proposals representing any agreement between hon. Members representing zamindars and hon. Members representing the other party are to be brought forward, I should prefer that the Bill should be adjourned rather than that such new proposals should be brought before the Government quite suddenly."

The question that the consideration of the Bill be adjourned to the next non-official day was put and carried.

[1st February 1934]

III.—A BILL FURTHER TO AMEND THE MADRAS IMPARTIBLE ESTATES ACT, 1904, FOR CERTAIN PURPOSES (BILL NO. 17 OF 1933).

Mr. A. V. BHANOJI RAO:—"Mr. President, Sir, I beg to move that the Bill further to amend the Madras Impartible Estates Act, 1904, for certain purposes (Bill No. 17 of 1933), as amended by the Select Committee, be taken into consideration."

Mr. SAMI VENKATACHALAM CHETTI:—"Mr. President, I rise to a point of order with regard to the admissibility of taking up this subject just at present. I understand that at a previous sitting of this Council, this same subject was not allowed to be considered, because one hon. Member objected to it on the ground that sufficient notice had been given, and you upheld the objection. I take it therefore that the business has dropped out of the agenda. Otherwise, there is no reason why it could not have been taken up then and there and disposed of. If the procedure proposed to be adopted to-day is sought to be justified on the ground that the Bill can be taken up to-day as it has completed the 15 days' notice prescribed by Standing Orders, I beg to submit, in the first place, that the 15 days' period must be from the date on which the second notice was given and not from the date of the original notice."

"Apart from that, the business of non-official days is fixed in a certain manner. If I may invite your attention to page 2 of the Legislative Council Instructions, it gives the rules guiding the arrangement of the agenda for non-official days. In the first place, sufficient notice should be given whether of Bills or of Resolutions. They should be subject to a ballot and in the case of Bills, they should be arranged in the order of the stages to which they have advanced. After the ballot has been held and the relative positions of the various categories of business settled, you cannot transpose one category of business right across into another category of business. One category of business is Bills; that we have finished and that stage is over. However, if during the discussion of Bills, there has been a specific resolution of the Council postponing a particular item of business in that category for discussion at a later stage, then that procedure is governed by a different rule. But so long as that has not been done, so long as that item of business has gone out of the agenda for one reason or other—in this case, it was want of sufficient notice which was objected to and the objection was upheld by the President; but an item of business may drop out of the agenda for some other reason also, as for instance if the member in charge of it happens to be absent when it is called by the President—it is not possible for the Member to keep his old notice alive and have the business set down for discussion for another day, simply because the Council happens to sit on that day for the transaction of some other business. Mr. President, I beg of you to regard the objection as a very serious one. The Bill was given notice of at a particular time and that notice was not considered to be sufficient and the Bill was eliminated from the agenda. If it is possible for a non-official

[1st February 1934] [Mr. Sami Venkatachalam Chetti]

Member to give notice of his motion again and impose upon the Council that same business in the midst of other business, it would be impossible to carry on other business. If you create a precedent like that, it would be difficult for the Council to carry on other business. For instance, if Mr. Bhanoji Rao's Bill is to be taken up to-day, what will happen is all the resolutions which will have a chance of being discussed cannot be discussed to-day. The advantage which hon. Members who have balloted resolutions in their names have will be taken away from them by quite a devious method not contemplated in the Standing Orders.

"I should like to be enlightened if there is any justification for allowing this Bill to be taken into consideration while the House is engaged in dealing with resolutions which have been balloted. I do not think that even the hon. the President can allow a motion for the consideration of a Bill to be taken up unless it has undergone the incidents relating to such motions. That is to say, notice of the motion must have been given some days before and the motion must be balloted and put in its proper place on the agenda. I do not think even the hon. the President can waive these conditions. I am handicapped at present, because the hon. Member in charge of the Bill has not put forward any reasons why this Bill should be allowed to come up again at this stage. Before you give your ruling, Mr. President, I should like to hear what the other side has to say in justification of their bringing forward this Bill for the consideration of the House at a time when the House is engaged with resolutions."

* The hon. the PRESIDENT:—"I do not think it is necessary at this stage to ask the hon. the Mover of the Bill to state the reasons for the urgency of the Bill. As regards the point of order raised by the hon. Member from the City of Madras, I wish to inform him that Bills that have passed through a Select Committee need not be balloted for. For a motion that a Bill as reported on by the Select Committee be taken into consideration, no notice is prescribed by the Standing Orders. So, notice given on 30th January 1934 is perfectly valid for 1st February 1934."

Mr. SAMI VENKATACHALAM CHETTI:—"What about Legislative Council Instruction No. 77 (1) on page 31?"

* The hon. the PRESIDENT:—"That is exactly what I was going to refer to. Instruction No. 77 (1) is the same as Standing Order No. 43 and it is applicable only to cases where copies of Bills have not been made available to the Members. I hope the hon. Member will read the Standing Order and the Instructions again for his own satisfaction."

Mr. SAMI VENKATACHALAM CHETTI:—"I take it, Mr. President, that you have not made up your mind. If I may be permitted to speak, I should say, that I consider this procedure as a very serious encroachment upon the other business of the House. Otherwise, I have no motive whatever in raising this objection, especially to a Bill which does not affect any particular interest. The trouble is this. I take it

[Mr. Sami Venkatachalam Chetti] [1st February 1934]

that you admit, Mr. President, that this is the first time when such a difficulty has arisen. I hope the hon. the Leader of the House will give us his views in the matter. Now that the Advocate-General has just come into the House, may I repeat the arguments I advanced just now?"

* The hon. the PRESIDENT:—"The matter is so very clear that repetition is unnecessary. I hope the hon. Member will hear me through before he wants to say anything further on the subject."

Mr. SAMI VENKATACHALAM CHETTI:—"Provided you do not give a ruling at once."

* The hon. the PRESIDENT:—"I do not see why I should withhold my ruling once the point of order has been raised."

"The facts that on 25th January 1934 the Mover of the Bill had given notice of a similar motion and that on 30th January 1934 that motion could not be discussed as the Chair upheld an objection to its consideration on that day, do not operate as bars to this notice. Under Standing Order No. 7, the Secretary has to prepare a list of business for each day. He was therefore right in including and in fact he was bound to include Mr. Bhanoji Rao's motion for to-day. The motion has been duly put along with Bills and before resolutions in to-day's agenda. There was no consolidated list of business for all the three non-official days of this meeting and under Standing Order No. 7, there could be no such consolidated list. Owing to the operation of the rules as to notice, some of the items of business might be available for a later but not an earlier day and it is obvious that a consolidated list of business cannot be prepared for all the non-official days of a meeting, as the list could only be prepared with reference to the business available for the first day, and would exclude all other business which may be available for the subsequent days of a meeting. The only question is whether the Chair having upheld an objection to the consideration of the Bill on 30th January 1934 is now precluded from allowing such consideration to-day. As to this, I am quite clear that the Chair is not bound to disallow the motion to-day. I may add that though copies of the Bill were circulated by the Legislative Council office to hon. Members only on 19th January 1934, the Bill was published in the Gazette on 9th January 1934, and circulated to Members along with the gazette and copies were therefore available to Members for more than 15 days. I disallow the point of order raised by the hon. Member for the City of Madras."

11-30
a.m.

* Mr. A. V. BHANOJI RAO:—"Sir, I beg to move—

'that the Bill, as amended by the Select Committee, be taken into consideration.'"

The RAJA OF KHALLIKOTE:—"I second it."

* Mr. T. C. SRINIVASA AYYANGAR:—"Mr. President, Sir, I move—

'that the Bill be recommitted to the same Select Committee for further report.'

1st February 1934] [Mr. T. C. Srinivasa Ayyangar]

"I desire to state at the outset that this motion is not made in any antagonistic spirit to the Bill but merely to see that suitable provisions are made which will meet the difficulties that inevitably arise from a composite Bill of this character. The original Impartible Estates Act, of which this Bill purports to be an amending Act, proceeds on a principle and policy which are somewhat in danger of being defeated in material particulars by this Bill. The original Act was the result of certain decisions of courts which gave a rude shock to the prevalent notion regarding inalienability of certain estates which were by custom impartible. Therefore after two temporary enactments, the permanent enactment, Act II of 1904, was placed on the statute book containing a schedule, the estates mentioned wherein were declared to be impartible for the purposes of that Act. The main point which will be obvious from that, is, that those estates were previously by custom impartible and were held by people for a long time to be also inalienable till certain decisions of courts. It was to restore in a sense and legalize the incidents understood to be existing before those decisions of courts, that that Act was passed."

"The present Bill enlarges the scope of the original Act in certain directions. If this Bill becomes law, not only estates or fractions of estates which were previously by custom impartible at some time or another but also estates which were at no time impartible can come within the provisions of the Impartible Estates Act. Look at the definition which is introduced in this Bill. This definition is copied from Madras Act II of 1894, namely, the Proprietary Estates Village Service Act. That definition includes not only permanently settled estates but also permanent leases of villages from any of those estates and also inam villages. It is obvious that the introduction of such a definition will enable partible zamins and ordinary partible property to come within the scope of this Act. Is it the policy of the Government that any property and every property, whatever may be its legal incidents, can be made impartible and inalienable within the meaning of the Act?"

"The Bill deals with two subjects—exchange and alienation, alienation for the purpose of purchase with the proceeds of alienation. The case of exchange offers few difficulties legally. The property sought to be exchanged may assume the character of the impartible estate to which it would be tacked. The fraction of the impartible estate given away will cease to bear the characteristics of impartibility and inalienability. People having claim over the property exchanged may very well have the same remedies against the property which has taken the place of the one given away."

"The case of alienation with a view to purchase property raises complications. An impartible estate has got certain legal incidents by custom and by law. They are not identical with the legal incidents attaching to an ordinary partible property. An ordinary partible property held by a family is subject not only to encumbrances specifically

[Mr. T. C. Srinivasa Ayyangar] [1st February 1934]

creating a charge thereon but also is subject to claims though unsecured in various ways. The members of the family have their rights of maintenance, unmarried girls should be maintained and the expenses of their marriage will have to be provided for. Even the credit of families is sustained by the possession of assets. Even simple creditors look to these properties as being the natural sources for satisfying their debts.

“In certain cases, if the holders of such properties sell away or alienate those properties under circumstances in which the creditors might be defeated or delayed, creditors have rights of action under the law by which the alienation can be set aside. In certain cases assignees in bankruptcy have got the means of avoiding these alienations within a limited time.

“The Bill provides that the Collector should certify that the alienation and acquisition are advantageous. The certificate, if it is to be valuable, should necessarily be the result of some investigation as to the propriety of the alienation and the advantage of acquiring the property in question. Where is the machinery and what are the provisions which are made in the Bill that would enable the Collector adequately to discharge this duty and grant the certificate? The certificate should be not merely that the alienation is advantageous but also that the acquisition is advantageous. Unless the Collector is satisfied that the property acquired is reasonably free from encumbrances and enforceable claims, how can such a certificate be given? A conclusive character is sought to be given to the certificate of the Collector. I should like the hon. the Revenue Member to enlighten the Council as to what the policy of the Government is generally in the matter of this Bill and what should be the range and extent of the investigation to be held by the Collector in the matter of this certificate. Unless careful provisions are made therefor, instead of the Bill being useful and advantageous to the zamindars, it is likely to be a fruitful source of difficulties and litigation. We cannot be sure that every aspect has been threshed out in the Select Committee. I don't mean any reflection on the Select Committee. I see that the characteristics of the property acquired would be altered. Therefore, I wish that the rights of the people who are likely to be involved, deserve further consideration in the Select Committee. I commend the proposition for the acceptance of the House.”

MR. ABDUL HAMEED KHAN:—“Sir, I beg to second the motion. I think that the hon. Mover of the Bill will consider the various aspects of the matter put forward. As in the case of the other Bill, I think it is very necessary that some sort of agreement should be reached with regard to this Bill also. I hope therefore that the hon. Mover will agree to the recommittal of the Bill to the same Select Committee so that the various rights of the parties that will be affected may be considered over again by the Select Committee and the Bill may emerge from the Select Committee in a manner which will be acceptable to all the interests concerned.”

1st February 1934]

* Diwan Bahadur A. APPADURAI PILLAI:—“Sir, I oppose the motion brought forward by the hon. Member, Mr. Srinivasa Ayyangar, and seconded by Mr. Abdul Hameed Khan, to re-commit the Bill to the same Select Committee. The object of the Bill is explained in the Statement of Objects and Reasons—

“The advantages of this amendment are considerable to the big landholders, while it is in no way prejudicial to the interests of the ryots. Many of the estates of the bigger landholders are scattered and in these days when the administrative expenses are soaring up higher and higher, it is only right that they should, as far as possible, make their estates contiguous blocks and thus reduce the cost of administration. The spirit of the Impartible Estates Act, viz., to preserve the integrity of the ancient estates, is not violated in any way, but is, on the other hand, furthered by this amendment.

“As can be seen from the provisions of the amendment, sufficient safeguards are provided to prevent abuse of the powers conferred under it.”

“The landholders desire that they must be allowed to exchange small blocks of land in exchange for their own lands, in order that they may have a compact estate. Though there is no objection to this being done, there is at present no provision in the existing Impartible Estates Act. They cannot go now beyond the four walls of the present Act which prohibits not only alienation but also acquisition of fresh area. The Bill is advantageous to the landholders and is but necessary that this advantage should be conceded to them and its provisions in no way affect the interests of the ryots or the public.

“Further, the Bill contains only a few sections more or less of an enabling nature, to enable landholders to move in the right direction of consolidating their estates and removing the difficulties they are now labouring under. My hon. Friend, Mr. Srinivasa Ayyangar, referred to the fact that ‘estate’ as defined in the Bill is very comprehensive as it includes not only permanently settled estates, but also portions thereof, and particularly *inam* villages. I may remind the hon. Member that this definition is the one adopted in the Estates Land Act, and it has been borrowed from the Proprietary Estates Village Services Act II of 1894. The definition of ‘estate’ here refers only to section 4 of the Act, and clause 2 of the Bill definitely says:—

“For the purposes of clause (c) of sub-section (2) of section 4 and of sub-section (3) of section 4, ‘estate’ etc.”

“It would not alter in any way the character of the impartible estate, for this reason, Sir, that there is a schedule appended to the Impartible Estates Act; and it is stated there what estates are impartible and inalienable. A mere definition of the term ‘estate’ for the purposes of purchase or exchange as contemplated in the Bill would in no way alter the conditions of impartible estates or *inam* villages as such. This Bill, Sir, has been very carefully considered by the Select Committee and all possible objections that could be raised by the House or by the public have been fully taken into account. Care has also been taken, to make the Bill self-contained and to make it as simple as possible so as not to give room for any complaint on the part of the public or on the part of those interested in the

11-45
a.m.

[Mr. A. Appadurai Pillai] [1st February 1934]

proprietary estates. The Collector is the person who is intimately acquainted with the impartible estates in his own district. If an estate is situated in one or more districts, the Collectors of the districts concerned know the resources of the estates in their charge, how they are situated, whether they are better off or worse off in the matter of finance, administration, etc. If an estate is in a position to take in more land, the Collector will be the fittest person to know it. It was therefore thought by the Select Committee that the passing of the certificate by the Collector ought to be a sufficient guarantee of the bona fide of a proprietor's action. If anybody knows the actual condition of the impartible estate, it is the Collector, and I do not think any other authority could speak with an equal amount of authority as to the actual conditions of the estates. So, when the Collector gives the certificate, that should be enough. What is the transaction after all? The transaction refers to an exchange of a plot or the purchase of a plot. If the Collector certifies that the transaction can take place, there can be no objection or difficulty. The Bill also provides, Sir, that rules may be made by the Local Government to regulate 'the grant of certificates under the proviso to clause (c) of sub-section (2) of section 4 and generally for carrying out the purpose of the said clause.' The Local Government will naturally take care, in consultation with the hon. the Advocate-General to draw up a set of rules for the guidance of the Collector. Should the Collector refuse to give a certificate or should there be any difference of opinion, there is a higher authority, the Board of Revenue, to examine the Collector's orders and to pass such orders, as the case may require. I should think, Sir, that the interests of the landholders and the interests of the ryots in the estates and outside, are sufficiently safeguarded by the Bill. I do not therefore think that at this stage it is either desirable or necessary for a recommitment of this Bill to the Select Committee. I request my hon. Friend, the Mover of this motion, not to press it."

* Diwan Bahadur B. MUNISWAMI NAYUDU:—"Sir, as Mr. Srinivasa Ayyangar has explained, the object of this motion for a recommitment is to examine certain aspects of the Bill with a view to prevent any prejudice to the interests of the persons who are creditors of the owner of the property which is acquired either by exchange or by purchase . . ."

* Diwan Bahadur A. APPADURAI PILLAI:—"On a point of personal explanation, Mr. President. Such an amendment has been given notice of by my Friend, Mr. Muniswami Nayudu, and I suppose it will be considered in due course."

* Diwan Bahadur B. MUNISWAMI NAYUDU:—"I thank the hon. Member for the suggestion made; but we thought it would not be possible by this kind of amendment to deal with the question satisfactorily and that was why this motion for recommitment was given. If

1st February 1934] [Mr. B. Muniswami Nayudu]

that question could be dealt with satisfactorily by any other suggestion that may be made by the Members on the other side, we are even now prepared to consider it. Our main difficulty is this: We do not object to the property being exchanged; we do not object to the new property when purchased being made impartible for all purposes under the Act; but what we are really concerned with is: if a person owns some property which is partible and if by reason of a certificate granted by the Collector, the property is purchased and is treated under this Bill as impartible, for all purposes, what becomes of the debts which were due by the owner of the property who has sold it, of the creditors who are entitled to proceed against that property? You will find, Sir, in the year 1904 when the Impartible Estates Act was passed, the position as decided by the Privy Council was that for the debts of the zamindar for the time being, whether they were charged debts or were personal debts, it was open to the creditor to proceed against the impartible estate and to bring the property to sale. The Act of 1904 took away from the date of its commencement, this power to bring the property to sale unless it be that the debt, whether it was secured or unsecured, was contracted for purposes laid down in the Act as being justifiable. So that whenever an application was made to recover the debts as against the owner of an estate, the question was whether the debt was justified and came within the four corners of Act II of 1904. If it did come within the four corners of the Act, of course the property was liable to be sold; if not, the creditor had to seek other remedies. When the Act of 1904 was passed, the legislature tried to provide for all those who had advanced loans to the owner of the estate for the time being, and all debts which were incurred before the passing of the Act, i.e., debts incurred before 1904, either secured or as a result of personal pro-notes were provided for, and in respect of those debts, you could proceed to sell the property even though those debts might not be justifiable under the Act of 1904. But if debts were incurred after the year 1904, then those debts had to be proved as justifiable debts. I want some such provision to be made in this Act. What we are now trying to do is to have a property which can be attached for personal debts converted into impartible property from the date this Act comes into force. What about the debts which have been incurred by the person whose property is going to be taken away like this and converted into an impartible estate? Can those debts be recovered as against the estate which becomes impartible in the ordinary method, by setting aside any part of the property as against those debts; or are you going to make those debts irrecoverable? If you do not make a provision now that on the date on which the estate becomes impartible if there are any debts incurred prior to that date, those debts will be recovered or paid up in a particular manner, there will be difficulty. You cannot proceed in respect of those debts and all that can be said is that you could take the money from the purchase money which the zamindar for the time being will pay to the person whose property is being acquired. There is absolutely no provision in the Bill as it has emerged

[Mr. B. Muniswami Nayudu] [1st February 1934]

from the Select Committee providing for such claims, personal claims, being safeguarded, as for instance, by saying that the money should not be handed over to the person who sells the property so that the present decree-holders may not be defrauded. We want some provision to be made that if a property becomes impartible by reason of this Act, all debts incurred by the person whose property is acquired shall be binding upon that estate even after the section comes into operation, or we should have a provision that when a sale is granted, the money which forms the consideration for the sale should be deposited with a certain officer, so that while the person who purchases the property gets a clear title to it, those who have claims, whether secured or unsecured, can proceed at least against the purchase money which is deposited. We have got similar provisions in the Land Acquisition Act where when a property is to be purchased the value thereof is held by the Collector as deposit, and subject to the decision of all those claims in a court of law, the money is held available with the Collector. That is why we have given amendments to the effect that wherever property which is purchased is sought to be converted into impartible property, it should be subject to the discharge of all liabilities or encumbrances which existed before the sale and also subject to the discharge of debts incurred personally by the owner of the property. Because we thought that it would not be possible on the floor of this House to have this particular amendment considered in all its aspects and because we could not know to what extent such an amendment would be acceptable to all the Members here, we wanted to go back to the Select Committee. We are not however anxious to go to the Select Committee; if the amendment that we have already given notice of will be discussed, at any rate by the Advocate-General, and if he will put it in a form which would take away all our misgivings, then there can be no difficulty whatever in adopting such a course. We only want on this side that a reasonable attitude should be taken by the Government. By all means purchase the property, make it impartible; but let the debts of the person whose property we are converting into impartible property be discharged either by the money being held up by the Collector and made available to the creditors or by the debts being made recoverable from the property although it becomes impartible."

12 noon. * Sriman M. G. PATNAIK Mahasayo:—"Mr. President, Sir, two questions arise in connexion with this. The first question is whether a partible property can be impressed with the character of impartibility. The second point that arises in this connexion is, whether the debts or other encumbrances binding upon the partible property, is to be discharged by the owner of the impartible estate when it is impressed with the character of impartibility . . ."

Diwan Bahadur A. APPADURAI PILLAI:—"On a point of order, Mr. President, I am sorry I have to interfere in this discussion. The first point is not now under discussion and when the amendment actually comes to be introduced it may be taken into consideration. It will

1st February 1934] [Mr. A. Appadurai Pillai]

then be time to decide that question of the hon. Member may propose suitable amendments."

* The hon. the PRESIDENT:—"Let the House hear him through."

* Sriman M. G. PATNAIK Mahasayo:—"Now, Sir, so far as the first question is concerned, it is covered by the authority of the Privy Council which has held that a partible property can be impressed by the acquirer of the property with the character of impartibility. Supposing an owner of an impartible estate purchases some partible property and impresses such property with the character of impartibility, it becomes impartible property."

"Then with regard to the second question, I should like to know whether the debts or any encumbrances subsisting on the property have to be discharged by the owner of the impartible property who impresses that property with impartibility. This has to be considered. There is a provision in the Act of 1904, section 7, which runs thus:

"This Act shall not affect all alienations made or debts incurred before the coming into force of this Act and shall cease to apply to estates or parts of estates which may hereafter . . ."

We are here concerned only with the first part. This provision will be sufficient to safeguard the interests of third parties who may have a claim against that property either as creditors or otherwise. This provision, I think, may not be sufficient to safeguard the interests of third parties who may have some claim against the partible estate which is subsequently impressed with the character of impartibility. Therefore, it is necessary that some suitable provision should be made to safeguard the interests of third parties and I think nobody would have any objection to making some suitable provision. Of course, my hon. Friend, Mr. Muniswami Nayudu, suggested that the provision laid down under the Land Acquisition Act may be followed in these cases also. That is a very circuitous course and I do not think it will be a suitable method to follow. Therefore, the best thing would be to make some provision either by an alteration of section 7 of the Act or otherwise so that the rights of third parties to proceed against properties may remain unaffected by the partible property being declared impartible. If such a thing is done, there cannot be any difficulty. If that can be done, there is no necessity for the Bill being recommitted to the Select Committee."

* The hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, the Mover of this motion requested me to state what the Collector is expected to do under this Act. Sir, his responsibility is merely to protect the interests of the proprietor of the impartible estate and his heirs and he is not concerned with the civil rights of anybody else. That is all that the Collector is required to do. He will have to consider the question of the income likely to be derived from the portion of the estate which is to be purchased or received in exchange for the impartible estate or the portion which is to be alienated and he may also take into consideration such questions as convenience for purposes of administration. For example, if a zamindar in the Kistna district has as part of his

[Sir Archibald Campbell] [1st February 1934]

estate some villages in the Tinnevely district, it may be advantageous to him to get rid of all those villages in the Tinnevely district in exchange for some villages in the Kistna district by means of a three-corner arrangement or direct exchange if that would be more convenient from the point of view of administration, although the villages in the Kistna district may not bring him quite as much income as the villages in the Tinnevely district; yet the change will serve the purpose of administrative convenience as he will be in much closer touch with his tenants. Those are the points which the Collector has to consider. I would resist any attempt to make the Collector go into questions which ought properly to be dealt with by civil courts and I shall also resist any attempt to make the Collector receive sale money, as he has nothing whatever to do with that. The only thing he is concerned with is to protect the interests of holders of impartible estates and their heirs.

"Now, Sir, as regards the main question raised, I understand that we may divide the debts into two classes—secured and unsecured—and when we are making certain villages form part of an impartible estate, secured debts will not be affected in any way and they will continue to be secured. But, as regards the unsecured debts of the person who formerly owned the estate which would now become an impartible estate, that owner will receive land in exchange for the land which he is losing, the unsecured debts will presumably become a liability on that land instead of on the land alienated to the proprietor of the impartible estate. The effect of that sale is a matter for the civil courts to decide under the civil law and it will be open to any debtor to apply for an injunction to stop the exchange even though the Collector has given a certificate. The certificate does not over-ride any powers of the civil court. The Bill does not provide that the transaction must be carried out if the certificate is issued but only that the transaction cannot be carried out without the certificate. The grant of this certificate will not affect the rights of anybody else. The question is largely a matter of interpretation of law I think, before a vote is taken on this question, probably the House would like to hear the Advocate-General."

* Diwan Bahadur Sir ALLADI KRISHNASWAMI AYYAR:—"Mr. President, to appreciate the points in controversy, it is necessary to keep distinct two classes of cases. One case is where an impartible estate is exchanged for an impartible estate. If it is a case of an exchange of one impartible estate for another impartible estate, it is merely a case of substitution and there is no difficulty whatever. If the property is already subject to any encumbrance, that encumbrance cannot be got rid of by any kind of exchange. If, on the other hand, it is a simple debt, that would under normal circumstances be binding on the new impartible estate that has been acquired in place of the old if the debt is of such a character as would be binding on the managing member of an undivided family. If, on the other hand, under the law, the debt is such as will not be binding upon the impartible estate, neither the old estate nor the new estate will be

1st February 1934] [Sir Alladi Krishnaswami Ayyar]

liable to that debt. To this extent, there is absolutely no change in the law, as it is merely a substitution of one kind of impartible estate for another kind of impartible estate. That is one case.

"Then the second question is what is the law if partible property is exchanged for impartible property. This Bill does not in any way affect the Hindu Law in regard to partible property. Merely because an impartible estate holder has obtained by way of exchange a partible property and impressed upon it the character of impartibility, the obligations under the ordinary law of partible property will not change. To-day, in the case of partible property, if a person alienates property the debts are not binding upon the alienee, unless it be the alienation is in fraud of the creditors. If in a particular case it is proved that the alienation of the partible property for the impartible property is in fraud of the creditors, under the ordinary law, it will be bad. If no fraud is proved, it stands in the same position as in the case of any other alienation of partible property by any partible owner. Supposing the alienation is made by a partible proprietor not with a view to defraud or delay creditors, the creditors cannot proceed against the property in the hands of the alienee, but can only proceed against the alienor. The same law will apply to transactions of the kind dealt with. The Bill leaves untouched the obligations and liabilities that arise out of an alienation of partible property and it does not in any way affect the right of family members to impeach the alienation of partible property if the alienation is in excess say of the powers of a manager or the powers of a father. (Mr. T. C. Srinivasa Ayyangar: What about unsecured debts?) I am not arguing before a court of law and even before a court of law the Judge gives me some time before I answer. Now, so far as the unsecured creditors are concerned, what I have already stated is elementary law. There is nothing to prevent a person alienating property simply because he has unsecured debts. The alienation will be bad only if the alienation is with a view to defraud or delay creditors. That law is left untouched by the provisions of the present Bill. That is my answer with regard to the position of unsecured creditors. You cannot in a Bill dealing with an amendment to an Impartible Estates Act, deal with the rights and obligations *inter se* of the partible family and their creditors. Such a provision will be out of place in an amendment to the Impartible Estates Act. The present Bill merely clothes the impartible estate holder with certain powers of alienation in excess of the powers which he possesses under the present Act. That is why provision is made in the rules to see that in a transaction for exchange, the Collector should satisfy himself that it is a *bona fide* transaction, that the parties mean real business and that the transaction is concluded satisfactorily. It will be difficult to provide for all that in an enactment. That is the general scheme of the Bill. The Bill does not in any way affect the rules of Hindu Law. For example, an impartible estate-holder can purchase property and impress upon that property the character of an impartible estate property. That is under the common law of India. Under the Hindu Law, there is

[Sir Alladi Krishnaswami Ayyar] [1st February 1934]

nothing to prevent an impartible estate-holder from purchasing property and impressing upon it the character of impartibility. Does it mean that since the impartible estate-holder impresses upon the property the character of impartibility, the members of the partible family are in any way affected? They have every right to impeach an alienation where the circumstances warrant an attack on the alienation whether an impartible estate-holder seeks to make it impartible or does not make it impartible. The two positions are quite distinct. That, I think, is the scheme of the Bill."

Mr. T. SUNDARA RAO NAYUDU:—"I move that the question be now put."

* Mr. T. C. SRINIVASA AYYANGAR:—"Mr. President, after the exposition of the principles underlying the Bill both by the hon. the Revenue Member and the hon. the Advocate-General, one is tempted to think that it is absolutely a futile Bill. Up to now owners of impartible estates enjoyed, by virtue of a public policy, a certain amount of safety and permanency, ever since 1902 and certainly from 1904. Under this Bill which was conceived in the interests of such owners those estates which were assured permanency of property have been left to the tender mercies of all the laws that will affect the ordinary property, which is partible, alienable, attachable, saleable, etc. Surely, this Bill will be found later on to be a danger rather than an advantage to the impartible estate-holders.

12-15 p.m. "But, however, I am not pleading for the zamindars; and I will leave the matter there. It is entirely a matter for the consideration of my hon. Friend, Mr. Bhanaji Rao.

"The hon. the Advocate-General with the lucidity so characteristic of him has given us an exposition of the general principles of law relating to partible properties. The hon. the Revenue Member has taken care to state that the Collectors shall not be dragged into deciding or dealing with any subject that would properly be the function and be a matter of decision by civil courts. The hon. the Revenue Member was anxious to safeguard the position of the Collectors leaving parties who have rights to resort to the appropriate tribunals. The Collector's certificate would therefore be merely one which enables the owner of the impartible estate to alienate the property and a conclusive character would really appertain to that aspect of that matter. But, the language in the Bill means more than what the hon. the Revenue Member intends. The certificate should be that not only the alienation but also the acquisition should be advantageous to the estates. How can there be any advantage when there is no sort of enquiry into the nature of the property and the claims thereon? Whatever may be the opinions expressed here whether by the hon. the Revenue Member or even by the Advocate-General, they will not be binding upon the courts of law who will only construe the expressions that are given in the enactment. The hon. the Advocate-General's speech makes the matter clear in one respect, namely, that no rights possessed by any person on the property that would be acquired either by exchange or by purchase by the owner

1st February 1934] [Mr. T. C. Srinivasa Ayyangar]

of the impartible estate would be affected. Trying to visualize the position that emerges after the speeches of hon. Members, it comes to this: The certificate of the Collector would give finality to the alienation of the impartible estate or a fraction of it. The acquisition with the proceeds thereof may not be free from any encumbrances or charges or other enforceable claims against the property so acquired. By the operation of the existing Impartible Estates Act, one can very well presume that the impartible estates, since at least 1904, are free from speculative litigation; and their titles are safe. But, in its place, the property that may be acquired may not be as free and unencumbered as the one that is alienated. Possibly, the property acquired may become the subject-matter of litigation. Is it the benefit that the Bill seeks to confer or the result contemplated? Surely not. I believe, the object of the promoters of the Bill is to add to the advantages, convenience and security of the property. If so, there are not adequate provisions in the Bill.

"My hon. Friend, Mr. Appadurai Pillai, contemplates great benefits to the ryots by the provisions of the Bill. I don't see how those hopes are justified. He thinks that there is something very profound in the definition of estates contained in Madras Act II of 1894. Let it be so. But, what is its place in an Impartible Estates Act? Till now, impartible estates consisted of only one kind of property, with incidents well-known to that class of property. But, by virtue of this Bill and the incorporation in this Bill of the definition of estates contained in Act II of 1894, a great change is effected. An impartible estate may now consist of many varieties of property with distinct sets of incidents. I can give an example. Take the case of an estate, a big estate, with a set of inam villages on one side of it and certain lease-hold villages on another side. The zamindar thinks it would be advantageous to him if he gives away a few villages of his zamindari in exchange for the inam villages on the one side and the lease-hold villages on the other side. If these exchanges or acquisitions are accomplished, the erstwhile, homogeneous, impartible estate will now consist of three distinct types of property within one estate. The balance of the original estate would pay peshkash to Government, the inam villages would pay quit-rent to Government and porupu or jodi to some other zamindar, the lease-hold villages will pay lease amounts to another proprietor with no direct payment whatsoever to Government in the shape of peshkash or quit-rent. The lease-hold villages may perhaps be liable, in case of default, for payment of revenue to the Government by the other zamindars to whom porupu is payable. Is this a contingency contemplated by this Bill?

"There is yet another matter. The Advocate-General was thinking only of cases of fraud in alienations when he mentioned that unsecured creditors have no claim against properties in the hands of alienees. Is there no case whatsoever wherein claims not secured expressly upon properties have no remedies against them?"

[1st February 1934]

Diwan Bahadur Sir ALLADI KRISHNASWAMI AYYAR:—" If my Friend is right in that statement, that will continue to be the law even with this amendment. Whatever might be the rights those rights and obligations are left untouched by the provision of the amending Bill."

* Mr. T. C. SRINIVASA AYYANGAR:—" I am very much obliged to the Advocate-General. A simple statement requires many explanations. Is that the way in which we must present an enactment? Should not legislation set at rest all difficulties? We do not want to create a seed-bed of litigation and difficulties. There is a border land always for alienation and denial. Apart from creditors, there is a class of people who naturally and legitimately depend for their maintenance on various partible property. Should not some provision be made? Should not some provision be made regarding the rights of people which have to be duly safeguarded? I think the Bill requires further consideration for all these things. On the other hand, doubts and difficulties may be set at rest and considerations which are legitimately pertaining to the Bill may all be reconsidered by the Select Committee who may send a further report."

The amendment was put and lost.

The main motion that the Bill, as amended by the Select Committee, be taken into consideration, was put and carried.

Clause 1.

* The hon. Sir ARCHIBALD CAMPBELL:—" I do not wish to move my amendments, Sir. I gave notice of this motion when it was anticipated that Mr. Patnaik's Bill would come on. Now, it seems better to postpone this to the third reading if there is no objection."

Clause 1 was put and carried.

Clause 2.

* The hon. Sir ARCHIBALD CAMPBELL:—" I beg to move—

'In the new paragraph added by this clause—

(i) in line 2, for "section 4" in the second place where it occurs "that section," shall be substituted; and

(ii) at the end of clause (4), the word "or" shall be inserted.'

These are purely verbal amendments."

The hon. the RAJA OF BOBBILI:—" I second it."

The amendment was put and carried.

Clause 2, as amended, was put and carried.

* Clause 1.

The hon. Sir ARCHIBALD CAMPBELL:—

For the short title 'the Madras Impartible Estates (Amendment) Act, 1934,' substitute 'the Madras Impartible Estates (Second Amendment) Act, 1934.'

N.B.—This amendment will become necessary only if Mr. Patnaik's Bill—Bill No. 11 of 1932—is passed first.

1st February 1934]

Clause 3.

* The hon. Sir ARCHIBALD CAMPBELL:—" Mr. President, Sir, I beg to move the following amendments:—

'(i) "alienate," "alienation" and "alienated" wherever the words occur shall be changed into "sell," "sale" and "sold" respectively.

'(ii) (a) In the proviso to clause (c) of sub-clause (1) in line 3 at page 4, the words "or estates" shall be omitted.

(b) In lines 14 and 15 at page 4, for the word and figure "section 9," the word and figure "sub-section (4)" shall be substituted.

(c) In the last line, the word "said" shall be omitted.

'(iii) At the end of sub-clause (1), the word "and" shall be inserted.

'(iv) Sub-clause (2) shall be recast as follows:—

"(2) Sub-section (3) shall be renumbered (5) and the following shall be inserted as sub-sections (3) and (4), namely:—

'(3) The estate or estates or part or parts of an estate or estates obtained in exchange for or acquired with the proceeds of the sale of an impartible estate or any part or parts thereof under clause (c) of sub-section (2) shall, for all the purposes of this Act, be deemed to be an impartible estate or to form part or parts of the impartible estate, as the case may be.

(4) The Local Government may make rules for regulating the grant of certificates under the proviso to clause (c) of sub-section (2) and generally for carrying out the purposes of the said clause.'"

"The object of the first amendment is to make it clear that the only alienation contemplated in this clause is by sale. The Select Committee makes it clear in its report that only exchange or sale of part or parts of an estate is contemplated. It is advisable therefore to use the word 'sale' instead of the wider term 'alienation,' which might cover a mortgage.

"The second amendment is to omit the words 'or estates' in the proviso of clause (c) of sub-clause (1). These words are unnecessary because the earlier and the later portions of the proviso refer only to one impartible estate. In this same amendment I propose to delete the word 'said' which is unnecessary. My third amendment, namely, the insertion of the word 'and' is a purely verbal amendment. The fourth one proposes to recast sub-clause (2). Clause 4 of the present Bill purports to add new section 9 to the Madras Impartible Estates Act; but the Bill of Mr. Patnaik, namely, Bill No. 11 of 1932, also proposes to insert new section 9. It will therefore be better to combine clause 4 of this Bill with

12-30
P.M.

[Sir Archibald Campbell] [1st February 1934]

sub-clause (2) of clause 3 as proposed in this amendment. There is one verbal alteration. I propose the omission of the words 'of section 4' as they will be unnecessary."

The hon. the RAJA OF BOBBILL:—"I second it."

* Diwan Bahadur B. MUNISWAMI NAYUDU:—"May I suggest that items (i), (ii) and (iii) of this amendment may be put to vote separately from item (iv)?"

* The hon. the PRESIDENT:—"As suggested, I will put items (i), (ii) and (iii) of this amendment first."

The amendment exclusive of item (iv) was then put and carried.

* Diwan Bahadur B. MUNISWAMI NAYUDU:—"Mr. President, to sub-section (3) as amended, I move the amendment standing in my name, namely, in the proposed sub-section (3), add at the end the following:—

'Provided that the estate so obtained or acquired shall be subject to all encumbrances subsisting thereon and be liable for all debts or claims enforceable against the owners from whom the estate was obtained or acquired on the date when it is so obtained or acquired.'

"I tried to explain the object of this to the Select Committee and also pointed out its relevancy to section 7 of the original Act of 1904. I hope, Sir, the hon. the Advocate-General would try to realize our difficulties and meet the same. On the other hand, with all the legal acumen at his command he simply brushes aside our objections by saying that it is now open to a party to alienate the property and that no unsecured creditor can have any claim on it and there is no necessity to make any provision. I should be glad if that was the attitude of the framers of the Act of 1904. You will see that what section 7 of that Act provides is where an estate was made impartible or inalienable, etc. What they did remove by that Act was the power to alienate. They put under certain restraint the power to alienate. Therefore the word 'impartible' was not appropriate. They took away the right to unrestricted alienation of the estate owner. While taking away that right they said that the right of alienation would inure for the benefit of those who had already advanced moneys to him and in whose favour either there was alienation existing or there was a debt existing. When this power was tried to be restricted, section 7 provided for that restriction not to operate in the case of alienations already made and in the case of debts which were purely personal. The object really was that all personal debts of the holder for the time being which were incurred before the passing of the Impartible Estates Act of 1904, should be considered to be, for the purpose of realization, as debts which could be proceeded against the estate in spite of the fact that from the date of the passing of that Act they were subject to restriction with regard to alienation. With regard to the debts incurred before the estate was declared impartible the property will be proceeded against as if the land was alienable. As regards debts incurred subsequently, liability existed only if the debts are justified. What I

1st February 1934] [Mr. B. Muniswami Nayudu]

suggest is this: that as in 1904 even in respect of the estates where the power of alienation was curtailed, they provided for recourse against that property without any question whether the debt was legitimately incurred or not, I say that whatever property might be impressed with the character of impartibility under this Act, that could be curtailed by making available that property for the purpose of debts already incurred by the owner. The position is this: Evidently the hon. the Advocate-General has overlooked the provision in clause 4. The Collector says, he can purchase the property. The next section says: The estate or estates obtained in exchange or acquired with the proceeds of the sale of an impartible estate shall be deemed to be part of the impartible estate for all the purposes of this Act. The words 'obtained or acquired' would only mean this: If a sale transaction is there, you complete the transaction by taking a sale-deed. As soon as the sale-deed is taken, it becomes a completed transaction and the result is that thereafter that property could not be proceeded against in accordance with the law except under section 4 of the original Act. Section 4 says: The proprietor of an estate shall be incapable of alienating such estate or any part of it beyond his own life unless the alienation was made under justifiable circumstances. The result is that under section 3, on the date of the sale-deed the property becomes impartible. Thereafter the property could be alienated either by the landlord who was then owner or by the court at the instance of somebody under clause 4 only. It cannot be claimed by the original debtor that it was not impartible. If he makes that claim it could be met by the plea that by the sale itself it has become impartible property and that therefore all the provisions of the Act come into force. If in the plenitude of his power the hon. the Advocate-General should say that my interpretation is wrong, I will accept it. But that would not be binding on the courts. Anyway, we on this side of the House are entitled to put forth our views and if we are assured that our apprehensions are unfounded, nobody would be gladder. We submit, however, that if in 1904 in spite of the provisions made in the Impartible Estates Act, they found it necessary to make an exception in section 7, we do not see how the Advocate-General thinks that in 1934 such a provision is unnecessary in connexion with Acts declaring certain estates impartible for the first time. If reasons are forthcoming we can accept them. We cannot merely rely on the opinion of the Advocate-General. The matter must be cleared beyond all doubt. I therefore suggest that we should here make a provision similar to that made in section 7 of the original Act of 1904."

Mr. P. V. KRISHNAYYA CHOUDARI:—"I second the amendment."

* The hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, If I oppose this motion it is not with any intention of affecting the rights of any person. But this question was discussed in the Select Committee and we considered that any provision of this nature was unnecessary as the Bill now before the House will not affect the rights of third parties. I will leave the legal aspect of the case to be dealt with by the hon. the Advocate-General, making only one point myself. All that we propose to do by this Bill is to declare certain lands in certain circumstances to be

[Sir Archibald Campbell] [1st February 1934]

an impartible estate or a part thereof. I would like to remind hon. Members of this House that this legislature has on several occasions in the past few years declared some estates to be impartible and have not adopted any proviso in the terms now suggested in connexion therewith."

12-45
p.m.

* Diwan Bahadur Sir ALLADI KRISHNASWAMI AYYAR:—" Mr. President, in the speech of the hon. Member, Mr. Muniswami Nayudu, there is a certain amount of misapprehension. The position of partible property which is the subject of exchange or sale is not the same as the position of an impartible estate which comes within the provisions of the Impartible Estates Act. As hon. Members are well aware, prior to the Impartible Estates Act, the estate owner was the absolute owner of his property, and every kind of alienation, be it for necessary purpose or be it not, was binding upon the holder of the estate and his successors in title. The object of the Impartible Estates Act was to put a restriction upon the powers of the holder for the time being. It was felt that it was not right that you should so affect the incidents of the Impartible Estates Act by the statute for the first time as to interfere with the rights of antecedent creditors, creditors prior to the passing of the Madras Impartible Estates Act. Therefore the Act readily provided that if there is a debt or an obligation which would, but for the passing of the Act, be binding upon the impartible estateholder, it must continue to be binding even after the passing of the Impartible Estates Act. That provision furnishes no analogy to the case under consideration. There was no complication of a partible estate with an impartible estate in that case. I have already pointed out with regard to the first motion, it leaves untouched the rights and obligations of the partible family. There is no provision in the Act which gives a statutory validity to the alienations made by the members of the partible family. They stand where they are. If their alienation is invalid or affected with an infirmity, even after the passing of this Bill, that alienation continues to be affected with that invalidity or infirmity, notwithstanding the fact that the owner who has bought it or got it by exchange is a member of the impartible estate and thus it is impartible by virtue of the provisions of the Act. It is not impartible as against the whole world; it is impartible only in the hands of this particular family. In every other case, suppose to-morrow, this very property is parted to a stranger for purposes of a necessity, in the hands of that family, this property will not be impartible. Therefore the impartible character is inextricably mixed up with the family in whose hands the property for the time being vests. Under these circumstances, I do not see any resemblance whatsoever between the provisions of section 7 of the original Impartible Estates Act and the attempt to safeguard the rights of creditors of the partible family. If that is the intention, then that will be a novel provision. Now what we are doing is to introduce a provision by way of amendment in the Impartible Estates Act, by which we are enlarging the powers of the impartible holder. By this he is in a position to enter into certain transactions, which he was not competent before. The property in his hands is impressed with all the incidents of impartibility. So far as third parties

1st February 1934] [Sir Alladi Krishnaswami Ayyar]

are concerned, the Bill does not in any way interfere with their rights. My hon. Friend, in another context, said: ' Oh, why should we have a Bill of that character which does not interfere with the rights of the partible family?' He must understand that at the same time we have not given a *carte blanche* to the members of the partible family. The rights and obligations of the partible family continue to be where they are at present. Thus what is aimed at by this amendment is to impart to the holder of the impartible estate the character of impartibility of a particular property so long as it is in his power; the moment that particular property passes away from his hands, it loses the character of impartibility. Thus the Bill does not aim at the rights of third parties at all. That is the short answer to the argument advanced by the party opposite."

* Mr. K. R. VENKATARAMA AYYAR:—" Mr. President, Sir, I have been following the course of discussion in regard to this matter. I feel that except for a certain amount of confusion imported perhaps by those who are responsible for this amendment, it would be quite unnecessary to take up the time of the House with this amendment. The present Bill is not one which is intended or calculated to affect the rights of property or the rights of members of families from whom acquisitions are made by owners of impartible estates. This Bill has become a necessity, because under section 4 of the Impartible Estates Act, as it now stands, certain exchanges or sales which may be administratively necessary or convenient stand forbidden. In order to secure to the holders of impartible estates, as they stand at present in the present Act, this further latitude in the matter of exchanges and sales, this amending Bill has become necessary. And in order that the policy underlying the original Impartible Estates Act might not stand frustrated, care has been taken on the present occasion to maintain that policy by making the new latitude that is provided for the holder of the impartible estate dependant on the issue of a certificate by the executive official head of the district where the impartible estate is situated. That is all that is necessary in a matter of this kind consistently with the requirement that the policy of the original Act of 1904 be maintained. The holders of partible properties or portions thereof, from whom acquisitions are made by holders of impartible estates under the powers now claimed under this Bill, they are not constrained to give their consent to any compulsory acquisition from them. This Bill does not make it incumbent upon the holder of a partible property to part with it because it is to the advantage of the holder of the impartible estate to acquire a slice of the property of the partible holder. The liberty of refusing to part with his property enures in the head of a partible family, even if this Bill becomes law, as much as it existed before. Similarly the right of an impartible estate holder, from whom the acquisition is sought to be made, also continues intact. This Bill is not in the nature of compulsory land acquisition. If it were a compulsory acquisition as under the Land Acquisition Act, there might be some justification for introducing in this Bill also, other clauses, which might be felt to be necessary for the purpose of safeguarding the interests of those who would be interested in the property, which is compulsorily

[Mr. K. R. Venkatarama Ayyar] [1st February 1934]

acquired from them. But this is not of such a character at all. This is only an enabling Bill, which permits the holder of an impartible estate, who is under the restraint imposed by section 4 of the original Act, to embark upon an exchange or sale of a part of his impartible estate, subject to the safeguard of his obtaining a certificate from the Collector, that it is a transaction necessary or beneficial. So far as the rights of the impartible estate-holder, from whom a slice is purported to be got by way of exchange or sale, or so far as the rights of the head of the family owning partible property, from whom a part of that property is sought to be purchased, are concerned, they are not at all affected by this Bill to any extent or in any manner. Their powers of disposing by way of exchange or sale in respect of properties would remain exactly as they were before, even if this Bill becomes law. If they could not part with their property before this Bill, they cannot part with it even after this Bill. To any infringement of their right persons interested can get an interdict from the judicial courts, and this same interdict they can obtain even after the passing of this Bill. Not only that, even if those who are entitled to have an interdict by a reference to law courts, did not take any anticipatory proceedings and get an injunction and so the transaction went through, and only afterwards they woke up and subsequently started proceedings questioning the validity of the transactions, in so far as the rights of these persons are affected, those proceedings again would stand absolutely safe and unaffected by this Bill. In fact it would be entirely foreign to the scope of this Bill for anybody to suggest that provisions should be introduced in this Bill, which would be either declaratory of the rights of members of the family from whom acquisitions are sought to be made, or which would safeguard those rights. Therefore it is absolutely foreign to this Bill to introduce provisions relating to the position and rights of third parties. Similarly with reference to creditors to whom debts are owing from a partible family or other family from whom the property is being acquired, if they are secured creditors, their security remains good, and the security will equally be available in the hands of the impartible holder who acquires that property by way of exchange or sale. If there are unsecured creditors, they will have all the other properties of the family to proceed against and even those newly acquired by sale or exchange. Thus the rights as between the creditor and the debtor remain unaffected.

“It appears to me that the whole argument underlying this amendment is founded upon the supposition that somebody is compulsorily acquiring, as though by force of this statute. As this Bill is not in the nature of such a land acquisition, but only provides for a purely voluntary sale or exchange there is no necessity at all to bring into this Bill any such amendment as is moved by my hon. Friend, Mr. Muniswami Nayudu. I think you cannot really introduce this amendment with any relevancy or logic.”

1 p.m. * Rao Bahadur Sir A. P. PATRO:—“Sir, the hon. Member from Madura concluded by saying that logic or reason would not justify the introduction of such an amendment. I am sure hon. Members will agree

1st February 1934] [Sir A. P. Patro]

with me when I say that logic or reason would demand that he (the hon. Member from Madura) should not have spoken on this amendment for the reason that he spoke nothing. All the time he has devoted to dealing with a matter which is not the subject-matter before this House. The amendment of the hon. Member from Chittoor raised a reasonable apprehension. It was also raised by me in the Select Committee. The matter was fully considered and in consultation with the Advocate-General we decided that there was no room for any such apprehension. The apprehension raised in this amendment by the hon. Member from Chittoor is with reference to a partible property exchanged for an impartible property. The hon. the Advocate-General in his very lucid statement explained that the property that is acquired either by sale or exchange will be subject to the same incidents as before and the interests of those having interest in the property will not be jeopardized. If interest has accrued in the property, even after exchange such rights will not be interfered with. That is of course the answer to the apprehension raised in the amendment of my hon. Friend from Chittoor. I am sure the hon. Member from Chittoor is perfectly satisfied with the explanation given by the learned Advocate-General, and it passes my understanding as to what the hon. Member from Madura is speaking upon. Generally hair splitting is attributed to certain classes of lawyers. Here it is not even hair splitting. The hon. Member was talking quite outside the subject or the scope of the amendment. The amendment is a very simple one in that it wanted that the rights and liabilities accrued before the exchange of the property should not be interfered with. Now after hearing the learned Advocate-General, I hope the hon. Member from Chittoor will not press his amendment.”

Mr. R. MADANAGOPAL NAYUDU:—“I move that the question be now put.”

* Diwan Bahadur B. MUNISWAMI NAYUDU:—“Sir, although I am sure that my amendment will not be carried through yet I want just to say this much: It is not merely enough for the Government to say ‘We have got a majority and so we oppose this amendment.’ Sir, so far as this portion of the Bill is concerned, if there is some mistake and confusion on my part, I think there is equally some confusion on the part of the other side also. The Impartible Estates Act can be more appropriately called the Inalienable Estates Act. We do not find anywhere in the Impartible Estates Act that it is not partible. There is not a single provision there which states that it is not partible. On the other hand it provides for the safety of the estate. It tries to curtail the power of alienation. What I say is, when you are providing for impartibility and inalienability to certain estates to-day you must also provide for the safeguarding of such rights and liabilities which accrued upon those estates prior to the passing of this Act. I have nothing more to say.”

The amendment was put and lost.

[1st February 1934]

Clause 3, sub-clause (2).

* Diwan Bahadur B. MUNISWAMI NAYUDU:—“ I beg to move that in the amendment of the hon. the Revenue Member the following amendment may be made and with your permission the words ‘ referred to in sub-section (3) above ’ in sub-clause (2) may be omitted and the words ‘ due by the owner of the estate which is acquired or obtained ’ may be substituted and also the first part of sub-clause (3) in the hon. the Revenue Member’s amendment may be omitted:—

“ The amendment of the hon. the Revenue Member with my proposed amendment will read thus—

‘ (4) *The Local Government may make rules—*

- “ (1) *for regulating the grant of certificates under the proviso to clause (c) of sub-section (2), for giving due publicity of the proposals to all persons interested inviting them to prefer objections, if any, and for enquiry of the same;*
- (2) *for ensuring the due discharge of encumbrances, debts and claims due by the owner of the estate which is acquired or obtained;*
- (3) *and generally for carrying out the purposes of the said clause.*”

“ Sir, the stand taken by the hon. the Advocate-General is that if a person is entitled to sell his property, just as in the case of those who have got private debts their property is liable for all debts, here also the property is liable for all debts and encumbrances. All that I want to point out is that my request that if people want to proceed against this estate, they must be allowed to do so has been negatived on the ground that even otherwise their right is still there. I only request that there may be a reasonable chance given to persons who may have claims on the estate by way of private debts. They should be able to know whether the property is going to be transferred so that they may intervene if they like to intervene and claim their debts or obtain an order to see that their debts are satisfied. The object of my amendment is that the Government should provide for due protection of all parties concerned and they must also see that before the Collector grants the certificate he must be satisfied with the bona fides of the transaction, not merely from the point of view of the estate owners but also from the point of view of those who are affected by it, and that he should satisfy himself that from the money that is going to be paid to the estate owner all the debts and liabilities will be paid. I therefore move that this amendment may be accepted.”

* Sriman M. G. PATNAIK Mahasayo:—“ Sir, in spite of the opinion of the learned Advocate-General that the rights of the third parties will not be affected, we clearly say they will be affected, because section 7 does not apply to the case before the House. All that is stated in the Act of 1904 is that all claims accrued up to the date of the passing of that Act shall be met from the estate. But subsequently several estates

1st February 1934] [Sriman M. G. Patnaik Mahasayo]

have been impressed with the character of impartibility and any rights or interests that have accrued upon those estates should be safeguarded. Therefore, it is necessary that notice should be given to those who have got a claim upon such estates. Of course this is a small amendment and it should not be objected to by the other side.”

* Mr. T. C. SRINIVASA AYYANGAR:—“ Sir, I support the amendment not only from the point of view of those whose interests are said to be affected but also from the point of view of those who have got a claim on the estate by way of maintenance, and so on. Even in the interests of the impartible estate holders themselves who acquire these properties, it is absolutely essential that due publicity should be given and objections should be invited from those who are affected. I remember what the hon. the Revenue Member said was that the Collector’s functions in this matter will not be in any way encroached upon by the duties of the civil court. Nor will he interfere with claims that are put forward and which involve civil rights. It will be merely his function when a property is acquired to impress it with the new character which is different from the one which previously appertained to it. If that is the intention of the hon. the Revenue Member, it is quite essential that due publicity should be given so that persons interested who have got a claim may put forward their claims. It would also be in the interests of the estate holders if they were to know finally the amount of claims that was being made upon their estates. When the estate is exchanged, it would be the proper occasion to give due publicity to it and if this is done it would also avoid much litigation.”

* The hon. Sir ARCHIBALD CAMPBELL:—“ I am afraid I must oppose this amendment. I have already explained to-day that the functions of the Collector should be confined simply to see that the interests of the proprietor of the impartible estate and his heirs are properly safeguarded and that it is not his business to carry out any duties which normally devolve on civil courts. Nor can I agree to laying upon the Collector any responsibility for ensuring the due discharge of encumbrances, debts and claims made upon the estate which is to be acquired. That seems to me to be the function of the civil courts, and we should not throw these duties upon the Collector. I have no objection to include in the rules a provision to ensure that due publicity is given to the proposed transaction, but I should object to the words ‘ all persons interested ’ being inserted in the statute itself. That would again throw a heavy responsibility upon the Collector. I should have no objection to include some provision in the rules whereby proposals of this character should be published in the district gazette. But I am not prepared to include in this section any specific provision on that point that will be inconsistent with the procedure which we should have to lay down for the Collector to follow. I oppose the amendment.”

* Diwan Bahadur B. MUNISWAMI NAYUDU:—“ Sir, I am not surprised at the attitude of the hon. the Revenue Member. Though this is a non-official Bill, this is really a Government Bill as the Government want to take all the powers directly or indirectly as in the case

1-15
p.m.

[Mr. B. Muniswami Nayudu] [1st February 1934]

of a Government Bill. The hon. the Revenue Member said that all that the Government wanted to see was, that so far as the Collector was concerned, he had only to ascertain whether the sale was advantageous to the estate or not. I ask, Sir, how is the Collector to ascertain whether the sale is advantageous or not? The Collector receives an application from a landholder, let us suppose. He sits in a room and simply publishes a notification to the effect that he is going to give his sanction to the application. He does not invite any objections, nor does he consider them. The hon. the Revenue Member thinks that the Collector should not be troubled with the work of inviting objections and considering them. Then, is he merely to grant an application after mere publication in the gazette? Is that what the hon. the Revenue Member wants the Collector to do? I think, Sir, the Collector is as much the custodian of the rights and interests of the people who may be affected by his granting the application as the custodian of the rights and interests of the estate. For instance, there may be an objection from somebody that the proposed acquisition is not advantageous to the estate. In such a case, how is the Collector going to ascertain whether it would be advantageous to grant the application or not?"

* The hon. Sir ARCHIBALD CAMPBELL:—"I did not mean to say that the Collector should not listen to objections, but I objected to the provision that the Collector is bound to give notice to all persons interested in the estate such as the alleged creditors and others. Of course, the Collector will listen to any objections raised."

* Diwan Bahadur B. MUNISWAMI NAYUDU:—"I do not want that the Collector should find out X, Y and Z who are interested in the estate. All that I want is that the Collector should publish the notification in the gazette and invite objections from persons interested, in whatever manner it may be, in the acquisition. The hon. the Revenue Member says that he has no objection to the provision asking the Collector to invite objections and consider them before he grants the application. In that case, I do not see any real objection to the amendment as it stands. It only speaks of giving due publicity to the proposals to all persons interested inviting them to prefer objections, if any, and enquiring into the same. If he objects to the latter portion of the amendment—enquiry into the same—there is no meaning in giving publicity to the proposals and inviting objections if an enquiry is not held and the objections considered. If objections are invited, it must be with a view to enquire into the same. There is no meaning in inviting objections and granting the application without considering the objections. I submit, Sir, that the attitude of the hon. the Revenue Member is hardly one that is conducive to inspire a certain amount of faith in the Government, faith that they are acting not merely in the interests of persons who may have large estates but also of persons who may be interested in the estates in other ways. There is the other part of the amendment, namely, 'for ensuring the due discharge of encumbrances, debts and claims.' With regard to that, I think, from the debate that has taken place here, if the Government are mindful of their duties, they must take this opportunity of accept-

1st February 1934] [Mr. B. Muniswami Nayudu]

ing this amendment. What is the Collector asked to do? He is asked to ascertain whether it is advantageous to and in the interests of the estate to grant the application. The learned Advocate-General has stated that even though the transaction takes place it is still liable to be impeached as any other transaction can be. Then what on earth is the use of the Collector's certificate, if persons who are interested in purchasing the estate have not the satisfaction that owing to the intervention of the Collector, some of the difficulties that might arise after the acquisition have not been removed? If the Collector is merely to receive the application and give his sanction there is no meaning in the owner of an estate getting his sanction if it is not clear thereby that after the acquisition has been sanctioned by him there will be no trouble, no suit or application whatsoever. It is not merely in the interests of the people who may have lent the money, but also in the interests of the zamindars themselves that the Collector should satisfy himself that the property that is going to be acquired is free from encumbrances and that nothing more need be paid for it than what the purchaser for the time being is prepared to pay."

The amendment was put and lost.

* Diwan Bahadur B. MUNISWAMI NAYUDU:—"May I at this stage request you, Mr. President, to allow this Bill to be taken up after lunch? A Bill which has recently been passed by the Council has just been brought to my notice. In that Bill we find a clause corresponding to section 7 of the Act of 1904, which says that this Act shall not affect any alienation made or debts incurred and so on. An estate which is not declared to be an impartible estate by name is made an impartible estate by a clause of this kind. I think that a provision like clause 3 will be necessary. I only move for adjournment of this question for some time, so that the Government may have some time to consider it and change their minds. In all the Bills by which partible estates have been declared impartible, a section on the lines of clause 3 is inserted. I only want some time, so that the Government may consider this question once more before it is too late. I move that the further consideration of this Bill be adjourned till after lunch."

Dr. P. SUBBARAYAN:—"I second it."

Sir ALLADI KRISHNASWAMI AYYAR:—"Mr. President, Sir, I do not think there is any correspondence between . . ."

Mr. SAMI VENKATACHALAM CHETTI:—"On a point of order, Mr. President, the motion before the House is the motion for the adjournment of the consideration of this Bill till after lunch. We are not now discussing the partibility or impartibility of estates."

* The hon. the PRESIDENT:—"The Advocate-General is trying to show that there is no necessity to adjourn the consideration at all."

Mr. SAMI VENKATACHALAM CHETTI:—"By the time he finishes the lunch hour will have come."

[1st February 1934]

Dr. P. SUBBARAYAN:—“ If the Advocate-General has got any objection to this, he may very well explain it during the lunch interval and he will be better able to convince Mr. Muniswami Nayudu that the clause is not necessary.”

* The hon. the PRESIDENT:—“ The question is that the further consideration of the Bill be taken up after lunch.”

The motion was carried.

Mr. M. S. SRESHTA:—“ May we take a resolution now, Sir? ”

* The hon. the PRESIDENT:—“ The House will now adjourn and reassemble at half past two.”

After Lunch—(2-40 p.m.)

* Diwan Bahadur B. MUNISWAMI NAYUDU:—“ Sir, I beg to move the following amendment:—

‘ For clause 4 of the Bill substitute the following:—

‘ Nothing in this Act shall affect or prejudice the rights in law of the creditors or of the members of the family of the person from whom the estate is acquired by exchange or purchase.’

The object of this amendment is to provide, by way of caution, for the rights of parties who will be affected by this Bill. The original clause 4 has been deleted; it is made part of clause 3. I move that this may be added as clause 4 of the Bill.”

Mr. T. C. SRINIVASA AYYANGAR:—“ I second it.”

* The hon. Sir ARCHIBALD CAMPBELL:—“ Sir, I move that the consideration of this Bill be postponed till Monday, in order that this amendment may be examined by the Advocate-General. I understand that the principle of the amendment is accepted by all parties and the Advocate-General would like to have some time to examine the exact wording. Monday is an Official Day, but the Leader of the House has agreed that this may be taken up as the first business.”

* The hon. the PRESIDENT:—“ I may remind the House that clause 3 has not been put to vote. While that clause was under consideration, the motion for adjournment was accepted by the House. I shall put clause 3 as amended to the vote of the House.

“ The question is:—

(i) ‘ alienate ’, ‘ alienation ’ and ‘ alienated ’ wherever the words occur shall be changed into ‘ sell ’, ‘ sale ’ and ‘ sold ’ respectively.

(ii) (a) In the proviso to clause (a) of sub-clause (1) in line 3 at page 4, the words ‘ or estates ’ shall be omitted.

(b) In lines 14 and 15 at page 4, for the word and figure ‘ section 9 ’, the word and figure ‘ sub-section (4) ’ shall be substituted.

(c) In the last line, the word ‘ said ’ shall be omitted.

(iii) At the end of sub-clause (1), the word ‘ and ’ shall be inserted.

1st February 1934] [The President]

(iv) Sub-clause (2) shall be recast as follows:—

‘ (2) Sub-section (3) shall be renumbered (5) and the following shall be inserted as sub-sections (3) and (4), namely:—

“ (3) The estate or estates or part or parts of an estate or estates obtained in exchange for or acquired with the proceeds of the sale of an impartible estate or any part or parts thereof under clause (c) of sub-section (2) shall, for all the purposes of this Act, be deemed to be an impartible estate or to form part or parts of the impartible estate, as the case may be.

(4) The Local Government may make rules for regulating the grant of certificates under the proviso to clause (c) of sub-section (2) and generally for carrying out the purposes of of the said clause ” ”.

The amendment was carried.

The hon. Sir ARCHIBALD CAMPBELL:—“ Sir, I beg to move that the further consideration of this Bill be adjourned till Monday morning.”

Mr. K. R. VENKATARAMA AYYAR:—“ I second it.”

The motion was put and carried.

IV.—RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST. ENFORCEMENT OF COMMUNAL GOVERNMENT ORDER IN THE LOCAL BODIES IN THE PRESIDENCY.

* The hon. the PRESIDENT:—“ The following resolution with the amendments moved already—on the agenda paper—by Messrs. Muniswami Pillai and Sreshta was under consideration on the last non-official day, i.e., on the 11th November 1933:—

‘ This Council recommends to the Government to take early steps to enforce the communal Government Order in the local bodies in the Presidency.’

“ Mr. Muniswami Pillai’s amendment is to substitute the word ‘ immediate ’ for the word ‘ early ’ and Mr. Sreshta’s amendment is to insert the words ‘ the principle underlying ’ after the word ‘ enforce.’

“ The resolution along with the amendments are for the consideration of the House.”

* Mr. M. DEVADASAN:—“ Sir, I support the principal motion moved by my hon. Friend, Mr. Ahmed Miran Sahib, and the amendments moved by hon. Friends, Messrs. Muniswami Pillai and Sreshta. From the point of view of the Depressed Classes, I support the main resolution as amended. Before saying anything upon the necessity of introducing the principle underlying the Government Order enforcing communal rotation, I wish to place a few facts before this hon. House. I want to give a few instances which would show to the House that

[Mr. M. Devadasan] [1st February 1934]

the enforcing of the principle of the communal rotation in service is absolutely necessary. I have got some experience as a municipal councillor. The municipalities do not take any member of Depressed Classes at all in a municipal office. In the panchayat boards also, none of the members of the Depressed Classes are employed. If Depressed Classes are employed by any panchayat board or municipality, they are employed not as clerks, not as sanitary inspectors or managers but as menial servants. They are employed more liberally as scavengers and others. Chairmen of municipalities, presidents of taluk boards and panchayat boards never care to take into consideration the applications of several Depressed Classes members and Christians for employment. Favourable consideration is given to the applications of relations of members of the panchayat boards, of presidents of local boards and of chairmen of municipal councils. The applications of other people are rejected. Applicants do not get even endorsements about the refusal of their applications.

"I wish to make some remarks about the plight of the Depressed Classes and Christians in the service of the local bodies. A man who had rendered service in the war and who was qualified as a first-class sanitary inspector was appointed as such by the Corporation of Madras. According to the Government Orders issued by the Government the man who had seen military service to his credit must have preference over other men. This man had been in the military service for about eight years. When the permanent incumbent was reinstated in office, this man had to be sent away. Then this sanitary inspector applied to all the 81 municipalities in the Presidency for some appointment or other and his application was not cared for, the reason being that he is a helpless Christian not backed by any member of his community or a godfather. My hon. Friends, Messrs. Pannirselvam and Daniel Thomas know the applicant. I must say that the claims of the Depressed Classes, of Christians or other minorities are not given proper consideration. On one occasion I had to go to the president of a taluk board and ask him to appoint a member of the Depressed Classes as a vaccinator. He said that he would give the first chance to the applicant. But he did not appoint him at all. By first chance he probably meant no chance. He has to go to other places in search of employment. If at all he is appointed, he is ousted in no time. I had to take up the case of a doctor who has passed the L.M.P. examination and we were able to secure him a post with very great difficulty in one of the rural dispensaries. He was posted to a particular place. A member of the taluk board objected to his being appointed because he thought that he would pollute the people when he administered medicine. So he was not posted to that place. He was later on sent to a less objectionable place as a doctor. There is always difficulty in securing appointments for the members of the Depressed Classes as vaccinators. I had to talk to an educated gentleman, a member of the Bar, on this matter. To my surprise, he had expressed the idea that, if vaccinators were appointed from among the Depressed Classes, people might object to their being vaccinated by them on the ground that they

1st February 1934] [Mr. M. Devadasan]

would be polluted. That is the way in which members of the Depressed Classes and Christians are treated in the mufassal. I need not say anything more. My hon. Friend, Mr. Moses, I understand, has introduced a Bill for enforcing communal rotation in the service of local boards. It is not comprehensive. Safeguards have also to be provided for in the matter of recruiting Depressed Classes and other menials for service in municipalities and Corporation of Madras.

"Recently the hon. the Chief Minister introduced his Bill for the abolition of taluk boards. He has given us to understand that he would make provision for the appointment of commissioners who would consider the claims of all classes of people in local board service. There is much discontent and dissatisfaction about the treatment being meted out to members of the Depressed Classes by presidents of taluk and district boards and chairmen of municipalities. It may be argued that it may not be possible to give effect to communal rotation with regard to the service of taluk boards. I would suggest that, as far as practicable, communal rotation must be given effect to. The principle has been accepted by the Government wholesale. I do not therefore see any reason why the same principle should not be accepted with regard to service in local bodies. The Government have been very considerate and benevolent in the matter of treating the Depressed Classes. But the local bodies have not cared to concede the claims of the Depressed Classes and Christians in the same way as the Government have done. If the Government think that communal rotation should be given effect to in the matter of recruiting men in Government service, then it must be made equally applicable to service in local bodies. With these words I support the resolution."

* Mr. R. M. PALAT:—"Sir, I wish to oppose this resolution to introduce communal representation. We have had too much of this 3 p.m. communal representation question in this Council. The local bodies are elected on a much wider franchise than the Legislative Council, and most of them have, at least the Malabar District Board, has decided not to have this communal representation in the matter of appointments, etc. My predecessor has said that a lot of injustice has been done to certain communities; but he has given no figures to back up what he said. So far as I know, as president of the Malabar District Board, there is no complaint whatever that the claims of any community have been overlooked in my district. It is a negation of all popular rule to interfere with the internal affairs of the local bodies. Just as this Council expects the Government not to interfere with its internal administration, so also the local bodies expect that this Council, on a far more restricted franchise will not interfere with the affairs of the local bodies which are not elected on such communal basis, on the same analogy of the British Parliament which is elected on a common basis. (Mr. Pannirselvam: 'There are no communities there.') There are different religions, e.g., Roman Catholics, Protestants, etc., there just as there are different religions here. They all fight against each

[Mr. R. M. Palat] [1st February 1934]

other, as much, if not more than the religions do in India. They are fighting there more than the Hindus and Muhammadans do here in India and Mr. Pannirselvam knows it quite well. There are different communities in England, and the Parliament is elected on a non-communal basis; and still the Parliament does not think it fit to impose its method of non-communal election even on this Council. Similarly, Sir, this Council which is elected on a communal basis ought not to impose its will on the local bodies by laying down the principles which should be observed by them. If the Government are of opinion that the communal principle should be extended to the local bodies, I should say that the Government should also meet the extra expenditure thus imposed on these local bodies from out of Government funds, for persons thus appointed would be able to do but indifferent work and would in effect be but pensioners. We speaking on behalf of local bodies should not have people thrust on us. Each district board should be allowed to decide if it would accept communal representation and no general law should be laid down. We do not want to appoint any man simply because he belongs to a particular community although he may be unfit, and although we have infinitely better qualified people belonging to other communities. If the Government think we must do it, I request them to pay for such expenditure from out of their funds. We have after all to get the people who certainly can do the work and are fit to do it. The object of this resolution is: keep back the efficiency of the boards to that of the most backward community in the district."

* Rao Bahadur A. T. PANNIRSELVAM:—"Mr. President, I had no idea of interfering in this debate; and if I do so now, it is only because of the surprising speech of my Friend, the President of District Board of Malabar. He seems to have misunderstood the whole principle underlying this resolution. The resolution does not purport to advocate the cause of a man, qualified or unqualified, because of the particular community to which he belongs. In fact, the principle underlying communal representation in the various branches is this: that every community, if only you will take the trouble, can produce the men for the various kinds of work which are turned out in the various departments. All that this resolution seeks to advocate is this: if for a particular place you find two or three men with the necessary qualifications, give preference to the man who comes from that community which is not already adequately represented. That is the principle. My Friend's pleading for Government subsidizing the local bodies in order to enable him to give effect to communal representation seems therefore to be absolutely of no force. That at this hour my Friend, Mr. Palat, should have thought fit to question the justice of the principle of communal representation is, to say the least of it, surprising. If fifteen years ago when the Justice Party under the leadership of Dr. Nayar and Sir P. Theagaraya Chettiyar advocated the justice of this principle and when there were criticisms from all quarters, if this argument had been advanced, there might have been people to pat Mr. Palat on his back and say 'Here is a great

1st February 1934] [Mr. A. T. Pannirselvam]

nationalist.' But to-day, the justice of that claim has been accepted by everybody, not excluding my nationalist friends there. It has been accepted by the Government and for the past few years it has been worked in the various Government departments."

Mr. R. M. PALAT:—"On a point of personal explanation, it does not mean that I am not a nationalist; and it is not a question whether one is a nationalist or not. I only advocated the principle of appointments according to qualifications."

Rao Bahadur A. T. PANNIRSELVAM:—"I am glad, Sir, that Mr. Palat is to-day the President of the District Board of Malabar. I have been myself president of a district board for six years and during that time, it was a principle with me not to enforce communal representation in the various services under the district board; and I can say that I did not find the least difficulty in filling the posts with proper men, men qualified to discharge the work and with men who are even to-day discharging their work to the satisfaction of the public. And if my Friend, Mr. Palat, is having a different experience, I can only sympathize with him. But in doing so, I will only remind him of the number of L.T. teachers in the various board schools under the control of the Malabar District Board. Out of the total number of L.T. teachers, he has got in his district board, it might be that the depressed classes might not be able to produce a sufficient number of trained graduates; but I believe, Sir, the case is not the same in regard to my own community, the Indian Christian community. If the Indian Christian community is backward in every other sphere, at least in the field of education, it is far ahead of any other community. May I ask Mr. Palat to tell me how many Indian Christian teachers he has got in the district board schools? Is it anything more than one permanent and one acting man in a whole host of Brahman and Nayar teachers in the Malabar District Board?"

Mr. R. M. PALAT:—"A personal explanation, Sir. As regards the number of Indian Christian teachers in the Malabar District Board, it is not one; I think there are four or five of them. Their number is more than what their population warrants."

Rao Bahadur A. T. PANNIRSELVAM:—"I am glad, Sir, that my Friend, Mr. Palat, has given effect to the principle of communal representation as far as my community is concerned, in the Education department. I only ask that the excellent example Mr. Palat has set in regard to Indian Christians the Government should be prepared to accept and enforce so far as the other district boards and other local bodies are concerned. As far as the principle of introducing communal representation is concerned, I should have really thought that with the Justice Party once again in power, there would be absolutely no necessity for pressing on the Government the justice underlying this resolution. But at the same time, one or two recent instances have led me to think that a resolution of this sort is not altogether out of place. I speak subject to correction and I hope my information is wrong. But I have been told; Sir, that orders have been issued by the Government recently to certain municipalities and local bodies to

[Mr. A. T. Pannirselvam] [1st February 1934]

the effect that the principle of communal rotation in the matter of recruitment to services is applicable only to the Government departments and that local bodies or municipalities who thought of enforcing it would be going beyond their powers if they did so. (An hon. Member: 'Is it so?') At least, that is what I was told. It was a communication sent to the Tuticorin Municipality when it claimed to fill a particular post on the principle of the communal representation. If that was true, I think, Sir, that a resolution of this sort does not come out of its way. It is time that we are told by the Government that this principle of communal representation which has been accepted and found good enough for the Government services ought also to be good enough for local boards."

* The hon. the RAJA OF BOBBILI:—"May I explain the position, Sir? Recently several cases came to the notice of the Government where certain local boards have sought to frame rules enforcing this communal Government Order. Certain objections have been also taken. In this connexion, Government took legal opinion and the local bodies were advised that under the Local Boards Act, as it now stands, it was beyond the powers of local bodies to frame rules on the lines of the communal Government Order. It does not mean that Government are against the principle being introduced in the local boards."

* Rao Bahadur A. T. PANNIRSELVAM:—"I am glad, Sir, that the Government Order has been based purely on a technical question; but framing rules which would have the force of law is absolutely different from framing rules for the guidance of local bodies. I remember, Sir, that so far back as ten years ago, in 1924, the District Board of Tanjore passed a resolution recommending to me the principle of giving equal representation to all communities. That was a resolution which was published, and to which the Government of the day did not demur. A local body might or might not have the power to frame rules which will have the force of law; but I do certainly feel that if any local body is so minded as to frame a rule for its own guidance, to be applied as far as circumstances would permit, the Government should not by any means interfere. If the Government are not even going to accept a resolution such as the one that has now been placed before the House, they should at least take this lesson that, if any local body, whether a district board or a municipality, or for the matter of that, a taluk board, if taluk boards are going to exist, says that for the sake of their own convenience, or if the majority of local boards think, that the principle of communal justice should be applied to the services under them, the Government should not stand in their way."

* Diwan Bahadur B. MUNISWAMI NAYUDU:—"I am glad, Sir, to support this motion on more than one ground. I think, Sir, it is too late in the day to say that in the matter of filling up appointments in the public services, whether under the Government or under local bodies or others, we should not fill them in a manner, that would satisfy all communities, provided as my hon. Friend, Mr. Pannirselvam, stated, that efficient and qualified candidates were available

1st February 1934] [Mr. B. Muniswami Nayudu]

for those posts. But I believe, Sir, there is something behind the opposition of Mr. Palat in the matter. As president of a district board, no doubt, he does not want his own powers or influence to be curtailed, as to the persons whom he may select for appointment."

MR. R. M. PALAT:—"On a point of personal explanation, Sir. It is entirely wrong to say so; there is no motive behind the suggestion which can be attributed to me."

Diwan Bahadur B. MUNISWAMI NAYUDU:—"Well, Sir, I may be 3-15
wrong so far as he is concerned. But, at the same time if you mean p.m.
to apply this principle, one has to be careful how this has to be applied. Merely laying down a principle saying that a certain community should be appointed provided suitable candidates are available, is not enough, because that is again likely to be abused when the appointing authority is not qualified to select such men. If you want to take away this thing and ensure the recruitment of efficient and competent persons, we ought to see that the power of recruitment is in the hands of a body of persons who are competent for the purpose and who could discharge their duties in a disinterested manner and select the best persons possible. Then the district boards should be asked to select only such men from out of the list of persons recommended by such a tribunal, as and when vacancies arise. I therefore think that, while accepting this proposition, Government will consider the possibility of appointing for each district or a group of districts a body who would be entrusted with the duty of inviting applications and selecting men with the necessary qualifications and having a list prepared of competent men, so that from out of that list appointments may be made. If such a thing is not going to be done, I think the present system is as good and may continue as it does at the present moment. On the other hand, I am sure that this proposal of mine could not be objected to by, at any rate, the members of the Brahman community, because, barring one, all the presidents of all the district boards are non-Brahmans. The time has therefore come, not to protect the non-Brahman against the Brahman, but to protect the interests of various communities among the non-Brahmans themselves from being unfairly dealt with in the matter of appointments."

"Then, Sir, the Government have taken up the question of amending the Local Boards Act. The hon. the Chief Minister has explained that the Government were advised as a matter of legal opinion that the district boards could not lay down rules to the extent contemplated in this resolution. I say, it will be up to them to take power under the new amending Act and lay down some salutary principle that in the matter of recruitment of persons to these local bodies the claims of various communities are given proper consideration. I proceed further, that when such powers are taken, Government will consider the possibility of appointing persons from among the list prepared by the body to which I have referred."

"Now, Sir, I have one more observation to make and that is this. Recently, questions have been raised as to the filling up of vacancies of district panchayat officers by the Local Government. What happened

[Mr. B. Muniswami Nayudu] [1st February 1934]

was, the Local Government have taken the power to appoint persons as district panchayat officers and others. Now, so far as the health officers and engineers are concerned, they are provincial officers in the sense that a part of their salary is met by the Government and those persons therefore are selected by the Madras Services Commission and to that extent the Minister for the time being who is in charge of the portfolio has to select, or at any rate, has to recruit persons from out of the list prepared by the Services Commission. But, with regard to the power taken in regard to the appointment of electrical engineers and panchayat officers, a large number of these appointments vest in the Minister for the time being. In the recent selection of these panchayat officers, while all the payment come from the district boards, the selection comes from the hands of the Government. There was absolutely no consultation with the district boards concerned in the matter of the selection of persons, nor was there a guarantee that such appointments were approved by the Services Commission. If the Services Commission Act is defective, it is time enough not merely for the district boards but also for the Minister in charge when he exercises the patronage of appointing persons to local bodies, to see that such persons must have the stamp of some kind of efficiency—efficiency in the sense that applications were invited, that certain qualifications have been laid down and that qualified persons are selected and from that list alone such appointments are made. The recent appointments of panchayat officers has not given that impression. Questions have been asked whether applications were invited and the answer was that the Local Self-Government Department had already 500 applications which came by some door from whom they were selected. I think it will be unfair either for persons aspiring for such posts or even for the department concerned. There must be a proper channel and a separate body for such selection. If I support the motion, it is because the principle is already accepted and could not be gone back, that all communities should have proper representation in the services and consequently in these local bodies there should be proper safeguards in the matter of selection and recruitment and that the best persons should be selected irrespective of the influence they may have either in Government or in local bodies.”

* Mr. V. P. NARAYANAN NAMBIYAR:—“ Mr. President, I rise to give my fullest support to the resolution before the House. The resolution but embodies a principle which this Council has already adopted, i.e., that without tampering the standards fixed for different appointments every community should have its due share in the appointments. When day in and day out hon. Members of this House urge upon the Government not to deviate from the principle laid down, it is but just and proper that the same principle is accepted by local bodies too. Otherwise it would be said that when it comes to us to act, we give the go-by to the principles which we so loudly profess. It is because the various communities have not had their right share in the appointments that even the political progress of our country is being hampered. I feel, and feel strongly too, that, in our Province at any rate, communalism

1st February 1934] [Mr. V. P. Narayanan Nambiyar]

will give way to nationalism only when the different communities have had their legitimate share in the appointments. Some communities, because of having taken to education at an earlier stage, are at present having a larger representation in the services. While that fact should not engender any feelings of bitterness or vindictiveness, the communities that have been so happily or, perhaps unhappily, placed should also realize that it is high time that, in the larger interests of the country, they stood by for some time. Sir, I give my fullest support to the resolution so that there might not be any misapprehensions about the attitude of Malabar.”

* Diwan Bahadur A. APPADURAI PILLAI:—“ Mr. President, Sir, I am glad I caught your eye. I wish to associate myself with the remarks that have been made by the previous speakers, Mr. Devadasan and Mr. Pannirselvam. The resolution as worded runs thus:

‘ This Council recommends to the Government to take early steps to enforce communal Government Order in the local bodies in this Presidency.’

“ I may point out that there is no communal order or non-communal order of Government. It evidently means Government Order enforcing communal rotation in the matter of recruitment. This is a principle that has been already accepted with reference to public services. No doubt one should not aspire for appointments merely on the ground of communal principle; that is a ideal that ought to be aimed at in course of time. Unfortunately, in our country and in our Province it so happens that recruitment is based on communal grounds and for obvious reasons communal proportion is sought to be maintained. When that principle is accepted and acted upon with reference to public services, it stands to reason that it should also be made applicable to local board services. If it is not already done, I think it is a defect that has to be remedied, and the sooner it is remedied the better. The resolution only recommends to Government to take early steps to enforce communal rotation. It does not ask for, as represented by some, a preferential claim for a particular community. Nobody asks for a preferential treatment, only communal representation is asked for. What it asks for is, provided other things being equal—for example, if A and B come forward and their qualifications are equal—communal representation may be kept in view in deciding the selection. Nobody asks for any preferential treatment, be they Depressed Classes, be they Christians, Anglo-Indians, Muslims or Hindus. All that is asked for is that the principle of communal rotation that has been in vogue for some time and acted upon by the Services Commission, should be adhered to in the case of the local board services also. I am thankful to my hon. Friend, Diwan Bahadur Muniswami Nayudu, and also to my hon. Friend, Mr. Nambiyar, for their large-heartedness in having supported this resolution *in toto*. Surely, there might come later on a sort of recruitment board for the selection of hands for local bodies, but the question now is, is it or is it not desirable and expedient to introduce the principle of communal rotation in local bodies. The

[Mr. A. Appadurai Pillai] [1st February 1934]

answer is undeniably in the affirmative. With these remarks I have very great pleasure, Sir, in supporting the resolution brought forward by my hon. Friend, Mr. Ahmed Meeran Sahib."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—" Mr. President, I have got a claim to speak on this resolution, because, I think, it is the municipality of Coimbatore over which I have the good fortune to preside that was the first to pass a resolution saying that in the matter of appointment to the staff—from peons upwards—the principle of communal representation as adumbrated by the Government in their various orders should be given effect to. To add to that, my Council even went further and stated that while giving effect to the principle of communal rotation, they must also give preference to people of the town in particular first and the people of the district next and then only, if qualified men are not available in the district itself, they should go in for candidates from other districts. I think, Sir, that such a sort of resolution is very wholesome and very helpful not only to the chairman but also to the councillors and even to the commissioners, for no motive can be attributed when making appointments. In the absence of such rules, the chairman and the commissioner will be in a bad predicament. There will be a number of people recommended for every appointment and if this principle is adopted, we can easily say that there is a resolution of the Council by which only appointments have to be made. By so doing, I do not think qualifications will be neglected. That is the reason why this resolution is moved to the effect that communal representation, as passed by the Government Order, should be applied to the local bodies also. I am not sure whether any Government Order was issued at all with regard to the competency of a municipal council or a local body passing a resolution for adopting the principle of communal representation. If I remember aright, a Government Order was received by the municipal councils and local boards to the effect that if promotions are made from the ranks of people getting lower scales of pay, such order was considered to be illegal. I think that was the purport of the Government Order. Government records also may be verified if necessary whether I am not correct. But, as long as there is no statutory prohibition with regard to the appointment of people on communal rotation principle, I do not think local bodies can be prohibited by any Government Order from adhering to that Government Order. As the provisions of the Act now stand, Councils have got power to appoint persons and in so appointing, they are quite at liberty to frame a rule to the effect that they could appoint persons only according to such a rotation. I do not think that any legal opinion can be held that the Council is not competent to give effect to the principle of communal representation. I am sorry that the opposition should have come from Mr. Palat of all people. There is already a charge that according to the communal principle, the non-Brahmans have not been benefited, but mostly the people of Malabar have been benefited by it. With due deference to the hon. Member I may say this, that if the opposition had come from anybody else. I think it would have been better."

1st February 1934]

Mr. SAMI VENKATACHALAM CHETTI:—" I shall be very brief. It is rather curious that our hon. Friend from Malabar should have taken any objection to the resolution moved by my Friend, Mr. Devadasan, on the ground that the communal Government Order ought not to be made applicable so far as the district boards and municipalities are concerned. Apart from that, so far as the principle involved in the resolution is concerned, I do not think anybody can take any possible objection. It has not only been accepted by the Government, but the settlement of that question has given a quietus to the undesirable agitation that has been going on in the country with regard to the manning of services. Therefore, it is wrong not to encourage the same principle so long as it is adopted by Government. But my difficulty in voting for the motion is this. It is not primarily the concern of the Local Government, to interfere in the right of appointment of local bodies. I do not think any district board president or any chairman of the municipality would like the interference of Government in the matter of appointing persons of different communities in derogation of the powers vested in him. It will be perfectly within the powers of the members of this Council to move their respective bodies for the purpose of laying down rules for the recruitment of persons in the manner they would like to have. I will rather object to the interference of the Local Government when they tell the local bodies that they should be guided by such and such a principle in the matter of appointment. It is not as if these communities have no proper means of representing their grievances in the representation of local bodies to make them come up to the local councils. There are communities other than the communities which are more than adequately represented in the local bodies, which have not sufficient voice or sufficient strength in order to induce the appointing authorities to appoint persons belonging to different communities so that adequate representation might be ensured. On that ground, I do not like to vote for the proposition now before the Council. If the local bodies make up their minds, it is easy to give effect to such a resolution in its own local area. But, in the case of Depressed Classes, there is a handicap unlike Christians and other communities. The number of members may be too small to induce other communities to agree with them. But I do not think the wording of the resolution contemplates exclusive appointment for these classes or any particular backward class. The resolution speaks only of communal Government Order which refers to all communities. Hon. Members may depend upon the support in the local bodies, and in this connexion I would rather hesitate to give an unqualified support to the Public Services Commission in the matter. I am afraid we are having rather too much of Public Services Commission. The history or the actions of that Public Services Commission will perhaps come up for discussion, Sir, early before the Council and then we may have to hear much about it. So that we cannot easily fall into the idea, however excellent it may be. We have been driven from pillar to post and from post to pillar, on account of the capricious act of Government. Government at one time say we have communal representation. At another time, they

3-30
p.m.

[Mr. Sami Venkatachalam Chetti] [1st February 1934]

say 'why should we go in for advertisements for posts. Let the applications come from whatever door. We will select those whom we like.' It is such capricious acts taken in regard to public services in regard to prestige and patronage which the Government are unable to use properly. I, therefore, Sir with this reservation would like to say that, while I approve the principle involved, I cannot give my vote in support of it on the ground that it is not a matter of primary concern of the Local Government."

* Mr. C. BASU DEV:—"It is gratifying to note the almost unanimous approval of this Council of the principle of communal representation. If I now stand, it is not to lend further support to it. But, Sir, I would like to express the fears of the backward communities, who are classed with the advanced, influential, non-Brahman communities described by the compendious term 'non-Brahman.' I am very thankful to Diwan Bahadur B. Muniswami Nayudu Garu for having raised this question and told the House that in the matter of communal representation in the services of local bodies, they will have not only to adjust representation between Brahman and non-Brahman but also to adjust the claims of non-Brahmans *inter se*. I think that is the substance of what he said. Sir, the idea of communal representation was hailed with joy by several of those unfortunate communities which at that time did not find proper and adequate representation. Among those communities were the backward Hindu communities also who expected that the destruction of the monopoly of a certain section of the population would result in the proper justice done to their communities as well. But, unfortunately, their hopes have not been fulfilled even to a modest extent. The monopolists of fifteen years ago were sent out and another set of monopolists came into existence and are now dominating the whole of the services. Only the other day, certain members of the backward Hindu communities had the privilege of waiting on the hon. Sir Archibald Campbell to press before him the need for revising the communal Government Order and provide for their special consideration. My object in standing before this House is to impress upon the Government the necessity for giving special consideration for the backward Hindu communities. Sir, Mr. Sami Venkatachalam Chetti in his speech has just now told us that he is not able to give this resolution his unqualified support because he thought that it would be interfering with the prestige and patronage that is now left with the authorities of the local body. I hope, that the local bodies would be better managed if the Government takes upon itself the responsibility of giving the right lead in the matter. I think it would be impossible to apply communal representation to individual local boards unless a provincial cadre is constituted. I therefore urge on the Government in supporting this resolution the need for creating a provincial service for local bodies and municipal employees. With these words, Sir, I support the resolution."

* The hon. the RAJA OF BOBBILI:—"Sir, I have heard the speeches made on this resolution on the last occasion as well as to-day. I find from the opinion expressed on all sides there is very little for me to say

1st February 1934] [Raja of Bobbili]

on the matter. It is needless for me to say that it is a principle which has been already accepted by Government and being followed in the case of Government services. As far as Government are concerned, they have every sympathy with the objects underlying this resolution. At the same time, I have to point out that, in applying these rules to local bodies, the matter will not be so simple as in the case of Government service. There are different local bodies and different qualifications, and in some cases no qualifications are fixed. There are different scales of pay for different posts. The difficulty will be to determine which should be the unit and whether it should be a district board or municipal council or each local body, and whether it is necessary to make the panchayats also as the unit in which case, the whole province will have to be divided into three or four circles and then the communal Government Order may be applied. I do not mean to say that these difficulties are insurmountable. But, I wish to state that, before accepting the resolution, Government will have to consider the matter to find in what form and manner it will be possible to apply this to local bodies. In this connexion, Sir, I have heard the speeches made, I believe, on the last occasion, and one of them was by Mr. Sreshta who said that a separate communal rotation should be fixed for each district. Some Members have urged that it is desirable to fix separate quotas for certain municipalities and areas. I am afraid it will be going too far when we seek to fix these ratios for each particular locality and proceed on the basis of population."

* Mr. M. S. SRESHTA:—"On a point of personal explanation, Sir. What I wanted to say was if the resolution stood as it did and the Government order was observed, it will be inelastic. Therefore, the principle of communal Government Order should be applied to all bodies. If the hon. Member reads my speech, he will notice that I have stressed that the rule must be elastic as the conditions in each district varied. The communal Government Order was not elastic and I wanted it to be more elastic."

* The hon. the RAJA OF BOBBILI:—"Sir, I am not very much 3-45 enlightened by the explanation given by the hon. Member. I may here p-m. read out an extract from the hon. Member's speech:

'I am moving this amendment for the purpose of making it more clear that if a proper ratio is observed in all local bodies in the matter of communal representation, there will be no difficulty. As it is, however, it is not found to be adequate in the case of certain local bodies. For instance, in Kurnool the Muslims who form 50 per cent of the population have been given the usual 33 per cent representation. It would be inadequate for them.'

"From this I understood that the hon. Member meant that there should be separate ratios fixed for particular areas. As regards the question raised by my hon. Friend, Mr. Pannirselvam, I am afraid he has not made matters clear by the explanation. Recently one or two cases occurred in which the local bodies attempted to apply the communal rotation and there were some differences. Government were then consulted in the matter. It was the duty of the Government to explain the present legal position. The Government have no objection to the application of the communal Government Order. As I said before,

[Raja of Bobbili] [1st February 1934]

Government are advised that, as under the District Municipalities Act, certain authorities are fixed for making the appointments—in certain cases the councils themselves and in certain other cases the commissioners—it would be contrary to the Act for the Government to frame rules restricting the power of appointment of those concerned. Government are therefore advised that, if they desired to give effect to this principle, a suitable amending Act is necessary. That is why we have given that opinion to the local bodies concerned. We do not object to the application of the communal Government Order at all."

MR. SAMI VENKATACHALAM CHETTI:—"May I know if the prescription of qualifications amongst which is included the adequate representation of certain communities will be considered illegal?"

* The hon. the RAJA OF BOBBILI:—"That is the opinion given by the legal advisers of Government."

"As regards the other points raised, there are two possible ways of giving effect to this resolution. One is by suitably amending the rules to enable Government to take power to frame rules to apply the communal Government Order to all local bodies in this Presidency and the other is to amend the Local Boards Act and the District Municipalities Act giving power to each local body to frame its own rules. Of course the object of pointing out these alternatives is to show that these points will be considered by the Government and to assure the House that the Government will give effect to the considered opinion of this House in the manner which they think most suitable."

"Before I resume my seat I desire to say a few words about the remarks of my hon. Friend, Mr. Muniswami Nayudu, on the question of the recent recruitment of panchayat officers. As I have already informed the House at question time on more than one occasion, the public Services Commission is constituted only to deal with provincial and subordinate services. In the absence of any other suitable body available for making the selections, Government felt that the Inspector of Municipal Councils and Local Boards was the most competent authority for the purpose and so the selection was placed in his hands."

"The hon. Member's other suggestion was about constituting a special body for recruitment of the staff for the local bodies. I am not sure whether public opinion in this Province will favour such a proposal. Government do not propose to act in advance of public opinion in the matter. Of course, if local bodies and the public are desirous that such a proposal should be given effect to, then the Government will consider the matter. With these words I accept the motion."

MR. BASHEER AHMED SAYEED:—"May I ask, Sir, whether in the appointment of panchayat officers, sufficient justice was done to the Muslim community by the hon. Minister?"

The amendment to substitute the word 'immediate' for the word 'early' was then put and carried.

The amendment to insert the words 'the principle underlying' after the word 'enforce' was put and carried.

1st February 1934]

The resolution, as amended, was then put and carried.

MR. V. T. ARASU:—"Sir, I move—

'that the consideration of all the items in agenda do stand over until item 9 is disposed of.'"

MR. BASHEER AHMED SAYEED:—"I second it."

MR. M. S. SRESHTA:—"I oppose the motion, Sir."

MR. ABDUL HAMEED KHAN:—"I am afraid this is a motion which has been conceived in haste."

MR. V. T. ARASU:—"I believe under the Standing Orders no discussion is permitted on such a motion."

* The hon. the PRESIDENT:—"I thought the hon. Member was going to explain something. I shall now put the motion to vote of the House. The question is that the consideration of the other items be held over until item 9 is disposed of."

The motion was declared lost.

MR. V. T. ARASU demanded a poll and the House divided thus:

Ayes.

1 Mr. V. M. Ramaswami Mudaliyar.	18 Mr. K. S. Sivasubrahmanya Ayyar.
2 " T. Narasa Reddi.	19 " P. Peddi Raju.
3 Rao Sahib V. I. Muniswami Pillai.	20 " Ahmed Miran.
4 Rao Bahadur R. Srinivasan.	21 Diwan Bahadur B. Muniswami Nayudu.
5 Swami A. S. Sahajanandam.	22 Mr. K. P. Raman Menon.
6 Mr. Yakub Hasan.	23 Diwan Bahadur C. S. Ratnasabhapati Mudaliyar.
7 " K. R. Venkatarama Ayyar.	24 Mr. P. V. Krishnayya Choudari.
8 " Sami Venkatachalam Chetti.	25 Zamindar of Chemudu.
9 " A. Pl. N. V. Nadimuthu Pillai.	26 Mr. C. Indrayya.
10 " V. T. Arasu.	27 " J. Kuppuswami.
11 " A. B. Shetty.	28 " Mahboob Ali Baig.
12 B. Pocker Sahib Bahadur.	29 " G. R. Premayya.
13 Mr. M. A. Manikkavelu Nayakar.	30 " K. Pattabhiramayya.
14 " Abdul Hameed Khan.	31 Rao Bahadur R. K. Venugopal Nayudu.
15 " Basheer Ahmed Sayeed.	
16 " U. C. Subrahmanya Bhatt.	
17 " K. A. Nachiappa Gounder.	

Noes.

1 The hon. Sir Mahomed Usman.	14 Mr. R. Madanagopal Nayudu.
2 " Diwan Bahadur Sir M. Krishnan Nayar.	15 " E. Conran Smith.
3 " Sir Archibald Campbell.	16 " T. Sundara Rao Nayudu.
4 " Sir Hopetoun Stokes.	17 Khan Sahib Syed Taj-ud-din Sahib Bahadur.
5 " Diwan Bahadur S. Kumaraswami Reddiyar.	18 Rao Bahadur A. T. Pannirselvam.
6 " Mr. P. T. Rajan.	19 Khan Bahadur Yahya Ali Sahib Bahadur.
7 " the Raja of Bobbili.	20 Mr. M. Devadasan.
8 Mr. G. Jagannatha Raju.	21 Rao Sahib N. Siva Raj.
9 Mrs. K. Alamelumangathayaramma.	22 Subadar-Major S. A. Nanjappa Bahadur.
10 Diwan Bahadur V. N. Viswanatha Rao.	23 Mr. B. P. Sesha Reddi.
11 Mr. J. A. Thorne.	24 " P. V. Rajagopal Pillai.
12 " H. M. Hood.	25 " V. G. Vasudeva Pillai.
13 Diwan Bahadur N. Gopalaswami Ayyangar.	26 " P. Bayappa Reddi.
	27 " P. K. Ramachandra Padayachi.
	28 " G. Lakshmana Reddi.

[1st February 1934]

Noes—cont.

29 Rao Sahib V. Dharmalingam Pillai.	12 Rao Bahadur Sir A. P. Patro.
30 Zamindar of Mirzapuram.	13 " C. Natesa Mudaliyar.
31 Mr. A. V. Bhanaji Rao.	44 Diwan Bahadur S. Ellappa Chet-
32 Mr. Daniel Thomas.	tiyar.
33 " H. M. Jagannatham.	45 Mr. C. Basu Dev.
34 Rao Bahadur D. Krishnamurti.	46 " R. M. Palat.
35 Zamindar of Kirlampudi.	47 " W. K. M. Langley.
36 Diwan Bahadur A. Appadurai Pillai.	48 " R. Foulkes.
37 Rao Sahib D. V. Narasimhaswami.	49 " G. Simhachalam Pantulu.
38 Mr. A. Harischandrudu Nayudu.	50 " K. C. M. Venkatachela Reddi-
39 " K. Kesavaramamurti Nayudu.	yar.
40 " A. Ramakrishna Reddi.	51 " G. Sriramulu.
41 " M. S. Sreshtha.	

Neutral.

1 Khan Bahadur Schammad Sahib Bahadur.	2 Mr. V. P. Narayanan Nambiyar.
--	---------------------------------

Ayes 31. Noes 51. Neutral 2.

The motion was lost.

Mr. A. M. AHMED MIRAN:—" Mr. President, I do not propose to move the resolution " (No. 1 on the agenda) standing in my name."

" Preferential treatment for Viswabrahmans in respect of certain concessions.

A. M. AHMED MEERAN SAHIB Bahadur:—

1 (375) This Council recommends to the Government that the Viswabrahmans of this Presidency should be given preferential treatment, without including the name of their community either in the list of depressed classes or in the list of scheduled castes—

- (i) in respect of direct recruitment to appointments in public services;
- (ii) in respect of age-limit enabling them (a) to appear for the Services Commission examinations till the age of 28 years; and (b) to join public service till the age of 30 years;
- (iii) in respect of educational facilities such as the award of scholarships for technical studies through the Industrial department;
- (iv) in respect of grant of waste lands and house-sites on ordinary darkhast rules; and
- (v) in respect of the extension to this community also of the ameliorative work now being carried on by the Labour department, funds being provided separately, immediately after the finances of the Government improve, till such time as there is perceptible progress in the status of the community; and

that this resolution should be given effect to only in the case of those members of the said community as would express their desire in writing therefor.

Amendment.

Rao Sahib P. SUBRAHMANYAM CHETTI:—

In lines 3 and 4, for the words " without including the name of their community either in the list of depressed classes or in the list of scheduled castes " substitute the words " along with the Vahnikul Kshatriyas, Setti Balijas, Chakalis, Devangis, Nadars, Nambudri Brahmans and other independent communities in the backward communities list of the Hindu fold which deserve such independent treatment, the same privileges as they were pleased to bestow on the so-called depressed classes."

1st February 1934]

EXEMPTION OF MUSLIM GIRLS FROM PAYMENT OF FEES IN SECONDARY ARTS AND TECHNICAL INSTITUTIONS.

Mr. ABDUL HAMEED KHAN:—" Mr. President, I have great pleasure in moving the motion standing in my name, namely—

' this Council recommends to the Government that Muslim girls may be granted exemption from payment of fees in all the secondary, arts and technical institutions in this Presidency until such time as Government would think that the problem of Muslim education is reasonably solved.'

" Sir, this resolution has been worded very carefully. The demand made in it is that, wherever Muslim girls are seeking education, particularly in colleges, secondary schools and technical institutions, they may be exempted from paying fees. Sir, it is a well-known fact that in the matter of education of the women of this country, they are very backward. If we want to encourage education among them, we should afford them facilities of all kinds so as to attract them to these institutions. From the figures that are given in the Government Report of the Director of Public Instruction you will find that the number of Muslim girls in colleges is very limited. There are not more than two or three in the arts colleges, and even in the secondary schools the number is very limited. The progress of education among Muslim women is very slow. I am not asking the hon. Minister to see that this concession should be meted out even in the case of girls whose parents can afford to pay the school fees. I am not requesting Government to take upon themselves the responsibility of making education free even for those people, whose parents can well afford to spend money on their education. But experience has taught us that the Government Orders in this respect have been so vague and indefinite that the authorities who give effect to these orders manipulate and interpret them in such a way that they defeat the very purpose for which they have been framed. They misinterpret and misuse these orders, because they are unwilling, or rather they do not want the Muslim children should get any scholarship at all. It is because of this fact that I have made this resolution general. If Government can assure us that the Government Orders will be such as will prevent any misuse and that every deserving person will get the concession that is sought for, I have absolutely no objection to any situation, where Government may not exempt persons who can afford to pay their children's school fees. In the matter of secondary education, we know, Sir, that it is on account of poverty that the Muslims in the various districts do not send their children to schools.

" Then the other difficulty is *purdah*. Of course, it is no doubt true, that some of my friends may come forward and say, ' why confine this concession to one community alone? ' To this I have to say this: there are cases of grown up Muslim girls, who attend schools where *purdah* is compulsory. But since their number is small, Government will not find it possible to make arrangements for their convenience. Thus to make up for this double handicap of poverty to pay school-fees and conveyance charges, I am only trying to meet them half-way by this

4 p.m.

[Mr. Abdul Hameed Khan] [1st February 1934]

resolution. And it is only in such cases that I am asking for this concession. Hence I hope the hon. Minister will give his best consideration to this resolution and grant what is sought in this resolution.

"I am glad the hon. Finance Member is luckily present on this occasion, and I appeal to him to co-operate with the hon. Minister in acceding to our request, because both the hon. Members are aware of the fact that if there is any community which is backward in education and thus retards the progress of the whole Indian Nation it is our community. Therefore it is necessary that the facilities asked for in this resolution should be granted at least for some time to come, at least till our community comes into line with the advanced ones. So, since I am asking for this concession for a short time, I hope and trust that Government will have no hesitation in giving it. In this I am sure I have the fullest support of hon. Members of this House; and so I have great pleasure in moving this resolution."

Mr. BASHEER AHMED SAYEED:—"Mr. President, Sir, in seconding this resolution I wish only to touch upon those aspects of the case which have not been traversed by my hon. Friend, the Mover. I submit, Sir, at the outset, that the acceptance of this resolution by Government will not involve them into any great financial commitment. The reports of the Director of Public Instruction point out that the increase under the last quinquennium in the percentage of Muslim school-going girls has been only from 4.5 to 5.1. This is the percentage that now obtains with regard to our community in the whole Presidency. And hon. Members will readily admit when I say that from 4.5 to 5.1 it is not a very great increase from the educational point of view. Sir, we are very grateful to the hon. Minister for having instituted a committee of inquiry into the condition of education in general and to propose measures as to how best to improve that. That committee submitted its report, and it is now nearly two years since it completed its labour, and so far Government have not been able to give effect to several of the important recommendations made by it, except perhaps one or two. Of course, one of the most important recommendations of the committee has been given effect to. That was very very vital to the Muslim community, and it had been insisting for it almost from time immemorial. Now, Sir, that recommendation of the committee accepted by the Government could, by now, have been given practical shape, but so far, no steps appear to have been taken in that direction. And that is a question which, I hope, Government will take seriously into consideration and give what they have already tacitly admitted in a practical, material and substantial manner.

"Now, Sir, coming to the education of Muslim girls, the committee recommended them exemption of fees, and even went so far as to say that they should be given every facility in the matter of conveyance and free education. The concession of conveyance has been brought to the notice of Government on the floor of this House more than once, and I urge upon the Government to make a move in this matter at

1st February 1934] [Mr. Basheer Ahmed Sayeed]

least as an experimental measure. And now when the whole Muslim community is fighting for the expansion of education of their children, I am sorry that at this critical juncture came forth the Champion Report quite inopportune. Government have passed orders on that report and given a free hand to the district educational authorities in implementing those recommendations."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"On a point of order, Sir, the resolution before the House refers only to school fees, but the hon. Member is expatiating on all aspects of Muslim education."

Mr. BASHEER AHMED SAYEED:—"I never thought my hon. Friend would be so hasty as to rise to a point of order."

* The hon. the PRESIDENT:—"Order, order, the hon. Member will at least now confine his remarks to the resolution before the House."

Mr. BASHEER AHMED SAYEED:—"I submit, Sir, my remarks have been quite pertinent to the matter under discussion. I am sorry my friend does not see how the whole question of Muslim education is inter-related with this resolution. Now, Sir, the question of concession involves other items as well. The one handicap in the progress of Muslim education is the financial poverty of the community, and that financial poverty involves a number of things. I wish my friend had waited patiently till I reached the point which interests him. The only way by which this poverty can be combated is by providing Muslim girls with free conveyance and exemption of fees. Unless these two things are done, the backward community cannot hope to rise. As I said, the percentage of increase in school-going Muslim population has been nothing beyond .6. If my friend, the ex-District Board President of Coimbatore, helps his sister and brother community people, in whose midst he is living, whose support he seeks time and again and whose friend he claims to be, he can show a better percentage of increase in the Muslim school-going population than that from 4.5 to 5.1. Let him satisfy himself whether this is justice done to the Muslim community. He knows well that the case of this community goes by default in almost every municipality. It is only of late this community has taken to education, and so it is but fair and just that it is given every facility to rise to the level of other communities.

"In this connexion I want to bring to the notice of Government how rule 12 of the Education Rules has worked hardship on the Muslim community instead of good. That rule has been most mischievously in operation against my community; the concession meted out by that rule has not been availed of by the really deserving poor; in fact, in some cases, it was availed of by some indeed rich people. It has been in force for some years, and it has done much harm than good, and I urge upon Government to see that that rule is enforced fairly and justly.

"After all, Sir, the concession asked for in this resolution is only with regard to a few really deserving poor Muslim girls, and as such,

[Mr. Basheer Ahmed Sayeed] [1st February 1934]

the financial commitment will be next to nothing; I will even say, it will be negligible. I therefore urge upon my Hindu brethren to support this motion and see that Muslim education thrives. I submit, with their advancement is connected the national welfare of the country, and so I appeal to my non-Muslim friends and to Government to give a helping hand to the education of the Muslim community, and particularly to that of the females of that community.

4-15 p.m. "Sir, I have great pleasure in seconding this resolution."

* The hon. the PRESIDENT:—"The motion before the House is that 'This Council recommends to the Government that Muslim girls may be granted exemption from payment of fees in all the secondary, arts and technical institutions in this Presidency until such time as Government would think that the problem of Muslim education is reasonably solved'."

* Mr. R. M. PALAT:—"Several speakers have spoken about the backwardness of the Muslim community. All the arguments advanced apply equally to various other communities of this Presidency. I believe Muslim religion advocates education among Muslim women quite as much as any other religion does. There is nothing in the religion which stands against Muslim women being educated. All the arguments cited apply with equal force to other backward communities. The emphasis should not be laid on religion but on backwardness."

"The next point that I want to say is that we do not want to give any concessions to persons who are rich even among Muslims. The reason why scholarship is given is to encourage poor persons to study. For instance, we do not want to give scholarships to Muslim girls who are daughters of Muslim merchant princes such as Mr. Isphani. I do not think it is fair or necessary that Government should come forward with scholarships in their cases."

"Another thing I want to make clear is that in my resolution backward classes include the depressed classes. I want to extend the scope of this resolution so as to see that such communities as are backward and are poor are given scholarships. I do not know whether the Government are going to accept this resolution. But if they are going to accept this they will have to provide funds, because as the hon. the Chief Minister said almost all the local boards are on the verge of bankruptcy and they are not in a position to allot any funds for education. Therefore, if Government accept this and come forward with a subsidy the people will only be too glad to extend free education. I therefore move my amendment which runs as follows:—

'In line 2 before the word "Muslim" insert the word "poor" and between the words "girls" and "may" insert the words "and poor girls belonging to the backward classes."

'In line 4 for the word "Muslim" substitute the word "their".'

Mr. R. MADANAGOPAL NAYUDU:—"I second it."

1st February 1934]

* Rao Sahib V. I. MUNISWAMI PILLAI:—"Sir, I too have given notice of an amendment which runs as follows:—

'Insert the words "and depressed classes" after the word "Muslim" in line 2, and delete the word "Muslim" in line 4 of the resolution inserting "their" in its place.'

"Mr. President, as things stand at present the education of a community marks the progress of that community and my hon. Friend, Mr. Abdul Hameed Khan, has clearly stated all the facilities that are required to make Muslim women progress in education and it is my humble duty to bring to the notice of the Government that the facilities now afforded to the women of the depressed classes are not enough to induce them to take up to higher education. Reading through the quinquennial report that has been submitted by the Director of Public Instruction I find that out of a total population of 3,792,450 of the depressed classes women of school-going age, those who actually attend schools are only 66,394. Of these those belonging to primary school are 75,290, middle school 1,070 and high school 34 and in the college course none. The women population of school-going age among Muhammadans is 1,674,221, of whom there are about 80,193 Muslim girls who attend schools. Of these those belonging to primary school are 79,833, middle school 319 and high school 30 and University and other institutions 11. That clearly shows that the depressed classes are far backward than the Muhammadans as far as education in high school and University classes is concerned. Sir, high school course is preparation ground for admission to the University course and unless some facilities are given to women that are reading in high school classes, it will not be possible to get any of them into the college course. Sir, going through the financial side, I find that Government are spending Rs. 17,92,842 from public funds for the education of men and women among Adi-Dravidas. By the term 'Adi-Dravidas' I mean, that it not only includes depressed classes, but also people belonging to several other communities such as Khonds, Koravas and several other communities. Taking Muslim education, the public fund spent by the Government on it comes to Rs. 20,73,512 though their population is far below that of the depressed classes. I think it will be seen therefore that our demand is just. Again, going through the report I find that in 1927-28 the depressed class girls who were studying in schools were 5,914, in 1928-29 7,904, 1929-30 9,268, 1930-31 10,746 and in 1931-32 8,645. Taking 1930-31 and 1931-32 figures, they clearly show that facilities are not enough to induce our girls to take to education. Taking this report into account again, I find there have been separate schools started for Muhammadan education which cater well to the needs and facilities of Muhammadan women. The facilities afforded to Muhammadans are far more than those afforded to backward communities. I may read for the information of the House the following paragraph from the report:—

'It is interesting to notice that while the percentage of scholars to population in respect of girls increased from 4.5 to 5.1 during the quinquennium under report, the percentage of boys decreased from 15.3 to 14.3. Since the increase

[Mr. V. I. Muniswami Pillai] [1st February 1934]

in population in respect of both men and women was almost equal the explanation for the increase in the percentage of girl pupils to the population and the decrease in that of boys is to be accounted for by the fact that there was proportionally a larger increase in the strength of girl pupils than in that of boys during the quinquennium. This is clear from the fact that the percentage of increase in the number of female scholars was 33 per cent and in that male scholars was 9 per cent.

"This clearly shows that there has been an increase. Taking into account the percentage of depressed classes boys and girls I find there is an increase of .35. So, I would request that the Government will be pleased to consider this point and do something in the way of giving facilities to the depressed classes.

"Sir, unfortunately due to the abolition of labour schools after the retrenchment of 1932-32 facilities that were given to the depressed classes are lessening. Of course it may not be out of place if I begin to say that at a time when the Champion report is being rejected by the depressed classes and Muhammadans it is being enforced on such communities which do not welcome it, and so I think the Government must come to our rescue and do something to expand the education among the depressed classes."

Rao Bahadur R. SRINIVASAN:—"I second it."

* The hon. the PRESIDENT:—"The question is that the words 'and depressed classes' be inserted after the word 'Muslim' in line 2 and the word 'Muslim' in line 4 of the resolution be deleted."

Mrs. K. ALAMELUMANGATHAYARAMMA spoke in Tamil and the following is the English rendering of the same:—

"Mr. President, Sir, Mr. Hameed Khan has pleaded on behalf of Muslim girls for a larger expenditure by Government for their education. It is a matter for gratification that education is spreading in the Muslim community not only among boys but also among girls. Though they observe Gosha, parents send their daughters to school even from distances of one or two miles. I have seen Muslim girls leave their houses as early as 7 o'clock in the morning and return home from school at 5 or 6 o'clock in the evening. Many of them belong to poor families. Their parents are very anxious to educate them. But they have not enough money to spend on the education of their daughters. It is necessary to give assistance in such cases. It is wrong to suppose that there is no desire among Muslims for education. They too yearn for knowledge and education like other civilized communities. This is as it should be. They know that the Government is doing something to further the cause of education among them. Their desire, however, is that Government should do more than what is doing at present which is not sufficient. It is my opinion that even as Government is earmarking sums of money for various other purposes, they should set apart a larger amount than they do at present for education. It is highly desirable that children of poor families should be helped by Government. It is true, as Mr. Palat has observed, that there are many wealthy merchants among Muslims. It should, however, be acknowledged that some of them are doing their duty in this

1st February 1934] [Mrs. K. Alamelumangathayaramma]

respect. But the matter should be left entirely to their benefactions. The Government also should do more than they are doing at present to help these poor children. I heartily support the resolution brought forward by Mr. Hameed Khan."

Mr. SAMI VENKATACHALAM CHETTI:—"Mr. President, Sir, I desire to place before the House some difficulties which managers of institutions and local bodies will have to encounter if this resolution is passed in this present form without the Government promising any support to those institutions. Probably it will be easy for the Government to accept this resolution for the simple reason that responsibility will be thrown on others' shoulders. So far as elementary education is concerned, what is now being done by the Government is to allot a certain amount of money to schools existing in a particular area and expect the District Educational Council of that area to distribute the amount among the schools in that area. So that whatever may be the number of schools that may be started from time to time in that area, whatever may be the amounts of grants to which those schools may be entitled on account of the progress shown by them, the District Educational Council is entirely powerless to ask the Government for more and has only to distribute the amount at its disposal among the various schools claiming grants. The result is that many institutions which should be shown concessions are denied those concessions. The same is the case with regard to secondary and collegiate education. The concessions given to backward class pupils are not taken into account in calculating the grants to which the schools are eligible; at least the half-fee concessions are not taken into account. Though it is stated that the department takes these concessions into account in practice, we can easily convince any dispassionate person who wants to examine this question that such backward class concessions are not at all taken into account. If this resolution is carried and if full concessions are to be given to Muhammadan and backward class pupils, it will mean that the finances of the managements of these institutions will be curtailed by the amount of the concessions granted by them and the amount available for higher education will be reduced. If the Government are in a position to assure the House that they will increase the allotment in the education budget by the amount that will be required to meet the demands arising from the passing of this resolution, it will be very good. As has been observed by several hon. Members education has not progressed sufficiently among several communities and the only panacea for all the ills from which our country is suffering is education. I am very sorry to observe that the hon. Minister for Education has, whether knowingly or unknowingly, led himself into a situation in which his department is perhaps the most starved of all the departments of Government at present. By one device or another, as I stated in connexion with another matter, a lot of money is taken away from the Education Budget. The hon. Minister must be aware of the controversy over the question of the Champion report which recommends the centralization of several schools. I am afraid that in this matter the department is having its own way. I read in the news-

4-30
p.m.

[Mr. Sami Venkatachalam Chetti] [1st February 1934]

papers that in a particular taluk some schools have been abolished in order to give effect to the recommendations of the Champion report. That will mean that schools will become less and less accessible to poor boys and girls and as a consequence they will be denied education. I would therefore suggest to the hon. Mover of this resolution and the hon. Mover of the amendment to word the resolution in such a way as to make it clear that the whole burden of giving effect to it will fall on the Government and not on the managements of these institutions. I would suggest that if the management of a school receive a certificate from the department authorizing them to admit a certain pupil of the backward class on full fee concession, they must admit that pupil but they should be allowed to cash such authorizations at the counter of the department."

MAHBOOB ALI BAIG SAHIB Bahadur:—"Mr. President, Sir, I am sorry to remark that the criticism of the resolution by the hon. Member is rather unhealthy. I can understand him if he moves an amendment to the resolutions, but I cannot understand the criticism he has chosen to make of the resolution. He has said that no concession should be shown to any community or he would like such concessions to be governed by the amendment he has moved. The inconsistent position he has taken up shows that his criticism is not of a healthy nature. That is not the spirit in which we should approach the question. Talking about giving concessions to this community or that community, he could have advocated the cause of the particular community he is interested in, but I submit that the attitude he has taken on this question and the criticism he made of the resolution are quite unsatisfactory. This is the second time to-day when he has come in for a criticism of this kind.

"Now, Sir, the amendment wants that only poor girls of the Muslim and other communities should be given fee concessions. No doubt to all appearance it seems to be a reasonable one, but there is already rule 92 of the Educational Rules dealing with this matter and it has not been given effect to at all in spite of the fact that the attention of the Government has been drawn to it on the floor of this House on many occasions by several hon. Members. What we want to achieve by this resolution is to ensure that fee concessions for poor girls do not share the same fate as that of the concessions under rule 92 to which I have just now referred. I have no objection whatever to girls of other communities also being given the concessions asked for in this resolution. But under the cloak of the word 'poor,' girls whether they are proved to be rich or poor are not given the concessions to which they are eligible under rule 92. It is however within the knowledge of many persons that rich persons who are influential get these concessions. It is not often the deserving poor that get these concessions. What I want to see is that the fate of Muslim girls who may get these concessions under the amendment now proposed should not be the same as that of the boys eligible for concessions under rule 92. I do not see why there should be any objection to that course.

1st February 1934] [Mr. Mahboob Ali Baig]

The hon. Member, Mr. R. M. Palat, who is keenly interested in educational matters should have known how rule 92 is worked in practice. If he looks into the records of the schools under his management, he will see how the rule is applied. The rule says that unless the management is doubtful about the poverty of the parents of the students, straightaway half-fee concession should be given. That was the interpretation put by the Government also after the resolution was passed in this Council. Under the circumstances, I request the Government to see that girls of Muslim and backward communities are given fee concessions in order that communities which are backward in education may progress in elementary education. Can there be any possible objection to this resolution at all? I must also say, Sir, as my friend Mr. Basheer Ahmed has pointed out, that so many obstacles are placed in our path just at a time when we are trying to improve our education. It may be for the general good of the country that amalgamation should take place, but I wish to point out that just at a time when we are beginning to progress, these obstacles are placed in our path. It may be that statistics may show an improvement in education among Muslim girls here and there, but whatever improvement there has been, it has been only in primary education, because the little girls are sent to schools so that they might not tease their parents. But what sort of education do they receive there in such schools? They do not learn even the three R's there. They continue in the schools up to the age of seven or eight and then they become goshas and do not attend schools. If the statistics show any rise in female education among Muslims, it is only the numbers in the primary schools that go to make up the increase. What is sought by this resolution is to ask the Government to give encouragement to girls reading in secondary schools and colleges. The Government have already taken some steps by passing rule 92 and there is nothing extraordinary in asking the Government that certain backward communities should be given some encouragement in the matter of fee concessions so that education may progress among them. It is not merely on the ground that poor students should be helped but it is also with the view to encourage education among women of a particular community which is really backward. It is needless for me to say that unless women are educated, there will be no progress whatever in any community. I have therefore great pleasure in supporting the resolution of my friend, Mr. Hameed Khan."

MR. M. G. PATNAIK Mahasaya:—"Mr. President, Sir, this resolution as it is worded is moved with a view to force the Government to grant certain concessions to all Muhammadan girls irrespective of the fact whether their parents are rich or poor. Rule 92 clearly says that not only Muslim girls, but girls of other backward communities reading in Form III and lower classes are eligible for full fee concession, if it is shown that their guardian or parents are poor. Girls are entitled to half-fee concessions for higher classes. The rule says fee concessions shall be given. The Grant-in-Aid Code also

[Mr. M. G. Patnaik Mahasayo] [1st February 1934]

provides that the loss incurred by the institution should be made good by the Government. But what the Government do is they do not in practice make good the loss, though the rule is there. They do not give any compensation at all either to schools under private management or to schools under public management. The rule has been practically repealed by the Government. Rule 92 is really a dead letter. Certain suggestions were made on the last occasion. It was suggested that rules might be framed making it compulsory that District Educational Officers should go and examine the accounts and registers of the schools and see whether these concessions are properly granted or not. That is not done. Therefore it depends entirely on the sweet will and pleasure of managers of private schools, of chairmen of municipal councils and of presidents of local boards to grant the fee concessions or not. They do not grant any concession at all. It is open to them to give these concessions. What they do is, they say that these girls do not come from poor families. As my hon. Friend, Mr. Mahboob Ali Baig, said, if an official, or a president of a local board or a chairman of a municipality says that a girl is poor, she deserves concession. The whole trouble arises from the fact that the Government have not passed any rules making it compulsory to grant concessions. If it is made compulsory, the Government will have to make good the loss incurred by the schools. Only to save money, the Government have not done that. I think the Government would do well to cancel rule 92 and the provision in the Grant-in-Aid Code. Why should the Government say that they have framed the necessary rules and that the local bodies are expected to give effect to them? Practically you are denying the concessions. The Government throw the blame on the local bodies; they should take it upon themselves. As it is, rule 92 will be quite sufficient and this resolution is not necessary. But what the Government have to do is to make good the loss incurred by the schools."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"Sir, I support the amendment of Mr. Muniswami Pillai and the original proposition of Mr. Abdul Hameed Khan. Mr. Mahboob Ali Baig said that Mr. Muniswami Pillai supported the case of his own community as against that of the Muhammadan community. If concessions are applied on behalf of certain communities, and are given, it is at the expense of the general taxpayer. When at the expense of the general taxpayer, concessions are given I am of opinion that such concessions should be given to the largest number possible. The girls of both the Muhammadan community and the depressed classes deserve the attention of the Government. While the Muhammadan community wants that their purdah girls should be given facilities by way of conveyance, I think that the girls of the depressed classes should be given facilities by way of midday meals. If only the Government have the necessary funds, I will gladly support the resolution to its fullest extent. I am glad that Mr. Patnaik brought to the notice of the Council how rule 92 is given effect to. Even though that rule might be observed by Government schools and schools under local boards, it is not at all

1st February 1934] [Mr. C. S. Ratnasabhupati Mudaliyar]

observed by private schools. As chairman of a municipal council I am empowered to grant poverty certificates. When I give such certificates and when they are produced, the managers of private schools cannot refuse the concessions; to get over the difficulty they say that there is no accommodation for such pupils and refuse admission. Thus they get over rule 92. With these words I support the amendment and the resolution."

Swami A. S. SAHAJANANDAM spoke in Tamil.

* The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Mr. President, Sir, I need hardly assure hon. Members that any attempts to secure concessions with a view to facilitate the spread of education amongst girls will receive my sympathy. The resolution moved by the hon. Member, Mr. Hameed Khan, though worded somewhat generally, was explained by him with his characteristic fairness as not meaning that the concessions that he asks for should be granted indiscriminately to all pupils whatever the status of their parents may be. The daughter of a High Court Judge, or of a District Judge or of a Member of the Executive Council certainly does not require the pittance of a fee concession to enable her to study in any educational institution. Only in the case of pupils whose parents cannot afford to bear the cost of educating their daughters, this concession is required. I will point out to the hon. Member that rule 92 though not worded in exactly the same terms as those used by my hon. Friend, is in effect the same as what he has said. A perusal of the rule would show to my hon. Friend that the test to be applied to decide the question whether fee concession should be given or not, is whether it is necessary to enable the pupil to continue or to undertake studies in an educational institution. That, I may submit, is in effect the same as my hon. Friends have said must be the test that should be applicable in such cases.

"I may, for the information of the House, just mention a word or two as to what the present state of things is with regard to fee concession for girls. Up to the III Form not only girls of the Muslim community but girls of other communities also are exempted from payment of all fees if such exemption is necessary to enable them to continue their studies. For classes above III Form, half-fee concession is granted, subject of course to the same proviso as in the case of the lower classes. This rule was framed and brought into effect in the year 1929 in pursuance of a desire of this hon. House itself that exemptions from the payment of the fee in full should be granted up to III Form and not for classes beyond that. We have been working the new rule from the year 1929. If, as I can gather from several hon. Members who have taken part in this discussion the concessions granted have not resulted in any appreciable progress in female education, certainly it is time to consider what further concessions should be granted. I am in entire agreement with my hon. Friend, Mr. Muniswami Pillai and others who spoke in support of him, that it is not the Muslim community alone that stands in need of help but other communities also do equally deserve concessions for the education of their girls. I am glad to note that my Muslim friends who have spoken on this

[Mr. S. Kumaraswami Reddiyar] [1st February 1934]

5 p.m. resolution have spoken in appreciative terms of what the Government have done with regard to the imparting of religious education to Muslim pupils in schools. When any special conditions prevail amongst them—conditions which do not obtain amongst other communities in the Presidency—which justify preferential treatment being granted to them, without fear of the opposition that it might rouse, the Government have been prepared to show them that preferential treatment. But I must say that in this case I do not think that there are any conditions specially applicable to the Muslim community which do not apply to other communities as well. Backwardness in female education is not confined to the Muslims alone. It is perhaps found in even a greater degree as my hon. Friend, Mr. Muniswami Pillai pointed out, amongst the depressed classes, and there are several other communities also which are not very advanced in the matter of education amongst their girls.

“The Government themselves have realized, when passing that order which has been embodied in rule 92 of the Educational Rules, that in the case of girls under instruction, greater concessions are required than in the case of boys. In the case of the boys, my hon. Friends would realize that the highest concession that is granted is only a half-fee concession. It is only in the case of girls that full-fee concession is granted up to the III Form. (Mr. Basheer Ahmed Sayeed: ‘Then recast the rules.’) My hon. Friends, Mr. Mahboob Ali Baig, and Mr. Patnaik have brought to the notice of this hon. House that rule 92 has not been worked in conformity with the intention of the framers of that rule.”

Mr. SAMI VENKATACHALAM CHETTI:—“On a point of order, Sir. It is already past 5 p.m.; may I know if the Council is going to sit longer to-day?”

* The hon. the PRESIDENT:—“If the hon. Minister has no objection to continue his speech on the next non-official day, i.e., in August next, the Council may rise now.”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“I shall finish my speech in just a minute or two, Sir. (An hon. Member: ‘Mr. Hameed Khan himself has no objection to the postponement.’) In that case, I have no objection to continue my speech on the next non-official day, Sir.”

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

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

1st February 1934]

APPENDIX I.

[Vide answer to question No. 592 asked by Mr. K. A. Nachiappa
Gounder at the meeting of the Legislative Council held on the 1st
February 1934, page 312 supra.]

Statement showing the number of persons convicted of offences connected
with the civil disobedience movement in each month since June 1933.

	June.	July.	August.	September.	October.	November.	December.	Total.
Madras ..	..	1	1	1	..	..	..	3
Anantapur ..	..	..	..	..	..	..	..	9
Arcot, North ..	..	..	9	..	..	..	..	1
Arcot, South ..	..	..	1	..	..	..	..	5
Bellary ..	..	..	..	1	..	..	..	..
Chingleput ..	..	..	4	..	..	..	..	..
Chittoor ..	..	..	..	..	..	..	..	..
Coimbatore ..	..	..	..	..	..	..	1	1
Cuddlappah ..	..	..	..	..	..	..	..	3
Ganjam ..	..	..	..	3	1	2	..	7
East Godavari ..	..	..	..	4	..	..	..	..
West Godavari ..	..	..	..	..	1	1	3	6
Guntur ..	..	..	..	..	..	..	..	1
South Kanara ..	..	1	..	1	..	..	3	26
Kistna ..	..	..	9	..	14	..	..	13
Kurnool ..	..	..	..	5	5	..	..	..
Madura ..	1	..	..	..	..	..	..	..
Malabar ..	..	..	..	..	..	..	..	..
Nellore ..	..	..	..	..	..	..	..	21
Nilgiris, The ..	..	..	21	..	..	..	..	..
Ramnad ..	..	..	..	..	..	1	..	2
Salem ..	..	..	..	1	..	..	..	3
Tanjore ..	..	..	3	..	..	1	..	1
Tinnevely ..	..	..	..	..	..	..	..	..
Trichinopoly ..	..	..	..	..	..	7	7	102
Vizagapatam ..	..	..	..	..	..	..	..	..
Total ..	1	2	48	16	21	7	7	102

[1st February 1934

APPENDIX II.

[Vide answer to question No. 593 asked by Mr. M. D. T. Ranganatha Mudaliyar at the meeting of the Legislative Council held on the 1st February 1934, page 313 supra.]

445 Q.—Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the right bank of the Korayar river higher up Maruthuvaneri anicut in Srivilliputtur taluk, Ramnad district, breached a number of times between 1914 and 1925;

(b) whether the breach was finally closed in 1925;

(c) whether the river breached again after 1925;

(d) whether the Executive Engineer, Tinnevely division, inspected the river and proposed the formation of a flood bank to prevent further breaches in the Korayar and in order to allow the legitimate supply to Maruthuvaneri and Elundrakondan tanks;

(e) if so, what orders have been passed by the Collector of Ramnad, on this proposal, and when;

(f) whether the estimates have been prepared for this work and what the approximate cost of this work is; and

(g) whether this work entails acquisition of lands and if so, what the extent is that has to be acquired and what will be the approximate cost of the land to be acquired.

A.—(a) to (c) There are no records to show that breaches occurred between 1914 and 1925; but breaches were closed in 1928 at an approximate cost of Rs. 8,400.

(d) The Executive Engineer inspected the locality in November 1928. He proposed to form a flood bank to prevent the spill water from the Korayar taking a separate course, the spill being due to the fact that the bed of the river and the surrounding country are more or less on the same level.

(e) In January 1930 the Collector called for proposals for the acquisition of land required for the formation of the flood bank.

(f) No estimate has yet been prepared but approximate cost will be Rs. 10,000. The question whether the comparatively large expenditure of Rs. 10,000 on this work is justifiable is under consideration and, if it is found that it would be justifiable, surveys and levels will be taken and a detailed estimate prepared. It was reported in November last that the subject was to be discussed by the Executive Engineer with the Collector. The Government have not received any further report on the subject.

(g) Yes. The land is in an unsurveyed Zamindari (Sivagiri) and the approximate cost of acquisition will be about Rs. 1,500.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Friday, the 2nd February 1934.

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. Krishnan Nayar, Kt., The hon. Djwan Bahadur Sir M. Campbell, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., The hon. Sir Archibald. Stokes, K.C.I.E., C.S.I., I.C.S., The hon. Sir Hopetoun. 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 Miran Sahib Bahadur. Alamelumangathayaramma, Mrs. K. Annamalai Chettiyar, Mr. S. A. A. Appadurai Pillai, Diwan Bahadur A. Arasu, Mr. V. T. Basheer Ahmed Sayeed Sahib Bahadur. Basu Dev, Mr. C. Bayappa Reddi, Mr. P. Beyahani Sahib Bahadur, S. M. K. Bhanoji Rao, Mr. A. V. Birley, Mr. F. Devadasan, Mr. M. Dharmalingam Pillai, Rao Sahib V. Duraiswami Reddiyar, Mr. K. M. Ellappa Chettiyar, Diwan Bahadur S. Foulkes, Mr. R. Gopalaswami Ayyangar, Diwan Bahadur N. Harischandrudu Nayudu, Mr. A. Hood, I.C.S., Mr. H. M. Jagannatha Raju, Rao Bahadur G. Indrayya, Mr. C. Jagannatham, Mr. H. M. Jayaram Nayudu, Rao Sahib C. Kesavaramamurti Nayudu, Mr. K. Khalif-ul-lah Sahib Bahadur, Khan Bahadur P. Koti Reddi, Mr. K. Krishnayya Choudari, Mr. P. V. Krishnamurti, Rao Bahadur D. Krishnan, Mr. C. Kumararaja of Venkatagiri. Kuppuswami Choudari, Mr. J. Ladden, Mr. W. W. Lakshmana Reddi, Mr. G. Langley, Mr. W. K. M. Madanagopal Nayudu, Mr. R. Maharaja of Venkatagiri. Mahboob Ali Baig Sahib Bahadur. Mahmud Schamnad Sahib Bahadur, Khan Bahadur. Manikkavelu Nayakar, Mr. M. A. Metherell, Mr. J. K. Moidoo Sahib Bahadur, Khan Bahadur T. M. Moses, Mr. P. C. Muhammad Meerza Ravuttar, Mr. K. P. V. S. Muniswami Nayudu, Diwan Bahadur B. Muniswami Pillai, Rao Sahib V. I. Muthiah 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. Narasa Reddi, Mr. T. 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. Patnaik Mahasaya, Sriman M. G. Patro, Kt., Rao Bahadur Sir A. P. Pattabhiramayya, Mr. K. Peddi Raju, Mr. P. Pocker Sahib Bahadur, B. Premayya, Mr. G. R. Rajagopala Pillai, Mr. P. V. Raja of Khallikote. Raja of Parlakimidi. Ramachandra Padayachi, Mr. P. K. Ramakrishna Reddi, Mr. 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.

[2nd February 1934]

PRESENT—*cont.*

Ranganatha Mudaliyar, Mr. M. D. T.	Subrahmanya Bhatt, Mr. U. C.
Rangaswami Reddi, Mr. M. B.	Sundara Rao Nayudu, Mr. T.
Ratnasabhapatl Mudaliyar, Diwan Bahadur C. S.	Syed Tajuddin Sahib Bahadur, Khan Sahib.
Sabajanandam, Swami A. S.	Tampoe, I.C.S., Mr. A. McG. C.
Sami Venkatachalam Chetti, Mr.	Thangal, Mr. P. M.
Sesha Reddi, Mr. B. P.	Thomas, Mr. Daniel.
Shetty, Mr. A. B.	Thorne, C.I.E., I.C.S., Mr. J. A.
Simhachalam Pantuin, Mr. G.	Vasudeva Pillai, Mr. V. G.
Singam Ayyangar, Mr. K.	Vedachala Mudaliyar, Mr. M.
Siva Raj, Rao Sahib N.	Venkatachala Reddiyar, Mr. K. C. M.
Sivasubrahmanya Ayyar, Mr. K. S.	Venkatarama Ayyar, Mr. K. R.
Smith, C.I.E., I.C.S., Mr. E. Conran.	Venugopal Nayudu, Rao Bahadur R. K.
Sundara Pandian, Mr. W. P. A.	Viswanatha Rao, Diwan Bahadur V. N.
Sreshtha, Mr. M. S.	Yahya Ali Sahib Bahadur, Khan Bahadur.
Srinivasa Ayyangar, Mr. T. C.	Yakub Hasan Sahib Bahadur.
Srinivasan, Rao Bahadur R.	Zamindar of Chemudu.
Sriramulu, Mr. G.	Zamindar of Kirlampudi.
Subbarayan, Dr. P.	Zamindar of Mirzapuram.
Subrahmanya Chetti, Rao Sahib P.	

I—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Police

Remedial measures for the eradication of the nuisance caused by pedlars and hawkers on the Esplanade Road.

* 596 Q.—MR. BASHEER AHMED SAYEED: Will the hon. the Home Member be pleased to state—

(a) whether any complaints were received by the Commissioner of Police, Madras, during the last three years regarding the nuisance and obstruction caused by hawkers and pedlars on the Esplanade Road from the Indian Chamber of Commerce and other public bodies and individuals;

(b) if so, how many such complaints were received and from what bodies and individuals;

(c) what action did the Commissioner of Police take to abate the nuisance and with what result; and

(d) what steps do the Government propose to take to eradicate the nuisance and obstruction caused by hawkers and pedlars on the Esplanade Road?

A.—(a) No; some complaints have, however, been received regarding the nuisance caused by hawkers and pedlars in the China Bazaar Road.

2nd February 1934]

(b) A statement in respect of the China Bazaar Road is laid on the table:—

Complainant.	Number of complaints received during the last three years.
(1) Commissioner or Health Officer, Corporation of Madras	6
(2) Proprietors, Khadi Vastralaya	3
(3) Other shop-keepers and private individuals of the locality	6

(c) An increasing number of cases of obstruction have been charged each year from this area—723 cases in 1931, 822 cases in 1932 and 1,357 cases in 1933. Hawkers and pedlars are, however, still a nuisance.

(d) The Government are not aware that hawkers and pedlars do cause obstruction in the Esplanade Road. As regards the China Bazaar Road, the Police are concentrating their attention in this area for a time.

Administration of Justice

Panchayat Court for Madayi amsam, North Malabar.

* 597 Q.—KHAN BAHADUR MAHMUD SCHAMNAD SAHIB BAHADUR: Will the hon. the Law Member be pleased to state—

(a) whether the people of Madayi amsam (village) in Chirakkal taluk, North Malabar, applied to the Collector to open a panchayat court in that village;

(b) if so, whether any order has been passed on that petition and what the order is; and

(c) whether the Government will be pleased to order the opening of a panchayat court there?

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

(c) The question will be considered on receipt of a report from the Collector.

Accommodation of the First-class Bench Court, Salem, in the premises formerly occupied by the Superintendent of Post Offices, Salem.

* 598 Q.—SUBADAR-MAJOR S. A. NANJAPPA BAHADUR: Will the hon. the Law Member be pleased to state—

(a) whether the Government building formerly occupied by the Superintendent of Post Offices in Salem town is vacant; and if so, for how long;

[2nd February 1934]

(b) whether the building was asked for the use of the First-class Bench Court, and with what result; and

(c) whether the First-class Bench Court is occupying a rented building, what monthly rent it pays and since when?

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

Prisons and Prisoners

Sleeping accommodation for 'A' class prisoners in the Vellore Central Jail.

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

(a) whether it is a fact that 'A' class prisoners in the Vellore Central Jail were allowed last year to sleep on the verandas, as the rooms were hot and so could not be locked up;

(b) whether it was the Inspector-General of Prisons who inspected the jail and recommended the sleeping of 'A' class prisoners on the verandas;

(c) whether the 'A' class prisoners are now locked up in their rooms at night; and

(d) if so, for what reasons the privilege is now denied to them and on whose instructions?

A.—(a) to (d) The information has been called for.

Milk and bread diet for 'A' and 'B' class prisoners during nights.

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

(a) whether it is a fact that such of the 'A' and 'B' class prisoners who are not accustomed to rice diet in the nights were allowed to have bread and milk diet;

(b) whether the above arrangement has now been given up and the prisoners asked to take rice diet;

(c) if so, why the bread and milk diet in the nights is discontinued and for how long; and

(d) whether the health of such prisoners has been seriously injured thereby?

A.—(a) to (d) The information has been called for.

Irrigation

Estimates for a channel to connect the Cuddapah-Kurnool canal with the Cumbum tank.

* 601 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the hon. the Member for Revenue be pleased to state—

(a) whether any estimates were prepared to dig a channel to connect the Cuddapah-Kurnool canal with the Cumbum tank;

[2nd February 1934]

(b) if so, what was the estimated cost of undertaking the above work and what is the approximate distance from the said canal to the tank basin; and

(c) whether levels permit the possibility of undertaking the work and what will be the approximate cost for investigating the same?

A.—(a) No. The shortest

(b) The first portion of the question does not arise. The shortest distance between the canal and the tank is about 30 miles.

(c) No.

Investigation into the feasibility of connecting the Cumbum tank with the Kurnool-Cuddapah canal.

* 602 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the hon. the Member for Revenue be pleased to state whether the Government at any time investigated the feasibility of connecting the Cumbum tank with the Kurnool-Cuddapah canal?

A.—No.

Land Revenue Administration

Representations from the ryots of Goomsur taluk for alteration of the kistbandi.

* 603 Q.—Sriman M. G. PATNAIK Mahasayo: Will the hon. the Member for Revenue be pleased to state—

(a) whether representations were made by the ryots of Goomsur taluk in Ganjam district for alteration of kistbandi to—

(i) the Government,

(ii) the Board of Revenue,

(iii) the District Collector of Ganjam;

(b) the orders passed on such representations; and

(c) when paddy is harvested in Goomsur taluk of the Ganjam district and becomes ready for the market?

A.—(a) & (b) The attention of the hon. Member is invited to the answer given to question No. 749 on 23rd March 1933. Since then, certain representations on the subject were received by the Government. In some of them, it was stated that representations had been made to the Collector in the matter. As the Government decided in June 1932 that no alteration in the kistbandi of the Ganjam district was necessary, no action was taken on these representations.

(c) The Government have no precise information as to the date of harvest in Goomsur taluk in particular; but the District Manual gives November as the date of the paddy harvest in Ganjam generally.

[2nd February 1934]

Medical Administration*Provision of a Boys' Hostel for the Medical College, Madras.*

* 604 Q.—MR. BASHEER AHMED SAYEED: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether there is any proposal before the Government to provide a boys' hostel for the Medical College students;

(b) if so, what the total cost is of the estimates and when the same will be sanctioned; and

(c) what the cause is for the delay?

A.—(a) Yes.

(b) The scheme for the construction of a hostel for the male students of the Madras Medical College at an approximate cost of Rs. 1,87,500 (excluding the cost of land) was sanctioned by the Government in April 1927. Subsequently the Surgeon-General submitted a revised scheme which was estimated to cost about Rs. 3 lakhs. This scheme, with slight modifications, was sanctioned in July 1929.

(c) The construction of the buildings was taken up after the scheme was sanctioned in July 1929, and foundations were laid. In view of the then prevailing financial stringency and in pursuance of the recommendation of the Retrenchment Committee, the construction of the buildings was postponed for a period of two years with effect from September 1931. In August 1933, the Surgeon-General submitted proposals for the renewal of the work. In the meanwhile in view of the urgent need for a site for the new buildings proposed to be constructed for the Government Press, the Government ordered that the suitability of the hostel site for the location of the new Press buildings should be investigated. In these circumstances the construction of buildings for the hostel could not be proceeded with. It will take some months to arrive at a final decision on the question.

Appointment of a male Medical officer to be in charge of the Maternity ward of the Women and Children's Hospital, Mangalore.

* 605 Q.—Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact, that there are two women doctors in the Women and Children's Hospital at Mangalore and yet a medical man who is an honorary surgeon is put in charge of the maternity ward;

[2nd February 1934]

(b) whether the two women doctors have been found not competent to be in charge of the maternity ward; and

(c) whether there is any proposal before the Government to appoint for this hospital as honorary surgeon a woman instead of a man as soon as a qualified woman is available?

A.—(a) Yes.

(b) The women doctors are competent and attend to labour cases including the application of forceps. The Honorary Surgeon is however a specialist in midwifery with English qualifications.

(c) No.

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"May I know, Sir, whether there is any proposal before the Government to appoint as honorary surgeon a woman doctor instead of a man, as soon as possible, as the Government must be aware of the difficulties experienced by Goshia ladies on account of a man being put in charge of the maternity ward?"

The hon. the RAJA OF BOBBILI:—"There is no proposal to appoint a honorary lady doctor, because none are available. Besides, there are two Government lady doctors in the hospital."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"But they are not put in charge of the maternity ward, while the male doctor is put in charge?"

The hon. the RAJA OF BOBBILI:—"No, Sir; they are really doing the work. Because we obtained a male honorary doctor, we appointed him as honorary surgeon."

Agriculture*Survey of rice trade in the Presidency.*

* 606 Q.—MR. A. B. SHETTY: Will the hon. the Minister for Public Works be pleased to state whether any officer has been appointed for making a survey of the rice trade in this Presidency?

A.—The attention of the hon. Member is invited to the answers given to question No. 541 asked by Mr. P. V. Krishnayya Choudari. Orders sanctioning the appointment of an officer will issue soon.

MR. A. B. SHETTY:—"May I know, Sir, the points which the officer will be called upon to investigate?"

The hon. MR. P. T. RAJAN:—"He will be asked to collect statistics in regard chiefly to the trade in rice and paddy."

[2nd February 1934]

Excise

Income on account of sale of toddy shops during 1932-33 and 1933-34.

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

(a) what the income derived is from the sale of toddy shops for the year commencing from 1st October 1933;

(b) what the income is from toddy shops for the year ending 30th September 1933;

(c) how many toddy shops were open during the past year and how many during the current year in the Presidency; and

(d) how many toddy shops were open during the past year and how many during the current year in Salem district?

A.—(a) The rentals amount to Rs. 1,29,22,287.

(b) Rs. 1,26,00,335.

(c) The number of toddy shops sold for the lease year 1932-33 was 9,937; the number for 1933-34 is 9,941.

(d) The number of toddy shops sold for the lease year 1932-33 in Salem district was 494; the number for 1933-34 is 496.

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I ask whether the hon. the Minister will be pleased to give us a comparative idea of the incomes from the excise duties, not only from toddy but from other kinds of excise as well? ”

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ Notice, please.”

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

II.—AMENDMENTS TO THE STANDING ORDERS OF THE MADRAS LEGISLATIVE COUNCIL.

The hon. Sir MAHOMED USMAN:—“ I formally move the motion in the agenda of which I have given notice.”

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

* The hon. the PRESIDENT:—“ The first item on the agenda is a motion by the hon. the Leader of the House to amend certain Standing Orders. These amendments are the result of the deliberations of the Conference convened by His Excellency in pursuance of the announcement made in his message to the Council on the 30th October 1933. Under Standing Order No. 79, I have now to read the draft amendments and ask whether the hon. the Home Member has the leave of the House for introducing these amendments. The amendments have been circulated to hon. Members of the House and are also printed in the agenda. They are as follows.

2nd February 1934] [The President]

I

Standing Order No. 2.

For paragraphs (2) and (3) inclusive of the proviso at the end, substitute the following:—

“ (2) On the termination of a session, all business shall lapse except Bills which have been introduced, which shall be carried over to the next session from the stage reached by them in the expiring session.”

II

Standing Order No. 4.

Substitute the following for the existing Standing Order No. 4:—

“ 4. While in session a meeting of the Council shall ordinarily commence at 11 a.m. and shall conclude at 5 p.m.:
Provided that, on notice given to the President at question time, the President may, in his discretion, allow half-an-hour after 5 p.m. or after the conclusion of the business of the day, whichever is earlier, to enable a Member to raise a debate on any matter of urgent importance which has been the subject of a question on that day. No division shall be taken on such debate, and such time shall not be available for the transaction of any other business.”

III

Standing Order No. 5.

In the proviso to paragraph (9), for the words “ on the next day available for non-official business of that class ”, substitute the words “ on the next day available in that session for non-official business of that class.”

IV

Standing Order No. 7.

For the existing paragraph (2) of Standing Order No. 7, substitute the following:—

“ (2) Except as provided in these Standing Orders or in the rules no business not included in the list of business for the day shall be transacted at any sitting except business of a formal or ceremonial nature which may be permitted by the President.”

[The President]

[2nd February 1934]

V

Standing Order No. 8.

For the existing Standing Order No. 8, substitute the following:—

“ 8. All non-official business appointed for any day and not disposed of on that day, excluding motions which have lapsed under Standing Order No. 5 (b) (9) shall stand over until the next day of the session available for business of the class to which it belongs.”

VI

Standing Orders Nos. 19 and 20.

For Standing Orders Nos. 19 and 20, substitute the following:—

“ 19. A member desirous of moving a motion for an adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance shall, before the commencement of the sitting of the Council at which he proposes to ask for leave of the Council to make his motion, hand to the President a written statement of the matter proposed to be discussed and obtain his consent to his asking for such leave to make the motion.

“ 20. After receiving such consent, leave of the Council to make the motion may be asked for after questions and before the list of business for the day is entered upon.”

VII

Standing Order No. 29.

For the existing Standing Order, substitute the following:—

“ 29. A motion or resolution must not raise a question substantially identical with one on which the Council has given a decision in the same session.

Explanation.—The Council shall not be deemed to have given a decision in respect of a Bill unless it has either passed the Bill into law or has rejected the Bill.”

New Standing Order after Standing Order No. 29.

Insert the following as new Standing Order after Standing Order No. 29:—

“ A member who has moved a motion or an amendment to a motion may withdraw the same with the leave of the Council expressed without a dissentient voice.”

VIII

Standing Order No. 32.

Delete paragraph (3) of the Standing Order.

2nd February 1934]

[The President]

IX

Standing Order No. 37.

In the proviso to paragraph (1) of Standing Order No. 37, after the words “ six clear days’ notice to the Secretary,” insert the words “ after publication of the Bill in the Gazette.”

X

Standing Order No. 39.

- (1) For the second sentence of paragraph (2), substitute the following:—
“ The number of such other members so nominated shall not, without leave of the House, exceed thirteen, and shall in no case exceed twenty-three.”
- (2) After paragraph (2) insert the following:—
“ The House may give instructions to a Select Committee to which a Bill is committed for consideration, that it may—
 - (i) consolidate it and any other Bill or Bills committed to it into one Bill;
 - (ii) extend the operation of a Bill geographically;
 - (iii) make certain amendments in the Bill: Provided that such amendments are relevant to the subject matter of the Bill, though not covered by the clauses of the Bill;
 - (iv) report within a particular time; or
 - (v) sit outside the place of session of the Council or the headquarters of the Government for the time being.”
- (3) For paragraph (3), substitute the following paragraphs:—
 - “ (3) The President shall nominate one of the members of the Committee to be its Chairman. The person so nominated shall preside at the meetings of the Committee and in his absence one of the members of the Committee elected by the Committee, shall preside.
 - “ (4) In the case of an equality of votes in the Committee the person presiding shall have a second or casting vote.
 - “ (5) While the Council is in session a Select Committee shall sit at the place fixed by His Excellency as the place of session and while the Council is not in session it may sit either in Madras or at the headquarters of Government. A Select Committee shall not sit at any other place except with the leave of the Council given on a motion made in Council by the Member of Government in charge of the department to which the Bill relates.”

[The President]

[2nd February 1934]

XI

Standing Order No. 40.

Delete paragraph (4).

XII

Standing Order No. 42.

In Standing Order No. 42, for the words "shall be presented to the Council by the Member in charge of the Bill" substitute the words "shall, as soon as possible after it has been made, be presented to the Council by the Chairman, and if he is absent or refuses to present it, by any other member of the Committee appointed by the President."

XIII

Standing Order No. 43.

In paragraph (1) after the words "After the presentation of the final report of a Select Committee on a Bill," insert the words "by its Chairman."

In sub-paragraph (i) of paragraph (1), for the words "allows the report to be taken into consideration" at the end, substitute the words "allows such Bill to be taken into consideration"; and

in sub-paragraph (ii) (a), for the words "without limitation," substitute the words "as a whole."

XIV

Standing Order No. 48.

For paragraphs (2) and (3), the following paragraphs shall be substituted:—

"(2) If any amendment be made, any member may request the President to postpone the further consideration of the Bill and thereupon the President shall, unless he considers that the request is frivolous or unreasonable, postpone the further consideration of the Bill to a date not earlier than three days therefrom.

"(3) When the Bill is so brought forward for further consideration, no amendments not being of a verbal or consequential nature, shall be made by the Council.

"(4) The Member in charge of the Bill may then move that the Bill be passed into law.

"(5) Paragraphs (2), (3) and (4) shall not apply to Taxation Bills."

2nd February 1934]

[The President]

XV

Standing Order No. 51.

Delete this Standing Order.

XVI

Standing Order No. 60.

Delete this Standing Order.

XVII

Standing Order No. 64.

Delete this Standing Order.

"I wish to know whether the hon. Member has the leave of the House. 11-15 a.m.
(After pause.) No objection having been taken, the draft amendments are now referred to a Select Committee. Six Members of the Select Committee have to be elected by the Council by means of the single transferable vote in accordance with the regulations framed in this behalf, the President, the Deputy President and the Advocate-General being ex officio Members of the Committee. One of the Members of the Panel of Chairmen is to be nominated by me as a Member of the Committee. I fix 2 p.m. as the hour within which nominations may be handed over to the Secretary. If the number of candidates nominated exceeds the number of vacancies to be filled, namely, six, there will be an election between 4 and 5 p.m. to-day."

III.—ELECTION OF TWO MEMBERS TO THE BOARD OF
INDUSTRIES.

* The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Mr. President, Sir, I move—

"that in accordance with section 3 (1) (b) of the Madras State-Aid to Industries Act, 1922 (Act V of 1923), and rule 3 of the rules framed thereunder, this Council do proceed on a date to be fixed by the hon. the President to elect two persons to be the Council's representatives on the Board of Industries constituted under the Act."

The hon. Mr. P. T. RAJAN:—"I second the motion, Sir."

The motion was put and carried.

* The hon. the PRESIDENT:—"With reference to the motion now passed by the Council in regard to the election of two persons to be the Council's representatives on the Board of Industries, I have to inform the House that with reference to Regulation II of the regulations for the holding of election by means of the single transferable vote, I fix 2 p.m. to-day as the latest time by which nominations of candidates should be sent to the Secretary. If the number of candidates nominated exceeds the number of vacancies to be filled, there will be an election between 4 and 5 p.m. to-day."

[2nd February 1934]

IV.—A BILL TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920, AND THE MADRAS ELEMENTARY EDUCATION ACT, 1920, FOR CERTAIN PURPOSES (BILL No. 2 OF 1934).

* The hon. the PRESIDENT:—" Discussion on the motion made by the hon. the Raja of Bobbili to refer the Bill to amend the Madras Local Boards Act, 1920, and the Madras Elementary Education Act, 1920, for certain purposes, to a Select Committee, will continue to-day."

* Rao Bahadur D. KRISHNAMURTI:—" Mr. President, Sir, I rise to support the motion to refer this Bill to the Select Committee proposed and oppose the motions made by my hon. Friends, Mr. Sami Venkatachalam Chetti and Mr. Basheer Ahmed, to defer the reference to Select Committee. The Government in their Communiqué dated 6th January have placed before the House in a succinct manner the necessity that compelled them to adopt this extreme measure. I have carefully listened to the speeches made by the Opposition on this motion and particularly those of Mr. Sami Venkatachalam Chetti and Diwan Bahadur Muniswami Nayudu. I expected that they would place before the House certain proposals by way of an alternative course, to avoid the abolition of the taluk boards by a stroke of the pen, but except indulging in a few sporadic and unreasonable attacks on the hon. the Mover of this Bill characterizing the measure as retrograde and revolutionary, they have not placed any constructive suggestions before this House to set right a really serious situation that has arisen. It has been pointed out by the hon. the Mover of the Bill that the financial condition of as many as ninety taluk boards is very unsatisfactory, that about 39 are also on the verge of the same state, and that some boards have not been able to pay in proper time the salaries of their staff. In order, therefore, to avoid this difficulty, it is proposed to abolish taluk boards and distribute their functions between district boards and panchayats. It is also suggested that those district boards whose financial conditions permit it, will be bifurcated in order that they may directly come into contact with the panchayats. Panchayats, Sir, are institutions of a very recent growth and if local self-government has to be really successful and if the villagers are to take a keen interest, these institutions, namely, panchayats, should be encouraged by every possible means. The proposal to abolish the taluk boards is a step in the direction of giving panchayats more powers and affording them greater opportunities to cater to the wants of the people. Considerations of detail might well be left to the Select Committee which is representative in character, but what we are concerned with at present is, whether any convincing case has been made out by the Opposition to defer consideration of the Bill. The two amendments that have been tabled are measures which can only be characterized as dilatory. We all know that the life of the Council has been extended by one year and if the Bill is referred to public opinion and taluk boards it would virtually mean referring to the very people who are vitally affected by the Bill. It is stated that not less than 3,000 members of taluk boards are concerned in the abolition of these taluk boards, and it will be certainly the height of folly

A BILL TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920 AND THE MADRAS ELEMENTARY EDUCATION ACT, 1920 (BILL NO. 2 OF 1934)

2nd February 1934] [Mr. D. Krishnamurti]

to any party to expect them to consent to this piece of self-denying ordinance. It is not in human nature to expect consent to such a measure as this. Are we to allow these taluk boards to continue with further loss or are we to take steps to put a stop to further losses? It cannot be argued that this is a party measure in which the hon. the Minister for Local Self-Government is interested. On the other hand, it affects all parties, Nationalists, Ultra-Nationalists, Justicites and Justice Democrats, one and all. If at all there is any consideration that influenced the hon. the Mover of the Bill in bringing forward this measure, it can be said that it is the consideration of efficiency and economy. It has been submitted that a Committee might be appointed to go into the financial condition of these taluk boards before such a drastic proposal as the abolition of these boards is taken up. I submit, Sir, it is stated in the Communiqué published as an annexure to this Bill, that the financial condition of the district boards and taluk boards was examined by a Special Officer and that necessary facts and figures have been collected before this step is taken. Argument has been put forward that the experience of the working of the Motor Vehicles Taxation Act belies at times facts and figures. I do not know whether we are justified in instituting comparisons of this type. They are entirely different. The hon. the Mover cited the instance of Mysore, a model State, where the abolition of taluk boards is working satisfactorily; and the fact that no taluk boards exist in the United Provinces and Central Provinces are all instances where practically the working of this scheme has been tested and is not found wanting. Well, Sir, I won't be a party to any measure which would be rushed through in haste without knowing the consequences, but other Provinces of this country afford an instance where this scheme has been working satisfactorily and we are only copying them in adopting this measure.

" Now, Sir, it is also proposed by the hon. the Mover that by the abolition of the Village Development Fund, the financial condition of the district boards would be improved. I do not mean to say that this Bill, as it is in itself, reaches the height of political wisdom and sagacity, but, Sir, in the Select Committee, which is big enough—over forty—various facts can be brought before the attention of the Committee and improvements can be effected to render this Bill more practicable and useful. I submit, Sir, purely considerations of humanity and considerations affecting vested interests ought not to weigh in a matter of this kind. As many as 2,000 employees would be thrown out of employment and it would no doubt be a difficult problem to find them employment in these hard days. It is indeed a serious situation, as was already pointed out by the hon. the Mover of the Bill, but as many as 70 per cent would be absorbed in the reshuffling and provision would be made for giving preference to the remaining 30 per cent in all future vacancies.

" The other argument advanced is whether the abolition of the taluk boards would promote real economy. In the Communiqué it was

[Mr. D. Krishnamurti] [2nd February 1934]

pointed out at length that by making small changes in the staff economy would be effected to a considerable extent. This is neither the time nor the stage to examine arguments that the Bill should be circulated for eliciting public opinion. That will only mean the postponement of the consideration of the Bill till the Doomsday. It will not come before this House again either at the end of this year or even the next year for the matter of that. Here is a real measure of economy and efficiency forced on the hands of the Government by extraordinary situations to allow panchayats and district boards to function more satisfactorily and usefully. I expected my hon. Friend, Mr. Muniswami Nayudu, whose knowledge and experience of the working of local boards is well known to suggest some alternative proposals to the House to obviate the necessity of abolishing these taluk boards. With his great experience, I thought he would be able to suggest an alternative proposal and come to their rescue in tackling this very knotty problem. I have analysed the various arguments of his speech but nowhere can I find any constructive suggestions to help the Government out of this difficult problem, except characterizing the measure as undemocratic and so on. How is he going to save these taluk boards from the financial bankruptcy which the Government Communiqué mentions by this dilatory motion and giving them one more year of life? Perhaps he is setting the sail to catch the breeze of popular favour at the expense of efficiency and economy. It is these considerations that actuated the Government to propose this measure. No reasonable alternative is available to the Government and this is the only course to be adopted to save financial bankruptcy. I therefore support the motion to refer the Bill to Select Committee."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"Mr. President, Sir, these taluk boards have been in existence for nearly half a century and their hoary traditions cannot be so easily swept away. Further people have not had sufficient time to consider the effect of the proposed changes. The Press Communiqué was issued only on the 6th January and the Bill itself was published on the 18th, only twelve days after the Press Communiqué itself was published. People thought that they would be given sufficient time to consider the implications of the changes proposed in the Communiqué and the local boards thought that they would be consulted before such a measure is actually introduced, but nothing of the sort was done. There was nothing wrong in consulting the local boards or even the district boards though only the former are interested and not the latter; there was nothing wrong in taking them into confidence.

11-30 a.m. "Now, the people were taken by surprise when they learnt that the Government were intending to rush through this measure and the changes proposed in the Communiqué. In fact, I first got the information about the introduction of the Bill from the taluk board clerks. The Bill was not received by me then. Two of the clerks came to me with some paper in their hands and broke the news to me with tears in their

2nd February 1934] [Mr. Mahmud Schamnad]

eyes. I say, Sir, it is not proper to rush through such an important measure, without giving sufficient time to the local bodies concerned to consider the effect of the changes. It is a measure in which the Government is taking upon themselves grave responsibilities. It is therefore proper that they also should pause and consider the reactions it may have. As for myself, I have no doubt that the proposed changes will not work successfully. The Government may work out on paper and show us that this will result in a saving of 8-87 lakhs. But, I think when it is actually worked, it will be found that this measure will involve more expenditure. When the Motor Vehicles Taxation Act was on the anvil of this Legislature, it was calculated also on paper that the operation of the Act will result in large savings to the district boards and also to the Government. But what do you see, Sir, now? I say, Sir, the local boards have not been given sufficient time to judge the effects of the working of the amended Act of 1930. The boards constituted according to the new Act have hardly been in existence for 15 months now. They have not had sufficient time to justify their existence. If ninety boards have had recurring deficits, such boards may be given a warning to cut down unnecessary expenditure and balance their budgets. Surely, such a step must succeed. I can tell you that the Kasaragod Taluk Board was reconstituted according to the new Act in November 1932. Then it had a deficit of about Rs. 40,000. When the next budget was submitted in March 1933, the board could balance the budget by reducing the expenditure, i.e., by abolishing certain superfluous posts and reducing the pay of some where it was found unnecessarily high. The budget of the board for 1934-35 which has already been submitted in the first week of January is a surplus budget. In it provision is made for capital expenditure, revised scales of pay for teachers and also for additional teachers, etc. Therefore, Sir, I would request the Chief Minister to accept this amendment and have the Bill circulated. If he still persists and wants to take the risk, I will leave it there. However, let there be no voting on this motion; but if it comes to that, I shall not take part in it because I happen to be the president of a taluk board."

* RAJA OF KHALLIKOTE:—"Mr. President, Sir, I am one of those who feel that some change is necessary in the administration of Local Self-Government. To what extent these changes are to be made and in what form they should be is, of course, a matter of opinion, but, Mr. President, one thing is certain, that is, the existing situation of allowing a large number of taluk boards to run with deficit balances with not even enough money to pay the salaries of their staff must be put a stop to. It has been said that the taluk boards have served their usefulness and there is no further use for them. I do not think this is correct. Taluk boards have existed as smaller units of Local Self-Government almost from the days British Rule was established in this country. It cannot be denied that these institutions have been serving a useful purpose of controlling elementary education of the country.

[Raja of Khallikote] [2nd February 1934]

They have also some control over the Medical and Public Health branch of the administration. They have done a lot towards improving communications in the district, especially in concentrating their attention to small village roads which is being appreciated by the poor villager. Taluk boards that existed prior to 1930, co-extensive with each revenue division, were really useful institutions and very few of them had deficits. It was, I think, the greatest mistake to bifurcate and trifurcate these boards with the idea that, being smaller units, they would pay more attention to the needs of the people. The Act of 1930 instead of improving the condition of local boards has made it far worse. When the Act of 1930 was passed, it was stated that favouritism and partiality prevailed in paying more attention to the taluk from which the president and his party came to the disadvantage of the minority that came from the other taluks. This is not correct. The president had the responsibility of administering the affairs of his board to the best advantage of the whole area and he had also to avoid a vote of censure by his board and strictures from Government. No responsible president would ever act in any other manner and, whatever defects existed in the old system could have been easily remedied by giving to the district board some larger powers of control and supervision over the capital expenditure of taluk boards, to see that the expenditure was evenly distributed over the whole area. Instead of trying to remedy the minor defects under the old system, we have, by the Act of 1930, made the situation far worse. What is the existing state of affairs? These bifurcated and trifurcated taluk boards, far from being enabled to improve the condition of the areas entrusted to them, are left in a most helpless financial condition. Their little income is spent away in the payment to, the staff, in some cases they have no money even to do this; their income is very small and they are not able to do anything.

"Sir, it is argued that, as we are going to have more panchayats, there is no need to have the taluk boards. In the first place there is not enough human material in the villages to carry on the panchayat work efficiently and in the second place the constitution of the panchayats will, I am afraid, add more friction to the already existing quarrels and parties in villages. From the point of view of Local Self-Government the ordinary villager is not very ambitious and, as far as I can see, he lives now quite a contented life. Of course, he might want a road here and a road there which is considered according to the order of importance and availability of funds. The taluk board, wherever possible, looks after the sanitation of the village and, where this is not done, the villagers themselves have a wonderful system of contributing a few rupees among themselves to attend to this work. You are now going to introduce into this country life, a system of elections, ballot papers and ballot boxes. The ordinary villager may be quite unfit to discharge his responsibility in the field of Local Self-Government but he will consider it a great prestige to be a member or president of a panchayat. He will want to get into the boards at any cost and will begin to spend money like anything. I have

2nd February 1934] [Raja of Khallikote]

known cases where people have become ruined over these elections and have become paupers. They spend thousands just for the honour and glory of succeeding in the elections. They will mortgage their houses and their lands and even their wives' jewellery for the sake of becoming a member. In these days of depression the voters in a village, no doubt, will have some additional income, as a price for their votes, and what will happen after the boards are actually formed? There is bound to be party feeling, friction and petty jealousies inside these boards with the result that most of the time will be spent in quarrels between one party and the other and little or no work will be done for the good of the village. Mr. President, without any exaggeration I would like to say that this has actually been the case in some villages that I know and the people themselves have become so fed up that they have given up the idea of having panchayats. They are none the worse for it and are living quite happily.

"Panchayat officers are appointed to organize and co-ordinate the work of panchayats and to constitute more panchayats. The existing panchayats are in a terrible state of mismanagement and slackness and I, for one, would be very grateful if the existing panchayats are improved first before new ones are started. Whatever that may be, I ask one simple question. Can new panchayats be formed without the influence and help of non-officials? You may have a hundred panchayat officers in a district, but these people are after all officials and strangers to the villagers. A panchayat will never be a success if it is thrust on the villagers against their wish. To make panchayats a success, the villagers must be made to realize the benefits and they must themselves come forward with their co-operation and enthusiasm to work them. Now, who can do this work of exercising proper influence over the villagers? Surely it is impossible for the panchayat officer to do this and you cannot expect the district board president to devote his attention to the thousands of villages in the district. Surely, it is the taluk board president, with his intimate knowledge of men and matters of his defined and compact area, that can exercise a proper influence for the formation of these panchayats. It is a pity that taluk boards have not paid enough attention to encourage the panchayats, but if a statutory duty was cast upon the taluk boards to organize panchayats and if the 3 pies cess intended for panchayats was pooled together and earmarked for expenditure in the villages only these difficulties would not have occurred. After all it is the taluk board that is the best non-official agency to organize and foster the growth of panchayats.

"By wiping out of existence the taluk boards it is estimated that about 2,000 people will be thrown out of employment. Under clause 8 of the transitional provisions, no doubt there is scope for the appointment of such persons, but I fear that this will not be a satisfactory state of things.

[Raja of Khallikote] [2nd February 1934]

"Just now, Mr. President, there are 208 non-official honorary workers and another equal number, serving as presidents and vice-presidents of the taluk boards. Under the old system, when there were only 130 taluk boards, there were 260 non-officials in charge of the Local Self-Government administration, as presidents and vice-presidents, in addition to hundreds of members. By a stroke of the pen you are going to not only deprive the public of the services of these honorary workers, but you are removing the splendid opportunity these people had of learning to administer their own domestic affairs. If taluk boards are to go, I hope there will be ample scope for such willing honorary workers to be of some use in the standing committees that are contemplated in the Bill.

11-45
a.m.

"Sir, an important feature of the Bill is the appointment of a District Educational Officer and a District Executive Officer. Under the existing Act, taluk boards and their presidents are responsible for the supervision and management of elementary education. Of course if taluk boards are to be abolished the work of the district board will be considerably increased, but is it fair to remove the non-official agency that is controlling now the elementary education and thrust in its place an official such as a District Educational Officer? Whatever may have been the faults of the old system of taluk boards, there was one potent benefit of the whole scheme and it was this: that instead of one person, that is, the district board president getting trained in the principles of Local Self-Government, there were as many as six or eight taluk board presidents in each district administering of course their smaller units and thereby gaining considerable experience in the field of Local Self-Government. This, in the new scheme, is going to be completely done away with and in its place we are to have a District Educational Officer to administer elementary education and this person, as far as I can see, will be an official. If this is coming, we can just as well hand over the elementary education to the Government or rather to my hon. Friend, the Minister of Education, to manage directly instead of having a show of things to say that elementary education will in future be under district boards whereas really in substance it will be under the District Educational Officer contemplated in this Bill. As I have already said, the work of the District Board will increase and perhaps it would be wise to have an officer to supervise the elementary education in the absence of taluk boards, but let this officer be a subordinate of the district board and help the district board president to supervise the schools. Let his work be that of supervising the elementary schools only and recommending to the president, district board, changes or modifications that are necessary; but, to give this officer straightaway the power of supervision and management also, as is mentioned in the Bill, appears to me rather a retrograde step. I feel that educational officers should not be thrust on the district boards unless they themselves want it. It may be that in a small district the work of supervising elementary education can be done quite satisfactorily through the standing committee contemplated in the Bill. Therefore the

2nd February 1934] [Raja of Khallikote]

appointment of an educational officer should be left to the discretion of the local boards.

"The abolition of the village development fund is a move in the right direction. This fund is really a part and parcel of the district board's ordinary resources, but with a different name. Whatever may have been the objects with which this fund was constituted, it has not certainly served its purpose. Under the rules and instructions that are issued from time to time for the administration of this fund, we are in the most unfortunate position of utilizing the fund for capital works only. We cannot spend a pie of it for the maintenance of these capital works. As no other source is available, these capital works of roads and water-supply, constructed at great cost, are left to look after themselves without any maintenance and the good money spent over them has been a waste. This has certainly been a very unwise policy and it is but right that the district board should get back its ordinary resources which it was enjoying prior to the passing of the Act of 1930.

"I wish to refer briefly to clause 11 of the Bill, that is new section 27 (a). No doubt, standing committees of the district boards will be necessary to exercise power of supervision over some of the important branches of the administration, but instead of giving the Government the power of appointing chairmen of the standing committees, I would suggest that the president of the local board should have the power of nominating a chairman from among the members of his board. Of course the president of the local board must necessarily be a member of every standing committee, but it is not necessary that he should be the chairman of every committee. If this is done, it will, in my opinion, give a further scope for non-officials to have some training in the administration.

"I do not think the scheme of bifurcation of district boards will be a success. It is stated that about ten lakhs is spent on the establishment of district boards. Through bifurcation it is almost certain that this expenditure will be doubled. There will also be the extra expenditure for constructing buildings for the new boards. Then there will be the appointment of district board engineers, district panchayat officers and so on with the result that the little saving contemplated for district boards will be consumed in all this heavy expenditure. I am sure that just as we are repenting now for the bifurcation and triam sure that just as we are repenting now for the bifurcation and trifurcation of the taluk boards we shall repent for the same in the case of the district boards. A district board has always been known as an area co-extensive with a Revenue district. The standard of efficiency or otherwise of the roads and other institutions maintained by the district board has been uniform. This uniformity will disappear and I fear in the same Revenue district with about two or three district boards functioning we shall probably have good roads, bad roads and no roads. It will also throw additional burden on the staff of the Collectorate to allocate the land-cess to the various district boards that will

[Raja of Khallikote] [2nd February 1934]

be formed within the same Revenue district. For these reasons, Mr. President, I am not in favour of bifurcating a Revenue district. At any rate in the case of my district there seems to be absolutely no reason for bifurcating the district board, in view of the fact that the district is going to be split up shortly when the new Orissa Province is formed. A portion of my district covering the area of about five existing taluk boards, as the White Paper boundaries stand at present, is going to be transferred soon to the new Orissa Province. In existing Orissa there are what are called local boards which correspond to the taluk boards here. There are no panchayat officers, no district educational officers or executive officers. I therefore wonder if it is worth while introducing these drastic changes in my district or at any rate in the areas that are going over to the new Province.

"Mr. President, finally there is the question of the appointment of a district executive officer against which I wish to record my most emphatic protest. My hon. Friend from Chittoor observed the other day that the words 'district board president' wherever they occur should be deleted and the words 'executive officers' substituted. I am sorry that a gentleman of his mature judgment and experience should hold such views. Most of the district boards are now appointing secretaries to assist them in the administration. If the work is heavy, as undoubtedly it will be in future, let the district boards be given the option of appointing one or more secretaries according to their choice. Why thrust executive officers on them when there is absolutely no need I cannot really understand. Of course in a municipality, things are different as the taxes have to be collected by the municipality direct whereas in the local boards we have the most efficient agency of Government through whom our taxes are collected and given to us. I cannot help thinking that local self-government in the district will be a sham and a mockery if an executive officer is thrust on the district boards. The president will have nothing to do except preside over the meetings and what policy can he or his board frame when the executive officer will really be the boss of the whole show? It is for hon. Members and the hon. Minister to judge what training this will really give to the non-officials. Apart from these difficulties, as far as I can judge, there is bound to be friction and misunderstanding between the executive officer and the president and also the other officers of the board. For an executive officer to command respect and dignity you will have to pay him a fairly decent salary and keep him on a par with the district board engineer or perhaps even higher. The little money that will be saved in throwing out of employment a few unfortunate, low paid, miserable clerks will go to feed the district executive officer. Therefore, even financially, the proposal to have executive officers will give no relief to the district boards.

"Sir, I have heard it said that each hon. Minister in charge of the portfolio of Local Self-Government is anxious to have to his credit a Local Boards Amendment Act as a feather to his cap. Although every

2nd February 1934] [Raja of Khallikote]

hon. Minister is entitled to feel this way, I would appeal to my hon. Friend, the Raja of Bobbili, to be very cautious in the step that he is taking. The present Act of 1930 is clearly a case of acting in haste and repenting at leisure. I only hope that the same will not be said of the Bill that is before the House now but that a measure will be framed which will do some substantial good to the local boards making them, as they should be, useful and representative institutions for the good of the people, at the same time bearing in mind that it is most important to stabilize their finances which have all gone wrong during the last four years. Mr. President, what with the appointment of executive officers, educational officers, etc., what with the hundred and one restrictions imposed on local bodies, to me it seems an irony of fate that, while His Majesty's Government and those great statesmen in England are busy now trying to evolve a scheme, whereby more power and responsibility will be transferred to our countrymen, we here are trying to curtail and restrict the liberty and activities of local institutions." (Cheers.)

* Rao Bahadur Sir A. P. PATRO:—"Sir, I was listening very patiently and very carefully to the very impressive speech of the hon. Member, the Raja of Khallikote, and the one idea that it left in my mind is that he is an advocate for a change in the administration of local self-government. This change, according to him, should be radical and not as proposed in the amending Bill. The fundamental fact that there is wrong somewhere and that the administration of the taluk boards is such that it requires a radical change is admitted by him. He differs only in details. According to him the remedy proposed is not satisfactory. He thinks that there should be opportunities to get training in the administration of the affairs of self-governing institutions. The hon. Member thinks, however, that the remedy proposed will not at all be conducive to the political education of the people. The only fallacy in his argument consists in his statement that the taluk boards should remain though a change is necessary. This is somewhat incomprehensible to me. He must remember that the taluk board areas are comparatively speaking larger areas than panchayat areas and that therefore it is the latter bodies that will be in a position to be in closer touch with the people. Again, the unit of administration always should be the panchayats. From the beginning of my public career I have been fighting hard for the resuscitation and reorganization of the village panchayat system. The Provincial Administration should be based on the village panchayats. What is the good of having district boards alone where the district board presidents would not be in close touch with the people? Are not therefore village panchayats essential? If you are earnest about local self-government, you should see that the unit of administration is made as small as possible so that it may be in touch with the wants of the people. Panchayats are the best institutions for the purpose of administering the affairs of the village areas. Rural affairs do best receive help from the hands of the rural population. It is not by having a central agency miles and miles away from the village that you can have effective work done for the benefit

[Sir A. P. Patro] [2nd February 1934]

of the people. It is out of the question to think of taluk boards as the proper agency to encourage the panchayats. I am sorry to differ from my hon. Friend in this respect. From one's experience of the districts one can say that the taluk boards are jealous of the growth and development of the panchayat system and that these institutions stand in the way of the progress of these village units. The hon. Member himself is aware how often he had to fight the taluk boards in their interference with the working of the panchayats. Therefore I am surprised to see him advocating the cause of the taluk boards as effective agencies for popularizing and developing panchayat institutions. Under the existing Act there is jealousy between the panchayats and the taluk boards. The cause of this jealousy must be removed by reforming the taluk boards. If you take away the small and useless taluk boards and vest that power in the panchayats much can be done. Taluk boards may be reformed and remodelled. But you need not put forth the mistakes committed by some taluk boards as the reason for abolishing them. Because some taluk boards have committed mistakes is no reason for abolishing them all. Panchayats are doing useful work. There is no good saying the elective system now introduced is fraught with evil consequences and the administration will be a failure.

12
noon.

"I am afraid the hon. Member has not properly visualized the situation regarding the panchayats of the future. For in the future Constitution of India the people who will be returned to the Legislative Councils and Federal Assemblies will be those who have got a good grounding in the administration of the village panchayats. Therefore, if you don't reorganize, reform and rehabilitate the village panchayats, how can you expect these people to properly function when their time comes. So what I say is, you make the foundation strong, so that the edifice may be strong. Unless you do this, the superstructure cannot be firm. Therefore the village panchayats must be developed. At present there is frequent, if not always, conflicts between the presidents of panchayat boards and those of taluk boards, and so long as these conflicts go on, neither of them can grow healthy. Therefore it is desirable that this element of friction should be done away with, and it is with this end in view that this Bill has been brought forward now.

"Then, Sir, it has been said that this is a drastic measure that has been proposed; and it has been asked from quarters more than one, 'Could you not think of any other alternative?' The principle underlying the Bill is to reform the taluk boards and subdivide the existing district boards, wherever it is possible, in such a way that the functions of the taluk boards could be distributed among the district boards, sub-district boards and the panchayats. That being so, where does the difficulty come in?

"Then the other objection seriously urged is, 'you have not given us sufficient time to consider the pros and cons of this Bill, or rather, this Bill is being rather hastily rushed through this House.' In my

2nd February 1934] [Sir A. P. Patro]

opinion this is a very lame excuse. I know, as indeed some of my hon. friends know, that the present talented Secretary of the Local Self-Government Department has exposed the difficulties and the defects experienced in the day to day working of the Local Self-Government Department. No doubt he was very cautious in his speech, coming as he does, fresh with his experience in the administration of the City Corporation; and so he thought that the public require a note of warning. Therefore, three months ago he indicated the directions in which the reform should proceed. Furthermore, a Special Officer was appointed to gauge the correct financial stability of the various local bodies, and he has laid bare their condition. Thus it is admitted on all hands that the financial condition of the local bodies is in such a perilous state that it requires nothing but reformation. The question arose as to how best this should be done. Is it by abolishing the taluk boards and subdividing the district boards; or is it by reverting to the pre-1930 taluk and district board days? The latter step was not found to be possible and advisable, and hence the present move. Thus the Bill has not been hastily brought forward.

"Again there is nothing to prevent the details suggested by the Raja of Kallikote being discussed in the Select Committee, the case of divisional boards. In the very admirable speech, always characteristic of him, the hon. Member from Chittoor made the other day, he pointed out that these things could be discussed in the Select Committee. In his explanation he has also shown that this is a matter which requires analysis, and after careful analysis he has come to the conclusion that it is no good abolishing the Village Development Fund. I may say here, that from the very beginning he and I insisted on maintaining this fund. And here we differ from the Raja of Kallikote. Anyhow this is not a matter of principle, but only a matter of procedure, which the hon. Chief Minister himself has said may be considered in the Select Committee, as the principle involved in this Bill is the reformation of taluk boards and the division of district boards, in circumstances where it is justifiable. Therefore, Sir, it is only just and proper that all these matters should be considered in the large Select Committee that has been proposed, where, the ripe experience of the members on taluk boards and district boards may be brought to bear.

"One word, Sir, with regard to the hon. Mover of the amendment that a committee should be set up to ascertain ways and means by which the present state of affairs may be mended. In my opinion, if the hon. Member had read the past history aright, surely he would not have brought forth this proposal. For most of us who have done so have come to the one conclusion, viz., that there is a very serious situation at present in the Presidency, that a crisis has arisen in the administration of the affairs of Local Self-Government and that that crisis, if not immediately attended to, will possibly lead to a greater danger, namely, the insolvency of the taluk boards. Now if such a state of affairs was to arise, how are Government to meet the

[Sir A. P. Patro] [2nd February 1934]

situation? That is *the* question which hon. Members should ponder over for a moment. If you are to put off this matter, then how are you going to prepare the budgets of the taluk boards and run their administration? Therefore it is wise and practical of this Government that they took up this matter early, and we as Members who have had to do with Local Self-Government administration feel that this is no hasty measure, but one which is urgent, wise and practical, designed to avert a catastrophe."

* Mr. A. RANGANATHA MUDALIYAR:—"Mr. President, Sir, those of us who listened to the speech of the hon. Chief Minister in connexion with the introduction of this Bill cannot but agree that the picture he presented is indeed deplorable. And I am willing to go further and say that it is no exaggerated account in any way. But much of the trouble that we find ourselves in now, I venture to say without any offence to anybody, is the result of the policy pursued by the several successive Ministers of Local Self-Government. I would say this is due to three causes: (1) to the sins of omission and commission of the local bodies, (2) to the lack of co-operation between the Reserved and Transferred Halves and (3) to the apathy and, may I add, neglect of the Government in charge of Local Self-Government of their undoubted and obvious responsibilities. I say, Sir, 'sins of omission and commission' of local bodies, because if we examine carefully, we shall find that several bodies have been reckless in the matter of expenditure. Some of them have been having a staff inordinately large to their requirement; and their retinue of menial staff reminds one of that of nobles and zamindars.

"The second reason I adduced is the lack of co-operation between the Reserved and the Transferred Halves. If you ask any of the old Civilian officers as to how they like their work, they will readily say that they do not like it half as much as they used to do in the pre-reform days. If you press them for the reason, they will tell you that, in those days they had a hand in the shaping of activities that is now delegated to the local boards. In rural sanitation and hygiene, in elementary education, in fairs and festivals, in short in every aspect of rural life they had a deciding voice. But now, since the local boards are managing these affairs, they do not care to have anything to do with the work of the local bodies and their administration. This attitude is but a reflection of the attitude of the Government at the top. If, for example, at the present day the Local Self-Government Minister seeks the help of the Revenue Department in regard to a particular item of business, there is always a feeling on the part of the Reserved Half that it is not their part to help him. If elections are to be held and the help of the Revenue officials is sought, Government immediately ask, 'Will you pay the travelling allowance, or meet this and the other items of expenditure?' If the Minister wants to levy tax on non-motor vehicles and invites the co-operation of the Revenue agency for its collection, the latter raises some sort of objection or other to the proposal. So this is another cause for the present state of affairs.

2nd February 1934] [Mr. A. Ranganatha Mudaliyar]

"And the third reason lies with the Ministry of Local Self-Government itself. In the speech of the hon. Chief Minister it was said that already at the introduction of the last measure there were forty taluk boards in an insolvent condition being unable to meet their expenditure without outside help. And yet the Government without any hesitation whatsoever divided the areas under them and increased the taluk boards to eighty. It looks as if they perhaps gave no thought to the obvious consequences of the more than ready willingness to oblige X, Y or Z and multiply boards.

"Now, Sir, what is the remedy, one may ask. The hon. Chief Minister has come forward with his proposal, and that is to abolish the taluk boards. I see, the evil is great, and the proposed remedy a drastic one. Though that step is, perhaps inevitable, I cannot ignore my feeling that the taluk boards have a place in the future of our country. It may be that you cannot but abolish them now but in the India of the future they are a necessity, and the functions that they will have to discharge then will not necessarily be those they are discharging now. They are likely to be such as will vitally affect the interest of the people at large. For example, I expect that the taluk boards of the future will be given the task of supplying agricultural machinery to the people, seed to the farmers, in short give every sort of assistance to the agriculturists that may tend to increase the yield of the land. So, I would ask the hon. Chief Minister to try and see whether he cannot introduce in the framework of his scheme, some administrative machinery, call it by what name you like, a standing committee or joint panchayat board or union of panchayats to supervise a few specified activities in the taluk.

"In this connexion I would ask the hon. Minister not to impair the efficiency of the panchayat, for the panchayat is the foundation of the Government of the country. I appeal to him, in his zeal for the abolition of the taluk boards, not to weaken the panchayat, and to avoid the temptation of splitting up the district boards into two or three boards. As it is, he should know from his own experience the troubles attendant on the exercise of his powers of patronage. The late lamented Raja of Panagal, once said that for everyone on whom he bestowed a favour he created surely ten enemies.

"That is no exaggeration. Let not the hon. Minister yield to the promptings of his friends and unnecessarily divide the district boards. 12-15 p.m. Further, I request him earnestly to allow, whenever possible, the presidents of district boards to have good and competent executive officers who can relieve them of the extra work that will be necessarily thrown on them by this measure."

Rao Bahadur A. T. PANNIRSELVAM:—"I rise neither to support nor oppose the main motion or any of the amendments. I intend merely to say, by way of general remarks, something on the Bill that has been introduced. I should like at the outset to remind hon. Members of this House that the district boards and taluk boards are institutions,

[Mr. A. T. Pannirselvam] [2nd February 1934]

which, as far as this Province is concerned, have been sanctified by ages. If they are institutions which have stood for over and above 50 years and which I dare say have given a very good account of themselves in the official days, despite whatever criticism might be offered from any quarter, they have given a very much better account of themselves during the non-official days. I may say that the work done by the district boards and the taluk boards during the last ten years, after all these boards have come under the non-official management, has been certainly very much more progressive and very much more advantageous to the people. As an illustration of that I may quote the work done by that single taluk board, the taluk board which has been presided over by my hon. Friend, Mr. Tajuddin. During the last ten years during which it has been under non-official presidents, the number of schools under it has increased from 62 to 120. Sixty-two elementary schools during a period of forty years of official rule! It will be clearly seen that there has been an increase of cent per cent during the last twelve years. Coming to roads, from 14 miles of village communication we have somewhere about 75 miles of village communication during the last twelve years. Coming to medical relief, where there were three dispensaries as a result of forty years work, there are now five dispensaries. Previously only 20 villages were served with village communications, now 100 villages are served. All that under the presidency of non-official presidents. The Tanjore Taluk Board is presided over by a very capable gentleman Mr. Umamaheswaram Pillai, the best in my own district. I may say that with my experience of the working of all the taluk boards, I can easily compare the work done by other taluk boards.

“ Sir, as these district and taluk boards are institutions which have a history of their own, which have built up a tradition of their own and which have given a very good account of themselves, we should indeed hesitate before dismantling all these institutions. As I understand the Bill, it aims not merely at the abolition of the taluk boards, but the abolition of district boards as well. It may be that the name ‘district board’ is retained in the Bill. But in effect the district boards and taluk boards disappear. District boards as we know them are to be split up into two or three boards which may be better called by the name of central boards as was originally thought of by the Leader of the Opposition when he occupied the Treasury Bench. It will be a misnomer to call them district boards. It may be said that these are all sentimental. But I may state that sentiment generally is supported by logic. In spite of all these things if we find that the state of things in the local bodies has become so bad that there is no other way of escape, except to abolish them, by all means let us abolish them, but let us put in their stead some other institutions which will serve better the purposes for which these institutions were originally introduced. With this view, I will, Sir, with your permission, say a few words. In considering this question, we have to see whether the

2nd February 1934] [Mr. A. T. Pannirselvam]

reasons which the Government have set forth for the present unsatisfactory state of things in the local bodies are found to be true. In the communiqué which they have issued the first reason they have advanced for the bad financial position of taluk boards is the Act of 1930. Under the Act of 1930 compulsory cess of 18 pies was levied. It also provided for the distribution of these 18 pies. In the communiqué it is stated that that provision is mainly responsible for the bad position of the taluk boards’ finances. Let us now consider what the position was under the old Act, rather prior to 1930. Prior to 1930 it was obligatory on the local bodies to levy a cess of 1 anna leaving it to the option of the local bodies to levy an additional cess of 6 pies. In my district, neither the district board nor the taluk boards ever levied additional cess. We were levying a cess of only 1 anna in the rupee. Under the Act of 1930, the levy of 6 pies is made obligatory upon us. But in most cases, I find from the communiqué, that this additional cess of 6 pies which was only optional under the old Act, was as a matter of fact being levied. Therefore, the position comes to this: that in the case of boards prior to 1930 we were not levying additional cess, but we have provided them with additional cess by the Act of 1930. From the communiqué it will be clear that these boards have suffered a diminution in income. They say that the distribution that has been imposed by the Act is responsible for the bad condition of the taluk boards. We find under the Act of 1930 that 6 pies land cess goes to the coffers of the taluk board, 3 pies goes to the Village Panchayat Fund and 3 pies to the Village Development Fund. Thus you will see that while the taluk boards can now get only 6 pies they have not the advantage of 3 pies which if they were so minded they could have levied under the old Act. That argument overlooks one fundamental fact. Three pies which goes to the Village Panchayat Fund, is it a loss to the taluk board? Is it not used by the village panchayat for the purpose of improving the village communication, village sanitation and so on which but for the existence of the village panchayats the taluk boards would have taken over. I can only say that the 3 pies does not go to the fund of the taluk board. To that extent the taluk board is also relieved from the burden which would otherwise have fallen upon it. Therefore, I feel that this 3 pies is really no loss to the taluk board.

“ Then as regards the Village Development Fund, if you will look into this, you will find that this fund is to be utilized for the purpose of village communication, rural water-supply and village sanitation which the taluk board has to attend. It is true that this Village Development Fund is not being administered by the taluk board. Under the Act it is being administered by a Central Body called the Village Development Committee, but the purposes for which this fund can be utilized are purposes for which the taluk board is responsible. Therefore this 3 pies now contributed to the Village Development Fund are intended for the taluk boards. Therefore, under the Act of 1930, in place of compulsory cess of 6 pies and optional cess of 3 pies making

[Mr. A. T. Pannirselvam] [2nd February 1934]

the total 9 pies which would have gone to serve the needs of the villages for which the taluk boards are responsible, they will be really getting 1 anna 6 pies the taluk board, 3 pies the village panchayat and 3 pies the Village Development Fund. Therefore it seems to me that the first argument that has been advanced by the Government that the present financial position of the taluk boards is bad does not hold good.

“The next argument that has been advanced was based on the Madras Motor Vehicles Taxation Act. As far as that is concerned, I say only this much. I do not intend by any means to flatter the Leader of the Justice Democrats for all the acts which he has done as Minister. If there is one thing for which he can claim credit and for which he has earned the eternal gratitude of the poor agriculturists, it is that Act. It is the Act by which the agriculturists were relieved of their trouble and nuisance of having to pay As. 4 for every cart at every toll-gate. He gave the relief curiously at a time when the villager needed it most. If the toll had existed to-day, what would be the fate of the villager? The paddy which was selling at Rs. 3 and Rs. 4 five years ago is now selling at As. 14 or Re. 1 and with the existence of the toll the value of paddy per kalam would have probably further gone down by at least one anna.”

Mr. SAMI VENKATACHALAM CHETTI:—“Tolls will come in again.”

Rao Bahadur A. T. PANNIRSELVAM:—“If they come, the poor peasants will starve. I wish they never come.”

“Sir, there might have been some miscalculation as to the income which was expected under the Madras Motor Vehicles Taxation Act. Time and again it has been said that that was a hasty piece of legislation and that there was over calculation. If for a moment allowance is made for the financial depression which somehow or other synchronised almost with the passing of this Act, we can see why the income under the Act is low. Owing to the economic depression prevailing in the country even without that Act, the amount of income which was derivable both by way of motor licence and tolls would have considerably fallen. Are we to think that the district boards would have remained unaffected when all round the world every kind of income, of Government, of local bodies except that of Government servants, had gone down?”

12-30
p.m.

“Therefore I say, Sir, that it is again wrong to put down to the discredit of the Motor Vehicles Taxation Act this bad financial position from which local boards are suffering. It seems to me therefore that the real reason for the bad financial position of taluk boards is the general financial depression. Why should we take it that the local boards have got some chronic defect inherent in them due to which they are in a bad financial position now? As I said, these local boards have been in existence for fifty years and for fifty years they have been able to balance their budgets. If latterly, during the last three or four years

2nd February 1934] [Mr. A. T. Pannirselvam]

during which also we have had this worldwide financial depression, taluk boards are badly off, are we not to find the causes of the disease elsewhere than to where the communiqué points. What is the remedy which the communiqué suggests? It suggests the abolition of taluk boards and it seems to take it that, a district board, with no other link between itself and the village panchayat, would be able to carry on the local administration as efficiently or more efficiently and economically than it is now possible to do. Let us consider that aspect of the matter. If you are going to abolish taluk boards and substitute what you would call a district board, are you really going to effect any economy? The funds available to you are going to be the same. The cess is not going to be increased. The $1\frac{1}{2}$ annas you are levying and distributing in a particular manner will be distributed in a different manner. You are not suggesting any additional sources of revenue. The income is there—fixed and unalterable. Turning to the expenditure it is probable that by abolishing taluk boards and substituting district boards, you might be able to cut down expenditure. But in what directions are you going to cut down expenditure, I ask? One has been suggested—staff. Let us consider the question of staff. If you are going to abolish taluk boards, you are going to give these functions to the district board. I presume that each local body is staffed to the extent to which it is necessary to cope with its work. You are going to give additional work to the district boards and for that additional work, will you not have to appoint additional staff? What you take away from taluk boards, you are going to tag on to district boards. It might be, let us say, that if ten taluk boards employ five clerks each, there might be no need to employ all the 50 of them; it might be that only 20 or 25 or 30 of them will be required and there might be a saving there. Next let us come to the travelling allowance payable to members of taluk boards and district boards. In that connexion, I would like to put this question. Take ten taluk boards with twenty members each, there will be 200 members in all. Take a district board, I presume that if you are going to bifurcate the district board, you will increase the number of members for a district. The present maximum is 56 for a board and let us take it that the maximum strength for a bifurcated district board will be about 45 or 50. Will it be cheaper or at least will the saving effected be considerable when you consider the two aspects: Two hundred members each meeting in his own taluk headquarters as against ninety or one hundred members each meeting in his own district headquarters? The travelling allowance payable to each member of the district board is bound to be $1\frac{1}{2}$ to 2 times the travelling allowance payable to a taluk board member. There again, the amount that you are going to save is not going to be considerable. Anyhow, let us take it that you will be able to reduce the expenditure on the staff by 50 per cent and the expenditure on travelling allowances by another 50 per cent if you like. As against this, what is the additional expenditure you are going to impose? For each district board you are going to appoint one executive officer in place of the zero number of executive officers at present.

[Mr. A. T. Pannirselvam] [2nd February 1934]

For a district board which is bifurcated, you will have two executive officers, you will have one panchayat officer in addition, you will have one district board engineer in addition and one more district educational officer. Thus there will be four or five persons more, all of them fairly well paid whom you are going to appoint in order to carry on the work of a district board. Well, where is the saving, I ask? The saving on the staff, on the poor 30-rupee clerk and the saving in the travelling allowance. As against this you are going to incur additional expenditure by way of pay to all these additional officers. Therefore, it seems to me, Sir, that considered purely as a question of finance, you are not going to relieve the situation to any considerable extent.

“Next, it is said that the functions of taluk boards and district boards are such that they overlap. There again, I am not able to see where the overlapping comes in. True, the district board looks after education and the taluk board also looks after education, but they are two different kinds of education that they are looking after—secondary education and elementary education. There is no overlapping at all, unless it be that both of them happen to be supervised by the same Governmental staff under the control of the District Educational Officer.

“Then again roads. The district board roads are absolutely different from village communication. The district board's function is to find out how it can connect the more important places in the district with one another, the more important towns or even the minor towns. The function of the taluk board is to see how it can connect the outlying villages to these roads which the district board has laid out. If there is any overlapping at all, it is only in the matter of sanitation or public health, preventive medicine. There, I can say, with the little experience I have of district boards, that they are doing very little. Most of the work is being done with the advice and under the guidance of the District Health Officer, who is now, I suppose to work, not under the control of the District Board President, but whose services are available to the villagers under the direction, guidance and co-operation of taluk board presidents. What little I had to do with public health as a district board president was to transmit the numberless diaries I used to get from health inspectors and from the health officer to the taluk board president and from the taluk board president back to the health officer. Village fairs and festivals and sanitation are items of work which the taluk board has to do and that is only where you can say there is any overlapping at all.

“The next point that arises is that if you are going to abolish taluk boards, I cannot agree with those who say that it is enough if we have one district board. If you want to have anything more than a sham local board administration, you need not only bifurcate the district board, but you should at least trifurcate it. I feel that if you are going to impose statutorily on the district board president the responsibility for carrying on the administration, you will be imposing on one human

2nd February 1934] [Mr. A. T. Pannirselvam]

being a task which will be impossible for even a superman to carry out. It will be impossible for one district board president at the headquarters of the district to look after or even acquaint himself with the needs of the outlying villages. I wonder whether, if even in bifurcated or trifurcated district boards, it will be possible for one district board president to satisfy the needs of the villages to the same extent to which taluk board presidents can. But anyway if you are going to abolish taluk boards, the district boards must automatically go and their places taken up by some other bodies, call them district boards or any other boards.

“Just a word about village panchayats. Succeeding as I do, Sir A. P. Patro, I feel a hesitation about giving expression to my views about village panchayats. He seems to have an inexhaustible faith in village panchayats. I know that from every platform we are being told that in good old ancient days we used to have very efficient and self-sufficing village panchayats, but owing to some reason, probably the advent of the British, all these good things were lost to us and that we may resuscitate them. Probably they were very good institutions, but what they have left to us? They have left to us very well laid out villages—laid out how? The dirtiest and the lowest portions of the village, the portions exposed to the floods and all the inclemencies of the weather, were left to the untouchables. If the river was in floods and the fields became flooded, that portion of the village occupied by the untouchables came first and foremost under water and all the Adi-Dravidas had to pack up what little they had and go to other portions of the village for three months in the year. Next in gradation came the Sudras. This community occupied portions of the village where the conditions were a little less severe. Then there was the aghaharam, most ideally situated in the most elevated portion of the village with pukka buildings with cattlesheds in the rear, to which in times of distress, in times of floods the Adi-Dravidas and Sudras can go and take shelter. That was the village system which we have inherited. I can only say that things to-day have not improved to such an extent that we have all become philanthropic, that a village panchayat constituted to look after the welfare of the village would so distribute its favours as to be impartial to the Depressed Classes, to the non-Brahman caste-Hindus and to the Brahmans. I know, Sir, with what little experience I have of the panchayats in the enlightened district of Tanjore, that the caste spirit there to-day is as dominant as it was ever before. To-day, if you entrust the affairs of the village to a panchayat you will find that the village communication begins from the main district board road stops at the entrance to the aghaharam. That would be the place nearest to the main street. If you want to go beyond that, you will have to wade through knee-deep water or through flooded fields and channels. When there is a heavy shower, the Adi-Dravidas have to vacate their quarters and take shelter in the quarters of the Sudras and then go from there to the cattle-sheds of the Brahmans. Now take village education. You will have a school opened no doubt in the

[Mr. A. T. Pannirselvam] [2nd February 1934]

village which on paper and according to the reports of educational officers will be open to all communities. But if you go there, you will find that the school is situated right in the centre of the aghaharam. Of course, the managers will say that anybody is welcome to the school. But I leave it to the House to judge whether the depressed classes will be able to go there.

12-45
p.m.

“A few words more, Sir, and I have finished. I want to say a few words about the standing committees suggested in the Bill in order to improve the efficiency of district boards which would otherwise be considered to be too unwieldy. What is the sort of standing committee that is proposed here? The standing committee of the district board will be constituted, not on its own initiative, but on the initiative of the Government. The Bill says that a local board shall, if so required by the Local Government, constitute standing committees. The initiative for the constitution of a standing committee is to emanate not from the local board itself but from the centralized Government. The purpose for which that standing committee is to be appointed is not to be decided by the local board but by the Government again. How is it to be constituted? Then the Bill further says that the Local Government may issue such directions as they think necessary or desirable in the case of any standing committee, the constitution of which is ordered by them under sub-section (1) in respect of the following matters. What shall be the number of members of the local board and the number who may be outsiders? Here again the direction has to come from the Local Government. The Government have to decide the persons who shall be members of the standing committee or the manner in which they shall be elected or appointed. We were under the impression that from the year 1930 this habit of nominating people to local bodies was wiped out once for all. Standing committees are to be constituted to which the local bodies have to delegate their powers for early disposal. That body is to be constituted not merely by people elected by the local body but also by persons appointed by the Government. The provision in the Bill is to the effect that the Local Government may issue directions as to the person who shall be the chairman of the standing committee or the manner in which he shall be elected or appointed. With all due respect to the hon. Member from Bellary who said that it would be possible to carry on the administration, I would submit that it would be impossible to carry on the administration with a standing committee constituted in this manner.

“Just one last word about the Educational Officer. You are going to appoint one Educational Officer to look after secondary education and elementary education. All that I can ask is this. What do you expect one officer to do in the field of education? Under the Act he is to be the manager of the schools; he has to do everything except to find funds. The district board is to find the funds and the District Educational Officer shall be the boss of the show. He is given absolute powers and he is to be a Government servant. I ask if, to-day, one

2nd February 1934] [Mr. A. T. Pannirselvam]

District Educational Officer with probably a dozen deputy inspectors of schools—altogether about 13 or 14 officers—is not able to visit every school once a year, what do you expect one educational officer for the whole district to do in the matter of spread of education, in the matter of supervising schools, in the matter of controlling education. These are all matters which, I think, require very deep consideration on the part of this House and I leave it at that.”

* Mr. E. CONRAN SMITH:—“Mr. President, Sir, there are still several hon. Members desirous of speaking on this measure and I do not want to take up the time of the House. Indignation has forced me to take part in this debate; I wish to express very briefly my surprise and disappointment at so enlightened and experienced a gentleman as Mr. Ranganatha Mudaliyar being ignorant of the provisions of the Act. Section 6 (1) of the Madras Local Boards Act, 1920, is to the following effect:—‘There shall be constituted for each district a district board, for each taluk, a taluk board and for each village a panchayat.’ Another section has given the Government power in certain cases to amalgamate. That section obviously is intended to be used only in special cases and it requires the Government to obtain the sanction of the local bodies concerned when such action is taken. An hon. Member on the opposite side of the House speaking the other day said that the Government were driving a coach and four; I do not know through what”

Mr. SAMI VENKATACHALAM CHETTI:—“On a matter of personal explanation, Sir, I did not say that the Government were driving a coach and four; I said that the hon. Minister was driving a coach and four over his party.”

Mr. E. CONRAN SMITH:—“I beg the hon. Member's pardon. But the hon. Minister is now being asked to drive a coach and four through the Act passed by this Council in 1930.

“I do not propose to deal with the speech of the Raja of Khallikote—I am sorry that the hon. Member is not now in the House—I will only say that I think he must have been speaking with his tongue in his cheek.”

* Mr. K. SINGAM AYYANGAR:—“Sir, my practical experience before and after the amended Act of 1930 is that taluk boards have been looking satisfactorily after the needs of the rural population, such as spread of elementary education, rural medical relief and rural water-supply. Even after the amended Act of 1930 was passed, the Government did not deviate from the general principles or lines on which taluk boards have been working. The Government may agree to bring in smaller units so that they may have closer supervision over the rural needs. It is with that idea that the amended Act of 1930 was passed. But the Government did not at that time make any provisions,

[Mr. K. Singam Ayyangar] [2nd February 1934]

so that taluk boards and panchayat boards can go on with the administrative proposals in proper manner. No doubt factions existed between panchayats and taluk boards. They can be overcome by administrative proposals from the Government themselves instead of by a Bill which is against the principle laid down in the Act of 1930. My hon. Friend, Mr. Pannirselvam, has clearly told this House that practical changes would be necessary to remedy the existing defects instead of straightaway abolishing taluk boards. The abolition of taluk boards is not conducive to carrying out the proposals of the Government itself. The Government wants that rural population should be benefited more. They want more panchayats; they want closer units. I am not able to follow when they say that the abolition of these closer units should be done. The Government is at perfect liberty to bring forward some administrative proposals by which the existing defects might be overcome. That is the way to remedy and to remove the friction between the panchayats and the taluk boards, instead of having the district board or a central board to look after the needs of the rural areas. Till now the taluk boards have been looking after these things and they have been in close touch with the rural population and they should continue to do so hereafter also. To have more control over them and proper supervision over them, it is necessary that a board which have been in constant touch with them should be there and if there is anything found defective—in the matter of finance or other matters—they should be remedied by changes.

"I have to make some suggestions with regard to the Village Development Fund. Under the amended Act of 1930, three pies contribution by the district board has been made compulsory. Six pies share has to be given over to the panchayats. The Village Development Fund is purely intended for the taluk board and panchayat areas for a variety of things like rural water-supply, etc. If the Government really find that some taluk boards which are closer units could not run the administration, they can as well ask the district board not to give the three pies share to the Village Development Fund. The six pies contribution can be used in villages—panchayat areas and in non-panchayat areas. Some solution of the problem should be found out and not the abolition of the taluk boards straightaway. I would request the hon. Minister to bring forward some administrative proposals to remove the financial difficulty but not to deviate from the general principles relating to the needs of the rural areas by abolishing taluk boards which are closer units."

* Sriman M. G. PATNAIK Mahasayo:—"Sir, I find that most of the speeches are not relevant to the amendments and the motion before the House. First of all the question is whether there should be a committee of enquiry. So far as this point is concerned, no case has been made out at all. No such case has been made out by people saying that the information furnished by the Government is correct or not or sufficient or not. Nobody has stated that the information is either

2nd February 1934] [Sriman M. G. Patnaik Mahasayo]

incorrect or insufficient. So far as the two amendments are concerned, I think that no case has been made out and no facts have been substantiated in their favour. With regard to the main resolution . . ."

Mr. SAMI VENKATACHALAM CHETTI:—"I think the hon. Member cannot speak on the main motion. He said that all the remarks made so far on the main motion are irrelevant."

* Sriman M. G. PATNAIK Mahasayo:—"With regard to the main motion, I think, speeches delivered so far did not say that the Bill is quite unnecessary. It might have been stated that the Bill is based on wrong principles and that there is no necessity for the amendment of the Act as proposed by the hon. the Chief Minister. It was stated that the Bill might be improved in several ways. If that is so, that matter can be looked into at the Select Committee stage. I do not think that all the details should be discussed now. The hon. the Chief Minister does not say that the Bill, as it is, should be accepted by the House just now. The Bill will of course be referred to the Select Committee. That is the motion now before the House. Therefore all we have to say at present is whether the Bill proceeds on good principles or not. In order to prove that point, the only question that has to be considered is whether there are really financial difficulties or not, and how those difficulties can be got over. That is the only point that we should address ourselves to. That was not done so far. On the other hand, hon. Members have been saying that the taluk boards should remain. These are matters of detail which need not be discussed on the floor of the House now . . ."

Mr. SAMI VENKATACHALAM CHETTI:—"The hon. Member is casting reflections on the Chair."

At this stage the House adjourned for lunch.

After Lunch (3 p.m.)

III.—ELECTION OF TWO MEMBERS TO THE BOARD OF INDUSTRIES.

* The hon. the PRESIDENT:—"I have to announce that the following candidates have been duly nominated for election to the Board of Industries:—

- (1) Rao Bahadur A. T. Pannirselvam.
- (2) Mr. V. T. Arasu.
- (3) Diwan Bahadur A. Appadurai Pillai.
- (4) Mr. G. R. Premayya.
- (5) S. M. K. Beyabani Sahib Bahadur.

"Of these, Messrs. Pannirselvam, G. R. Premayya and S. M. K. Beyabani have withdrawn their candidature. I therefore declare that the remaining candidates, viz., (1) Diwan Bahadur A. Appadurai Pillai and (2) Mr. V. T. Arasu have been duly elected."

[2nd February 1934]

II.—AMENDMENTS TO THE STANDING ORDERS OF THE MADRAS
LEGISLATIVE COUNCIL.

* The hon. the PRESIDENT:—"I have to inform the House that the following six gentlemen were nominated for election to the Select Committee to consider the amendments to Standing Orders:—

- (1) The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur.
- (2) Dr. P. Subbarayan.
- (3) The hon. the Raja of Bobbili.
- (4) The hon. Sir Hopetoun Stokes.
- (5) Mr. J. K. Metherell.
- (6) Diwan Bahadur B. Muniswami Nayudu.

"As the number of candidates nominated is equal to the number of vacancies to be filled, namely, six, I hereby declare the above-mentioned Gentlemen to be duly elected under Regulation II (4) of the regulations for the holding of elections by means of the single transferable vote.

"Under Standing Order No. 80, the Deputy President and the Advocate-General are ex-officio members of the Select Committee, and I have to nominate a Chairman of the Council to serve on the Committee. I hereby nominate Mr. M. A. Muthiah Chettiyar as a member of the Committee."

IV.—A BILL TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920, AND
THE MADRAS ELEMENTARY EDUCATION ACT, 1920, FOR CERTAIN
PURPOSES (BILL NO. 2 OF 1934).

* The hon. the PRESIDENT:—"Before we proceed with the discussion of the Bill, I wish to inform the House that there are several hon. Members who are anxious to speak on this Bill, and every hon. Member who is given a chance to speak must take as little time as he can, so as to accommodate those that follow and satisfy as many Members as possible who are anxious to speak."

Sriman M. G. PATNAIK Mahasayo (continued):—"Sir, as I was saying this morning, the main objection to the motion made for referring this Bill to the Select Committee was, so far as I know, that the many questions involved in the Bill would not be allowed to be discussed in the Select Committee, if objection is not taken to certain provisions even at this stage. The first of them is, what is to become of the Village Development Fund? Of course that should not be subordinated to the general finances of the district board. That is the opinion that is held by some hon. Members. It is said that if the Bill goes to the Select Committee without any reservation being made for the discussion of that question by the Select Committee, Members will be precluded from raising that question in the Committee. If the hon. the Chief Minister

2nd February 1934] [Sriman M. G. Patnaik Mahasayo]

will now state that such questions may be discussed in the Committee, I think there can be no difficulty.

"The second question relates to finance. People still have to be satisfied on the point whether the abolition of the taluk boards would lead to any substantial retrenchment in the expenditure of the local bodies as a whole. That is a very important question; Government have of course given some materials, but I do not know if those materials are sufficient. If the Select Committee is satisfied that substantial savings can be made if the taluk boards are abolished, there will again be no further difficulty on this matter too.

"Then we come to the third important question, namely, the appointment of special officers, for instance, the educational officer for the management of elementary schools. The main point for decision is whether the district board will have to manage the schools or whether the management will have to be transferred to the district Educational Council. If that question also is allowed to be considered by the Committee, another objection that has been raised will be removed. Therefore, Sir, on these three important points I think the hon. the Chief Minister may make a statement that these questions will be left open for discussion by the Select Committee. If that is done, the amendments suggesting a circulation of the Bill or the appointment of a Committee of enquiry, may not be necessary at all.

"Another important factor that we have to bear in mind in reference to this subject is that no further taxation should be resorted to and no tolls should be restored, as was suggested by some of the presidents of district boards like Mr. Shetty or even by my Friend from Madras, Mr. Hameed Khan. These Gentlemen suggested that the taluk boards should be retained, even if it be necessary to re-impose the tolls. I strongly object to that. There should be no further taxation. People are hard hit on account of the fall in prices and the economic distress to such an extent that any further taxation will fall very heavily on them and will be an unbearable burden. Therefore, Sir, such a course should not be adopted. Short of that, anything might be done; whether the taluk boards are going to function for the time being as taluk boards or not, at least till better times come, some device may be adopted for carrying on the work. One such device was referred to by Mr. Muniswami Nayudu, i.e., representatives of panchayats can form themselves into committees and they, along with the presidents of local boards, can carry on the work. Some such device may be adopted to minimize the cost and at the same time to carry on the work effectively. In any case, Sir, further taxation should not be resorted to. These are the suggestions, Sir, which I wanted to make."

* Mr. W. K. M. LANGLEY:—"Mr. President, Sir, on behalf of the European Group with which I am connected, I have great pleasure in strongly supporting the proposals which are contained in the Bill brought forward by the hon. the Chief Minister; and I do so with even

[Mr. W. K. M. Langley] [2nd February 1934]

greater pleasure because I firmly believe that these proposals, if carried out in a careful and practical manner, may prove to be more beneficial to local institutions in this Presidency, than probably any other measure in connexion with local self-government administration, that has been introduced during the life of the present Ministry. At the same time, Sir, I should like to congratulate the hon. the Chief Minister on his statesmanship and courage in bringing forward these proposals in the face, obviously, of very strong vested interests and in the face of strong and well-organized opposition. The principal reason why we support these proposals is that they will, in our opinion, simplify the local self-government administration of this Presidency. In the course of the debate, and especially in the course of the earlier speeches on the first day, I was expecting to hear some detailed discussion on the subject of panchayats, seeing that this Bill is in effect a proposal which I hope will have the effect of greatly improving the efficiency and the general working of the panchayats which I believe are bodies which have the strong support of everybody on both sides of this House. And yet, Sir, in speech after speech, I heard nothing but strong denunciations of the abolition of taluk boards; in other words, there was not a word said on the subject of how panchayats might be improved by this Bill; or how this Bill was going to affect the working of these panchayats at all. In fact, Sir, it was Sir A. P. Patro this morning who first really devoted some part of his remarks to the question of panchayats and the method by which this Bill may improve their position. It is not very frequently, Sir, that Sir A. P. Patro and myself entirely agree on any question that comes before this House; but on this occasion, I can only say that I am in complete agreement with Sir A. P. Patro. In fact, it would appear from the course of the debate, that we are the only two democrats in this House. I do quite seriously and honestly believe that if you create, either for good or for ill, more than 5,000 panchayats in the Province, and I presume this Bill will have the effect of creating more in due course, then it seems to me that it is most desirable that these panchayats should be got into proper working order at the earliest possible moment, so that, as Sir Patro remarked this morning, the local self-government administration of this Presidency may be based on a really sound and solid foundation, and the people themselves, i.e., the people actually in the villages, may be able to understand the rudiments of local self-government.

“Now, Sir, the principal objection to this Bill at the earlier stages and particularly in the speeches of my Friends, Mr. Sami Venkatachalam Chetti and Mr. Shetty, seemed to be on the financial question. My Friend, Mr. Venkatachalam Chetti in particular, introduced the bogey of the Motor Taxation Bill. I confess I really fail to see what connexion the Motor Taxation Bill or any other Bill which is purely a money Bill of that kind, has to do with these particular proposals. The Motor Taxation Bill was obviously a question of finance, and unfortunately the financial details had not been worked out as carefully as they might have been and so resulted in a great loss to the

2nd February 1934] [Mr. W. K. M. Langley]

local boards. But in respect of this particular Bill, who can say honestly that this Bill can possibly in any way add to the expenses of the local self-governing institutions in this Presidency? On the other hand, Sir, it seems to me clearly a mere matter of arithmetic to find out definitely that it must inevitably improve the finances of the local bodies.

“The taluk boards, at any rate those with which I am acquainted, 3-15
are exceedingly top-heavy in regard to their expenditure and their p.m.
removal does not mean the removal of money spent on services to a very large extent, but a great saving of money spent on meetings and travelling expenses and all such superfluous expenses in the case of bodies working on a very small budget. I can see absolutely no ground for any fears on the subject of financial stringency, so that, in that respect, I for one am not going to be frightened by my hon. Friend, Mr. Venkatachalam Chetti, in his capacity as Bogey man.

“Now, as regards the practical working of this Bill, there are one or two points on which I would like just to touch briefly. I do think that Government will have to be extremely careful in the working of these panchayats and see that they do not become homes of faction and that they are given every chance to carry on their work in a proper manner. In particular the most important point in that respect will be the method by which elections take place. I believe in many cases, at present, elections for panchayats are carried out by show of hands. That is an extremely dangerous system as, in the case of such bodies, it is obvious that this would lead to voting at the bidding of the majority party. Obviously also ordinary election by ballot would lead to great abuses in the early stages, such as impersonation and an enormous crop of election petitions. If you consider the number of 5,000 panchayats, the number of election petitions which might have to be tried would be very large. Therefore, I venture to suggest that selection of members to these panchayats should, if possible, be by nomination and that the power of recommending names should be given to Panchayat Inspection Officers and that such officers should be given extremely wide powers. They should not necessarily be told that they must in each place recommend so many of each community. For example, there is no reason why members of the depressed classes should be selected simply because of their being depressed.

“As I have remarked at the beginning of my speech, I am afraid, the hon. the Chief Minister is faced with very severe attacks by vested interests in connexion with this Bill. I am afraid that is inevitable. I was reading a diary a few days back which was almost entirely devoted to the subject of Mr. Lloyd George, wherein it was noted that in the course of a conversation one day, Mr. Lloyd George remarked that whenever he came up against vested interests, it was exactly like cutting down some great tree which had outlived its usefulness which when it was cut down disclosed an enormous number of creatures which had been living under its protection. The hon. the Chief Minister must

[Mr. W. K. M. Langley] [2nd February 1934]

take his courage in his hands and I sincerely hope he will not be deterred in his duty by the opposition of any vested interest. I do not see why any taluk board president, or any members of taluk boards for that matter, should be allowed to stand in the way of what we believe this to be a measure for improving the local self-government administration."

* Dr. P. SUBBARAYAN:—"Mr. President, the hon. the Chief Minister when introducing this measure referred to past history and the steps taken with regard to local self-governing institutions in this province. I do not want to follow him in going back further than the year 1926. Hon. Members who were Members of the House in the year 1926 will remember that the then Chief Minister, who was in charge of local Self-Government—the late Raja of Panagal—introduced a measure to amend both the District Municipalities and the Local Boards Acts, providing for direct election to the district boards. But that measure did not go beyond the stage of introduction, because there was a change of Ministry at the end of 1926 and when the change of Ministry took place, I had the honour of holding the port-folio of Local Self-Government from the year 1926 to 1930. If hon. Members will remember, even though I took on myself the task of amending both those measures as public opinion demanded it, as over seven years had elapsed since Sir P. Rajagopalachari's original Local Boards Act of 1920 was passed, Mr. N. Gopalaswami Ayyangar who was then the Inspector of Local Boards drafted a measure in which he suggested that the taluk boards might go out altogether, that village panchayats might be the unit of Local Self-Government and that district boards might be the next step in the order of local self-governing institutions. That measure was considered and, as the hon. the Chief Minister mentioned, that measure was dropped for reasons that he did not know. I am in a position to give reasons why that measure was dropped. The fact was that as I was not conversant with the working of local bodies I consulted some of the most prominent district board presidents of the time including my hon. Friend, Mr. Pannirselvam, who was then the president of the Tanjore District Board. Most of the gentlemen who assembled at the time felt that it was too drastic a step to take, especially when there were not enough panchayats in the Presidency who would take care of the rural interests directly; and that was the reason why that Bill had to be dropped. I held also a conference of Members of the Legislative Council who had experience of local self-governing institutions including the present Minister for Education who was vehement in his opposition to the abolition of taluk boards. Evidently three years on the Treasury Bench have changed his mind, but I am glad to find that my hon. Friend, Diwan Bahadur Muniswami Nayudu, is still of the opinion that he held in the year 1928-29. The point he made in favour of the retention of taluk boards—I am glad to say he was the chief protagonist of the retention of taluk boards—I believe holds good to-day. His argument was that as there were not enough panchayats to look after rural interests, till a good number of panchayats were developed in localities to whom

2nd February 1934] [Dr. P. Subbarayan]

could be handed over elementary education, rural sanitation and rural communications, there should be an intermediary body between the district board and the panchayat board who would take care of such local interests. I found that argument valid and that was the reason why taluk boards were retained in the Bill which was introduced in the year 1930. They went further than that even. At the time, I had no intention of touching the taluk boards as they stood then, but both my hon. Friends, Mr. Muniswami Nayudu and the present Minister for Education, were saying that a single taluk board for every taluk would be a better way of solving the difficulty than retaining a big divisional taluk board for two taluks. (The hon. Diwan Bahadur S. Kumaraswami Reddiyar and Diwan Bahadur B. Muniswami Nayudu, were seen talking in low tone.) I think at least I heard the hon. the Minister for Education say he did not support it. I believe he did; and if my memory is wrong, he may correct me openly.

"Mr. President, even if you look at institutions in England—my hon. Friend, Mr. Langley, thought that he and Sir Patro were the only democrats in this House and I am glad I do not find a place in this select body—even in England from which democratic country Mr. Langley hails, they have an institution called the Rural District Council which is a sort of intermediary body between the County Council and the Parish Council. The Rural District Council co-ordinates the work of the Parish Councils. Therefore, I do not think we shall be anti-democratic if we on this side of the House claim that the taluk board should be retained. Of course, hon. Gentlemen on the other side may ask 'What is your remedy for the present financial plight?' I admit the situation is bad, but at the same time, I would remind them that the situation is thus, not because of the existence of the taluk boards—because every institution including the Imperial Government finds itself in the position of working with deficits in its budget, and it is really due to the general economic depression in the world—not merely because taluk boards were created or institutions have been multiplied. The hon. the Chief Minister gave reasons and also stated that no doubt some of the employees of the taluk boards would be thrown out and in these days of unemployment it is certainly hard, but he proposes to take these people in by slow stages. My reply to that is that, even though he may be able to take them in, in course of time, still he will be throwing on the streets quite a large number of them without any employment at all and I think it is very hard luck on them because they expected when they were employed to these local self-governing institutions that they had some definite fixed appointments and it would be hard luck on them to be thrown out at a moment's notice; and as my hon. Friend, Mr. Muniswami Nayudu said, I think, the time has not come for the abolition of the taluk boards, because even during the last four years, I do not think panchayats have been organized in such a manner as to have them in all rural areas, so that the functions of the taluk boards could be easily transferred to them. The hon. the Chief Minister has no doubt provided

[Dr. P. Subbarayan] [2nd February 1934]

for the bifurcation of district boards and thereby feels that he will decentralize the work of the district boards and that they will stand in the place of taluk boards in regard to elementary education and sanitation which really affect the rural people, who, instead of being attended to by a president who is near-by and who can be approached easily in taluk headquarters, will have to go to the presidents of district boards if the district Boards are bifurcated, before they can get anything done with regard to their rural wants. I feel, Mr. President, that perhaps if my hon. Friend Mr. Venkatachalam Chetti's motion is accepted, and if the hon. the Chief Minister will consider the proposals in a conference of those interested in the working of local self-governing institutions, we might find a method by which the present financial stringency might be got over.

3-30
p.m.

"As my hon. Friend Mr. Muniswami Nayudu further pointed out, there is also this danger, that is with regard to those members of the local bodies exceeding about 200 who were training a number of people belonging to the minority communities in the art of local self-government; when these institutions go, you will be really taking away from them these valuable lessons which they have an opportunity of learning. I, therefore, feel that is another argument for the retention of an intermediary body. I do not know, Mr. President, why the hon. Gentleman, the Secretary for Local Self-Government, Mr. Conran Smith, thought that my Friend, the Raja of Khallikote, talked with his tongue in his cheek. My hon. Friend has had large experience as president of the Ganjam District Board for the last twelve years, and I believe, he was giving us the benefit of his experience, and he feels that it is a wrong step to abolish the taluk boards. I feel the hon. Gentleman, the Secretary for Local Self-Government evidently was annoyed when the hon. Gentleman talked against his pet proposal of the abolition of taluk boards and that was perhaps the reason . . ."

Mr. E. CONRAN SMITH:—"On a point of personal explanation, Sir. My position is not that."

Dr. P. SUBBARAYAN:—"Whatever his explanation may be, the impression left on my mind is that. Mr. President, therefore I thought it ought to be the duty of every hon. Member of this House to consider deeply before he gives his vote on the question of the abolition of the taluk boards. I have no doubt, whatever, that Members coming from rural areas and knowing the wants of the rural areas will vote against their abolition not because their vested interests are being destroyed as it was pointed out, but because a valuable instrument of local self-government is abolished but because they feel that it is not a right step to take. I hope by their vote they would show that an intermediary board should remain in order to co-ordinate the work of the panchayats themselves."

* RAJA OF KHALLIKOTE:—"Mr. President, on a point of personal explanation. I was saying that the old taluk boards were really useful

2nd February 1934] [Raja of Khallikote]

institutions. I was only trying to point out that the new taluk boards under the new Act are useless bodies as their finances are crippled and most of them have large deficits." (Here, hear.)

* Rao Sahib V. I. MUNISWAMI PILLAI:—"Sir, this is a Bill of a far-reaching character and I think it is agitating the minds of those who have been in the various boards. For my part, Sir, I would like to confine myself to two important aspects connected with the provisions of this Bill touching the interests of the depressed classes. That is the education side, undertaken by taluk boards and representation of the depressed classes in taluk boards. The Bill of 1920 as amended in 1930, provides for compulsory reservation of seats in taluk boards for the depressed classes. Section 48 (2) clearly says that the circles shall return in addition to members for such reserved seats one or more members for non-reserved seats, and it is further made clear that the Local Government can determine the wards in which the seats reserved for Adi-Dravidas shall be set apart. If the taluk boards are abolished, the depressed classes and the other minority communities may or may not enjoy that amount of representation in the panchayats. I am afraid that we shall not have adequate representation in panchayats. In this connexion, my hon. Friends, Diwan Bahadur Muniswami Nayudu and Dr. Subbarayan, have clearly spoken about the representation of the depressed classes. But what I would urge on the Select Committee is that necessary provision must be made so that communities like the depressed classes may enjoy the same amount of representation in the panchayats. Taking the other aspect, so far as the matter of education of the depressed classes, is concerned. I feel that it is better that the taluk boards are replaced earlier. When my hon. Friend, Dr. Subbarayan, was the Chief Minister to the Government of Madras, he thought that the education of the depressed classes would be well served if it was in the hands of the local boards. The hon. the Home Member agreed to the proposal and a formal conference was held in which myself and Swami Sahajanandam opposed that view. But unfortunately, it was thrust on us and the education of the depressed classes was left in the hands of the local boards. Several hundreds of labour schools were taken away from the Labour Department and given to the taluk boards. There may be a few taluk boards in this Presidency that really encourage the education of the depressed classes. But, most of the taluk boards happen to be apathetic towards the education of the depressed classes. Teachers of my community were given a bad treatment and even the putting on of coats were found fault with by the members of the taluk boards. What is the result to-day? The education of the depressed classes has been shattered. Yesterday on reading the report of the Director of Public Instruction I clearly pointed out the scanty progress made in the education of depressed class girls. Education, so long as it was with the Labour Department, surely progressed. But when it went to the taluk boards, it greatly suffered. I hope the Select Committee will take proper steps so that the schools

[Mr. V. I. Muniswami Pillai] [2nd February 1934]

that were taken away from the Labour Department might be given back to that department and so that our education might not suffer. Going through the various reasons which made the hon. the Chief Minister to bring forward a Bill of this sort for the abolition of taluk boards, I think the most important one is the finances of the local bodies. Out of 208 taluk boards, even 90 are not able to balance their budgets. It clearly shows that at a time like this when district boards themselves are suffering in financial canker, it will not be advisable to allow subordinate boards to suffer this difficulty. From that point of view, it is a step in the right direction to bring this Bill for the abolition of the taluk boards. Sir, one other provision in this Bill provides for the creation of executive officers. When a Bill of a similar nature was brought before the House, for the introduction of executive officers in municipalities, myself and my hon. Friend, Mr. Davis, opposed the idea. But it was made compulsory on the part of the municipalities whose income exceeded 3 lakhs to accept commissioners. But what I would appeal to the Select Committee is that where the executive officers are not wanted by district boards necessary provisions should be made not to thrust such officers on those boards which are working satisfactorily. Sir, coming from the Nilgiris which is a district with no taluk boards, I may say for the information of the House that there will be no such agitation when the taluk boards are abolished. Two years ago, the Nilgiris District Board resolved to have taluk boards. But, thanks to Diwan Bahadur N. Gopalaswami Ayyangar who then happened to be the inspector of local boards, he advised us to straightaway go to the creation of panchayats whereupon we have created several panchayats. As a member of the district board of the Nilgiris for over twelve years, I may tell you that the district board and the panchayats work in unison and real progress has been maintained so far the rural progress is concerned. With these few observations, I support the motion."

* The hon. the PRESIDENT:—"Mr. Sami Venkatachalam Chetti may now reply."

Mr. SAMI VENKATACHALAM CHETTI:—"The Raja of Bobbili may first give his reply."

* The hon. the PRESIDENT:—"The difficulty will arise like this. If the Raja of Bobbili were to reply now and Mr. Sami Venkatachalam Chetti were to reply afterwards, another opportunity may have to be given to the Raja of Bobbili for a further reply. To avoid that, I would advise this course."

Mr. SAMI VENKATACHALAM CHETTI:—"I do not object to the hon. the Raja of Bobbili having a double chance, Sir, unless you think it is rather inconvenient; so far as I am concerned, I will be very glad if he gets a double chance."

* The hon. the PRESIDENT:—"The difficulty is that the Raja of Bobbili will take 20 or 25 minutes and we want to have the voting at

2nd February 1934] [The President]

about 4-30. Then the names of members to the Select Committee will have to be moved and there will not be sufficient time."

Mr. SAMI VENKATACHALAM CHETTI:—"You have introduced a debatable element as to whether it is necessary to go for voting at 4-30."

* The hon. the PRESIDENT:—"I thought that it was advisable to do so."

Mr. SAMI VENKATACHALAM CHETTI:—"I do not know, Sir, if in matters of legislation, it should rest with a single Member of the House to say that you might help in coming to a decision at a particular time. I do not know the intention of the other hon. Members. So far as I am concerned, I am ready either way."

* The hon. the PRESIDENT:—"I am equally ready. What I wish to point out is that several hon. Members have felt it advisable that the discussion should come to a close this evening. That is why I want to so arrange the time as to finish this Bill by about 4-30 p.m."

Diwan Bahadur B. MUNISWAMI NAYUDU:—"May I suggest that we have not yet had any Government reply?"

* The hon. the RAJA OF BOBBILI:—"Sir, I wish first to deal with the speech of my hon. Friend, Mr. Sami Venkatachalam Chetti, who moved an amendment to the effect that the consideration of the subject be deferred pending a report of an Enquiry Committee regarding the condition of the local bodies and its recommendations to improve and place them on a sound financial footing."

"Recently, I find my hon. Friend, Mr. Sami Venkatachalam Chetti, has been particularly developing the art of moving dilatory motions and indulging in personal attacks. I do not propose to follow his example. I shall confine my remarks to the subject-matter of the motion under discussion. We are all very much indebted to him for the long history of the origin of local bodies in this Presidency which he has given. But, I am afraid, he has not realized how much conditions have changed in this Presidency since 1880. He conveniently avoids the grounds on which the Government have come to the decision to abolish the taluk boards, the chief of which are that with the development of panchayats, the taluk boards are being rapidly deprived of both their income as well as their functions and that for the further healthy growth and development of Local Self-Government in this province, at the stage we have now reached, these intermediate boards which have really outlived their usefulness and which have now become a drag on the finances of all local bodies should go. It is therefore not surprising that the system which was good in 1880 cannot be an ideal one in the changed conditions of the present day. Then, Mr. Sami Venkatachalam Chetti goes on to make several sweeping statements, but does not accept the financial calculations of Government which are based on actual facts and figures and are not guess work. He has no faith in the conclusions

[Raja of Bobbili] [2nd February 1934]

reached in the Secretariat and wants the Government to seek enlightenment from certain non-official sources which he does not mention. The Government proposals now embodied in the Bill with which we are dealing have been framed after the most careful consideration of the various alternatives available. I have had the benefit of the advice of experienced and responsible Government officials whose opinions are not colored by any political considerations and I have always had no hesitation in following their advice in preference to that of my hon. Friend and, as a Minister responsible to the electorate, I can claim to be in touch with public opinion; and I may state that I have no doubt whatsoever in thinking that my proposals have the support of a large body of public opinion in this province.

“ Mr. Sami Venkatachalam Chetti stated that he has recently travelled over certain roads which have been taken over by a district board from a certain taluk board. From this experience he made the sweeping statement that the standard of taluk board roads is much higher than those of district board roads throughout the Presidency. He feels there is corruption everywhere in Government departments, in district boards, and in municipalities, but that only the taluk boards are free from this defect. (Laughter.) Then he indulged in the statement that this Bill is intended to satisfy the district board presidents in my party and that I have chosen to introduce this measure simply because no taluk board presidents are sitting on this side of the House. I believe, Sir, it is not necessary for me to deal with these arguments of my hon. Friend which are far divorced from facts. I have read and re-read the transcript of his speech and I have failed to find any constructive proposals, except the simple remedy that the Government should make good the deficits of bankrupt boards. It has now become the fashion to say that Government should reduce taxation and increase their expenditure. An actual examination and scrutiny of the budgets of the local bodies have proved beyond dispute that a large majority of the taluk boards have got permanent deficits. But I am afraid, whatever I might say, my hon. Friend is determined not to be convinced (Ministerial laughter), as he seems to have come to the definite conclusion that Government calculations are always wrong.

“ He then goes on to paint a gloomy picture of the fate of the large number of taluk board employees. I need not repeat here what I have stated in the opening portion of my speech in introducing this Bill that the question of the future prospects and well-being of the taluk board employees deserves the most sympathetic consideration of the Government and that they are framing proposals to safeguard the interests of these employees to the fullest extent possible. In this connexion, I think Mr. Sami Venkatachalam Chetti mentioned that a certain taluk board employee has written to him a letter. I have received numerous such letters, but I did not think it would be necessary to make use of them. As, however, my hon. Friend has mentioned it, I shall read out

2nd February 1934] [Raja of Bobbili]

a short extract from a memorial submitted to Government by the Local Board Employees' Provincial Association, Tanjore:—

‘ As people intimately connected with the administration of local boards, we have to express our sincere support to the measure which is proposed to be moved in the matter of the re-organization of local boards in this Province. Apart from its advantages to public interests, it would automatically result in the formation of district cadres which we have been agitating for through our association for the last twelve years and more.’

I think this will serve as an answer to the sweeping statements made by my hon. Friend.

“ Other hon. Members also have spoken at length sympathizing with the future of these employees. I may say, Sir, Government yield place to none in their sympathy for the future of these employees; but as Government are for the time being responsible for the administration, in their view this is not the only question to be taken into consideration in coming to a decision on these matters.

“ Now, coming to the remarks of my hon. Friend, Diwan Bahadur Muniswami Nayudu, whose authority to speak on problems of Local Self-Government I do not deny, and who, I am glad to acknowledge, has made a valuable contribution to this debate, I have carefully examined his criticism of the Government proposals and feel, subject to correction, that there are no fundamental differences between the two points of view. It appears to me to be possible to reconcile the two apparently conflicting views. I gather that his main objection is not to the abolition of the taluk boards, but that the Government proposals do not contain any scheme for co-ordinating the activities of the panchayats. I believe I am right in taking this view, because in his speech he goes on to make certain constructive proposals to attain these objects after the abolition of taluk boards. His idea, I believe, is to have a kind of federation or union of panchayats. It is no doubt true that the Government have discouraged in the past the formation of these unions for the simple reason that they did not wish to increase the existing hierarchy in the local bodies. With the abolition of taluk boards, conditions would have changed. I am sorry by an oversight I have omitted to mention in my opening speech that, in the new order of things, Government propose to constitute joint committees of panchayats for one or more revenue firkas to enable panchayats to embark on enterprises of common interest. Unless this proposal is given an extended trial, I am unable to commit Government to creating another kind of corporate local bodies with independent existence, financial resources and consequential expenditure on management and travelling allowances. It has not been found necessary to make any such provision in the present Bill, as the existing Act already empowers Government to create these committees. It will be a matter for decision in the Select Committee whether the three pies additional cess now proposed to be allotted to panchayats from the Village Development Fund should be allocated to these joint committees.

[Raja of Bobbili] [2nd February 1934]

“As regards the abolition of the Village Development Fund and crediting the three pies cess in non-panchayat areas to district boards, my hon. Friend is doubtful whether the interests of the rural parts will receive due consideration at the hands of the district boards. It is but right to credit these sources of income to the district board which is enjoined with the duties of maintaining the third-class roads serving the villages, rural dispensaries and rural water-supply schemes. In other words, the district boards will be responsible for performing the duties and functions of taluk boards. Further, if this expedient is considered to be of doubtful wisdom, it is open to the Select Committee to devise a suitable safeguard that not less than three pies of the land-cess income of the district board should be spent on rural areas.

“In this connexion, I invite the attention of hon. Members to the new section 27-A (2) (b) of clause 11 which states the number who shall be members of local boards and the number who may be outsiders. The intention of this amendment is to enable representatives of panchayats to be co-opted as members of the standing committees of district boards. It will therefore be seen that the Government are alive to the necessity of giving effective representation to panchayats. The district boards through the standing committees will be able to do more effective work than what the taluk boards have been able to achieve in the past.

“My hon. Friend, Mr. Sami Venkatachalam Chetti, wanted to know whether village panchayats exist in the United Provinces and how they are being worked. It is seen from the report on the working of the district boards in the United Provinces that there were 4,626 village authorities functioning in 1931-32. Thus the position will be the same as is now contemplated in the Government proposals. He has again expressed certain doubts as to the Government estimate of savings due to the abolition of taluk boards. Our figures are very conservative and the saving of 8.87 lakhs mentioned in the communiqué represents only 50 per cent of the expenditure of taluk boards on the general establishment of the existing taluk boards. We have not at all assumed that all the present expenditure of the taluk boards would be a saving to the district boards. If and when certain district boards are split up, it has been calculated that the extra establishment charges will be only 25 per cent more than now. It is thus not quite correct to say that on bifurcation the management charges would be doubled. I have also in this connexion to correct the impression that Government are taking power to bifurcate district boards. We are not doing anything of the sort now. The power to form a district board for any area is already there. Nor are we introducing any separate provision for compulsory bifurcation of all district boards. There is therefore no cause for any alarm that the Government are carrying out any hasty experiment. We have stated in the clearest terms that no district board would be bifurcated unless the separated boards are found to be financially self-supporting. I may also state that there is a Government Order which lays down that the cost of establishment should not exceed 3 per cent of the general revenues and we propose to strictly enforce this rule.

2nd February 1934] [Raja of Bobbili]

“It will therefore be seen that there is no possibility of any establishment charges being doubled or even considerably increased in case it is found necessary to bifurcate district boards. As regards the other statement, that the provision of one district board engineer will double the cost of the engineering establishment, I have given the explanation already on the floor of this House; but in case I have not made the point clear, I wish to refer to the subject again. The work of the district board engineer will naturally be considerably reduced as a result of the splitting up of the district board, and he may be safely placed in charge of a small headquarters subdivision, in addition to his normal duties of supervision. An assistant engineer, on the average, now costs Rs. 15,000 with his establishment to the district board per annum, and it will be possible for each of the split up district boards to do away with one assistant engineer. The average pay of the district board engineers under the revised scale is Rs. 556. The scale of pay of assistant engineers vary with each district, but may be roughly taken as Rs. 300. The two split up boards will thus save Rs. 600 among themselves, but they have to pay a contribution of Rs. 556 towards the district board engineer. Therefore it may safely be assumed that there would be no additional cost either to the Government or to the district board as a result of this item. The work of the district health officers can be co-ordinated by the Director of Public Health, and we therefore do not propose to increase their number. As regards additional district panchayat officers, perhaps many hon. Members are not aware that many district boards employ numerous other officers to do the same work under different names, such as, assistant panchayat officers, panchayat supervisors and rural reconstruction officers. Even now some district boards have got four to six of these officers, and I believe, the North Arcot district has got one for each taluk. It will thus be seen that the Government proposals are not extravagant in this respect. Travelling allowance of presidents and members, etc., would not be more than what it is now, if district boards are split up. With smaller areas to be covered, smaller sums would be required for travelling allowance charges for individual presidents and members.

“I believe I have satisfactorily met the objections raised that the splitting up of the district boards would result in doubling the management charges. Nor do the Government proposals contemplate immediate splitting up of all district boards. I may also state that, according to the report of the special officer, there is scope for economy in the district boards by standardizing the establishment and scales of pay and reducing superfluous posts, especially in the district board engineer's offices by combining his office with that of the district board office.

“Now coming to the question of District Educational Officers, here again, in spite of my explanation the other day, some people are still

[Raja of Bobbili] [2nd February 1934]

entertaining doubts; and I wish once more to state that by this amending Bill, Government have no intention whatsoever of taking over the management and control of those schools from district boards. It is definitely and clearly intended that the District Educational Officers will be the servants of the district boards, and that their whole work will be under the control of the district boards. If other ways could be found of more economically managing the elementary and secondary schools, then there will be no necessity at all to appoint District Educational Officers to district boards.

“Turning now to the suggestions of Diwan Bahadur Ramachandra Rao, I am afraid his proposals cannot be accepted. Handing over elementary education to the district educational councils would mean the creation of a parallel body to the district board with executive functions with the resultant expenditure on establishment and travelling allowances. Moreover it stands to reason that the authority which finds the money should also have the right to decide how and where it should be spent.

“As to the taking over of the remaining hospitals by the Government, I must say that it would mean a very large commitment on Provincial revenues which cannot be thought of at the present juncture. The natural consequence of the policy of developing panchayats has now resulted in the necessity to abolish taluk boards altogether.

“In this connexion reference has been made by several speakers, more especially by my Friend, the Leader of the Opposition, that the taluk boards are suffering, just like any other institution, owing to the general world-wide financial depression, and so it is not desirable to carry out such a sweeping change, simply because taluk boards are in temporary financial difficulties. I might state for the information of my hon. Friend, that so far as the total receipts of the taluk boards are concerned, there has been no reduction, or at least no substantial reduction, either by the Amending Act of 1930, or by the coming into force of the Madras Motor Vehicles Taxation Act, or by the present financial depression. I might say, within a margin of 5 per cent, the income of the various taluk boards remains the same. None of the hon. Members have met my argument. It is but natural that when more panchayats are created, you will be automatically reducing the income of taluk boards. One of the reasons for the present financial difficulty is the increase in the number of panchayats, and another reason is the abnormal fall in tolls which have been abolished under the Act. It has naturally increased the establishment charges to a great extent, and leaves nearly 108 taluk boards little or no money to provide for any return to the tax-payer by way of public amenities. It will therefore seem that we are doing this as an expedient to get over the temporary difficulty. But as a matter of fact this will be a permanent financial difficulty. Of course it is very simple to suggest

2nd February 1934] [Raja of Bobbili]

that Government should make good the financial deficit. I shall read some of the grants which local bodies have been receiving from Government during the years from 1927 to 1932—

LAKHS.					
1927-28	District boards	...	...	...	59
1928-29	Do.	...	...	...	55
1929-30	Do.	...	...	...	66
1930-31	Do.	...	...	...	91
1931-32	Do.	...	...	...	75

“Then with regard to the taluk boards the following figures will show the amount of grant received:—

LAKHS.					
1927-28	Taluk boards	...	...	...	63
1928-29	Do.	...	...	...	69
1929-30	Do.	...	...	...	73
1930-31	Do.	...	...	...	75
1931-32	Do.	...	...	...	73

“It will thus be seen that Government have not neglected the interests of the taluk boards. But the main fact still remains, whether the money is raised directly by taluk boards, or whether it comes from Provincial revenues, it is the general tax-payer who has to foot the bill. I cannot therefore subscribe myself to the proposition that taluk boards should be maintained, to serve as training grounds for people in the art of local self-government and on that ground alone. Experience has shown that the existence of numerous local bodies with regional authority does not necessarily result in developing the civic sense. I fail to see how it is undemocratic and retrograde if we have one local board of manageable dimensions to do the work of several taluk boards. Although there are brilliant exceptions, the administration of the taluk boards is not up to the mark, and district boards could certainly administer the public services more efficiently and economically by pooling the resources and by employing better qualified staff. Moreover there is no service now performed by a taluk board which cannot be taken over by a district board or by a panchayat. The duplication of control and overlapping of responsibilities cause a pitiable waste of public funds. Government have a higher duty to the tax-payer to perform than maintaining bankrupt local boards. The mover of the amendment has, I believe, not realized the gravity of the present financial position. When all the materials and data one could possibly gather are available to the Government, are we to allow the administration of local self-government to break down, pending the appointment of a committee to gather facts and figures, which are already there, and submit a report? This is a matter eminently for Government to undertake, and it is for the Select Committee, which is

[Raja of Bobbili]

[2nd February 1934]

fully representative of all sides of the House, to come to final conclusions without further loss of time. I am not unaware that we are going against the wishes of certain vested interests, created by the Act of 1930, and I also realize that I am displeasing a certain number of my political friends, whose influence in the country cannot be ignored, but I am fortified in the decisions I have taken by the knowledge that the Government are not a minute too late in bringing forward these legislative proposals. It is a matter of public knowledge that the Press has generally welcomed these proposals, and that a large body of public opinion is behind me. I have received numerous letters from eminent people who are qualified to speak on the subject and who have no axe of their own to grind, stating that this is a reform in the right direction. I take the fullest responsibility for these proposals, and I am prepared to face the electorate with the utmost confidence, for I feel convinced, that, although I may cause ruffled feelings in certain quarters momentarily, the country will ultimately realize that this is a step in the right direction. (Cheers.)

"I have therefore to oppose the two dilatory amendments before the House in the confidence and belief that I will get the support and co-operation of all sides of this House in the various stages of this important measure."

MR. SAMI VENKATACHALAM CHETTI:—"Mr. President, Sir, we have listened to a very bold speech, the courage of which remains to be tested in due course.

"I should like at the very outset to disabuse the mind of the hon. the Chief Minister with regard to my position in this matter. Sir, he has accused me of trying to indulge in dilatory tactics and also in personal attacks. With regard to the first charge, it is easy for the hon. Chief Minister to think so, because it is easy, Sir, that every counsel of wisdom is likely to be misunderstood in that way. I suppose the hon. Minister will admit that I have absolutely no vested interest to be injured by the abolition of the taluk boards. Therefore, if I supported the motion for the appointment of a committee to inquire into the condition of these local bodies with a view to set them up on a better footing, it was not with an intention to obstruct the passage of a Bill on which he seems to have set his heart but only with the view that in the re-arrangement of self-governing institutions of this Presidency, others interested in that branch of political training also must have some share. I hope in so far as that part is concerned, I have attempted to convince him of my anxiety and motive in that matter.

"With regard to the question of personal attack, there again I have got to say that I am thoroughly misunderstood. Sir, I love the English language and the English constitution for two reasons. The reason why I love the English language I need not say. So far as the English constitution is concerned, I like it because that constitution allows the most recriminating attacks across the

2nd February 1934] [Mr. Sami Venkatachalam Chetti]

table and yet leaves no malicious impression in the minds of those who exchange hot words against each other. If the way in which I used English language had been responsible for any misunderstanding that I was making a personal attack against the hon. the Chief Minister or for that matter on any hon. Member of this House, I can only say that I have got to get my language trimmed in such a way as it might appear genial, as it had been done by my hon. Friend, Mr. Smith, this morning (laughter). With this preliminary remark I may now go into the question of the abolition of taluk boards. I feel that it must have struck rather significant not only on the attention of the hon. the Chief Minister but also on the attention of Mr. Langley that those who have spoken from behind the Government Benches have rather spoken against the Bill. Mr. Muniswami Pillai in whose district there are no taluk boards for abolition spoke in favour of the Bill. Of course my hon. Friend, Mr. Langley, knows that his vested interests will not in any way be affected either by the abolition or by the retention of these boards. It is rather uncharitable for these gentlemen to suggest that those who opposed the abolition of taluk boards have vested interests. Is it suggested that those who spoke against the Bill are speaking so because the seats which they occupy will fall vacant on account of the abolition of these boards, and that these birds will have to seek shelter elsewhere because they will get displaced? It is really uncharitable to make any such suggestion against us. That suggestion, if properly understood, would convince anybody that every member of a local body, either a taluk board or a district board, can only argue from the point of view of his vested interests. But I ask whether it is right for district board presidents to allow any such insinuations against themselves. My hon. Friend, the Chief Minister said that, except making some sweeping suggestions here and there my remarks were not borne out by facts and figures, and that I did not speak anything constructive in my speech. It is exactly for that reason that I want the aid of a committee such as is suggested in the motion proposed by us. It is easy for the hon. Minister, being in the Secretariat, to place facts and figures which can be interpreted in any manner he wants. But those who are sitting in the opposition and who have no facts and figures, can draw their own conclusions as to the correctness or otherwise of the facts and figures placed before them by the Government. How then it happens that even my hon. Friend who has been the president of a district board for a number of years should agree with us in thinking that the taluk boards should not be abolished, although he may not vote with us. What I am anxious to point out is that, whatever may be the arguments used and the constructive suggestions put forward by Members sitting on this side of the House, that is not going to persuade Members sitting on the Treasury Bench to vote with us. What I am appealing to my hon. Friends on the other side is that it should not be considered as a party measure, and that in putting forward these arguments we are

[Mr. Sami Venkatachalam Chetti] [2nd February 1934]

not in any way actuated by selfish motives. I do not know if the hon. the Chief Minister has bestowed any thought on the suggestion that we made that the financial considerations do not peculiarly apply to local boards alone but they apply to district boards also. Sir, I wish to draw the attention of this House to the remarkable passages of the Special Officer where he makes scathing indictments against the financial condition of the district boards and still that point has been entirely ignored by the hon. the Chief Minister. Much has been made of the suggestion I have made, viz., that Government must come to the rescue of these local boards. It is exactly here that I and the hon. the Chief Minister come to the parting of the ways. I consider that it is the essential duty of the Government to attend to the dangerous situation created by the local boards and rectify any mistakes which they might have committed and see that these boards discharge their duties more carefully and more efficiently. Supposing after the passing of this Act, people do not come up to the standard which the Government expect them to come in the matter of administering local self-governing institutions, will it be right to say that, because these institutions did not avail themselves of the opportunity afforded to them, their needs should not be looked into? That is the argument which the hon. the Chief Minister has failed to meet. He seems to be confident that by the abolition of the taluk boards and the re-organization of the district boards either by doubling them or by creating two for three districts he can save the situation. What he seems to think is that the Government by a mistake have gone wrong in their calculation in thinking that these boards would function efficiently and when once it is known and when Government want to rectify that mistake, it is not proper on the part of the Opposition to interfere with their decision. Even in this matter the Government are far more optimistic than what the circumstances warrant.

“I have only to answer to one or two points raised by my hon. Friend, Mr. Langley. He said that ‘so far as I have heard the earlier speeches nobody said there was any fear for panchayats.’ At the time when my hon. Friend, Mr. Muniswami Nayudu, spoke probably my hon. Friend, Mr. Langley, was not present in the House. Nobody dealt with panchayats more lucidly and more exhaustively than my hon. Friend and his authority to speak on Local Self-Government Department is even admitted by the hon. the Chief Minister. This is what my hon. Friend, Mr. Muniswami Nayudu, said:—

‘If we examine the position, what do we find? This Bill does not provide for a better machinery for the purpose of helping the panchayats themselves. There is a passage in the Government communiqué which is printed along with the Bill. It is stated that it is generally agreed that the village panchayat should be developed as the unit of Local Self-Government. We must thank the hon. the Chief Minister for this. The Government now feel that they have neglected this institution for a very long time. Taluk boards are expected to develop the panchayats. But in actual practice they are opposed to each other and experience has shown that the present system has not been conducive to the

2nd February 1934] [Mr. Sami Venkatachalam Chetti]

healthy development of village panchayats. The reasons are not given why the taluk boards have failed in this matter. Is it because they are incompetent to do the work? Is it because the funds are not utilized well? I will explain to the House the reason. There is a provision in the Bill that, wherever a panchayat is constituted, a portion of the land-cess will go to it and the balance only to the taluk boards. The result is that taluk boards are not anxious to encourage the formation and growth of panchayats. That is the reason why the panchayats are not encouraged by the taluk boards. I would like to ask the hon. the Chief Minister how he has improved the position and what he has done.’

Mr. W. K. M. LANGLEY:—“May I venture to point out, Sir, that I was in the House during the whole speech of my hon. Friend Mr. Muniswami Nayudu; so it hardly seems necessary for my hon. Friend to read the speech out a second time.”

Mr. SAMI VENKATACHALAM CHETTI:—“But he said that he came to the conclusion that so far as the earlier part of the speech was concerned there was no reference to panchayats. I should think there is something wrong somewhere. Sir, I wish only to refer to one or two minor points which have been referred to by the hon. the Chief Minister. He said that public opinion is entirely with him. I am afraid, whatever might have been the inference which he has drawn from the current of public opinion, in so far as those gentlemen who are said to represent public opinion are concerned, they are decidedly not in his favour except in voting. Even such a conservative Member as the Raja of Khallikote was not in his favour. The hon. the Chief Minister thought that I was making rather a hasty remark by my experience of a particular road in the Venkatagiri area and that the condition of roads in other parts of the Presidency is not so bad. I was only mentioning it as an illustration of lack of facilities in particular localities. If certain institutions are placed at very long distances from areas which these institutions serve, then the attention which these areas are entitled to becomes very meagre. It was with a view to see that there must be a local institution of the Local Self-Government Department to attend to local requirements that I said that taluk boards should be placed on a better footing. I can only repeat that I have absolutely no idea of employing obstructive tactics. The only thing that we have to see is that we should have before us all facts and figures before we pass any such measure and that we should not be accused of hastiness in the matter of legislation which affects the whole organization of the Local Self-Government Department.”

* The hon. the PRESIDENT:—“I will put the two motions (1) of Mr. Sami Venkatachalam Chetti and (2) of Mr. Basheer Ahmed to the vote of the House.”

“The first question is ‘that the consideration of the Madras Local Boards Act (Amending) Bill be deferred pending a report of an Enquiry Committee of the condition of the local bodies and the recommendations to improve and place them on a sound financial footing’. The motion was declared lost.”

[2nd February 1934]

A poll was demanded and the House divided thus:

Ayes.

- | | |
|--------------------------------------|------------------------------------|
| 1 Dr. P. Subbarayan. | 17 Diwan Bahadur B. Muniswami |
| 2 Mr. K. R. Venkatarama Ayyar. | Nayudu. |
| 3 T. C. Srinivasa Ayyangar. | 18 Mr. K. P. Raman Menon. |
| 4 Sami Venkatachalam Chetti. | 19 Diwan Bahadur C. S. Ratnasabha- |
| 5 A. Pl. N. V. Nadimuthu Pillai. | pati Mudaliyar. |
| 6 V. T. Arasu. | 20 Mr. M. S. Sreshta. |
| 7 A. B. Shetty. | 21 P. V. Krishnayya Choudari. |
| 8 Rao Bahadur P. C. Muthu Chettiyar. | 22 Zamindar of Chemudu. |
| 9 Abdul Hameed Khan. | 23 Mr. C. Indrayya. |
| 10 U. C. Subrahmanya Bhatt. | 24 Mr. J. Kuppuswami Choudari. |
| 11 K. P. V. S. Muhamamad Meera | 25 Mahaboob Ali Baig. |
| Ravuttar. | 26 G. R. Premayya. |
| 12 K. A. Nachiyappa Gounder. | 27 K. Pattabhiramayya. |
| 13 K. S. Sivasubrahmanya Ayyar. | 28 P. M. Thangal. |
| 14 P. Peddi Raju. | 29 Rao Bahadur R. K. Venugopal |
| 15 K. Singam Ayyangar. | Nayudu. |
| 16 Khan Bahadur P. Khalif-ul-lah | |
| Sahib Bahadur. | |

Noes.

- | | |
|--|--------------------------------------|
| 1 The hon. Khan Bahadur Sir Mahomed Usman. | 31 Mr. G. Sriramulu. |
| 2 Diwan Bahadur Sir M. Krishnan Nayar. | 32 P. C. Moses. |
| 3 Sir Archibald Campbell. | 33 P. V. Rajagopal Pillai. |
| 4 Sir Hopetoun Stokes. | 34 V. G. Vasudeva Pillai. |
| 5 Diwan Bahadur S. Kumaraswami Reddiyar. | 35 W. P. A. Soundara Pandiyan. |
| 6 Mr. P. T. Rajan. | 36 P. Bayappa Reddi. |
| 7 the Raja of Bobbili. | 37 A. McG. C. Tampoe. |
| 8 Rao Bahadur G. Jagannatha Raju. | 38 Khan Bahadur T. M. Moidoo Sahib |
| 9 Mrs. K. Alamelumangathayaramma. | Bahadur. |
| 10 Diwan Bahadur V. N. Viswanath | 39 Mr. P. K. Ramachandra Pada- |
| Rao. | yachi. |
| 11 Mr. J. A. Thorne. | 40 G. Lakshmana Reddi. |
| 12 H. M. Hood. | 41 Rao Sahib V. Dharmalingam Pillai. |
| 13 Diwan Bahadur N. Gopalaswami | 42 Kumararaja of Venkatagiri. |
| Ayyangar. | 43 Raja of Khallikote. |
| 14 Mr. R. Madanagopal Nayudu. | 44 Zamindar of Mirzapuram. |
| 15 E. Conran Smith. | 45 Mr. M. A. Muthiah Chettiyar. |
| 16 T. Sundararao Nayudu. | 46 A. V. Bhanoji Rao. |
| 17 Khan Sahib Syed Tajuddin Sahib | 47 K. M. Doraiswami Reddiyar. |
| Bahadur. | 48 Daniel Thomas. |
| 18 Mr. M. D. T. Ranganatha Mudali- | 49 Swami A. S. Sahajanandam. |
| yar. | 50 Mr. H. M. Jagannatham. |
| 19 V. M. Ramaswami Mudaliyar. | 51 Rao Bahadur D. Krishnamurti. |
| 20 T. Narasa Reddi. | 52 Rao Bahadur P. Subrahmanyam |
| 21 Rao Bahadur A. T. Pannirselvam. | Chetti. |
| 22 Mr. K. C. M. Venkatachala Red- | 53 Mr. S. A. A. Annamalai Chettiyar. |
| diyar. | 54 Diwan Bahadur A. Appadurai Pil- |
| 23 G. Ranganatha Mudaliyar. | lai. |
| 24 M. Devadasan. | 55 Rao Sahib D. V. Narasimhaswami. |
| 25 Rao Sahib N. Siva Raj. | 56 Rao Sahib Pandit Ganala Rama- |
| 26 Subadar Major S. A. Nanjappa | murti. |
| Bahadur. | 57 Mr. A. Harischandrudu. |
| 27 Rao Bahadur R. Srinivasan. | 58 K. Kesavaramamurti Nayudu. |
| 28 Rao Sahib V. I. Muniswami Pillai. | 59 S. M. K. Beyabani. |
| 29 Mr. M. Vedachala Mudaliyar. | 60 A. Ramakrishna Reddi. |
| 30 B. P. Sessa Reddi. | 61 A. Ranganatha Mudaliyar. |
| | 62 O. R. Parthasarathi Ayyangar. |
| | 63 K. Koti Reddi. |
| | 64 Rao Bahadur Sir A. P. Patro. |
| | 65 Rao Bahadur C. Natesa Mudaliyar. |

2nd February 1934]

Noes—cont.

- | | |
|-----------------------------------|------------------------------------|
| 66 Raja of Parlakimedi. | Mr. J. K. Metherell. |
| 67 Mr. M. B. Rangaswami Reddi. | 73 W. K. M. Langley. |
| 68 Diwan Bahadur S. Ellappa Chet- | 74 W. W. Ladden. |
| tiyar. | 75 R. Foulkes. |
| 69 Mr. C. Basu Dev. | 76 Rao Bahadur T. M. Narayanaswami |
| 70 R. M. Palat. | Pillai. |
| 71 F. Birley. | 77 Mr. G. Simhachalam Pantulu. |

Neutral.

- | | |
|--------------------|----------------------------------|
| 1 Mr. C. Krishnan. | 2 Mr. M. A. Manikkavelu Nayakar. |
|--------------------|----------------------------------|

Ayes 29. Noes 77. Neutral 2.

The motion was lost.

The hon. the PRESIDENT:—"The second question is that 'the Bill be circulated for public opinion and that such opinion when obtained shall be placed before the House with the remarks of the Government thereon'.

The motion was lost.

The hon. the PRESIDENT:—"The second question is that 'the Bill to amend the Madras Local Boards Act, 1920, and the Madras Elementary Education Act, 1920, for certain purposes (Bill No. 2 of 1934), be referred to a Select Committee, that the following Members do constitute the Select Committee and that Standing Order No. 39 (2) be suspended':—

- (1) The Kumararaja of Venkatagiri.
- (2) Mr. W. K. M. Langley.
- (3) Mr. P. Bayappa Reddi.
- (4) Rao Sahib N. Siva Raj.
- (5) Raja of Khallikote.
- (6) Diwan Bahadur A. Appadurai Pillai.
- (7) Mr. M. A. Muthiah Chettiyar.
- (8) Rao Bahadur G. Jagannatha Raju.
- (9) Mr. M. B. Rangaswami Reddi.
- (10) Mr. V. P. Narayanan Nambiyar.
- (11) Rao Sahib C. Jayaram Nayudu.
- (12) Mr. A. Ranganatha Mudaliyar.
- (13) Mr. R. M. Palat.
- (14) Diwan Bahadur B. Muniswami Nayudu.
- (15) Mr. P. V. Krishnayya Choudari.
- (16) Diwan Bahadur C. S. Ratnasabhapatil Mudaliyar.
- (17) Mr. T. C. Srinivasa Ayyangar.
- (18) Dr. P. Subbarayan.
- (19) Khan Bahadur Mahmud Schamnad Sahib Bahadur.
- (20) Pattagar of Palayakottai.
- (21) Mr. A. B. Shetty.
- (22) Khan Bahadur Yahya Ali Sahib Bahadur.
- (23) Mr. A. McG. C. Tampoe.
- (24) Mr. E. Conran Smith.
- (25) Rao Bahadur A. T. Pannirselvam.
- (26) Rao Bahadur T. A. Ramalingam Chettiyar.

[The President]

[2nd February 1934]

- (27) Rao Bahadur C. Natesa Mudaliyar.
- (28) Diwan Bahadur S. Ellappa Chettiyar.
- (29) Mr. V. M. Ramaswami Mudaliyar.
- (30) Sriman M. G. Patnaik Mahasayo.
- (31) Mr. P. Peddi Raju.
- (32) Rao Bahadur Sir A. P. Patro.
- (33) Khan Sahib Syed Tajuddin Sahib Bahadur.
- (34) Mr. G. Ranganatha Mudaliyar.
- (35) Mr. P. K. Ramachandra Padayachi.
- (36) Mr. A. Pl. N. V. Nadimuthu Pillai.
- (37) Mr. M. A. Manikkavelu Nayakar.
- (38) Diwan Bahadur M. Gopalaswami Mudaliyar.
- (39) Mr. K. Koti Reddi.
- (40) Rao Sahib V. I. Muniswami Pillai.
- (41) Basheer Ahmed Sayeed Sahib Bahadur.
- (42) The hon. the Raja of Bobbili (the Mover) '.

The motion was carried.

Mr. G. R. PREMAYYA:—“ Mr. President, I understand that Moses's Bill also is going to be referred to the same Select Committee. I therefore propose that his name also may be added to the list.”

* The hon. the PRESIDENT:—“ It is too late.”

Mr. G. SIMHACHALAM PANTULU:—“ Mr. President, Sir, in view of the statement made by the hon. the Chief Minister, I do not wish to press my amendment *.”

* Dr. P. SUBBARAYAN:—“ Mr. President, Sir, I move—

that it be an instruction to the Select Committee—

- (1) to consider the desirability of retaining intermediary boards in some form; and*
- (2) also to consider the question of vesting the executive powers of the district board in an executive officer as has been done with regard to district municipalities ”.*

“ Sir, few words are needed from me to commend this motion to the acceptance of the House. I take it that the hon. the Chief Minister himself does feel that there is some necessity for intermediary boards although he has not made up his mind as to whether it should be a joint committee composed of members of panchayats and members of district boards or some other institution. I only want that power should be vested in the Select Committee to consider this question, so that if, after consideration, they feel that some intermediate boards are necessary, they may not be prevented from making suitable amendments.

* Mr. G. SIMHACHALAM PANTULU will move:—

“ That it be an instruction to the Select Committee to consider the possibility—

- (i) for re-amalgamating the recently reconstituted taluk boards.
- (ii) decreasing the number of newly constituted village panchayat boards.
- (iii) entrusting the District Educational Councils with Elementary education and with necessary modifications.”

2nd February 1934]

[Dr. P. Subbarayan]

“ As regards the second point, my hon. Friend, Diwan Bahadur Muniswami Nayudu, has already referred to it at length in his speech on the introduction of the Bill. Both he and I feel that it is necessary to have powers vested in such executive officers in the same way as it has been done with regard to district municipalities. As the provisions contained in the Bill, as it stands, do not vest such powers in executive officers, those who may be appointed by the Government would only be glorified secretaries to the district board. As the Government have already approved of the principle that executive officers should have real power in the case of district municipalities, I hope the hon. the Chief Minister will have no difficulty in accepting this recommendation to the Select Committee, as I believe his intention when he introduced this measure was that such powers should vest in executive officers and they should have the same functions with regard to district boards as executive officers now exercise with regard to the municipalities to which they have been appointed.

“ Before I sit down, Mr. President, I hope you will allow me to make a personal explanation with regard to what the Raja of Khallikote said. I said I was reminded of the old proverb that there are some people in the world who cannot be defended against themselves. I never ought to have defended him. My hon. Friend does not want to be defended and I do not propose to defend him. He evidently wanted to show his wrath on me with regard to the new taluk boards.”

RAJA OF KHALLIKOTE:—“ Not on you.”

Dr. P. SUBBARAYAN:—“ Then perhaps he wants to throw the blame on Mr. Conran Smith who is not here and as I am bodily present, he wants to let me alone. Anyhow, I thank my hon. Friend, the Raja of Khallikote, and I shall not rush in to defend anybody who is not prepared to be defended.”

Diwan Bahadur B. MUNISWAMI NAYUDU:—“ I second it. As I understand the speech of the hon. the Chief Minister, I think he will be prepared to have these questions discussed in the Select Committee. If the Select Committee does not agree with any of these points, then there will be no difficulty at all. But if the Select Committee, after examining these questions, comes to the conclusion that some provisions are necessary in the Bill to give effect to those points, the Council will be precluded from giving effect to the desire of the Select Committee. It is with a view to remove that difficulty that it is now proposed to give these instructions to the Select Committee.”

Mr. K. KOTI REDDI:—“ Mr. President, if I voted against Mr. Sami Venkatachalam Chetti's amendment and voted in favour of the motion to refer the Bill to a Select Committee, it was because, though I was not convinced that there would be much of a financial saving as a result of the abolition of taluk boards, I thought that the time had come when there was no necessity to maintain intermediate bodies like the taluk boards between district boards and panchayats. With regard to the

434 A BILL TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920, AND THE
MADRAS ELEMENTARY EDUCATION ACT, 1920 (BILL NO. 2 OF 1934)

[Mr. K. Koti Reddi] [2nd February 1934]

development of panchayats and their extension, many misapprehensions have been expressed in this Council. It has been said that panchayats are torn with factions and under the present circumstances it will not be desirable to develop and extend them. Although I am one of those who think that radical reforms should be made in the elections to panchayats by the introduction of single member constituencies and so on, and that unless those reforms are made, the factions are bound to increase, still, I believe that the time has come when an attempt ought to be made to develop the panchayats and increase their number.

4-45
p.m.

“ Another consideration which prompted me to vote in favour of the motion of the hon. the Chief Minister is the desirability of having an executive officer. I would express my feelings of gratitude to those honorary men like the presidents of taluk boards and of district boards and of the panchayat boards, for the honorary work they have done so far and which they are willing to do still. A state of affairs with regard to the administration of local boards has come into existence which requires a radical change in the administration of the Local Self-Governing bodies. There are many honest and sincere presidents of these local bodies who are finding it very difficult to administer the affairs of local bodies to their own satisfaction and in the best interests of the local bodies themselves. There are many matters in which the discretion of the presidents of local bodies is bound to be influenced by various considerations in very undesirable channels. It is not the fault of the presidents. There will be many bad presidents of local bodies; there are a few of them who are not above pecuniary or other sordid considerations in the administration of local bodies. At the same time one has to admit that there are a number of presidents of local bodies who are really honest and who carry on the administration of these local bodies honestly and sincerely. Somehow or other, dishonest presidents seem to be getting on very well. One of the directions in which I have been advocating reform in connexion with this matter is this; I am very intimately acquainted with the affairs of one board though I am not on the board. That one instance is enough to convince me that some radical change is necessary in the administration of local boards. If some members enter into these local bodies, it is more with a view to secure some contract or other and nothing else. What would the poor president do? Unless he gives contracts to these members, he has always the fear of a no-confidence motion being brought against him. He has to undergo a lot of difficulty in allotting these contracts between the various members of his own party. I am not blaming the poor district board presidents. On the other hand, I am sympathizing with the position of the honest district board presidents and trying to help them. On account of the discretion that is vested in the president, he is bound to exercise it in favour of one or other member of his party. When he exercises his discretion in favour of one member of his party, the other members of the party misunderstand him. Each member of

2nd February 1934] [Mr. K. Koti Reddi]

the party thinks that he has not got as many contracts as another member of the party, and he is dissatisfied. Some time ago, I sent a memorandum on this subject to the Government. I did not publish it in the papers; I do not believe much in publicity. I sent my memorandum to my hon. Friend, Mr. Muniswami Nayudu, when he was Chief Minister. I do not know what consideration the Government have given to my memorandum. I suggested some safeguards, and I have no time to detail them. If contracts were given invariably to the lowest tender without the least discretion, the trouble would be minimised. No doubt the Government have issued instructions. But I do not think that those instructions are enough. The president of a local body has still some discretion in the matter of giving contracts and therefore the trouble is there. If the Government cannot move in this direction and accept my proposal of making it obligatory on the part of the presidents of local bodies to accept contracts on the lowest tender, the only other solution that I would offer is the appointment of executive officers for these local bodies with sufficient independent powers, uncontrolled in some clearly defined directions by presidents of local bodies. If I want an official, it is not because I have much more faith in officials. Some of them are very honest; there are a fair number of officials who are not above the considerations I referred to above. If there is bribery or corruption among the presidents of local bodies, there may be some excuse or justification. But with regard to officials, there can be no justification at all. In the matter of appointing executive officers for the local bodies the hon. the Chief Minister must exercise very careful consideration and select capable officers. In this respect, I should appeal to the reserved half to lend to the hon. the Chief Minister honest officials, men who have proved themselves to be thoroughly honest and reliable and not men whom they want to reject, because there is something against them. We want executive officers who will be above all these petty considerations. Unless the right sort of executive officers are appointed, it would only be adding to the list of officers with high salary. In this direction and in many others, the discretion of the presidents of local bodies ought to be fettered in the interests of the proper administration of these local bodies. There are a number of directions in which executive officers can exercise independent powers without the interference of the presidents of local bodies. One direction in which the Government can entrust independent powers to executive officers is in the matter of contracts.

“ There is another direction in which executive officers can be given independent powers without being fettered by the control of the Presidents of local bodies. It is in the matter of assessing professional tax. If I am a president of a local body and if a rich and influential man comes and asks me to reduce his assessment or taxes, it would be very difficult for me to refuse him if I want to continue as president for a second time. He may be a man of great influence and the president of a local body would find it very delicate to assess properly in

[Mr. K. Koti Reddi] [2nd February 1934]

such cases. If the power of assessing and taxing people is left to be discharged by an executive officer who need not depend upon the votes of the members of the local bodies, he can discharge that work satisfactorily. This is one of the duties—there are many others—which can be entrusted to executive officers without being interfered with by presidents. I am not certain whether there are provisions in this Bill dealing with these points. It seems to me that the hon. the Chief Minister thinks that the time has come when it would be necessary to have executive officers for these local bodies. If executive officers are appointed, they must have absolute power in certain respects; they must have clearly demarked independent functions.

“ I think there would be some difficulty if both the amendments are put to vote together. There will be some persons who may be against amendment No. 1 but who may be in favour of amendment No. 2 and *vice versa*. I suggest that votes may be taken separately on the amendments.”

* The hon. the PRESIDENT:—“ If it is the desire of the House to go on with the discussion of this amendment, we can put it off till Monday.”

Diwan Bahadur B. MUNISWAMI NAYUDU:—“ It is not our desire, Sir. It is for the Government to say yes or no. This is a matter which they may allow us to discuss at the Select Committee.”

* The hon. the RAJA OF BOBBILI:—“ Sir, with regard to the desirability of retaining the intermediate boards in some form or another, the hon. the Leader of the Opposition stated that the Government were not definite in their opinion and that they had not come to any conclusions”

Dr. P. SUBBARAYAN:—“ Sir, I know that the hon. the Chief Minister was against intermediate boards; some of the Members are in favour of such boards which will co-ordinate the work of the panchayats. I think power can be given to bring in this point before the Select Committee. I never meant that the hon. the Chief Minister was indefinite in his views; I know he has definite views in this matter.”

The hon. the RAJA OF BOBBILI:—“ Sir, I am sorry there has been misunderstanding on this point. As regards the general debate, the hon. the Leader of the Opposition thinks it is desirable to give necessary scope for the discussion of the various alternatives in the Select Committee. As far as this proposal is concerned, I have clearly stated that they have got ample powers under the existing Act to constitute joint committees. I consider that giving instructions to the Select Committee would only result in confusion and affect the main principle of the Bill which aims at the abolition of the taluk boards. I am afraid that it will not serve the purpose for which the Bill is intended. It will give scope for numerous proposals being put forward for introducing taluk boards in another name. Therefore I wish to oppose amendment No. 1. As regards amendment No. 2, in the present Bill we have no scheme for introducing executive officers on the lines of the District

2nd February 1934] [Raja of Bobbili]

Municipalities Act. As has been rightly pointed by my hon. Friend Mr. Muniswami Nayudu, the executive officer to be appointed for these local bodies is not in the same position as the commissioner of a municipality. Our idea was that some sort of uniformity might be introduced, as many district boards had varying scales of pay for their secretaries.

“ As regards the other instruction which is sought to be given to the 5 p.m. Select Committee for amending the Act suitably on the lines of the recent amendment to the District Municipalities Act, I feel, Sir, that it is necessary to have a separate Bill on this subject, and that it will not be possible to introduce such far-reaching changes now. Further, I do not wish to make any secret of the fact that, although such a change will be necessary, sufficient time should elapse to see how far the experiment that is being tried in the case of the municipalities has been successful; in other words, some more time is required to see how the appointment of commissioners for municipalities will work. After satisfying ourselves with regard to its success, we will follow with the necessary Bill to extend that principle in the case of the district boards. I may also state without any mental reservation that from the way in which the Opposition has dealt with the Government Bill, it would be better in the interests of the Government to see that a smooth passage is assured in the Council in the further stages of the Bill, and I therefore do not wish to complicate matters by introducing further new questions into the subject. I accordingly oppose the motion.”

* The hon. the PRESIDENT:—“ I shall now put the motion to the vote of the House. The question is—

‘ that it be an instruction to the Select Committee—

- (1) to consider the desirability of retaining intermediary boards in some form; and
- (2) also to consider the question of vesting the executive powers of the district board in an executive officer as has been done with regard to district municipalities.’ ”

The motion was lost.

* Mr. M. DEVADASAN:—“ Mr. President, Sir, I move the motion standing in my name—

‘ that it be an instruction to the Select Committee that they consider the provisions of the Bill further to amend the Madras Local Boards Act, 1920, of Mr. Moses and embody into this Bill such of the provisions of Mr. Moses’s Bill as they may consider desirable.’ ”

In moving this motion, I wish to make a few observations. The principle of equal opportunities for all in the services under the local boards was discussed only yesterday and accepted by the Council. Mr. Moses introduced a Bill some time ago embodying this principle.”

[2nd February 1934]

Mr. SAMI VENKATACHALAM CHETTI:—"On a point of order, Mr. President. We do not know what the provisions of that Bill are, excepting the appellation 'Moses's Bill.' I think it is a tall order, Sir, to ask this House to vote for a motion of this sort, to instruct the Select Committee to deal with all the provisions contained in a Bill which has not been published and which is not known to most of the hon. Members here. I beg, Sir, that the rights of the House may be protected by your disallowing this motion."

* The hon. the PRESIDENT:—"I thought the hon. Member, Mr. Devadasan, would be explaining the principles of that Bill and to utilize a compendious term probably, he used the words 'Moses's Bill'. I think Mr. Moses' Bill was introduced on the 30th of last month."

Mr. M. DEVADASAN:—"It is a Bill to amend the Madras Local Boards Act, introduced by Mr. Moses, which embodies this principle of representation of all communities in the services of the local boards. There is no mistake about the object of that Bill."

"My Friend, Mr. Sami Venkatachalam Chetti, raised an objection that the Bill was not published in the Gazette. I desire to point out to him that it would be a great saving of time if the provisions of that Bill also are considered by this Select Committee even now. A Select Committee which is to consist of 42 members can very well go into the question of the communal principle as well as the other provisions of this Bill relating to the abolition of taluk boards. We are now referring the Bill to amend the Local Boards Act to a Select Committee for considering the question of the abolition of taluk boards; and instead of having separate committees on separate Bills, I am sure it will be better to have one Committee to go into all connected questions and consider the provisions contained in a Bill introduced by another hon. Member. I request, at the same time, Sir, that the Bill introduced by Mr. Moses may be treated as an official Bill and added on to the official Bill now before us."

Rao Bahadur A. T. PANNIRSELVAM:—"Sir, I have great pleasure in seconding this motion of Mr. Devadasan. If this is accepted, I can tell Mr. Venkatachalam Chetti that it will carry us no further than the desire that he himself expressed in his speech yesterday when we had a discussion over the question of recruitment to services under local bodies, of communal representation. The Government are now going to take powers to frame rules regulating the recruitment to services and also for prescribing qualifications and things like that. This will enable the Committee to consider the desirability or possibility of so amending the Act as to give the Government the power also to incorporate the principle underlying the communal Government Order. It does not take us any further than that. This will enable us to get over the objection which the hon. the Raja of Bobbili pointed out yesterday that under the Act as it is, the Government were advised that it would not be possible for a local board to frame any rules in the matter of recruitment

2nd February 1934] [Mr. A. T. Pannirselvam]

on a communal basis. Mr. Moses's Bill would only enable the local bodies to do that. That is the only object underlying the Bill of Mr. Moses. Therefore, Sir, I think it would not be foreign to the main principles accepted by this House, and I hope that this motion will be accepted."

* The hon. the RAJA OF BOBBILI:—"Yesterday, Sir, this Council discussed at length a resolution which stated that the communal Government Order stated in that resolution should be applied to the services under local bodies; and from the opinions expressed on all sides of the House, I felt that there was unanimity of opinion that such a step should be undertaken. I consider, Sir, that the present is a suitable opportunity for attaining that object immediately. I also note that yesterday an amendment was carried that 'immediate steps' should be taken. I hope that all sides of the House would see no objection to this proposal."

Mr. SAMI VENKATACHALAM CHETTI:—"May I suggest, Sir, that the matter be taken up on Monday? I do not think it is so simple as the hon. the Chief Minister thinks. No doubt everybody is in agreement with him in giving effect to the object which the hon. Mover of that motion had; but from my own point of view, I feel, as I said in connexion with the resolution, that the local bodies have already got that power at present, and it would be sheer interference on the part of the Government to say that they have no power. I do not know what the basis of the legal opinion is; and unless that opinion is made available to the hon. Members of this House, it is impossible to say that the local bodies have no such power. Apart from that, if communal representation is to be given statutory recognition in an Act, it would lead to this: suppose in an institution where it is possible to recruit officers from only one community—and that the majority community—by the introduction of communal rotation, it would mean that the offices in that institution which would naturally belong to a particular community, either on the ground of efficiency or merit or numbers in that locality, would have to be split up amongst several communities, which may after all prove not quite so advantageous as the hon. the Mover at present supposes. Whatever that may be, Sir, I do not know if the hon. the Chief Minister is going to take up the responsibility of saying that this is a very small matter and therefore it can be easily put into the other Bill. The abolition of the taluk boards is by itself a controversial matter, and in spite of the fact that 42 members have been appointed to the Select Committee, it may not be possible to have that Bill ready for discussion in the Council at the February or March meeting; and if this Bill also is going to be added on to it, probably it would retard the progress of the main Bill and would even frustrate the object which the hon. the Minister has in seeing that the taluk boards are abolished at the earliest possible moment. At any rate, Sir, I beg that the House might be given more time to discuss this matter before it is allowed to be decided upon by the Council."

440 A BILL TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920, AND THE
MADRAS ELEMENTARY EDUCATION ACT, 1920 (BILL NO. 2 OF 1934)

[2nd February 1934]

* Mr. A. RANGANATHA MUDALIYAR:—"I understand, Sir, that the principles underlying the Bill introduced by Mr. Moses were adopted by this House yesterday in a resolution which was carried, and that it also stated that 'steps should be taken immediately' to give effect to the communal principle. Having done so, I do not know whether it is necessary to consider the question again to-day in connexion with another Bill. That a policy of that kind should find place in an Act is, I think, Sir, a step which every one should object to. I do not think that Mr. Moses's Bill should be taken into consideration now, as part of the Bill which we have just now referred to a Select Committee."

* The hon. the PRESIDENT:—"I think the House is ready for a vote. The question is—

'that it be an instruction to the Select Committee that they consider the provisions of the Bill further to amend the Madras Local Boards Act of 1920 of Mr. Moses and embody into this Bill such of the provisions of Mr. Moses's Bill as they may consider desirable'."

The motion was carried.

Mr. G. R. PREMAYYA:—"I think I will be in order, Sir, if I propose that Mr. Moses's name also be added on to the Select Committee."

* The hon. the PRESIDENT:—"The hon. Member is not at all in order in doing it now.

"I appoint Rao Bahadur Jagannatha Raju, Deputy President, as the Chairman of the Select Committee."

The House then adjourned to meet again at 11 a.m. on Monday, the 5th February 1934.

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

THE LEGISLATIVE COUNCIL OF THE GOVERNOR
OF MADRAS.

Monday, the 5th February 1934.

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.	Muniswami Nayudu, Diwan Bahadur B.
Krishnan Nayar, Kt., The hon. Diwan Bahadur Sir M.	Muniswami Pillai, Rao Sahib V. I.
Campbell, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., The hon. Sir Archibald.	Muthiah Chettiyar, Mr. M. A.
Stokes, K.C.I.E., C.S.I., I.C.S., The hon. Sir Hopetoun.	Muthu Chettiyar, Rao Bahadur P. C.
Raja of Bobbili, The hon. the.	Nachiyappa Gounder, Mr. K. A.
Rajan, The hon. Mr. P. T.	Nanjappa Bahadur, Subadar-Major S. A.
Kumaraswami Reddiyar, The hon. Diwan Bahadur S.	Narasa Reddi, Mr. T.
Abdul Hameed Khan Sahib Bahadur.	Narasimhaswami, Rao Sahib D. V.
Ahmed Miran Sahib Bahadur.	Narayanan Nambiyar, Mr. V. P.
Alamelumangathayaramma, Mrs. K.	Natesa Mudaliyar, Rao Bahadur C.
Annamalai Chettiyar, Mr. S. A. A.	Palat, Mr. R. M.
Appadurai Pillai, Diwan Bahadur A.	Parthasarathi Ayyangar, Mr. C. R.
Arasu, Mr. V. T.	Patro, Kt., Rao Bahadur Sir A. P.
Basheer Ahmed Sayeed Sahib Bahadur.	Pattabhiramayya, Mr. K.
Basu Dev, Mr. C.	Pocker Sahib Bahadur, B.
Bayappa Reddi, Mr. P.	Premayya, Mr. G. R.
Bhanoji Rao, Mr. A. V.	Rajagopala Pillai, Mr. P. V.
Devadasan, Mr. M.	Raja of Khalikote.
Dharmalingam Pillai, Rao Sahib V.	Raja of Parlakimedi.
Duraiswami Reddiyar, Mr. K. M.	Ramachandra Padayachi, Mr. P. K.
Hood, I.C.S., Mr. H. M.	Ramakrishna Reddi, Mr. A.
Indrayya, Mr. C.	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.
Kesavaramamurti Nayudu, Mr. K.	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.
Krishnamurti, Rao Bahadur D.	Rangaswami Reddi, Mr. M. B.
Krishnan, Mr. C.	Sahajanandam, Swami A. S.
Kuppuswami Choudari, Mr. J.	Sami Venkatachalam Chetti, Mr.
Ladden, Mr. W. W.	Sesha Reddi, Mr. B. P.
Lakshmana Reddi, Mr. G.	Shetty, Mr. A. B.
Madanagopal Nayudu, Mr. R.	Singam Ayyangar, Mr. K.
Mahboob Ali Baig Sahib Bahadur.	Siva Raj, Rao Sahib N.
Mahmud Schamnad Sahib Bahadur, Khan Bahadur.	Smith, C.I.E., I.C.S., Mr. E. Conran.
Manikkavelu Nayakar, Mr. M. A.	Soundara Pandian, Mr. W. P. A.
Metherell, Mr. J. K.	Srinivasan, Rao Bahadur R.
Moidoo Sahib Bahadur, Khan Bahadur T. M.	Sriramulu, Mr. G.
Moses, Mr. P. C.	Subbarayan, Dr. P.
Muhammad Meera Ravuttar, Mr. K. P. V. S.	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.
	Thorne, C.I.E., I.C.S., Mr. J. A.
	Vasudeva Pillai, Mr. V. G.

[5th February 1934]

PRESENT—cont.

Vedachala Mudaliyar, Mr. M.	Viswanatha Rao, Diwan Bahadur V. N.
Venkatachala Reddiyar, Mr. K. C. M.	Yakub Hasan Sahib Bahadur.
Venkatarama Ayyar, Mr. K. R.	Zamindar of Kirlampudi.
Venugopal Nayudu, Rao Bahadur R. K.	Zamindar of Mirzapuram.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Excise

Districts subject to the prohibition experiment.

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

(a) for which of the districts the scheme for prohibition is yet tried;

(b) how many liquor shops have been closed in each area; and

(c) whether temperance propaganda is being carried on in those areas, and if so, by which agency?

A.—(a) The experimental closure of arrack shops in the toddy drinking areas of the Shiyali and Tiruturaipundi taluks of the Tanjore district and the Tiruvadanai and Paramakudi taluks of the Ramnad district and the prohibition of the sale of liquor of any kind to the members of the hill-tribes on the Nilgiris district except on a medical certificate are being continued.

(b) All arrack shops in the Shiyali, Tiruturaipundi and Tiruvadanai taluks were closed from 1st April 1924 and those in Paramakudi taluk were closed from 1st April 1929. The foreign liquor shops in the Shiyali, Tiruturaipundi and Tiruvadanai taluks were closed from 1st April 1929. In the Nilgiris the arrack shop at Kottagiri was closed from 15th May 1928 and one foreign liquor shop from 1st April 1930. The closure of foreign liquor and beer shops on Sundays in the Nilgiris district which was ordered in November 1929 still continues.

(c) The Government have no information whether temperance propaganda is being carried on in the areas above mentioned.

Mr. K. A. NACHIYAPPA GOUNDER:—" May I know, Sir, in how many districts prohibition was originally started? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Notice, Sir."

Mr. A. RANGANATHA MUDALIYAR:—" May I know, Sir, whether as a result of this measure, the revenue is the same as it was before? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" I do not understand what my hon. Friend means by ' this measure '."

5th February 1934]

Mr. A. RANGANATHA MUDALIYAR:—" I would like to know whether, by the closure of these arrack and foreign liquor shops, the revenue is the same as it was before this measure was adopted? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" They were not closed this year, but they were closed some years ago."

Mr. A. RANGANATHA MUDALIYAR:—" I want to know whether the present revenue is about the same as it was before the closure of the shops? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Before the closure five or six years ago."

Mr. A. RANGANATHA MUDALIYAR:—" I want to know whether there is any fall; if so, whether it is due to the closure of these shops, and whether toddy sales have increased? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Notice, Sir."

Local Self-Government

Complaints against presidents of local boards regarding the irregular disposal of tenders.

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

(a) how many complaints have been received since 1st January 1933 against presidents of local boards who have discarded the definite instructions issued by the Government in the matter of disposal of tenders for the works of those boards, and how they have been disposed of;

(b) from whom such complaints were received;

(c) whether there is any proposal to modify the rules in the Local Boards Manual in respect of disposal of tenders for the works of the local boards; and

(d) if so, what they are?

A.—(a) & (b) Complaints have been received from some contractors that presidents of district boards are not rigidly adhering to the rules; several presidents of district boards have however represented that the existing rules cannot be conveniently followed in certain cases, especially of small tenders.

(c) & (d) The question of revising the rules for the invitation and acceptance of tenders is under the consideration of Government.

Mr. A. RANGANATHA MUDALIYAR:—" What is the nature of the majority of the complaints received from the contractors? "

The hon. the RAJA OF BOBBILI:—" In all cases the lowest tender has not been accepted."

[5th February 1934]

Compliance by district boards with the Government Order regarding the acceptance of tenders.

* 610 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether there are any boards which have failed to carry out the instructions contained in the Government Order regarding the acceptance of tenders; if so, which the boards are and what action has been taken by the Government against those boards;

(b) whether the Government have called for information from each district board and have satisfied themselves that the instructions have been properly carried out; and

(c) whether the Government will lay on the table of this House a copy of the information obtained from each district board?

A.—(a) The attention of the hon. Member is invited to the answer to question No. 609.

(b) No, but some presidents of district boards have represented to Government the difficulties they have felt in the observance of the rules.

(c) No useful purpose will be served thereby. The question of revising the rules is under the consideration of Government.

Mr. K. A. NACHIYAPPA GOUNDER:—“ May I know what is the nature of the representation made by district boards in observing the rules? ”

The hon. the RAJA OF BOBBILI:—“ The absence of approved list of contractors for these districts and also that in the case of small contracts it has been found difficult to enforce the rules; so that the matter is under the consideration of Government.”

Mr. A. RANGANATHA MUDALIYAR:—“ What is the direction in which the Government are considering the revision of the rules? ”

The hon. the RAJA OF BOBBILI:—“ One alternative is to have an approved list of contractors, and the other alternative is to have a committee.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ What is the benefit that will be derived by having an approved list? ”

The hon. the RAJA OF BOBBILI:—“ To prevent malafide tendering.”

Mr. A. RANGANATHA MUDALIYAR:—“ May I know whether the Government will adhere to the rules that, from among the approved list of contractors, the lowest tender will be accepted, or will they depart from the rule? ”

The hon. the RAJA OF BOBBILI:—“ Unless there are sufficient reasons, the lowest tender should be accepted.”

Mr. K. KOTI REDDI:—“ May I know, Sir, whether in this connexion Government will consider the memorandum that I have submitted to the Government some time ago.”

The hon. the RAJA OF BOBBILI:—“ It is under consideration.”

[5th February 1934]

District boards and taluk boards working at a deficit.

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

(a) the names of the district boards which are working at a deficit and the amount of deficit in the last budget of each of them; and

(b) the names of taluk boards which have recurring deficits and those which are on the border line?

A.—(a) Particulars are furnished in Annexure I.^a

(b) Particulars are furnished in Annexure II.^a

Mr. A. RANGANATHA MUDALIYAR:—“ How have Government met the deficits of several districts like Trichinopoly? ”

The hon. the RAJA OF BOBBILI:—“ It is for the district boards to devise ways and means.”

Mr. A. RANGANATHA MUDALIYAR:—“ Have the Government approved the deficit budgets or insisted that their budgets should be balanced? ”

The hon. the RAJA OF BOBBILI:—“ In some cases Government have done so.”

District boards working at a deficit.

* 612 Q.—Mr. M. B. RANGASWAMI REDDI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) how many and which of the district boards are working at a deficit at present;

(b) what action the Government propose to take to remedy this defect; and

(c) whether it is a fact that the revenues of the district boards have decreased owing to the abolition of tolls?

A.—(a) The attention of the hon. Member is invited to the answer to question No. 611.

(b) The attention of the hon. Member is invited to the Press Communiqué, dated 6th January 1934, regarding the abolition of taluk boards. The Government's proposals are contained in Bill No. 2 of 1934. It is also proposed to introduce a Bill providing for the imposition of tolls on non-motor vehicles and animals.

(c) The answer is in the affirmative.

Taluk boards working on a deficit both prior to and after the Local Boards (Amendment) Act, 1930.

* 613 Q.—Mr. M. B. RANGASWAMI REDDI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) how many and which of the taluk boards which were in existence before the Local Boards Act, 1930, were working at a deficit;

^a Printed as Appendix I on pages 519-520 infra.

[5th February 1934]

(b) how many and which of the present taluk boards are working at a deficit; and

(c) what action the Government propose to take to remedy these defects?

- A.—(a) Particulars are furnished in the annexure.*
 (b) The attention of the hon. Member is invited to the answer to clause (b) of question No. 611.
 (c) The attention of the hon. Member is invited to the Press Communiqué, dated 6th January 1934, regarding the abolition of taluk boards. The Government's proposals are contained in Bill No. 2 of 1934.

Taluk boards and their finances prior to bifurcation.

* 614 Q.—Mr. M. D. T. RANGANATHA MUDALIYAR: Will the hon. the Minister for Local Self-Government be pleased to state—

- (a) the total number of taluk boards in this Presidency;
 (b) how many of them are self-supporting; and
 (c) how many taluk boards were financially low prior to every taluk being bifurcated into a taluk board?

- A.—(a) 208.
 (b) 79.
 (c) Out of 130 taluk boards in 1930–31 as many as 46 taluk boards were unable to make their receipts cover their expenditure. Since then, the finances of taluk boards have been adversely affected not only by the bifurcation but also by the fact that taluk boards which had been levying an optional land-cess of not more than 3 pies in addition to the 6 pies cess, lost the income from such optional land-cess in panchayat areas under the Madras Local Boards (Amendment) Act, 1930.

Appointment and pay of district panchayat officers.

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

- (a) whether district panchayat officers have been appointed in all districts; and
 (b) whether their pay is met from the general funds of the board or from the Village Development Fund?

- A.—(a) The attention of the hon. Member is invited to the answer to clause (a) of question No. 570.
 (b) The Government have permitted district boards to debit the pay only of the district panchayat officer to the Village Development Fund with the concurrence of the Village Development Fund Committee, if it is not possible to meet the expenditure from the general funds of the district boards.

* Printed as Appendix II on page 521 infra.

[5th February 1934]

Rao Sahib V. I. MUNISWAMI PILLAI:—“ With reference to the answer to clause (b), may I know why the travelling allowance of the panchayat officers should be debited to general account instead of the village development account? ”

The hon. the RAJA OF BOBBILI:—“ Government considered it sufficient if the salary is debited to the Village Development Fund, and that the other expenses to the general resources of the district board.”

Rao Sahib V. I. MUNISWAMI PILLAI:—“ Is not the panchayat officer working in the rural areas and village panchayats, and does not sit in office at the headquarters? ”

The hon. the RAJA OF BOBBILI:—“ It is so, but the district boards also have certain duties to perform in rural areas.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“ While the pay of these officers is being met out of the development fund, why not their travelling allowance also be debited to that fund? ”

The hon. the RAJA OF BOBBILI:—“ I have just answered that question.”

Medical Administration

Management of Taluk Headquarters Hospitals by Government.

* 616 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the hon. the Minister for Local Self-Government be pleased to state—

- (a) whether the proposal of the Government to take charge of taluk headquarters hospitals was given effect to; and
 (b) if so, when will the Cumbum taluk headquarters hospital be taken up by the Government?

A.—(a) & (b).—The Government have had under consideration the question as to whether local bodies should continue to maintain the taluk headquarter medical institutions which are now under their control or whether the Government should provincialize them. In view of the existing financial stringency and the proposal to abolish taluk boards they have decided to drop the further consideration of the question.

Lady doctor for the Kasaragod taluk.

* 617 Q.—Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur: Will the hon. the Minister for Local Self-Government be pleased to state—

- (a) whether any representation has been made to the Government that a very large section of the women of the Kasaragod taluk in South Kanara district who observe gosha system find it difficult to get medical aid as there is no woman doctor in the whole taluk, not even in the headquarters hospital at Kasaragod;

[5th February 1934]

(b) whether there is any proposal before the Government to appoint a woman doctor at the Kasaragod taluk headquarters hospital; and

(c) whether they are aware that the woman doctor appointed for the Puttur taluk headquarters hospital sits and sees patients in the same room and at the same table along with the other medical man?

A.—(a) No.

(b) No.

(c) Yes; because the out-patient block of the hospital is a small one. The examination of women patients is, however, done by the woman doctor in the female dressing room.

Restrictions on the issue of medical certificates by L.I.M. certificate holders.

* 618 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the members of the staff of Government School of Indian Medicine, Madras, are authorized to issue medical certificates to Government servants, but that the students who pass from the same school and hold certificates of L.I.M. are not allowed to do the same; and

(b) if so, on what grounds?

A.—(a) & (b).—Medical certificates granted to Government servants by the members of the staff of the Indian Medical School can be accepted only if the members—

(i) have registered their names under the Medical Registration Act (IV of 1914), or

(ii) are holders of the diploma of Licentiate in Indian Medicine and have their names registered under the rules for the registration of practitioners of Indian medicine approved by the Government.

Certificates granted by L.I.Ms. to Government servants examined or treated by them may be accepted if the L.I.Ms. have registered their names under the rules referred to in (ii) above.

Public Health

Progress of the scheme for the supply of drinking water from the Mettur reservoir to Salem.

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

(a) at what stage the scheme for the supply of drinking water to Salem Municipality from Mettur reservoir is;

(b) what the proposals are which the Government made to the municipality;

(c) whether the municipality of Salem has accepted the proposals;

[5th February 1934]

(d) whether copies of the Government proposals and the reply of the municipality will be placed on the table; and

(e) if the proposals have not been forwarded to the municipality, what the reasons are for the delay?

A.—(a) to (e).—The financing of the scheme is still under the consideration of the Government. No proposals have yet been referred to the municipal council.

Mr. K. A. NACHIYAPPA GOUNDER:—“ May I know what is the difficulty with regard to financing the scheme? ”

The hon. the RAJA OF BOBBILI:—“ In answer to a previous question I have given details. The Government are now considering the question of fixing a water-rate for water taken by the municipality. ”

Mr. K. A. NACHIYAPPA GOUNDER:—“ Is the water taken by the municipality also to be charged, Sir? ”

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

Religious and Charitable Endowments

Measures for the constitution of Temple Committees under the Hindu Religious Endowments Act.

* 620 Q.—Mr. V. M. RAMASWAMI MUDALIYAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) what steps the Government have taken for the constitution of the elected Temple Committees under the Hindu Religious Endowments Act;

(b) the districts where such committees have not been constituted and the reasons therefor; and

(c) whether the financial position of the Hindu Religious Endowments Board has not improved after the passing of the amended Act giving the Board more powers and whether such improved finances are in any manner utilized for the purpose of the constitution of the elected committees?

A.—(a) & (b).—Owing to lack of funds it has not been possible in many districts to hold elections for the constitution of the committees. The Government have under consideration the question of amending the Madras Hindu Religious Endowments Act, 1926 (II of 1927), so as to enable them to reconstitute the committees by nomination. Committees have been constituted in the districts of South Arcot, Tanjore and Tinnevely. In the Madura district a committee is working in respect of the Sri Minakshi Sundareswarar Devasthanam and its allied institutions.

(c) The financial position of the Board has improved to a certain extent, but the Board is not as yet in a position to spare funds for the purpose.

[5th February 1934]

Mr. M. A. MANIKKAVELU NAYAKAR:—"The answer states that Government are considering the question of amending the Madras Hindu Religious Endowments Act so as to reconstitute the committees. Since the committees are not functioning for over two years, may I request the hon. the Chief Minister to expedite the proposed amendment of the Act?"

The hon. the RAJA OF BOBBILI:—"The question is yet pending and, as soon as time permits, we will undertake legislation."

Reconstitution of Temple Committees.

* 621 Q.—S. M. K. BEYARANI SAHIB Bahadur: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that in several districts the Hindu Temple Committee have not yet been reconstituted;

(b) whether the Government will be pleased to state why they have not been so reconstituted; and

(c) whether there is any proposal before the Government to amend the Hindu Religious Endowments Act, so as to enable the Hindu Religious Endowments Board to reconstitute the temple committees in a satisfactory manner?

A.—(a) Yes.

(b) Owing to lack of funds it has not been possible to hold elections.

(c) The question of amending the Hindu Religious Endowments Act to enable Government to reconstitute the Committees by nomination wherever necessary is under consideration.

Districts enjoying the privilege of elected temple committees.

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

(a) in which of the districts elected temple committees are functioning;

(b) why election for temple committees has not been introduced in the Salem district;

(c) who the members are of the temple committee in the Salem district now;

(d) whether this temple committee has got executive powers or whether it is only advisory;

(e) when elected temple committees are to come into operation in Salem district; and

(f) how many temple committees are to be there then and what the area represented by each is?

A.—(a) Committees are functioning in the districts of South Arcot, Tanjore and Tinnevely. In Madura the Committee constituted for the Sri Minakshi Sundareswar, etc., Devasthanams alone is functioning.

5th February 1934]

(b) The elections could not be held owing to lack of funds.

(c) & (d) The Committees in the district are not functioning at present.

(e) & (f) It is not possible to state now when the Committees will be reconstituted and what their respective territorial jurisdiction will be.

Temple Committees in the Coimbatore district.

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

(a) whether temple committees have been constituted in the Coimbatore district;

(b) if so, how many committees there are and how and when they have been constituted;

(c) whether it is by election or by nomination;

(d) if it is not by election, why such system was not introduced yet in that district;

(e) whether the committees are simply advisory or whether they have got executive powers; and

(f) if no committees are functioning now, what it is due to?

A.—(a) to (c) Two committees were constituted for the district by nomination in 1928. Their term expired in 1931.

(d) & (f) Of the two committees in the district, the Coimbatore Circle Committee has not sufficient funds to meet the cost of election. A proposal to constitute a single committee for the whole district is under consideration.

(e) The attention of the hon. Member is invited to the provisions of the Madras Hindu Religious Endowments Act, especially those in Chapters III and V.

Delay in the conduct of elections to the temple committees in the Trichinopoly district.

* 624 Q.—Mr. K. SINGAM AYYANGAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government are aware that election arrangements are delayed in the constitution of the temple committees in the Trichinopoly district where the necessary amount has been already placed at the disposal of the Board from the committee funds for the conduct of the elections; and

(b) if so, whether the Government will be pleased to call for a report from the Hindu Religious Endowments Board regarding this?

A.—(a) & (b) A report has been called for from the Hindu Religious Endowments Board on the subject.

[5th February 1934]

*Delay in the conduct of election to the Temple Committee,
Trichinopoly.*

* 625 Q.—Mr. K. SINGAM AYYANGAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) why the election for the Trichinopoly Temple Committee, ordered to be held, has not been held as yet; and

(b) if it has not been held, the reasons for the delay?

A.—The attention of the hon. Member is invited to the answer to question No. 624.

Irrigation

*Proposal of the Mysore Government to proceed with the execution
of the Lakkavalli Project.*

* 626 Q.—Mr. G. LAKSHMANA REDDI: Will the hon. the Member for Revenue be pleased to state—

(a) at what stage the Tungabhadra Project Scheme is;

(b) whether the Mysore Government is contemplating to construct a reservoir across the river Bhadra at Lakkavalli (otherwise known as Lakkavalli Project);

(c) if so, to what extent the contemplated Tungabhadra Project would be affected both in the matter of water-supply and the area to be irrigated; and

(d) whether the Governments of Madras, Hyderabad and Mysore have met and come to a decision regarding the Lakkavalli Project?

A.—(a) The preliminary investigation of the project is in progress.

(b) Yes.

(c) The matter is being examined.

(d) Not yet.

Mr. G. LAKSHMANA REDDI:—" May I know, Sir, when the preliminary investigation is likely to be completed? "

The hon. Sir ARCHIBALD CAMPBELL:—" I cannot say, Sir."

Mr. P. V. KRISHNAYYA CHOUDARI:—" Is it not a wrong policy of the Government to increase the number of projects when they are losing so many lakhs of rupees annually on account of the excess cultivation of paddy? "

The hon. Sir ARCHIBALD CAMPBELL:—" I do not agree. I may also mention that the projects that are under consideration are not merely intended for the cultivation of paddy."

Mr. G. LAKSHMANA REDDI:—" Have the Mysore Government begun to construct their reservoir, Sir? "

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

Mr. A. RANGANATHA MUDALIYAR:—" With regard to the answer to clause (d), may I know whether the three Governments—Madras, Mysore and Hyderabad—have begun to discuss the matter or not? "

[5th February 1934]

The hon. Sir ARCHIBALD CAMPBELL:—" The discussion has not yet begun. But the Mysore Government very kindly sent some particulars about their project and the information was also communicated to the Hyderabad Government. That is preliminary to the consideration of the matter."

Mr. K. KOTI REDDI:—" May I know when the conference is going to meet to consider the whole question? "

The hon. Sir ARCHIBALD CAMPBELL:—" I cannot say, Sir."

Damage to the Kanigiri Reservoir caused by the cyclone.

* 627 Q.—The KUMARARAJA OF VENKATAGIRI: Will the hon. the Member for Revenue be pleased to state—

(a) the extent of damage caused to the masonry works and the bund of the Kanigiri reservoir in Nellore district by the cyclone in November 1933;

(b) the extent of damage done to

(i) fields and (ii) crops;

(c) the action taken by the Government to improve the masonry works connected with this reservoir and to make them permanently strong;

(d) the concession and remissions granted so far or proposed to be granted to the owners of fields and crops damaged;

(e) the improvements contemplated to the drainage system under the said reservoir; and

(f) what amount will be spent during the budget year in this connexion under various heads and what provision will be made in the budget for 1934-35?

A.—(a), (b) & (d) Extracts* from the reports of the Chief Engineer for Irrigation and the Collector of Nellore are annexed.

(c) Detailed instructions regarding the steps to be taken to repair the damages have been issued to the Superintending Engineer by the Chief Engineer. The following are the works proposed:—

(1) Providing 30 feet radial shutters to the Maldevi drainage regulator; and

(2) repairing the other damaged portions of the revetment with mortar instead of dry stone packing and grouting adopted hitherto.

(e) No other improvements are contemplated at present.

(f) A sum of Rs. 3,000 has been allotted for expenditure on the repairs of flood damage to the reservoir during the current year under " XIII. Irrigation—Working expenses." For 1934-35; a provision of Rs. 37,000 has been made.

* Printed as Appendix III on pages 521-523 infra.

[5th February 1934]

Land Revenue Administration*Resettlement operations in Salem district.*

* 628 Q.—Mr. K. A. NACHIYAPPA 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) which part or parts of the Salem district are being resettled now;

(c) whether the report of the Special Settlement Officer in that district has been got ready;

(d) when it is likely to be published;

(e) when the resettlement rates are to be given effect to;

(f) whether the Government have received any representations praying that the resettlement rates should not be given effect to for some years to come; and

(g) if so, from where such representations have been received and what orders have been passed on them?

A.—(a) & (b) The attention of the hon. Member is invited to the answer to clauses (a) and (b) of his question No. 36 given on 1st August 1933. Resettlement operations have not yet commenced in the northern taluks of the Salem district.

(c) & (d) The Government understand that the report is nearly ready. It is not yet possible to say definitely when it will be published.

(e) The answer to clauses (c) and (d) of question No. 36 given on 1st August 1933 contains information on this point.

(f) & (g) Except two resolutions of which notice was given in the Legislative Council no representations asking for the postponement of the Salem resettlement operations have been received since 1st January 1933.

Mr. K. A. NACHIYAPPA GOUNDER:—“ May I know whether resettlement operations in the other taluks of the Salem district have been completed? ”

The hon. Sir ARCHIBALD CAMPBELL:—“ No, Sir.”

Relief measures in South Arcot consequent on the cyclone havoc.

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

(a) the extent of damage caused to house, property, lands, crops and trees by the cyclone of December 1933 in the various taluks of South Arcot;

[5th February 1934]

(b) the number of cattle that died on account of the effect of the cyclone and the number of human lives that were lost during and by reason of the cyclone of December 1933 in the various taluks of South Arcot;

(c) the measures that were taken by the Government to afford relief to the ryots affected by the cyclone and the measures proposed to be taken in the several taluks of the district;

(d) whether any representations have been received by the Government or the District Collector of South Arcot from the ryots or associations of ryots and mirasidars as to the necessity for and the inadequacy of relief given to the ryots of the cyclone-affected areas in the district of South Arcot;

(e) what the nature and scope of the representations are; and

(f) what the action already taken or proposed to be taken by the Government is in respect of the said representations?

A.—(a) to (c) The information received by the Government has been given in the Press Communiqué, dated 12th January 1934.

(d) Some petitions asking for relief on account of damage caused by the cyclone have been received by the Government. Copies of some of these petitions appear to have been sent to the Collector also.

(e) The main requests contained in the petitions received by the Government are—

(1) that assessment should be reduced or that a portion of the land revenue should be remitted;

(2) that tree tax should be reduced;

(3) that land revenue should be collected in six instalments or that kists should be postponed; and

(4) that loans should be granted free of interest or at reduced rates of interest.

(f) The attention of the hon. Member is invited to the Press Communiqué mentioned in the answer to clauses (a) to (c). The ordinary remissions for loss of crop admissible under the Board's Standing Orders will be granted. The question whether any special concessions should be given will be considered by the Collector.

Prices and Wages*Reports on the economic condition of the Province.*

* 630 Q.—Mr. P. V. KRISHNAYYA CHOUDARI: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have received the reports on prices of paddy and the agricultural situation from Collectors of all districts; and

[5th February 1934]

(b) whether they will be pleased to place these reports in a consolidated form on the table of this House?

A.—(a) & (b) The Government have not received the reports but have received from the Board of Revenue a summary of the reports. This^a is placed on the table of the House.

Prisons and Prisoners

Supply of buttermilk to 'C' class prisoners.

* 631 Q.—Mr. K. A. NACHIYAPPA (GOUNDER: Will the hon. the Law Member be pleased to state—

(a) whether orders have been passed in the matter of supply of buttermilk to 'C' class prisoners in jails;

(b) if so, what it is and whether a copy of it will be placed on the table; and

(c) how long this matter has been under the consideration of the Government?

A.—(a) The hon. Member is referred to the answer to question No. 554.

(b) The answer to the first part of the question is that buttermilk cannot be made an article of diet to 'C' class prisoners, and the answer to the second part of the question is in the negative.

(c) The question was under the consideration of Government for some months.

Control of Vehicles

Authorization of District Superintendents of Police to issue 'G' permits to motor vehicles plying for hire.

* 632 Q.—Khan Sahib SYED TAJUDDIN SAHIB Bahadur: Will the hon. the Home Member be pleased to state—

(a) whether the Government have decided that in future District Superintendents of Police should be responsible for the grant of 'G' permits to motor vehicles plying for hire instead of the District Magistrates;

(b) whether a large number of bus-owners have protested against this proposal; and, if so, on what grounds; and

(c) whether it is a fact that at present District Magistrates, when leaving headquarters, authorize Additional District Magistrates or Treasury Deputy Collectors to issue the permits?

A.—(a) The Government are hoping to issue orders in this matter shortly.

(b) Several bus-owners, mostly belonging to the Tanjore district, have protested against the proposal for the following reasons:—

(1) that the present system is satisfactory;

^a Printed as Appendix IV on pages 524-554 infra.

[5th February 1934]

(2) that the proposed transfer would give too much power to the Police; and

(3) that there would be delay in the issue of 'G' permits with resultant financial loss to them.

(c) The Government have no information.

Mr. ABDUL HAMEED KHAN:—"May I ask the hon. the Home Member whether it is a fact that at the last Collectors' Conference, they prepared a certain scheme for regulating motor traffic and issuing licences and that the scheme has been in the Secretariat since then without any orders being passed on it?"

The hon. Sir MAHOMED USMAN:—"I must ask for notice of the question."

Mr. ABDUL HAMEED KHAN:—"Will the hon. the Home Member please consult the Bus Owners' Association, not only in the City but also in the mufassal, before the Government make such drastic changes?"

The hon. Sir MAHOMED USMAN:—"I cannot promise, but I shall consider the suggestion."

Proposals of the Government for the permanent retention of the posts of Inspectors of Motor Vehicles.

* 633 Q.—Khan Sahib SYED TAJUDDIN SAHIB Bahadur: Will the hon. the Home Member be pleased to state—

(a) whether the Government have decided to retain the posts of Inspectors of Motor Vehicles permanently;

(b) if so, what the cause is for the delay in giving effect to the decision of the Government; and

(c) whether they are to be in the grade of Inspectors of Police?

A.—(a) A final decision has not yet been taken in the matter.

(b) Certain details as a result of the reorganization of the staff are under consideration.

(c) It has been decided that Motor Vehicles Inspectors should in future form part of the Police Subordinate Service and that their pay should be the same as that of Inspectors of Police.

Education

Report of the Muslim Education Committee.

* 634 Q.—Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur: Will the hon. the Minister for Education and Excise be pleased to state—

(a) when the report of the Muslim Education Committee appointed by the Government was submitted;

(b) whether orders of the Government have been passed on all the recommendations made by the Committee;

[5th February 1934]

(c) whether the recommendations of the Committee were unanimous;

(d) whether the Director of Public Instruction who was the President of the Committee, made any special recommendations on any of the points raised in the report, as Director of Public Instruction; and

(e) if so, what they are?

A.—(a) In March 1932.

(b) Orders have been passed on the question of providing religious instruction for Muhammadan pupils. The other recommendations are under consideration.

(c) The report was signed by all the members of the Committee, and there was no dissenting minute.

(d) In his covering letter when submitting the report to the Government, the Director of Public Instruction gave his own views on the various recommendations made in the report.

(e) These recommendations were intended only for the information of the Government and it is not considered desirable to disclose them at least until final orders are passed on the report as a whole.

Alleged attack on Islam in the publication by Mr. L. Srinivasa Ayyar, Tamil Pandit, Government College, Coimbatore.

* 635 Q.—MR. BASHEER AHMED SAYEED: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether the attention of the Government has been drawn to the publication by one L. Srinivasa Ayyar, Tamil Pandit, Government College, Coimbatore, in which the Prophet of Islam has been scurrilously attacked and reviled, particularly in the ninth chapter thereof;

(b) whether the Government or the Director of Public Instruction received any representation from the Muslims of Coimbatore and other places about the publication by L. Srinivasa Ayyar of the Coimbatore Government College and protesting against the allegations in the said publication;

(c) if so, what action has been taken by the Government or the Director of Public Instruction on the said petitions or representations and to what effect;

(d) whether the said publication is prescribed as a text-book in Tamil for the fourth form in the high schools in the Coimbatore district; if so, by whom has it been prescribed;

(e) whether the said publication has been approved of by the Text-Book Committee or by any sub-committee thereof;

(f) if so, who constituted the committee by which the said publication was passed and who the Muslim members present were when the committee approved of the publication; and

5th February 1934]

(g) what action the Government have taken and propose to take to have the said publication proscribed?

A.—(a) & (b) Representations have been received from Anjumane Nounihalane Islam, Coimbatore, regarding certain alleged objectionable passages in a book written by L. Srinivasa Ayyar.

(c) & (g) The matter is receiving attention.

(d) The book has been prescribed as a text-book for Form III in the school department of the Government College, Coimbatore, and in the Government Secondary and Training School for Women, Coimbatore, by the heads of the institutions concerned.

(e) Yes.

(f) The Text-Book Committee is constituted under the orders of Government.

Government have no information as to the actual members present at any particular meeting of the Text-Book Committee and do not consider it necessary to call for it.

Duties of the Superintendent, Connemara Public Library, Madras.

* 636 Q.—MR. M. B. RANGASWAMI REDDI: Will the hon. the Minister for Education and Excise be pleased to state—

(a) what the duties of the Superintendent in the Connemara Library are; and

(b) how many assistants he has?

A.—(a) There is no such officer as 'Superintendent' in the Connemara Public Library. The Superintendent of the Government Museum is also Principal Librarian of the library. There is a librarian under him. As regards the duties of these officers, the hon. Member is referred to G.O. No. 2160, Education, dated the 22nd October 1929, and the rules annexed to it which have been placed at the disposal of the Press.

(b) The librarian is assisted by the following staff:—

A sub-librarian.

An accountant and cashkeeper.

Three clerks.

Six attendants.

Public Health.

Stoppage of relief rendered by the Taluk Board, Kasaragod, to sufferers from snake-bite.

* 637 Q.—MR. U. C. SUBRAHMANYA BHATT: Will the hon. the Minister for Local Self-Government be pleased to state whether it is a fact that the Local Government have ordered the stoppage of relief

[5th February 1934]

to sufferers from snake-bite afforded hitherto by the taluk board of Kasaragod; if so, for what reasons?

A.—The Kasaragod Taluk Board was incurring expenditure in connexion with the employment of a snake-bite curer. As the snake-bite curer was unqualified and as it is not possible for the Government to distinguish between those who are genuine curers and those who are not, they informed the taluk board that no further expenditure should be incurred in this behalf and that the services of the curer should be dispensed with. The president, taluk board, has asked for a reconsideration of the orders of Government. The matter is under consideration.

Mr. U. C. SUBRAHMANYA BHATT:—"May I know whether the Government have called for or received any report from the taluk board as to the number of cases of snake-bite?"

The hon. the RAJA OF BOBBILI:—"Long ago the Government received a representation from the taluk board."

Mr. U. C. SUBRAHMANYA BHATT:—"May I know whether it is the opinion of the taluk board that he is not a genuine snake-bite curer?"

The hon. the RAJA OF BOBBILI:—"In the case of local boards, the Government, while sanctioning expenditure from public funds for unqualified persons, must be assured that the remedy is genuine."

11-15 a.m. Mr. U. C. SUBRAHMANYA BHATT:—"May I know whether any report has not been called for before making them not to incur the expenditure from taluk board funds?"

The hon. the RAJA OF BOBBILI:—"It was considered necessary to call for a report and now the District Medical Officer has been consulted and we are expecting his report."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"May I know, Sir, what the opinion was of the District Medical Officer who was consulted?"

The hon. the RAJA OF BOBBILI:—"He was consulted and we are expecting his report."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"Was he consulted before?"

The hon. the RAJA OF BOBBILI:—"He had been consulted before but not on this point."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"What was the point, Sir, on which he was consulted?"

Mr. U. C. SUBRAHMANYA BHATT:—"May I know whether the matter would receive the sympathetic consideration of the Government?"

The hon. the RAJA OF BOBBILI:—"It is not a question of sympathetic or unsympathetic consideration, but it is as to whether the cure is genuine or not that the Government must first satisfy themselves."

5th February 1934]

Irrigation

Mr. Priestley's report on the Tungabhadra Project.

* 638 Q.—The KUMARARAJA OF VENKATAGIRI: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have received the report of Mr. Priestley regarding the Tungabhadra Project; and

(b) whether the Government will be pleased to place it on the table of the House before passing final orders on the matter?

A.—(a) Two preliminary reports have been received from Mr. Priestley.

(b) The question will be considered when a final report is received from the Irrigation Development Board.

Stoppage of the preliminary work started in connexion with the Tungabhadra Project.

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

(a) whether the preliminary work started in connexion with the Tungabhadra Project has been stopped now;

(b) if so, why and for what reasons;

(c) whether a copy of the order passed in the matter will be placed on the table; and

(d) what the amount spent over this work so far is?

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

(d) Information has been called for.

Prices and Wages

Collectors' reports regarding the economic and seasonal situation in the districts.

* 640 Q.—Mr. G. LAKSHMANA REDDI: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government recently called for reports from the various District Collectors regarding the economic and seasonal situation in the districts in the Presidency with a view to afford land revenue relief; and

(b) if so, whether the Government will be pleased to place those reports on the table of the House?

A.—(a) & (b).—The attention of the hon. Member is invited to the answer to question No. 630.

Mr. A. RANGANATHA MUDALIYAR:—"In view of the fact that the Government independently and on the basis of the reports received from

[5th February 1934]

the Collectors had decided to give larger remissions in the case of certain districts, will the Government now be pleased to revise their last order and grant remissions on a higher scale?"

The hon. Sir ARCHIBALD CAMPBELL:—"I am afraid I cannot answer that question now."

Mr. A. RANGANATHA MUDALIYAR:—"Is the matter under consideration, Sir?"

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

Proposals of the Collector of Salem for remission of land revenue.

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

(a) what report the Collector of Salem district made in the matter of remission of land revenue; and

(b) whether a copy of the report will be placed on the table?

A.—(a) & (b) The attention of the hon. Member is invited to the answer to question No. 630.

Police

Expenditure for bandobust in Nandyal and Atmakur in regard to procession before the mosque.

* 642 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the hon. the Home Member be pleased to place on the table of the House—

(a) the extra expenditure that the Government had to incur every time in 1933, for making bandobust in Nandyal and Atmakur in connexion with procession before the mosque; and

(b) the reports called for in 1933 regarding the acts of the police with regard to the Muslims of Nandyal?

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

(b) The petition^a received from certain Muslims of Nandyal in October 1933 is placed on the table of the House. As regards the allegations made therein, the District Magistrate has reported that—

(1) The allegation that the District Magistrate had been told that the Muslims intended to appeal against the order of the District Munsif is untrue.

(2) There was no indiscriminate arrest of persons. The total number of persons arrested was only seven of whom four were Muhammadans and three Hindus. Some had previous convictions and two others had been previously charged with assaulting constables on duty. The arrests were made

[5th February 1934]

under section 107 (3), Criminal Procedure Code, and the arrested persons were all released within 24 hours.

(3) The allegation that the Muhammadans were ill-treated, that the purdah of their females was dishonoured and that they were prevented from answering calls of nature because people had been placed on the tops of Muhammadan houses is entirely untrue. No Muhammadan, whether man or woman or child, was ill-treated or molested. The entire street was placed in charge of a Muhammadan Sub-Inspector of Police and the District Magistrate himself was present throughout the procession. Every care was taken to see that perfect discipline was maintained and nobody had any legitimate ground for complaint. With the exception of the seven persons who were arrested, no one was prevented from attending to his ordinary avocations and no Muhammadan was stopped from going to prayers. The procession was timed in consultation with the Taluk Magistrate who is a Muhammadan so as not to interfere either with the afternoon or evening prayers of the Muhammadans and the Taluk Magistrate himself was posted at the disputed mosque so that Muhammadans might have full interfere either with the afternoon or evening out at the end of prayers. As regards placing people on house tops, in view of past experience, it was found necessary to post look-outs to watch for Muhammadans collecting in by-lanes and open places and creating disturbances. Such look-outs were posted on the tops of nine houses along the principal streets and only two of them were Muhammadan houses. The owners of those two houses raised no objection to the posting of look-outs on the tops of their houses, and no inconvenience was caused to the inmates.

(4) The allegation that the Assistant Superintendent of Police rebuked the Muhammadan gentlemen who had gone to the District Superintendent of Police to make certain representations is also untrue. The Assistant Superintendent of Police merely translated to those gentlemen the reply of the District Superintendent of Police which was to the effect that those who behaved quietly had nothing to fear but that those who were out for mischief should be careful.

^a Printed as Appendix V on page 555 infra.

[5th February 1934]

Mr. ABDUL HAMEED KHAN:—"In view of the seriousness of the allegations that have been made, will the Government consider the advisability of instituting an independent enquiry, apart from what the Collector himself says?"

The hon. Sir MAHOMED USMAN:—"There is no necessity for any enquiry. Allegations have been made and they have been repudiated in the report of the District Magistrate, and all these allegations have been proved to be false."

Mr. ABDUL HAMEED KHAN:—"I find that the allegations have been made against the officers of the district. Any useful purpose cannot be served by merely calling for report from the same persons against whom the allegations are made. Will the Government therefore consider whether it is not advisable to institute an independent enquiry?"

The hon. Sir MAHOMED USMAN:—"I do not think any independent enquiry is necessary, Sir."

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

II.—BUSINESS DURING FEBRUARY AND MARCH SITTINGS OF THE COUNCIL.

* The hon. Sir MAHOMED USMAN:—"Mr. President, Sir, with your permission, may I mention for the information of the House that, besides the days fixed in connexion with the discussion of the Budget, the House is likely to meet for the transaction of official business on the 27th and 28th February and the 1st March, and also on the 8th and 9th March?"

Diwan Bahadur B. MUNISWAMI NAYUDU:—"May the House have some information as to what the nature of the business is that is likely to engage the House?"

* The hon. Sir MAHOMED USMAN:—"The Local Boards Bill, the Central Land Mortgage Banks Bill and the Tolls Bill."

III.—A BILL TO AMEND THE MADRAS IMPARTIBLE ESTATES ACT, 1904 (BILL No. 17 OF 1933)—A. V. BHANOJI RAO.

Clause 4.

Section 9.

The House then resumed discussion of the Bill to amend the Impartible Estates Act (Bill No. 17 of 1933). Consideration of the amendment^a of Mr. Muniswami Nayudu to clause 4 (section 9) was continued.

^a Clause 4.

Section 9.

Diwan Bahadur B. MUNISWAMI NAYUDU:—

For clause 4 of the Bill, substitute the following:—

"Nothing in this Act shall affect or prejudice the rights of the creditors or of the members of the family of the person from whom the estate is acquired by exchange or purchase."

[5th February 1934]

* Diwan Bahadur B. MUNISWAMI NAYUDU:—"Mr. President, Sir, the other day it was understood that the Advocate-General would examine the amendment of which I had given notice and which I moved, and also give his own draft. But I find from the reply he gave to the hon. the Raja of Bobbili that he thinks the amendment is unnecessary but that he has no objection to put it in the form of a proviso to the section. I do not know, Sir, if the Government intend to propose such a proviso."

The hon. the RAJA OF BOBBILI:—"Has the amendment been moved, Sir?"

* The hon. the PRESIDENT:—"It was moved and seconded the other day."

* The hon. the RAJA OF BOBBILI:—"I am afraid, Sir, I have to oppose the amendment now. This question has been threshed out at length on the first day. As far as I am concerned, my difficulty is to protect the unsecured debts. In the case of the previous Impartible Estates Acts passed by this House, the debts incurred by the owner of the impartible estate have been protected. In this case, the Advocate-General has already stated in the previous discussion that as regards secured debts this Bill does not propose to make any change. But as regards unsecured debts, if such a provision is made, the proposed amending Bill will be a dead letter, and I am afraid no estate owner is likely to buy or sell properties under this Act. Even ordinarily, if I purchase immovable property, I buy it subject to the mortgages or secured debts. If protection is to be given to unsecured debts, then it will be impossible to have any legal finality to these transactions. I therefore have to oppose this amendment."

* Diwan Bahadur B. MUNISWAMI NAYUDU:—"I am sorry, Sir, for the attitude taken up by the hon. the Raja of Bobbili. It has been urged here that the Bill as it is, if passed, will seriously affect the unsecured creditors of the person whose property is purchased or exchanged. I pointed out that in all the previous amendments of the Impartible Estates Act there has always been a provision saving the case of those creditors who are entitled to proceed against the property before the property is made impartible. No such provision is made here. In the two latest Acts also making certain estates impartible, the one relating to Mr. Muthu Chettiyar's estate and the other relating to the Sevvalpatti estate, this provision is found. Now, Sir, with regard to my amendment, we have only to proceed upon the statement of the hon. the Advocate-General that certain rights will be protected even if we do not make a special provision in that behalf. I do not think that in a Bill of this far-reaching character, we should merely stand upon the opinion of the Advocate-General alone because, after all, the courts may form their own opinions and might hold that the effect of this Bill would be really to affect the interests of the unsecured creditors. The objection raised by the hon. the Advocate-General was that the Bill

[Mr. B. Muniswami Nayudu] [5th February 1934]

would not affect such rights and therefore such a provision as is contemplated by my amendment is unnecessary. But what we on this side feel is that while the opinion of the Advocate-General is that such a provision is unnecessary, we only want that the Legislature should definitely state that the object of the Bill is not to affect such rights but only to carry out the original object of the Bill, that is, to make the estate impartible and allow exchange of portions thereof, etc. So far as the Advocate-General is concerned, he said that in his opinion it might be unnecessary, but that it would not be wrong because it would be by way of caution to prevent disputes later on. I see the anxiety of the hon. the Raja of Bobbili, that whenever he purchases properties, he wants to make them impartible, but he does not want to take any risks with regard to unsecured debts. He does not want that anybody should come forward and say, 'you may purchase the property, but my rights are not to be affected.' That is what this amendment provides, and if it is passed, it will be only carrying out the opinion of the Advocate-General. He seems to think that if this amendment is passed, the whole Act would become a dead letter; if I may use his own words I am afraid that if this provision is not included, it would be open to him to stand up and say, 'the Bill is passed and whatever further rights are going to be affected or not, I am going to get a clear title to the purchased property.' If that is so, then I must strongly object to this House sanctioning the Bill because while the Advocate-General seems to think that the provision will not affect others' rights, the hon. the Raja of Bobbili thinks that it will affect. I think, Sir, it is not a fair way of treating this House or the creditors who advanced money on the properties now sought to be exchanged or sold by estate owners. The only proper thing to do would be to protect the rights of all parties interested in the estate. What I say is that, while on your side you see that the property is made impartible, while the hon. the Revenue Member is anxious that the rights of the zamindars are not affected, we representing the general public are anxious that the people who lent money on the property are not to be prejudicially affected. So, we merely ask that a provision to that effect should be put in there, so that we need not merely rely on the opinion of the Advocate-General, but have a specific section that, while the Act protects the rights and interests of the zamindar, it will not adversely affect the rights of the creditors who lent money to the vendors.

"I want to mention another important point. So far as this Act is concerned, the provision is that the zamindar should apply to the Collector. The Collector, as the hon. the Revenue Member put it, would not care to consider any other thing except whether the transaction is advantageous to the estate. He does not go into the question as to which other interests are going to be affected. As soon as a transaction is entered into the zamindar has only to complete the transaction by seeing that the money is paid and the sale-deed is executed, so that, so far as the zamindar is concerned, he receives the money and can say openly and publicly 'I applied to the Collector, he gave sanction to the transaction, I paid the

5th February 1934] [Mr. B. Muniswami Nayudu]

money before the sub-registrar and I have got the estate. No other claim is to be raised on it.' The other man, seller, gets the whole money, pockets it, and can say to the creditors 'I have no money to give you. You do as you please.' So, the effect of the Bill is to protect the zamindar so far as any fraudulent transaction is concerned, but not to protect at all any of those who on the strength of this property being available had advanced money. So, Sir, I think it will be the height of injustice to pass a Bill of this sort, however much they may be anxious to help the zamindars in protecting their interests."

The amendment was put and declared lost. A poll was demanded and the House divided thus:

Ayes.

- | | |
|----------------------------------|---------------------------------------|
| 1 Mr. K. R. Venkatarama Ayyar. | 11 Rao Bahadur P. C. Muthu Chettiyar. |
| 2 Rao Bahadur T. A. Ramalingam | 12 Mr. M. A. Manikkavelu Nayakar. |
| Chettiyar. | 13 " J. Kuppuswami Choudari. |
| 3 Diwan Bahadur B. Muniswami | 14 " Mahboob Ali Baig. |
| Nayudu. | 15 " Abdul Hameed Khan. |
| 4 Mr. K. P. Raman Menon. | 16 " U. C. Subrahmanya Bhatt. |
| 5 " A. Ranganatha Mudaliyar. | 17 " K. A. Nachiyappa Gounder. |
| 6 Khan Bahadur Mahmud Schamnad | 18 " G. R. Premayya. |
| Sahib Bahadur. | 19 " K. Pattabhiramayya. |
| 7 Mr. V. T. Arasu. | 20 " P. M. Thangal. |
| 8 " A. B. Shetty. | 21 " K. Ahmed Meeran. |
| 9 " P. V. Krishnayya Choudari. | 22 Rao Bahadur R. K. Venugopal |
| 10 Khan Bahadur P. Khalif-ul-lah | Nayudu. |
| Sahib Bahadur. | 23 Mr. C. Krishnan. |

Noes.

- | | |
|-----------------------------------|---------------------------------------|
| 1 The hon. Khan Bahadur Sir | 20 Mr. H. M. Jagannatham. |
| Mahomed Usman. | 21 Rao Bahadur D. Krishnamurti. |
| 2 " Diwan Bahadur Sir M. | 22 Rao Sahib P. Subrahmanya Chetti. |
| Krishnan Nayar, Kt. | 23 Subadar-Major S. A. Nanjappa |
| 3 " Sir Archibald Campbell. | Bahadur. |
| 4 " Sir Hopetoun Stokes. | 24 Rao Bahadur R. Srinivasan. |
| 5 " Diwan Bahadur S. Kuma- | 25 Rao Sahib V. I. Muniswami Pillai. |
| raswami Reddiyar. | 26 Mr. M. Vedachala Mudaliyar. |
| 6 " Mr. P. T. Rajan. | 27 " G. Sriramulu. |
| 7 " the Raja of Bobbili. | 28 " P. C. Moses. |
| 8 Mrs. K. Alamelumangathayaramma. | 29 " P. V. Rajagopal Pillai. |
| 9 Zamindar of Bodinayakkanur. | 30 Rao Sahib C. Jayaram Nayudu. |
| 10 Diwan Bahadur V. N. Viswanatha | 31 Diwan Bahadur A. Appadurai Pillai. |
| Rao. | 32 Rao Sahib D. V. Narasimhaswami. |
| 11 Mr. J. A. Thorne. | 33 Khan Bahadur T. M. Moidoo Sahib |
| 12 " H. M. Hood. | Bahadur. |
| 13 " R. Madanagopal Nayudu. | 34 Mr. K. Kesavaramamurti Nayudu. |
| 14 " E. Conran Smith. | 35 " A. Ramakrishna Reddi. |
| 15 " A. V. Bhanaji Rao. | 36 " J. K. Metherell. |
| 16 " M. D. T. Ranganatha Muda- | 37 " Mr. W. W. Ladden. |
| liyar. | 38 " R. M. Palat. |
| 17 " T. Narasa Reddi. | 39 " C. Basu Dev. |
| 18 " K. C. M. Venkatachala Reddi- | 40 " M. B. Rangaswami Reddi. |
| yar. | 41 Rao Bahadur Sir A. P. Patro, Kt. |
| 19 " M. Devadasan. | 42 " C. Natesa Mudaliyar. |

Ayes 23.

Noes 42.

The amendment was lost.

The hon. Sir ARCHIBALD CAMPBELL:—"I beg to move that clause 4 11-30 a.m. be omitted."

[5th February 1934]

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

The amendment was put and carried.

The Preamble was then put and carried.

Mr. A. V. BHANU RAO:—"Mr. President, Sir, I move that the Bill, as amended, be passed into law."

Mr. C. BASU DEV:—"I second it."

* Diwan Bahadur B. MUNISWAMI NAYUDU:—"I oppose it. Sir, when the Bill was introduced, I was one of those who supported the principle of it. This Bill is designed to create more impartible estates than are existing at the present time. It is designed to enable impartible estates holders to add to their estates by purchase or otherwise. I do not think any one in this House will object to the principle of the Bill. But in a matter of this sort, the Government should have stayed their hands and held the scales even between the interests of the estate holders and the other people interested. It has been stated on the floor of this House by the hon. the Revenue Member that the Government would allow the Bill to go through. Is it not the duty of the Government to consider to what extent this Bill will affect the interests of the creditors of these estates? Is it not their duty to protect the rights of those people? Has the Collector been vested with full power to protect the rights of people who have advanced money on the security of these estates? The Government, with a view to vest absolute title in others, have got powers under the Land Acquisition Act, etc. In those Acts provision exists to protect the interests of people on the property to be acquired and, in certain cases, a certain proportion of the purchase value is required to be deposited in court. We do not find any such provision here. On the other hand the hon. the Revenue Member openly said in this House that he would resist every attempt to saddle the Collector with further duties in this matter. Is it not right to protect the interests of persons who have advanced money to these estate holders? We moved amendments to safeguard their interests. In the opinion, however, of the Advocate-General, who unfortunately is absent today, a provision similar to that found in section 7 of the original Act, is not necessary here. The effect of the amended Bill is that as soon as the purchase is completed or the exchange is effected, the property would become impartible for all the purposes of the Impartible Estates Act of 1904. The property could not thereafter be alienated or sold by the court. Section 5 of the Act mentions the kinds of debts that would be binding on the estate of the members of a joint family. After an estate is acquired under this Act it becomes inalienable under section 4 and no court can proceed against it. But the Advocate-General says that the rights of all persons will not be affected and that they will be entitled to proceed against the property. The rights of the decree-holders are ignored. It is said that these decree-holders can attack the transaction on the ground of fraud obtaining a certificate from the Collector. I feel that this is not the case. Whatever may be the effect of this Bill on new properties, it is absolutely ignoring the rights of persons who have lent moneys. The spirit with which this

5th February 1934] [Mr. B. Muniswami Nayudu]

Bill is tried to be passed by the hon. the Raja of Bobbili who can be said to be the representative of the landed classes is clear when the Raja said that the effect of my amendment will be to make the Bill a dead letter and leaving persons aggrieved to seek their own remedies. That ought not to be the spirit with which this Bill ought to be passed. This is, in its nature, a private Bill intended to protect private interests; but in doing so it should safeguard the interests of those concerned with the estates. I appeal to the hon. the Revenue Member and to the hon. the Law Member also to see that, though this Bill is passed with the majority behind them, before His Excellency gives his assent to it, the provisions there should be very carefully considered and if necessary the interests of thousands of people who have advanced money on these securities are secured."

* Rao Bahadur Sir A. P. PATRO:—"Sir, it is a pity that the hon. Member who is ordinarily a very clear thinker should get confused in this very simple matter. This is a simple matter intended to facilitate the exchange or purchase of impartible estates. The hon. Member has been very vehemently saying that the interests of money-lenders who have advanced money to these estates have not been safeguarded and therefore the Bill ought not to be passed by this House. He forgets that the object of the Bill is only to enable impartible estate-holders having properties far and away from their main holdings to dispose of them and buy estates or parts of estates in their vicinity with a view to help them to manage their property well. That is all the object of this Bill. As regards the interests created by people who have lent money to these estates, their rights remain, as asserted by the Advocate-General. That being the case I do not see any point in the objection raised by the hon. Member."

"The hon. Member has laid emphasis on the fact that this is in the nature of a private Bill and that the Government ought not to help in passing it. It is not in the nature of a private Bill. It affects the interests of impartible estate-holders on whose behalf the Government passed the Impartible Estates Act of 1904. Section 4 of that Act does not at all stand in the way of any creditor enforcing his right in a partible property which has been taken in exchange. The two ideas are quite different and are not at all conflicting in their nature. I therefore do not see any objection to the passing of this Bill."

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

IV.—THE PERIYAR IRRIGATION TANKS (PRESERVATION) BILL (BILL No. 16 OF 1933).

* The hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, I beg to present the report^a of the Select Committee on the Periyar Irrigation Tanks (Preservation) Bill, Bill No. 16 of 1933, and move that the Bill, as amended by the Select Committee, be taken into consideration."

^a Printed as Appendix VI on pages 556—569 infra.

[5th February 1934]

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

Mr. ABDUL HAMEED KHAN:—"Mr. President, I move that the consideration of the Bill be adjourned. Sir, this motion has been necessitated by the fact that the Select Committee was not able to go through the question fully in the absence of the information showing the area irrigated under each tank falling within the scope of this Bill. This information has been supplied to the Council only to-day. If the Government wanted to facilitate the passing of this Bill, they would have certainly given sufficient data for the Select Committee to go upon. The absence of this information to the Select Committee was a handicap to them and the conclusions they have reached are therefore not what they would have been."

"My other reason for making this motion is that for the last 30 years the Government have not found the necessity for a measure of this kind. What is it that has now compelled them to come forward with this measure? Then again, I know as a matter of fact that there was absolutely no opportunity to the people concerned to state their objections to this Bill. As hon. Members are aware the people who will be mostly affected by this Bill are the inamdars holding temple lands and lands belonging to Muslim religious institutions."

11-45
a.m.

"In view of these circumstances I would very much like that some more time is given for the people whose rights are sought to be taken away, or whose rights are sought to be restricted, so that they may consider the pros and cons of this question; and then it will be in the interest of things, after that, that this question is brought forward."

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the motion and in doing so spoke in Tamil.

"இந்த பில்லை லெஜிஸ்லேட்டிவ் கவுன்சில் அடுத்த செஷனுக்கு ஆலோசனைக்கு கொண்டுவரவேண்டும் என்பதை ஆமோதிக்கிறேன்."

"இந்த பில்லுக்கு அவசியமான இன்வஸ்டிகேசன் செய்து போதுமான ஸ்டாடிக்கஸ்களும் கைவசம் கிடையாது. அவைகளை சிலக்ட்டு கமிட்டி மீட்டிங்கிலும் ஆஜர் செய்யவில்லை. மறுமத்து இல்லாதது இன்னது இன்னவிதமான மறுமத்து என்பது சொல்வதற்கில்லை."

"தெரிந்தவரை 1896-ம் வருஷத்திலிருந்து சுமார் 38 வருஷமும் புரோப்பிரைட்டரி குளங்களுக்குத் தண்ணீர்விட்டு ஏராளமான துறைகளை பூராவும் கவர்ன்மெண்டாரே அடைந்து அவைகளுக்கு இனாம்தாரே பூர மறுமத்துகளும் செய்து வந்து சரியான நிலைமையில் வைத்திருக்கிறார்கள் என்பதில் சந்தேகமில்லாதிருக்கிறது."

"இதுவரை மிஸ்டர் ஹால் துறை அவர்கள் ஸ்பெஷல் ஆபிசராக நியமித்த போது அவர் தீர்க்கமாக விசாரணை செய்து குளங்களை பார்த்தவர்கூட இனாம்தாரை குளங்கள் நல்ல ஸ்திதியில்லையென ஒரு குளம்கூட உதாரணம் கொடுக்க கூடாத ஸ்திதியிலிருந்து இந்த பில் வருவதற்கு வேண்டிய அவசியமான காரணங்கள் இன்னும் பரியாலோசனை செய்யாமல் இப்போதே வருவதற்கு தகுந்த காரணமில்லை. அன்னியில் மிஸ்டர் ஹால் ரிப்போர்ட்டிலிருந்து என்ன ஏற்படுகிறதென்றால் மாமூல் நஞ்சைகளுக்கு கண்மாய்களை சரியான ஸ்திதியில் வைக்கும்படி புரோப்பிரைட்டர்களை கட்டாயம் செய்ய இப்பொழுது சட்டம் எஸ்டேபிஷ்மென்ட் ஆக்ட் 135 செக்ஷன்கள் இருந்தபோதிலும் குளத்து ஜலத்துக்கு யாதொரு பாத்தியமில்லாமல் நெடு நாளாக புஞ்சை சாகுபடி செய்யப்பட்டது"

[5th February 1934] [Mr. P. C. Muthu Chettiyar]

வந்த நிலங்களுக்கு தாக்காலிகமாக டெம்பரவரியாக விடப்பட்ட பெரியார் ஜலத்தினாலும் நஞ்சை சாகுபடி செய்யப்பட்டவர்களுக்கு புரோப்பிரைட்டர் குளத்திலிருந்து சாகுபடி செய்ய பாத்தியமில்லாது இருக்கிறதென்று அதற்கு ஒரு சட்டம் ஏற்படுத்தவேண்டுமென்றும் வெளியாகிறது."

"இப்படி செய்கிற சட்டத்தினால் கவர்ன்மென்ட்டுக்கு நிச்சயமாய் கிடைக்கவேண்டிய ஆதாய துறைக்காக மாத்திரம் இனாம்தார புரோப்பிரைட்டர்களுக்குரிய பாத்தியதையில் பிரவேசிக்க ஏற்படக்கூடியதாயும் பில்லின் அதிகாரம் மிகவும் கொடுமையாகவுமிருக்கிறது. ரயில்வே புரடக்ஷன் ஆக்ட், எஸ்டேட்ஸ் லாண்டு ஆக்ட் இவைகள் நிபந்தனைகளின் கஷ்டத்தை அனுபவித்துக்கொண்டிருக்கும் இனாம்தார புரோப்பிரைட்டர்களுக்கு மேலும் கஷ்டத்தை உண்டுபண்ணக்கூடியதாயிருக்கிறது. புரோப்பிரைட்டர்களுடைய பாத்தியதையில் இந்த பில் மாதிரி பாதிக்கக்கூடிய பில் இதுவரை எந்த பிரஜெக்ட்டிலும் ஏற்படாததாலும் முன் மிமோரியல் எழுதியனுப்பியுள்ளவர்கள் கோரிக்கைப்படி சிலக்ட்டு கமிட்டி மதுரையில் வந்து விசாரித்து செய்யவேண்டும் என்பதை ஒத்துக்கொள்ளாமல் பில்லை பாஸ் செய்ய வந்திருப்பது நியாயமில்லை."

"இந்த பில் சம்பந்தமாக பூர ஆலோசனை செய்வதற்கு செலக்ட்டு கமிட்டிக்கு போதுமான விஷயமும் காலமும் கிடைக்கவில்லையாகச்சே மருபடியும் கமிட்டிக்கு அனுப்பி கமிட்டியில் சிலர்களையாவது மதுரையில்போய் இனாம்தார்கள் வகையறாவை விசாரித்தும் மற்றவர்களை விசாரித்தும் இதுவியமான பூர விபரங்களையும் தெரிந்து ஓர் ரிப்போர்ட்டு சகிதம் அனுப்பும்படி செய்தால் பூர விபரங்கள் தெரிந்தால் சிலக்ட்டு கமிட்டியும் வேறு விதமாக நியாயம் கண்டுபிடிக்கக்கூடும். அன்னியில் மிஸ்டர் ஹால் துறை அவர்களும் இதற்குள் வந்துவிடுவார்களாகச்சே அடுத்த செஷனுக்கு தள்ளிவைக்கவேண்டுமென்பது நியாயம் என்றும் கவர்ன்மென்ட்டுக்கும் பொருத்தமானதென்று நினைக்கிறேன்."

* Mr. V. T. ARASU:—"Mr. President, Sir, if I rise to speak on this motion and support it, it is not with the view to obstruct the passage of this measure. On the other hand I welcome this measure for several reasons. As was pointed out by my hon. Friend, Mr. Muthu Chettiyar, who represents the Madura district, the Select Committee has not been furnished with information and data on several points regarding the project. From the tanks which I had with some of the Members of the project. From the talks which I had with some of the Members—I understand that the Select Committee was not furnished with information on several important points, that vitally concern this measure. The information which this House would expect Government to supply is as to whether, during the past 38 years, that this system has been in vogue, have Government experienced any difficulty in supplying water regularly to the ryots holding lands under the ayacut of these tanks? It was in 1896 that this system was inaugurated. Since then Government have been making use of these proprietary tanks without the express consent of the landholders and have been supplying water not only to lands registered as wet, but also to large tracts classified as dry. I want to know definitely from Government, whether, during these 38 years, they have found any instance of tanks being neglected to such a large extent as to cause damage to the Periyar project. I expect a straight answer from the Government to this. From reports that I have had from certain landholders, and from a perusal of the report of Mr. Hall, who was appointed as special officer to go into this question, I do not find even

[Mr. V. T. Arasu]

[5th February 1934]

a single instance of any proprietor neglecting to keep his tank in such a state of disrepair as to cause damage to the Periyar scheme. When that is so, where is the urgency to rush this measure through?

“It should be remembered that Mr. Hall was for several years Collector of Madura; and he was also the special officer who investigated this matter. This Gentleman has been nominated as the Expert Member of this House on this Bill. But it is unfortunate he is not here to-day; in fact he is away from India; I believe he will be back in Madras about July next; and so I would request the hon. the Revenue Member to postpone the further consideration of this Bill until such time as he returns to Madras, so that he may throw light on the several points on which this House needs enlightenment. I therefore request Government to see its way to postpone the consideration of this Bill until such time as Mr. Hall is back here.”

MR. P. V. KRISHNAYYA CHODARI:—“Mr. President, Sir, I oppose the motion moved by Mr. Abdul Hameed Khan that the consideration of the report of the Select Committee be adjourned to the next meeting of the Council, and that for the following reasons. As one who was a Member of the Select Committee, I wish to state, at the very outset, that in the Select Committee itself we have already discussed this matter in detail. Mr. Hall was a Member of the Select Committee, and on the very first day of its sitting, he explained very lucidly and in detail the necessity for this Bill, and subsequently, we felt, on the motion to postpone the further consideration of this Bill to a later date, brought forward by Mr. Muthu Chettiyar, that there was no such necessity at all.

“The present Bill is in the interests of the ryot population. It is to their benefit that the Government have now come forward with this Bill, and so without any hesitation and delay it should be availed of. As a matter of fact, even in the Estates Land Act we should have such a measure introduced for the improvement of the tanks, and I hope the time will not be far off, when a similar Bill is brought forward for the proprietary estates. So, really we should be grateful to Government for this piece of legislation, and hence I consider that it is not desirable on our part to ask for the postponement of the further consideration of this Bill. I would again request Government to introduce similar legislation to other parts of the Presidency, where tanks are not repaired by zamindars, as for example in the Nellore district and the Venkatagiri zamindari area. When Government have come forward with a piece of legislation for the benefit of the ryots, I do not see any reason why we should not accept it. Therefore, I would request the hon. Mover to withdraw his motion.”

* MR. K. R. VENKATARAMA AYYAR:—“Mr. President, Sir, coming as I do from the Madura district, I do not wish this matter to be disposed of without due consideration. So far as the Select Committee is concerned, we listened to what Mr. Muthu Chetti said. On the first point as was pointed out by Mr. Krishnayya Choudari, Mr. Hall himself

5th February 1934] [Mr. K. R. Venkatarama Ayyar].

was present in the Committee, and he explained at great length the need for this legislation. In fact, Mr. Hall has mentioned it as early as November 1930 in his report. In paragraphs 40 and 41 of Mr. Hall's report this matter has been dealt with. They run as follows:—

‘40. Mr. Dowley has deferred to this question in his report wherein he says that the third cause of waste has been the failure to make full use of the available storage in the delta. Deltaic tanks get supply from Periyar, the Vaigai and their own catchments. There is a tendency to allow cultivation in the waterspreads thus reducing the capacity. This is absolutely wrong in principle and should not be allowed on any account. Another cause of inefficiency is due to the fact that many of the tanks are not provided with proper sluices and locking arrangements, the result being that when filled the water is allowed to run to waste almost at once. The tanks need control just like the channels. They form an essential part of the system and should not be allowed to deteriorate.

‘41. Mr. Dowley is evidently referring to proprietary tanks. There is a certain amount of cultivation in the beds of tanks belonging to the Government either on lands registered as wet or on lands registered as special rate dry; but no extension of such cultivation is permitted . . .’

“Lower down he says:

‘to secure adequate control over these tanks legislation would be necessary. A short Bill dealing with the Periyar system alone would suffice. It need contain little more than provisions to the effect that, etc.’

“That is the model on which the present Bill is drafted.

“After sketching the sort of provisions which Mr. Hall said would require to be put in a short Bill he would up by saying in regard to the possibility of a legislation thus:—^{12 noon.}

‘I am however not in a position to advise the Government whether such a Bill which would have for its sole object an increase in the powers of Government to control the distribution of water in the proprietary area of the Periyar system would have a reasonable chance of being passed into law by the Legislative Council.’

“My Friend, Mr. Arasu, has even thought that my speech would be incomplete if I did not quote that paragraph from Mr. Hall's report. I am glad to be able to read that paragraph for the purpose of showing that the Bill is now actually before the House and that the apprehensions of Mr. Hall might not really come into play when the Bill is about to be passed into law.

“Sir, I do not understand my Friends who have moved the dilatory motions have it in their minds that this Bill is undesirable or mischievous. They do seem to concede as some of us coming from Madura feel that this Bill is a beneficial Bill and a necessary piece of legislation. Their only doubt appears to be whether the Select Committee which has sent up the report had before it all the data which have now been furnished to this Council and whether the absence of a tabular statement which has since been furnished did not affect the deliberations of the Select Committee. I must say that the delay in furnishing the tabular statement has really not affected the deliberations of the Select Committee. Even in the course of the deliberations of the Select Committee in deference to the point of view which was stressed by my Friend, Mr. Muthu Chettiyar, an offer was made to

[Mr. K. R. Venkatarama Ayyar] [5th February 1934]

persuade the hon. the Revenue Member, if possible, into agreeing that the ratio so far as the charges of repairing are concerned should, if possible, be adjusted as two-thirds and one-third as between the Government and the proprietors. According to the Bill the entire proportion of cost of repairs attributable to average extent of dry area brought under irrigation, that is proposed to be borne by the Government. So far as the wet area is concerned, the Government propose, according to a rough working method, that they will bear one-half of the proportion attributable and the other half alone is thrown upon the shoulders of the proprietors of tanks. Now the tabular statement embraces as many as about 183 tanks. I find that the total number of tanks which come under the operation of this Bill are somewhere about 206. For about 183 tanks out of them figures have been supplied. In no single case out of these tanks has any proprietor to bear more than 50 per cent of the total cost of repairs. According to the law, as it stands now, under the Madras Estates Land Act, the entire cost of repairs to these tanks would fall upon the proprietors of these tanks. By reason of this Bill in regard to Periyar, non-Government tanks generally the Government come forward with an offer to bear in varying proportions the total cost of repairs and in no case do they have to pay less than 50 per cent of the total cost. I find that out of 183 tanks there are 27 tanks in which the proprietors are left to bear only less than 25 per cent of the total cost. The total area of ayacut which these tanks irrigate comes to somewhere about 3,150 acres. There are as many as 44 tanks with an ayacut of 4,550 acres in regard to which the proprietor is made to bear less than 33 $\frac{1}{3}$ per cent. In 139 out of these 183 tanks, with an ayacut of 12,350 acres, the proprietor is called upon to bear 50 per cent and the Government bears the other 50 per cent of the total cost of repairs.

“Speaking in a general way under the present law the proprietor has to bear the whole cost of repairs, hereafter the Government bear in varying proportions, in some cases 50 per cent, in some two-thirds and in some three-fourths. It cannot be said that the offer of the Government is less than generous. No doubt it might not suit the proprietors of tanks. An attempt was made in the course of the deliberations of the Select Committee to persuade the hon. the Revenue Member to draw the line at two-thirds and one-third. I myself made an attempt. It was felt as representing the view of the general taxpayer of this Presidency that the Government had gone as far as they could and it would involve a further examination of all questions including the question of finance if Government had to revise their attitude along the lines suggested. In these circumstances, I do not think there is much to be gained by delaying the progress of this Bill. I would advise the Movers of the amendments, if possible, to concentrate their attention upon detailed amendments where they propose to enforce any other principle in regard to the distribution of proportion for which they might have warrant or even authority in

5th February 1934] [Mr. K. R. Venkatarama Ayyar]

Mr. Hall's report. I therefore suggest that they had better concentrate upon that and not press this motion. If perhaps there is voting strength for the Government, I do not think that there need be a trial on every occasion when we have to deal with motions of this kind. I think the Movers of the amendment would do well to withdraw their present amendments and focus attention upon the details of the proposals on their merits.”

* The hon. Sir ARCHIBALD CAMPBELL:—“After the speech of my hon. Friend, the Chairman of the Select Committee, I do not think it is necessary for me to deal at any great length with the question whether the Members of the Select Committee have had sufficient time and adequate information to enable them to make a full examination of the proposals made in this Bill. There are however one or two points which I may refer to. The Mover of the motion asked why the Government brought forward this Bill after a lapse of over 30 years since the Periyar Irrigation System was brought into operation. We have tried, Sir, for a great many years, to get over these difficulties without having recourse to legislation, but it has been found impossible to do so. I suppose hon. Members appreciate the necessity of maintaining these tanks which form part of the system when there is short supply of water in the rivers, water can be stored in these tanks and from these reservoirs a large area of ayacut under them can be irrigated, while the water is passed lower down the supply channels to the tail-end land. When the tanks are in a bad condition, it will not be possible to store adequate supplies in them; water will be wasted and the irrigation of the tail-end fields will be inadequate. It is for that reason that we want to maintain these tanks and to keep them in good repair. My hon. Friend, Mr. K. R. Venkatarama Ayyar, read from the report of Mr. Hall. Mr. Hall's views are supported by other engineers:—‘Many of these proprietary tanks are very large and very important—quite as important as any of the Government tanks. It has always been recognized that the tanks in the Periyar area are most important and it is most essential to keep them in good order. The system could not work without them.’ That, Sir, is the opinion of the present Superintending Engineer, Mr. O'Brien. He adds that ever since the system began we have done our utmost to keep the Government tanks in good order and very large sums have been spent by the Government in improving and repairing them. In the year 1929, an important memorial was received from the ryots of the Periyar system headed by my hon. Friend, the present Second Minister. I should like to quote from that memorial a few sentences to show the necessity for keeping these tanks in proper order. This is what the memorial states:—

‘The rest 25 per cent of the grievances relate to the standing grievances, such as the ineffective regulation in the distribution of water in the tail-end of channels, etc. Ever since the introduction of the Periyar system of irrigation in the district, the tanks in that area have been either neglected or the lands in the tank-beds have been sold owing to the direct flow of water in the channels. Such tanks as are not sold may be restored to their original condition with a view to store water for purposes of irrigation or drinking-water for cattle in times of scarcity or emergency.’

[Sir Archibald Campbell] [5th February 1934]

“It was in consequence of this memorial that Mr. Hall was put on special duty from whose report Mr. K. R. Venkatarama Ayyar quoted at length. After the receipt of that report—I am referring to the remarks made by my hon. Friend, Mr. Muthu Chettiyar, whom, I understood, to say that it was desirable for the Revenue Member to see the areas affected personally—I did go down to Madura and in company with Mr. Hall and the Executive Engineer visited some portions of the Periyar Irrigation System; so, I may say, that I am in a position to appreciate the difficulties of the ryots. After that I had a conference with the Collector and the Engineer at Kodaikanal at which the details of the present Bill were discussed. There might be certain difficulties in carrying out the proposals made in Mr. Hall's report, so, I wished to make our proposals as simple as possible. I hope that the House will be satisfied that I have already investigated this matter personally. I understood my hon. Friend, Mr. Muthu Chettiyar, to say that I might attribute certain unworthy motives to him in consequence of the attitude he has adopted towards this Bill. I fully appreciate his position in the matter. I can appreciate the fact that he acted quite rightly and properly in putting forward his view before the House and I did not and do not attribute any unworthy motives whatsoever to him.”

12-15 p.m. The motion was, by leave, withdrawn.

The question that the report of the Select Committee on the Periyar Irrigation Tanks (Preservation) Bill (Bill No. 16 of 1933) be taken into consideration was put and carried.

Clauses 1 and 2 were put and carried.

Clause 3.

* Mr. V. T. ARASU :—“I move—

‘that in sub-clause (c) of clause 3, after the words “system of irrigation,” the following words be added:—

“whose registered wet ayacut is 50 acres and more.”’

“The clause as amended will read as follows:—

‘(c) “tank” means any tank situated wholly or partly in an estate and used by the Government as part of the Periyar system of irrigation whose registered wet ayacut is 50 acres and more.’

“Sir, from the list of tanks supplied to this House only the other day, it will be found that there are about 180 tanks or so which are to be brought under this system. I understand from the speech of Mr. Venkatarama Ayyar that the number of tanks actually in that area exceeds 210. Whatever the exact number may be, from this list we find that even small tanks which irrigate only two acres are sought to be brought under the operations of this Act. If the hon. the Revenue Member would analyse the figures he has himself prepared he would find that nearly 100 of these tanks have an ayacut exceeding

5th February 1934] [Mr. V. T. Arasu]

50 acres and all the other tanks are small tanks irrigating 5, 10, 15, 20 or 25 acres. Is it proper and just that these small tanks, which are tanks only in name and which should not be considered as tanks for the purposes of this Act, should also be brought under the operation of this Act? It is why I have suggested that only those tanks whose registered wet ayacut is 50 acres and more should be brought under the operation of this Act. I hope that my amendment will be acceptable to the House.”

Rao Bahadur P. C. MUTHU CHETTIYAR seconded it in Tamil as follows:—

“என்னொருந் திறிய கண்மாய்களை எல்லாம் இதில் சேர்க்கப்படாது.”

* The hon. Sir ARCHIBALD CAMPBELL :—“Mr. President, Sir, I am afraid I must oppose this motion. The effect of this resolution would be to exclude some 91 of the 206 tanks which are affected by the present Bill. The question of which tanks should be maintained as part of the Periyar Irrigation System was carefully investigated some years ago by a special party of Public Works officers as a necessary preliminary to fixing the full tank levels of the tanks. The tanks which we have on the list have been definitely put there by our engineers as those which are necessary to be maintained as part of the system. It does not include every tank which happens to exist in the area, but only those tanks which we require for the purposes of the Periyar system. The question whether a tank happens to have a larger or a smaller ayacut does not affect the necessity for its maintenance as part of the system. If we remove the 91 tanks it will mean that we will have to revise our ayacuts and remove from it a certain number of fields which at present get the benefit of the Periyar water at the tail-end of the system.”

* Mr. K. R. VENKATARAMA AYYAR :—“Sir, I do not think that this amendment is in the interests of agriculture which require that the whole of the 200 and odd tanks affected by this Bill should be maintained in an efficient condition. It will do nobody good to cut out of the Bill as many as 91 tanks even though their ayacut is 50 acres and less in each case. There is nothing to be gained by the proprietors of bigger tanks who may be considered to be effectively represented by my hon. Friend, Mr. Muthu Chettiyar. I do not say he does not represent the proprietors of smaller tanks; he represents all the interests involved although in a sense he represents the interests of the proprietors of bigger tanks more closely. But, no cry has been raised by the proprietors of smaller tanks which are as many as 91, or the ryots concerned to the effect that repairs to these tanks are any the less important or less necessary than repairs to the bigger tanks. In any case, the interests of agriculture will stand to be affected adversely by cutting out these 91 tanks. Therefore this amendment is hardly for the benefit of the persons affected by the irrigation system.”

[5th February 1934]

* Mr. V. T. ARASU:—"In spite of the speeches of the hon. the Revenue Member and the hon. the Member for the City of Madura, I still feel unconvinced. From the list, you will find that there are as many as 50 tanks with a registered wet ayacut of less than 10 acres. For instance, the Ammankulam tank has 2.05 acres, the Peria Kanmoi has 6.19 acres, the Soorakulam Kanmoi 6.18 acres, the Papankulam Kanmoi 9.6 acres, the Peekulam Kanmoi 4.95 acres, the Kondisetti kulam 4.41. More than 50 of these tanks have a registered wet ayacut of less than 20 acres and in most cases of only two, three or four acres. Is it fair that such small tanks should be brought under the operation of this irrigation system and the Public Works Department entrusted with the duty of making the necessary repairs to them? The maximum revenue that a landholder may derive from many of these small tanks will be not more than Rs. 10 per annum. But even a small repair which the Public Works Department may undertake to do will come up to Rs. 1,000. As against Rs. 10 which a landholder derives from a tank, he may at any moment be asked to pay as much as Rs. 500. Therefore, I feel there can be no justification for the Government including these small tanks which in fact are no tanks at all, which are called *kuttais* in Tamil, within the irrigation system. I appeal to the House to accept the amendment."

The amendment was put and lost.

* Mr. V. T. ARASU:—"Mr. President, I beg to move—

that the following sub-clauses be added to clause 3:—

"(d) 'efficient condition' means and includes 'a condition of the tank sufficient to make its storage capacity approximate to that required for the irrigation without the aid of the Periyar water of the land registered as wet under it.'"

"(e) 'Court' in this Act means 'the Court of the lowest grade having territorial jurisdiction over the particular tanks concerned.'"

"The word 'efficient' has been introduced in the Preamble. As far as my knowledge goes, I do not think that in any legislation of the Local Government the word 'efficient' has been used. Therefore my object is to define the word in a manner so as to be understood easily by all people concerned. Section 135 of the Estates Land Act no doubt makes it obligatory on the part of a landholder to keep his tank in a state of repair so as to ensure a regular supply of water to the lands registered as wet in the ayacut. I am sorry that my hon. Friend, Mr. P. V. Krishnayya Choudari, and even such an experienced lawyer as Mr. K. R. Venkatarama Ayyar should have taken the analogy of the Estates Land Act and observed that what applied in the case of a landholder under the Estates Land Act would apply equally to a landholder in this case. Under the Estates Land Act, the Government make certain repairs when there is no agreement between the ryot on

5th February 1934] [Mr. V. T. Arasu]

the one hand and the landholder on the other. But here in this case, the Government are one interested party and the landholder is the other interested party; and the question of the ryot does not come in at all. For the last 38 years, the Government have been utilizing these proprietary tanks for their own benefit, and as has been admitted by the hon. the Revenue Member himself, during these 38 years they have not spent a pie towards the repair of these tanks. These tanks have been kept in repair only by their respective proprietors. I fail to see how the position of a landholder under the Estates Land Act can be said to be analogous to the position of a landholder under the Bill now under discussion. Under section 135 of the Estates Land Act, the landholder is only bound to keep the tanks in such a state of repair as to ensure the necessary supply of water to the lands registered as wet in the ayacut. Under this Bill Government compel the proprietors to keep the tanks in such a state of efficiency as will enable them (Government) to supply water not only to the lands registered as wet, but also to the large tracts of lands registered as dry and brought under wet cultivation. The idea of the Government obviously is that the tank bunds will have to be raised considerably so that they may be able to bring a larger area of dry lands under cultivation and derive a larger benefit.

"It is not fair that the proprietor should be called upon to contribute a share of the cost of the efficient maintenance of the tanks. He is bound to keep it just in a state of repair, just as would meet the demands of the wet lands under it, if Periyar water had not been brought and stored in it. 12-30 p.m.

"Sub-clause (e) which is sought to be introduced, is only to give effect to certain amendments which have been given notice of and will be taken up by the House presently. In the amendment to the later clauses it is suggested that appeal should vest in the civil court over any decision that the Collector may come to. For that purpose it is necessary to define as to what that 'court' would mean. Perhaps the Government would come forward and ask what is meant by the court of the lowest grade. The answer to that is, it is not the Panchayat Court or the Village Munsif's Court. What I mean is a regular civil court, that is the District Munsif's Court having jurisdiction over that area. I do not believe that the Government would have any objection to this amendment."

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the amendment and spoke in Tamil as follows:—

"இது ஒரு ஆக்கிலும் குறிக்கப்படாதது. அர்த்தம் நிர்ணயிக்கப்படாத வார்த்தை இதை யார் சொல்லக்கூடியவர். குளத்தின் விஸ்தீர்ணத்தையாவது அதின் லெவலையாவது அதிகப்படுத்த தாவா பில் கொண்டுவரப்படவில்லை என்று நிச்சயம். எஸ்டேட் லாண்டு ஆக்ட் அபிப்பிராயமும் அதுவே. ஆகையினால் பின்னால் தாவா இல்லாமலும் வேரு விதமாக யாரும் அர்த்தம் செய்யாதிருக்க இப்பொழுதே அதை நிர்ணயம் செய்யவேண்டியது அத்தியாவசியம்."

[5th February 1934]

* Mr. K. R. VENKATARAMA AYYAR:—"Sir, if the words 'efficient condition' should be interpreted in the manner proposed, the result would practically be to frustrate the main purpose of this Bill. The purpose of this Bill is to empower the Collector to propose necessary measures for repair when a tank falling under the operation of this legislation is found by him to be in a state of disrepair. The word 'efficient' wherever it occurs in this Bill must be correlated with the other words 'state of disrepair' which is the phrase in the leading section—section 5 of this Bill. Therefore it is only when a tank is found to be in a state of disrepair, that an attempt is made to put it in a state of repair or efficiency. Therefore there is not much difficulty in understanding what is meant by the terms 'efficient condition.' Suppose the annotation of the words 'efficient condition' proposed in the new clause (d) is adopted; what does it come to? All that is necessary according to the Mover of the amendment is to maintain a tank in such a state of repair as could be necessary to keep it if it were not part of the Periyar system. That is what it comes to. The dominating purpose of this legislation is to keep it in a state of efficient repair because it is part of the Periyar system and the repair that is contemplated is that repair which would be necessary in the case of the Periyar non-Government tank. The tank is a part and parcel of the Periyar system and has been so for a period of 38 years and the proposal of the proprietor of the tank is not to take it out of the Periyar system but to continue to maintain it as part of the Periyar system. To say that he will keep his tank in such a condition as not to allow a drop of the Periyar water into it, is to say that it should be taken out of the Periyar system. That is defeating the whole purpose of this legislation. I submit therefore that the proposal that is made to annotate the words 'efficient condition' is not as innocent or innocuous as it is attempted to make it appear. This is a very dangerous amendment and it would go to frustrate the main purpose of this legislation.

"Then going to the other expression, in the Bill as it now stands there is reference to 'court' only in section 11. There is ultimate resort to civil litigation provided for in section 11 of this Bill. If some of the amendments which have been tabled should be carried, then the civil court would get jurisdiction under this Bill even in respect of other topics than those which are provided for in section 11. The amendment says, where there is need to annotate the word 'court' means only the District Munsif's Court. The court of the lowest grade amongst the courts constituted under the Civil Courts Act would be the District Munsif's Court. Under the Civil Courts Act, the pecuniary jurisdiction of the various grades of courts is already statutorily fixed. The court that would have pecuniary jurisdiction for a particular suit which may be filed when this Bill became law, would be the court of the proper pecuniary jurisdiction. Suppose the suit were valued at an amount above the pecuniary limit of the District Munsif's

5th February 1934] [Mr. K. R. Venkatarama Ayyar]

Court and yet to annotate the word as proposed would mean that a suit instituted under the provisions of this enactment would have to be instituted in the District Munsif's Court even if the value of the suit exceeds the pecuniary limit of the Munsif's Court's jurisdiction. You would abrogate in effect the provisions of the Civil Courts Act bearing upon the topic of the limit of the pecuniary jurisdiction of the various grades of courts. I do not think any good purpose is gained and it would be impossible to allow for the purposes of suits falling under this Act alone, higher pecuniary jurisdiction for Munsif's Courts. I do not at all clearly see what is the object of all those who propose this amendment. Perhaps they do not see the effect such as I have now pointed out to be. If they had perceived that, they would not propose this amendment. The words 'the court of the lowest grade' do not serve any good purpose at all. I oppose this amendment also. To the extent that civil courts are invested with jurisdiction to try matters which might otherwise have been closed by Collectors and Government decision to that extent, whichever court which would normally have pecuniary jurisdiction, would try these suits, except for this amendment. Therefore there is nothing gained by this amendment. For these reasons I oppose the proposed amendments."

* The hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, after what my hon. Friend, Mr. Venkatarama Ayyar, has said, it does not seem necessary for me to say very much in opposing this motion. If the first of these two amendments were passed, it would provide very considerable opportunities for argument as to what is really necessary to make the storage capacity of a tank approximate to that required for the irrigation, without the aid of the Periyar water, of the land registered as wet under it. On this matter there might be considerable difference of opinion and considerable argument on behalf of the Government and on behalf of the zamindar. We have provided only for repair and restoration and not for the improvement of the tanks. We shall not be able to make the zamindars do anything more than what they would ordinarily have had to do. We have provided in the Bill for the landholder appearing before the Collector and raising objections that measures other than those proposed would be sufficient for the repair of the tank and its restoration to efficiency. There is sufficient safeguard to prevent the Government from doing more than what the Legislature intends to be done by way of improvement of the tank under cover of this law. As regards the second amendment, Mr. Venkatarama Ayyar had dealt fully with the point."

* Mr. V. T. ARASU:—"I feel, Sir, that the Government and my hon. Friend, Mr. Venkatarama Ayyar, are unreasonable in this matter. When in the year 1896 Periyar water was brought in, there was a certain extent of land registered as wet under each tank. That area is the same even to-day. It has not in any way increased; the assessment collected by the landholder is also just the same as it was before the year 1896. Say, the landholder was collecting in the year 1896 a sum

[Mr. V. T. Arasu] [5th February 1934]

of Rs. 2 per acre for the lands registered as wet under a particular tank. He is collecting the same amount even to-day. The revenue of the landholder has not in any way increased. On the other hand the Government have been deriving benefit by the use of these tanks in an increasing measure year after year because they have been increasing the extent of dry lands irrigated by water from these tanks. It is only the Government that have been benefited all these 38 years. The landholder is not in any way benefited."

12-45 p.m. The amendment was put and lost.

Clause 3 was put and carried.

Clause 4.

* Mr. V. T. ARASU:—"Mr. President, I move that—

'In the place of all words after the word "tank," the following be substituted:—

"The Collector shall give notice to the aggrieved parties, and after an inquiry and hearing, the parties aggrieved, shall decide the same, which decision shall be final subject to the result of any suit that may be instituted within six months from the date of the decision by any of the aggrieved and interested parties.

"Provided that if any lands on the foreshore or bed of the tank have been granted to the tenants and are being cultivated by them for a period of not less than twenty years they shall not be classified as the area of the tank."

"Sir, no doubt in clause 11 of this Bill, power is given to the affected parties to go to a civil court against a decision of the Collector; but instances of the kind contemplated by the Government when they gave power under clause 11, I believe, will not arise at all and therefore I think it would be proper if the provisions of clause 11 are transposed and added on to clause 4 of the Bill where they are absolutely necessary.

"My hon. Friend, Mr. P. C. Muthu Chettiyar, will give this House several instances in which the Collectors have erred in coming to a decision as to whether an area forms part of a tank or not. I shall only give the instance of one tank owned by the Goripalaiyam durga in the Madura district. There Collector executed certain repairs to the tank against the will of the landholder and collected from him costs to the extent of about Rs. 2,000. After the repairs have been effected, certain tenants in the neighbourhood of that tank have filed a suit for damages, against the proprietor, for alleged curtailment of certain sources of their own water-supply, on account of the repairs effected by the Collector. Thus you will see, Sir, for repairs effected by the Collector, for which the landholder was in no way responsible, he has been called upon to pay damages to the neighbouring villagers, to the

5th February 1934] [Mr. V. T. Arasu]

extent of about Rs. 1,000. I believe, Sir, this instance is well known to the Government. In order that such instances may not occur, what is asked for in this amendment is that the Collector shall give sufficient notice to the parties concerned, and even after his decision is given, power should be given to the landholder or for the parties concerned to take the matter up to a civil court. For, after all, the Collectors, with all their numerous duties, find no time to dispose of these technical matters to the satisfaction of the concerned parties. Rightly or wrongly, people do apprehend that the Collector—it may not be willingly, but—may sometimes find it beyond his control to go into these matters in any detail. If these matters are left to a civil court, it is natural to expect the court to go into them in detail and do justice to the parties concerned."

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the amendment in a Tamil speech as follows:—

"ஆறு மாநம் செக்ஷன் 11-ல் சிலிஸ் சூட்டுக்கு ஏற்பட்டிருப்பது அவ்வசியம். அதில் கண்ட விஷயம் நேரிடக்கூடியதல்ல. வரக்கூடியதுமல்ல. அந்த செக்ஷனை இந்த இடத்தில் உபயோகிப்பது நியாயமாகும்.

சமீபத்தில் கோறிப்பாளையம் தூரகாவில் ஒரு கண்டமையை கலெக்டரவர்களால் மருமத்து செய்ய கட்டாயப்படுத்தி சுமார் ரூ. 2,000-க்கு மருமத்து செய்து அகுதாரிடம் வசூலாகிவிட்டது போலும்.

அடுத்த மருமத்துக்காரர் தங்கள் நிலத்தில் தண்ணீர் அடுக்கமாய்ப் பிடித்து ரூ. 1,000 நஷ்டம் நேர்ந்ததாக அகுதார்பேரில் சூட்டு போட்டு தீர்ப்பாக ஹைகோர்ட்டில் அப்பீல் பெண்டிங்கிலிருக்கிறதுபோலும் தெரிவித்தார்கள்."

* The hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, I oppose this amendment. It does not seem to me to be necessary that the civil court should be resorted to for the determination of what is necessarily a question of fact, viz., the area which is or forms part of a tank. This is a question of considerable importance, as in the earlier days of the Periyar system considerable areas of tank-beds were actually irrigated and we had to take measures to stop irrigation of those lands in the interests of the system as a whole. I may here, Sir, quote from Mr. Hall's report, regarding the withdrawal of irrigation permits in certain cases. This is from paragraph 21, clause (b) at page 9 of the report:

"Another set of permits issued in proprietary villages were withdrawn under different circumstances. The indiscriminate assignment of lands in the beds of tanks in proprietary villages and the consequent extension of irrigated cultivation in the beds of certain of those tanks which were required as part of the Periyar system became such a serious danger to the efficient working of portions of the system that it became necessary to take steps to discourage such cultivation and prevent it where possible. Accordingly a special engineering establishment was entertained to classify the proprietary tanks into those required as part of the Periyar storage system and those not required for that purpose; and to investigate the full tank levels of the former class of tanks in order that permission to irrigate lands lying in the tank-bed and below the full tank levels of tanks of that class might be refused or if already given, withdrawn. The work was carried out. Effect was given to the policy; and a certain number of permits were withdrawn. That this fixing of the

[Sir Archibald Campbell]

[5th February 1934]

full tank levels of proprietary tanks was really necessary in the interests of the ryots holding lands under the tanks was more or less recognized by the memorialists and others present at the first conference at Melur. Vague allegations were made that the full tank levels had been fixed improperly or arbitrarily. Detailed discussion, however—particularly with Mr. T. Ramaswami Ayyar, a retired Assistant Engineer—established the fact that wherever possible the full tank levels had been fixed with reference to the existing masonry escapes; that this had not been done only in cases in which the masonry escapes were not in a fit condition to enable this to be done; and that in such cases the probable full tank level in pre-Periyar days had to be calculated from such other data as were available.

These remarks, Sir, are sufficient to show that the areas have been already fixed with reference to such data as could be obtained and measures have already been taken to prevent the cultivation and irrigation of those areas. A certain number of hard cases have also been specially dealt with in Mr. Hall's report. I submit, Sir, that in view of these facts and the investigation that has already been made, it is not necessary to direct that any enquiries must be made by the Collector, nor to subject the decisions of the Collector to an appeal to the civil court."

* Mr. V. T. ARASU:—"Mr. President, Sir, at any rate in regard to the second part of the amendment, I thought the Government would find their way to accept it and that this House also would be prepared to accept it. The purport of the second portion of my amendment is this: some of the lands in the tank-beds have been under cultivation and in the continuous possession of certain ryots for over twenty or thirty years, even long before the Periyar system was introduced. By virtue of the fact that these ryots have been in possession of the land and have been cultivating such land for a long period, they have acquired occupancy rights. When occupancy rights are sought to be given even in the case of ordinary inam lands to those who have been in possession for a certain period of years, I fail to see why such occupancy rights should not be conferred on the ryots of this area who have been cultivating the land for more than twenty years. The provision here is only for people who have been continuously cultivating for a period of not less than twenty years; and it is my submission that their rights should not be affected. The plea raised by the Government is that if such beds of tanks are allowed to be cultivated indiscriminately, the storage capacity of the tank would go down; but when during the past 38 years the Government have not experienced any difficulty and have been storing water in the tank to the full tank level, I fail to see how in the future, the full tank level would be reduced on account of the fact that certain portions of the bed are being cultivated by certain ryots. I appeal to the Government to accept at least the second portion of the amendment which is purely in the interests of the ryot population who have been cultivating these lands for more than twenty years."

The amendment was put and lost.

Clause 4 was put and carried.

5th February 1934]

Clause 5.

1 p.m.

* Mr. V. T. ARASU:—"I move—
'In clause 5 after the words "that any tank is in" add the word "such" and after the word "disrepair" insert the words "so as to cause damage to the Periyar system".'

"The clause when amended will run thus: 'Whenever it appears to the Collector that any tank is in such a state of disrepair as to cause damage to the Periyar system, he may pass a preliminary order, etc.' The effect of this amendment is this. In determining as to whether a tank requires repair or not the Collector should take into consideration the fact whether by reason of the present condition of the tank the Periyar irrigation is likely to be jeopardized. If the Collector thinks that because of the neglect on the part of the landholders the Periyar system is going to be endangered the Collector may pass any order that he may think fit. This is merely a verbal amendment and I believe Government would not oppose this amendment."

* Rao Bahadur P. C. MUTHU CHETTIYAR in seconding the amendment in Tamil said:—

"கண்மாய் பார்த்துமாதிரித்தில் தோணுவது கூடாது.

* The hon. Sir ARCHIBALD CAMPBELL:—"I am not prepared to accept this amendment. It seems to me that this is another amendment which will simply lead to delay in the proceedings before the Collector. There will be argument as to whether a particular disrepair will cause damage to the Periyar system or not. We have provided in this Bill a procedure which we want to be as simple as possible. We do not want to have complicated arguments on behalf of one side or the other as to what is likely to happen if something is not done or as to what will happen in certain hypothetical conditions. All we call upon the landowner to do is to carry out the repair or the restoration of the tank and nothing more. That is what he would have had to do if there had been no Periyar system."

* Mr. V. T. ARASU:—"The hon. the Revenue Member says that they do not want that there should be any delay before the Collector. Sir, I fail to understand why they should be anxious that these things should be disposed of in a day or two without reasonable opportunities being given to the parties concerned. Experience of the past 38 years goes to show that no necessity has ever arisen for the Government or the Collector to interfere immediately. The hon. Member went on to say that they do not want complicated arguments at all. That is a statement which I believe the House would not agree to. It is necessary in these matters where private rights are concerned that both the parties should be heard at length. The Collector should inquire into all the aspects of the question and then only come to a decision. Merely by seeing the tank from one end to the other one cannot come to the conclusion that it is in a state of disrepair and therefore repairs ought to be effected immediately. The Collector should hear the parties concerned before he passes any preliminary order and if, even after hearing

[Mr. V. T. Arasu]

[5th February 1934]

the parties, he still thinks that by reason of the tank being not kept in repair it will cause permanent danger to the Periyar system, it is open to him to pass the order. Therefore, it is not going to cause any delay as anticipated by the hon. the Revenue Member. On the other hand, Sir, it is our wish that these proceedings should be as expeditious as possible. But, for the sake of expediency, we should not sacrifice justice and fairplay."

The amendment was put and lost.

* Mr. V. T. ARASU:—"Sir, there is another amendment to the same clause. It is as follows:—

'For the words "sixty days," substitute the words "six months".'

"As amended that portion of the clause will read as follows:— 'The Collector shall send copies . . . requiring him to appear before the Collector on a date to be specified in the notice not being less than six months after the date of the notice, etc.' My object in moving this amendment is not to defeat the purpose of this Act as my hon. Friend, Mr. Venkatarama Ayyar, seems to think. The difficulty involved in giving only sixty days can be seen from the following instance. Supposing in November or December when the crops are standing the Collector passes an order asking the landholder to come forward and explain why repairs should not be effected, it would not be possible at all for the landholder to proceed to the spot and prepare his reply. The crops are there and therefore no investigation of the condition of the tank would be possible. It is only after the harvest that the landlord can possibly go to the spot, satisfy himself and then prepare any statement that he may wish to file before the Collector. That would take him on to March. Therefore it will be seen that two months is a very short period. The landholder should be enabled to secure technical advice, to inspect the spot and satisfy that the tank requires repair. For these reasons sixty days will be most inadequate and six months at the least would be found necessary."

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the amendment in the following Tamil speech:—

"லாண்டர் ஹெல்டர் கருத்து (நிஞ்சினியர், ஹெல்டர் கருத்து, கருத்து யில் தண்ணீர் நிறைவாகவாயிருந்தால் ஹெல்டர் தெரியாது. ஹெல்டர் தெரியாது."

* Mr. K. R. VENKATARAMA AYYAR:—"When the Bill was originally introduced there was no limit of time mentioned. The Bill said: The Collector shall send copies of such plans and estimates to the landholder of the estate in which the tank is situated or if the tank is not wholly situated in one estate to each landholder concerned together with an order in writing requiring him to appear before the Collector on a date to be specified in the notice and show cause why the measures specified in the said plans and estimates should not be carried out. That is how

[5th February 1934]

[Mr. K. R. Venkatarama Ayyar]

the section originally ran. There was no time limit fixed then, but it was left open to the landholder or landholders concerned to appear before the Collector to show cause to propose rival measures and less costly measures. After considerable discussion with regard to this in the Select Committee, we arrived at the period of sixty days as a fair and reasonable limit of time which would give the landholder or landholders concerned adequate opportunity to inspect the tank in question and to take technical advice for examining the plans and estimates proposed by the Collector. It is not as if the Collector is going to choose a very unsuitable period in the year. The month of November has been pointed out as an example. That will be a month when the Collector won't issue notice and that will be a period when there will be water in the tank. No Collector who went about his business in a businesslike way would be expected to choose an extremely inappropriate season as the season when he should issue notice and as the season when the landlord or landlords are required to show cause why the plans and estimates should not be carried out. The Collectors as well as landlords are interested and they would select a suitable time of the year with due regard to the requirements of the standing crop and with due regard to the stagnation of water in the tank.

"Then the other question is whether two months' time is enough to enable the landlord to examine the plans and estimates. If you should really allow a period of six months the only part of the year that might be available for putting through the scheme of repairs might become the next agricultural season and the Collector and the ryot would both find themselves in the very same plight and be obliged to leave the tank in a state of disrepair.

"I think sixty days is quite an adequate interval for any business- 1-15
man to proceed with the business in a businesslike fashion to investigate P.M.
into the plans and estimates proposed by the Collector and to come forward with alternative plans and estimates and that six months would mean an unreasonable delay and would frustrate the very purpose of the Bill, namely, carrying out speedy repairs."

* The hon. Sir ARCHIBALD CAMPBELL:—"Mr. Venkatarama Ayyar has already dealt with and given reasons for opposing the motion. We have not only to consider the interests of the owners of tanks, but we have also to consider the ryots, whose interests are adversely affected by the tanks being left in a state of neglect and disrepair; and in the interests of the ryots it is desirable that there should be no undue delay in the execution of the repairs to these tanks. Sir, I am sure, we can trust the Collector to be reasonable in dealing with the owners of tanks and they have also the power to adjourn the enquiry on adequate reason being shown by the owners of tanks on the first date fixed for the enquiry. If therefore sixty days is not sufficient in any particular case, I think we can trust the Collector to grant an adjournment to enable the owner of the tank to complete his investigation but we do not want the proceedings to be drawn out too long."

[5th February 1934]

* Mr. V. T. ARASU:—" Mr. President, Sir, I request the Government to find their way to accept sixty days after the *service* of the notice. The words used in the Bill are ' sixty days after the *date* of notice ' . . . "

* The hon. the PRESIDENT:—" I thought the hon. Member was going to reply. I did not think that he was going to bargain."

Mr. V. T. ARASU:—" As I have already explained, Sir, sixty days is too short a period for the proprietor of the tank to appear before the Collector and raise his pleas. Even if the Government should find that six months is too long a period as the hon. the Revenue Member observed, it is quite reasonable for the landholder to expect a notice of sixty days from the date on which such notice is served on him. If the landowner is absent from his headquarters and notice does not reach him and still in spite of that fact, if he is to be called upon to appear before the Collector, it would be impossible for him to do so, especially when he is not aware of the fact that a notice has been issued. For these reasons, I feel that at least sixty days after the service of the notice may be accepted by the Government."

* The hon. the PRESIDENT:—" The question is that for the words ' sixty days ' substitute the words ' six months '."

The amendment was lost.

* Mr. V. T. ARASU:—" I move that—

' In clause 5, the words beginning with " The Collector " and ending with " made " shall be omitted.'

The provision made in the Bill is to the effect that in issuing the notice, the Collector shall cause the same to be notified in the villages concerned by means of beat of drums, etc. When a notice is served on the proprietor of the tank, and when he comes forward before the Collector to raise his plea, I fail to see where the necessity arises for the Collector to make this notice known by affixing it in a prominent place and by beat of drum, etc. For the existence of cordial relations between the landlord and the tenant, it is necessary that such publicity ought not to be given at all. If, in spite of the notice, the landholder fails to appear before the Collector and accept the suggestions made by the Collector, it may be reasonable to direct the Collector to publish it in the village concerned and make that fact known to the villagers. But, when the landholder appears before the Collector and puts his plea, there is no necessity for making this notice known to the whole village concerned."

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the amendment in the following Tamil speech:—

" ஏனென்றால் முதலில் கலெக்டர் உத்தேசத்தை கொடுப்பதால் எல்லா பார்டிக்கு சார்வாகும்போது அது தேவையில்லை. நேரில் சார்வாகாவிடில் செய்யலாம். அனாவசியமாக விஸ்தரிப்பது தேவையில்லை."

5th February 1934]

* Mr. K. R. VENKATARAMA AYYAR:—" Sir, the mover of the amendment seems to ignore the interests of the ryots concerned. It is certainly necessary that the ryots concerned should be in the know of what measures are proposed by the Collector by way of repair. They are also given an opportunity in the subsequent sections of this Bill to appear before the Collector to have their say as to what kind of repairs would meet the requirements of the case. Therefore, it is important that the notice of the Collector should be affixed in a conspicuous place in the village or the villages concerned, so that all the ryots concerned may come to know what was going on and what was proposed to effect by way of repair. I wonder what the landholder stands to gain by asking for the deletion of this clause. It looks as if some of the landholders do not wish to be advertised in the area concerned that they have neglected to maintain their tanks and that the Government are proposing to effect repairs in the interests of all concerned. It might be a matter of prestige, but so far as the real requirements of the situation are concerned, it is distinctly an advantage that all concerned should have the benefit of vernacular notices and vernacular translations of the plans and estimates which would give the necessary information to the entire area."

* The hon. Sir ARCHIBALD CAMPBELL:—" Mr. President, for reasons already explained by my hon. Friend Mr. Venkatarama Ayyar, I oppose the motion."

The motion was put and lost.

Clause 5 was put and carried.

Clause 6.

* The hon. Sir ARCHIBALD CAMPBELL:—" Mr. President, I move—
' that in the opening paragraph of sub-clause (i), in line 3, for the words " an objection " the words " any of the following objections, namely:—" shall be substituted.'

This is purely a verbal amendment."

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

The amendment was put and carried.

* The hon. Sir ARCHIBALD CAMPBELL:—" Mr. President, I move—
' That in sub-clause (i) (a), in line 3, the word " or " be omitted.'

This is purely a verbal amendment.

Mr. K. R. VENKATARAMA AYYAR:—" I second it, Sir."

The amendment was put and carried.

[5th February 1934]

* The hon. Sir ARCHIBALD CAMPBELL:—"Sir, in sub-clause (i) (b) the word 'or' be omitted; in sub-clause (i) (c) in line 3, for the word 'or' the word 'and' be substituted; and in sub-clause (i) (d) in line 4, for the word 'persons' at the end, the words 'persons; and' be substituted."

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

The amendment was put and carried.

* Mr. V. T. ARASU:—"Mr. President, I move—

'that after sub-clause (d), the following new sub-clause (e) be added:—

"(e) and any other plea the landholder may put forward."

"It seems to be curious that Government should say that the landholder should raise only such and such pleas. What this amendment aims at is that the landholder should be at liberty to raise any other plea than those enumerated in sub-clauses (a) to (d). Government say that he can raise only certain specific points mentioned in sub-clauses (a) to (d); I think it is unfair that the proprietor of a tank should be estopped from raising any plea that he may think fit and which may be necessary for the case. It is better that the courts are given discretion to say whether a certain plea is proper or not."

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the amendment in the following Tamil speech:—

"சென்னை நியாயத்தின் எடுத்துக்காட்டு அதுவாகியும் இவ்வுரைச் சொல்லுவதை இன்னொரு வகையாகப் பரிசீலிக்கலாம்."

* The hon. Sir ARCHIBALD CAMPBELL:—"Sir, this amendment seems to be quite unnecessary. We have already provided in the Bill that the landholder may raise certain objections to the order of the Collector and it does not seem to me desirable to give him power to raise all sorts of pleas. No instances have been given either by the Mover or the Seconder to indicate the kind of pleas that would be put forward under this amendment."

* Mr. K. R. VENKATARAMA AYYAR:—"Mr. President, I was only going to say that if the Mover or the Seconder would give an indication of what further plea than those set out in the various clauses of the Bill could be raised, they would help us to consider whether any new category of pleas should be provided for or not. Really, all the possible pleas have been provided for. A landholder may say, 'I am not the landholder concerned in this tank', or he may say that 'the tank is in an excellent state of repair' and 'it does not require to be repaired at all,' or he may say that the sort of repair that the Collector proposes is unnecessary and unduly costly and that a less costly scheme would suffice. Or, he may say, no doubt the repairs are necessary, but the cost should not be thrown entirely upon him and that there are other parties

5th February 1934] [Mr. K. R. Venkatarama Ayyar]

who by contract, or by custom and usage are bound to share the cost of repair. These are the various categories which occurred to the author of the Bill as well as to the members of the Select Committee as the only available heads under which landholders might raise pleas. If any other plea is envisaged by the Mover or Seconder, even by way of illustration, we shall be in order in providing for any distinct category. We generally have in very many statutes distinct categories of cases provided for and a general category so as to provide for cases *eugesdem generis*. So far as cases *eugesdem generis* are concerned, they would be covered by one or other of these specific provisions. We have no provision like 'whatever other plea is available.' A clause stating simply that any other plea that may be available might be put forward, is not reasonable. That is not legislation."

1-30 p.m.

V.—HIS EXCELLENCY THE GOVERNOR'S MESSAGE THANKING THE COUNCIL FOR THEIR RESOLUTION OF CONGRATULATION ON HIS APPOINTMENT AS ACTING VICEROY.

* The hon. the PRESIDENT:—"Before we rise, I wish to inform the House that His Excellency the Governor writes to me a letter expressing his sincere thanks for the resolution passed by this House on the 29th January congratulating him on his appointment as Acting Viceroy. I will read out the letter for the information of the House:—

'Government House,
Madras,

5th February 1934.

'Dear Mr. President,

I have, unfortunately, not been well enough during the last few days to write any letter, but now that I am able to do so. I do not delay in writing to ask you to be so kind as to convey to the Members of the Legislative Council my most sincere thanks for the resolution of congratulation which they were so kind as to pass on the announcement that I am to act temporarily as Viceroy. Many kind words were used in moving that resolution and I am deeply grateful to all Members of the Legislative Council.

Yours sincerely,
GEORGE STANLEY."

VI.—THE BIHAR EARTHQUAKE RELIEF FUND.

* The hon. the PRESIDENT:—"I may also suggest to the hon. Members of the House that in pursuance of the resolution passed the other day regarding the earthquake, no attempt seems to have been made by any Member of this House to collect money. I would only advise at this stage that the several Leaders of Parties and Whips might meet together and devise ways and means for raising subscriptions."

The House then adjourned for lunch.

[5th February 1934]

(After Lunch 2-30 p.m.)

IV—THE PERIYAR IRRIGATION TANKS PRESERVATION BILL
(BILL No. 16 OF 1933).

Clause 6—cont.

* Mr. V. T. ARASU:—“ Sir, the hon. the Revenue Member and Mr. Venkatarama Ayyar have asked whether we are in a position to state any specific points on which fresh pleas might be raised on behalf of the proprietors. Sir, the shrewd lawyer that Mr. Venkatarama Ayyar is, he ought to know that it is impossible to anticipate in any particular case as to what particular pleas a party might raise or what pleas he may not raise. I would put him the question that he put to us whether in any case that he undertakes to conduct in a court of law he would be in a position to state even at the outset that he is going to raise only such and such pleas and to state them categorically as the Government and himself seem to ask us to do in this case. This is a new measure which the Government are enacting and nobody can anticipate as to what the effect of this measure is going to be. And therefore it would be impossible to anticipate also as to what sort of pleas it would open to the proprietors of the tank to raise when the matter comes up for disposal before the Collector. Neither the Government nor even Mr. Venkatarama Ayyar has made out any case as to how if this amendment is carried, it would prejudicially affect this legislation. Therefore, Sir, I think that this is a harmless amendment, an amendment which is not going to upset the scheme of this Bill. I would therefore urge this House to accept this amendment.”

The amendment was put and lost.

Clause 6, as amended, was then put and carried.

Clause 7—First paragraph.

The hon. Sir ARCHIBALD CAMPBELL:—“ Mr. President, Sir, I beg to move—

‘ that in line 2 for the words “ his enquiry ”, the words “ the inquiry ” be substituted,

‘ that in line 3 for the word “ enquiry ” the word “ inquiry ” be substituted,

‘ that in line 4 for the words “ such enquiry ” the words “ such inquiry, if any ” be substituted,

‘ that in line 4 for the words “ confirm, cancel or modify ” the words “ pass a final order confirming, cancelling or modifying ” be substituted, and

‘ that in line 5 for the word “ his ” the word “ the ” be substituted.’ ”

5th February 1934] [Mr. V. T. Arasu]

These are verbal and spelling amendments.

Mr. K. R. Venkatarama Ayyar seconded the motion.

The amendments were put and carried.

* Mr. V. T. ARASU:—“ Mr. President, Sir, I move—

‘ that in clause 7 for the words “ as he thinks fit,” the words “ and hear the parties and decide the various questions raised in the sub-clauses (a) to (d) of clause 6 ” be substituted.’ ”

“ Sir, having clearly laid down in four sub-clauses the pleas which a proprietor can raise, I feel it is not necessary that we should give a discretion to the Collector to say that he would admit only such pleas as he thinks fit. Therefore, Sir, this amendment seeks to omit the words ‘ as he thinks fit ’ and make it clear by substituting the words ‘ and hear the parties and decide the various questions raised in the sub-clauses (a) to (d) of clause 6.’ This amendment is not going to cause any change in the meaning of the clause. It is only intended to clear the position and I therefore hope the Government will accept it.”

Rao Bahadur P. C. Muthu Chettiyar seconded the amendment in Tamil.

* The hon. Sir ARCHIBALD CAMPBELL:—“ Mr. President, Sir, as the Mover said that the amendment is not going to have any effect, I do not see any reason for accepting this amendment.”

The amendment was put and lost.

Clause 7.

First proviso.

* The hon. Sir ARCHIBALD CAMPBELL:—“ Mr. President, Sir, I beg to move—

‘ that in the first line for the word “ his ”, the word “ the ” be substituted.

‘ that in the third line after the word “ appeared ” the words “ at the inquiry ” be inserted, and

‘ that in the third line for the word “ he ” the words “ the Collector ” be substituted.’ ”

The first and third are purely verbal amendments. The second refers to the non-appearance of parties at the inquiry and is intended to make that clear.

Mr. K. R. VENKATARAMA AYYAR seconded the motion.

The amendments were put and carried.

[5th February 1934]

Clause 7.

Second proviso.

* The hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, I beg to move—

'that in lines 1 and 2 for the expression "clause (d) of section 6" the expression "sub-clause (d) of clause (i) of section 6" be substituted,

'that in line 2 for the word "his" the word "the" be substituted,

'that in line 5 the word "or" occurring after the word "law" be omitted, and

'that in line 5 for the word "or" a comma be substituted.'"

These are all verbal amendments.

Mr. K. R. VENKATARAMA AYYAR:—"I second it."

The amendments were put and carried.

Clause 7, as amended, was then put and carried.

Clause 8.

* The hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, I beg to move—

'that in sub-clause (1) in line 1 for the word "his" the word "the" be substituted, and

'that in line 2 for the expression "order under section (5)" the words "preliminary order" be substituted.'"

The first of these amendments is purely verbal. The second is merely to make it clear as to what order is referred to, namely, the preliminary order. The effect is purely verbal.

Mr. K. R. VENKATARAMA AYYAR:—"I second it."

The amendments were put and carried.

* Mr. V. T. ARASU:—"Mr. President, I move—

'that after the word "Government" insert the words "who shall give notice to the landholder or landholders concerned and after hearing any objections which may be put forward by the landholder or landholders pass an order confirming or qualifying the order of the Collector or send the same for a re-enquiry by the Collector".'"

The sub-clause as it stands reads as follows:—

'If the Collector confirms or modifies his order under section (5), he shall report the matter to the Local Government who may cause to be carried out the measures specified in the order as confirmed or modified by him.'

"If this sub-clause is adopted by the House as it is, the effect would be this: The Collector who is an interested party would report to the Government saying that he thinks that certain repairs are required for

[5th February 1934]

[Mr. V. T. Arasu]

a particular tank. The Government, without giving an opportunity to the proprietor of the tank concerned and ascertaining from him his views, pass an order authorizing the Collector to carry out the works. It seems to me to be unfair that the Government should refuse to give an opportunity to the proprietor of the tank whose interest in the tank cannot be questioned to state his view-point. The object of my amendment is to lay down that before Government pass final orders on the Collector's report, they should inform the landholder or landholders concerned of what the Collector has to say, and ask what they have to say, and then pass an order confirming or qualifying the order of the Collector or send the same for a re-enquiry by the Collector. Sir, it would not be far wrong if one were to say that the Collector is usually guided by the subordinate officers, and that in some cases these subordinate officers are not guided by the highest of motives. The Government being the final authority, the proprietor of the tank ought to be given an opportunity to explain his objections so that injustice may not be done to him."

Rao Bahadur P. C. MUTHU CHETTIYAR speaking in Tamil seconded the amendment as follows:—

"தகவார் கெதில் ஈட்டும் கலெக்டருக்கு ஒரு விதமாக சபாநிதியைக் கொண்டு நிப்பொர்ட்டின்பேரில் தீர்மானித்துவிட்டால் அவ்வாறு செய்யும் நிப்பொர்ட்டி ஒன் சமிட்டாகத்தான் இருக்கவேண்டும்.

"இப்பொழுதும் நீங்கள் கவர்ன்மெண்டுக்கு . . . கேட்கட்டுமென்று ஒத்துக்கொள்ளும்போது பார்டிக்கு ஏன் தெரிவிக்கப்படாது எலிமென்டரி பிரிஸிபிள் தானே.

"இந்த மாதிரி விஷயங்களில் அனேக இங்கிலிஷ் லா எத்கலையோ விதமாய் இருக்கிறதே.

"கலெக்டரவர்கள் முதலில் ஒருவிதமாக தீர்மானம் செய்துவிட்டால் அதை மாற்றிக்கொண்டார் என்பது அபூர்வம், தெரிந்தவரை இல்லை. பிடிவாதம் என்பது மனோநிலையை யுடையது.

* Mr. K. R. VENKATARAMA AYYAR:—"I think, Sir, that Mr. Muthu Chettiyar's point is that if there is the possibility of an order issuing against a concerned or interested party, such an order should not be issued without due notice to the party that might be affected. It is a very wholesome principle and lawyers especially would perfectly approve of such a principle finding a place in all pieces of legislation. But whether the present is an occasion in which that principle comes in for application is the real question. Under the scheme of this Bill the Government are not empowered to pass an order to the detriment of any landholder or landholders concerned. The enquiry is all before the Collector; the final order fixing up the plans and estimates and determining exactly what shall be the repairs to be carried out and apportioning also the cost of repairs which the various parties are liable to pay is also issued by the Collector. Afterwards, if the Collector makes a report to the Government, it is only with a view to the Government footing the Bill and issuing the necessary orders for carrying out

[Mr. K. R. Venkatarama Ayyar] [5th February 1934]

the repairs. The Government cannot revise the order of the Collector in any manner which would work out to the injury of any landholder or landholders concerned. Therefore, there is no chance or opportunity for the Government to pass an order modifying the order of the Collector. That is what I meant when I said that there is no occasion for the application of the principle of not issuing an order against a party without giving him an opportunity to state his views. There is no occasion for that. Therefore, I think at the final stage when the Government comes into play there is no need for reopening the whole matter which has already been closed by the Collector's order and hearing parties, entertaining further objections and all that sort of thing."

* The hon. Sir ARCHIBALD CAMPBELL:—"I must oppose this motion because it is attempting to introduce a new principle into our form of administration. I do not know of any Act at the present time which requires His Excellency the Governor in Council to hear parties. Government always make enquiries through their officers. Any landholder will know when the Collector confirms or modifies his order under section 5 and know also when the case goes up to the Local Government for orders. It will be perfectly open to the owner of the tank to submit any memorial he wishes to the Government for their consideration. That is of course a quite different thing from laying on the Government the duty to invite objections and to hear parties. Further, we have given the Government no power to modify the Collector's order, because we feel it just that if there is to be a modification of the order there should be a re-enquiry in which all the parties concerned can be heard by the investigating officer. For these reasons I oppose the amendment."

The amendment was put and lost.

* Mr. V. T. ARASU:—"Sir, I move the following amendment:—

"Delete the words "who may cause to be carried out the measures specified in the order as confirmed or modified by him" and add "in every case in which the Local Government have modified or confirmed the order of the Collector, the Collector shall require the landholder or landholders concerned to state if they are willing to effect the repairs at a cost lower than that determined by the Collector and if the landholder or any of them is willing to undertake the repairs at a lower cost, the Collector shall make an order authorizing him to effect the repairs of the Government. If the landholder or none of the landholders is willing to undertake the repairs, the Collector shall report the same to the Local Government who may cause to be carried out the measures specified in the order as confirmed or modified by the Government."

5th February 1934] [Mr. V. T. Arasu]

"Every such decision of the Local Government shall be subject to the result of a decision in a civil suit instituted within a period of six months from the date of the service of the decision of the Local Government."

"Sir, it must be admitted that the Government are going to effect these repairs through the agency of contractors. It is a well-known fact that the works carried out by the contractors employed by the Public Works Department are haphazard, and at the same time are prohibitive from the point of view of ultimate cost. The prohibitive rates charged by the Public Works Department even for small works have been on several occasions commented upon by hon. Members of this House. When that is the fact and when the proprietor of the tank interested in maintaining his tank in good condition himself comes forward and says, 'I will effect the repairs that you may consider necessary under the supervision of the Public Works Department,' I fail to see why the Government should not give him an opportunity to do that. After all, the Government are not going to import any outside agency to carry out the repairs. It is the local contractor who will execute the repairs. When the proprietor of the tank offers to take the place of the contractor and work it out himself, why should Government stand in the way, and say that he cannot do it?"

"The second paragraph in the amendment merely provides for an appeal to the civil court, if necessary. We anticipate such appeals only in extraordinary cases. It is not in all cases that the proprietor of a tank would rush to the court and prefer an appeal against the decision of the Collector. The matter now under discussion is an interference with the private rights of parties and therefore the executive should not be made the final authority. Much has been said on the floor of this House from time to time about the separation of the Executive and the Judiciary. I ask, Sir, on this occasion whether this hon. House is going to acquiesce in a Collector being vested with both the Executive and Judicial functions? I believe not. Even in petty cases of encroachments, etc., appeal against the decision of the Collector lies to the aggrieved parties. Why then in this case, where the proprietary rights of individuals are concerned, when a Collector has given a court? In the case of encroachments, when a Collector has given a decision recommending to the Government certain line of action the party affected can appeal to the civil court. He can get redress there. In cases of land acquisition also similar appeals are allowed. Why should, in this case alone, Government deny this elementary right?"

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the motion in a Tamil speech.

"பிரைவேட் ரயிட்டில் இன்டர்வியர் சம்மந்தமானதால், என்குரோச்மெண்டுக்கு கவர்ன்மெண்டு வரை பிரைவேட் சொத்தை எஜக்ஷன் விஷயத்தில் ஆறு மாதத் துக்குள் சிலிலுக்கு சூட்டு இருக்கிறது. சர்வே ப்ளண்டரி ஆக்டிலும் சிலில் சூட்டு இருக்கிறது. லாண்டு அக்விசீஷனிலும் சிலில் கோர்ட்டுக்கு இடமிருக்கிறது. இன்

[Mr. P. C. Muthu Chettiyar] [5th February 1934]

னாம் அநேக விஷயம் சிவில் இரங்கிறது. கலெக்டரால் விதித்த தெண்டம் தீர்வைக்கும் சிவில் குட்டு இருக்கிறது. ரயிஸ்ஸே அபக்டிங் ஆக்டிப்படி நடப்படிக்கைக்கு சிவில் குட்டு இருக்கிறது. அதின் அவசியத்தை பார்க்கிலும் இது முக்கிய மல்ல.

“ஒவ்வொரு சமயத்திலும் தெண்டம் தீர்வை சம்பந்தமாய் கர்னங்கள் செய்வதை தாசில்தார் பாஸ் செய்தும் அப்படியே கலெக்டரவர்கள் ஜமாபந்தி செய்து வருவதித்தின் நியாயமும் அப்பால் கலெக்டர் அவர்களுக்கு குட் நோட்டீஸ் கொடுத்து சிறிசில் பாசும் வாபஸ் கிடைப்பதும் உரிய நியாயங்களை கவனிக்கவேண்டியது.

“1333-ம் பசலியில் ஒரு அதிகாரியானவர்கள் இதற்குமுன் பெற்றிருந்த தண்ணீர் பெர்மிட்டுகளை ரத்து செய்திருப்பதாகவும் புதிய சர்வே நெம்பர்களை கண்டு வேரு உத்திரவு பெறுவதால் தெண்டம் விதித்திருப்பதாக பதினாயிரக் கணக்கான தெண்டம் விதித்திருப்பார். புதிய சர்வேயோ குடிநீருக்கு தெரியாது. கூடுமானவரை வந்திருக்கிற தண்ணீர் மனுக்கள் ஆயிரக்கணக்காக வந்திருப்பதற்கும் எக்ஸிடியூட்டி இஞ்சினியர் உத்திரவு செய்யாது கட்டிவைத்து விட்டார். குடிகள் தெண்டங்களை சுட்டிவிட்டார்கள். அநேகர்கள் நஷ்டமடைந்தார்கள். ரொம்ப கஷ்டப்பட்டு அவைகளில் சிலருக்கு மாறியது. பாதிக்குப்பாதி என்று கண்டித்துக்கு செய்து விட்டேன்” அபக்டிங் உத்திரவில் சிலருக்கு வருவாயினதாக தெரிவிக்கிறார்கள்.

“ரெவினயூ போர்டு மெம்பருக இருந்த மிஸ்டர் எச். எம். டபிள்யூ. ஜில்மேன் துரையவர்கள் பெரியார் விசாரணை செய்து கவர்ன்மெண்டாரவர்கள் நெ. 1524, 1915-ம் ஆண்டு ஜூன்மீ 30 உத்திரவு பிறப்பித்திருக்கிறதை அனுசரித்து 1916-ம் வருஷம் கெஜெட்டில் பிரசுரமாயிருக்கிறது.

“அதாவது ஒருதலவை சாங்கிஷன் செய்தால் அந்த நிலத்துக்கு மருதலவை மறு சாங்ஷன் தேவையில்லை என்று கண்டிருக்கிறது. அதற்கு நேர் விருத்த மாக நடந்தது.”

3 p.m.

* Mr. K. R. VENKATARAMA AYYAR:—“ Mr. President, Sir, I think the hon. Revenue Member has already indicated the exact scope of the jurisdiction of civil courts under this legislation. As he said, the Government are not authorized to pass any order, modifying or revising directly or indirectly the order of the Collector, to carry out a re-inquiry or re-investigation. Government merely carry out the works recommended by the Collector. If, for any reasons, the measures of repair recommended by the Collector are not executed, it will be open to the Collector to inquire into the matter and bring in such fresh consideration as may possibly be found to bear upon his proposals. But the amendment just now moved by Mr. Arasu and supported by Mr. Muthu Chettiyar asks Government to pass its own orders in modification or in supersession of the Collector's order, and even against the orders of the Government so passed, they want to provide for recourse to civil courts. Now this is a Bill providing for speedy repair of tanks. If, in this Bill, we introduce such a provision and make the ultimate decision of the question of repair dependent on the final verdict of the appellate civil court, then I submit it is a step towards defeating the very purpose of this Bill. After all, the matter dealt with in this piece of legislation is one of carrying out repairs, and so I feel it is better if the final voice is left with the Collector himself, he being in the district and he having no axe to grind. Hence I feel this amendment is

[5th February 1934] [Mr. K. R. Venkatarama Ayyar]

unnecessary and unreasonable. Section 11 already provides for appeal to civil courts in certain cases and so I feel this amendment, if given effect to, would only defeat the object of the Bill. I feel the Collector is far more fitted to deal with this matter than any other authority, and so I am not for this amendment.”

* The hon. Sir ARCHIBALD CAMPBELL:—“ Mr. President, Sir, I oppose this motion. The effect of the amendment would be to defeat the very object of the Bill; for it will lead to endless litigation and will involve delay in carrying out necessary repairs. Thus, instead of doing good to the ryot, the amendment would be only driving the landowner to the civil courts, and making him and the Government incur expenditure; and as far as I see, the only people to be profited by this amendment would be the members of the legal profession (laughter). So, Sir, I oppose the motion.”

* Mr. V. T. ARASU:—“ Mr. President, my hon. Friend, Mr. Venkatarama Ayyar, said that the Collector is best fitted to pass orders in this matter. Nobody ever questioned the fitness of the Collector to deal with such matters. I did not do so. All that I said was that all of us are subject to human frailty, and the Collector, being human, is likely to commit mistakes in the course of his official duty. Therefore it is that I suggested that provision should be made for a civil court to sit over the Collector's decision, in an atmosphere entirely different, and decide the matter dispassionately.

“ In support of the statement that the Collectors do sometimes err, my hon. Friend, Mr. Muthu Chettiyar, has given two instances. One is an instance in which he himself was victimized; it would appear that in 1924, for a certain piece of land, which was irrigated by means, of a jungle rivulet, he was asked to pay Rs. 1,200; and he had to pay it. That was the Collector's order. But at a later stage the Collector was found to have erred and the money was refunded. And this is an instance of the infallibility of Collectors.”

Mr. K. R. VENKATARAMA AYYAR:—“ I fear you are wrong.”

Mr. V. T. ARASU:—“ At any rate the idea is that the Collector's order had to be revised at a later stage, either by the civil court, or by Government or by some authority, whoever it is. Anyhow the matter stands that the Collector had committed a mistake and it had to be rectified at a later stage.”

The hon. Mr. P. T. RAJAN:—“ No, no, he himself rectified it.”

Mr. V. T. ARASU:—“ The second case is a glaring one. It was a case of an order of the Board of Revenue thrown to the winds by the Collector. The order of the Board of Revenue is G.O. No. 1524, dated 13th June 1915. Mr. Gillman, it seems, was in charge of the Board of Revenue; and during his time the Government Order named above was passed, by which it was declared that fresh permits need not be taken by ryots for taking water out of the Periyar system. In fasli 1333,

[Mr. V. T. Arasu] [5th February 1934]

some ten years ago, a certain Collector who was in charge of the Madura district, held that fresh permits ought to be taken by the ryots. And when the matter went up to Government on appeal, they declared that the order of the Collector was wrong, and that G.O. No. 1524 of 1915 still held good. These are some of the instances where Collectors have erred, and therefore it is that I want that provision should be made for appealing against the decision of the Collector.

“As regards the first part of my amendment, I don't think the hon. Revenue Member has met my point.”

* The hon. Sir ARCHIBALD CAMPBELL:—“I think I forgot to mention that it is always open to the proprietor concerned to take up the tender for repairs himself.”

* Mr. V. T. ARASU:—“Yes, Sir, but what this amendment seeks to do, is to make it obligatory on the part of the Collector to ascertain first whether the proprietor himself is willing to undertake the repairs himself. Besides, I think the hon. Revenue Member is wrong in presuming that the proprietor can tender for the work. It is not all that can tender for Public Works Department works. Only those whose names are registered as contractors that can tender. Therefore it is not so easily done as the hon. Member would have us believe. Therefore the right thing would be for the Collector to give the first option to the proprietor. So I urge on the Government to accept the amendment.”

The amendment was put and lost.

Mr. V. T. ARASU:—“Mr. President, Sir, I beg to move—

‘to omit the words “(including the charges on account of establishment and tools and plant at such percentages on the actual cost of the work done as the Local Government may from time to time prescribe)” and after the words “shall be” insert the words “borne by the Government” and omit the rest of the sub-clause;

‘or instead of sub-clause 8 (2) insert,

‘(2) 5 per cent of the total costs of carrying out such repairs shall be paid by the landholder and the rest shall be borne by the Government.’

“Sir, the effect of this amendment is this: according to the sub-clause, as it stands at present, Government state that to the actual cost of repairs, a certain percentage ought to be added, and that is intended to meet the cost of supervision. This is commonly called centage charge, and this, according to the scheduled rates in force to-day comes to 16½ per cent or so.

“To put it in simple language, supposing the actual cost of a certain work comes to Rs. 100 the ultimate cost according to the Government calculation will be Rs. 116-8-0. I understand that this rate of centage

6th February 1934] [Mr. V. T. Arasu]

charges has varied from time to time. Twenty years ago it was 5 per cent, gradually it came to 7½ per cent, then 10 per cent and now it stands at 16½ per cent. One does not know where it will stop. Perhaps to-morrow by an executive order the Government may say that 25 per cent should be collected. Therefore my submission is that centage charges ought not to be added to the actual cost of repairs. Government being a party interested in the bargain ought to undertake the supervision free of cost. If Government are entitled to supervision charges like the one as is suggested in the Bill, I would suggest that the landholder who is also interested in the bargain should be paid his supervision charges. The proprietor of the tank in the normal course of things would go round and inspect the work in progress. Should not his supervision charges also be added on to the actual cost?

“Mr. President, this House would pardon me if I take it into the history of the Periyar system of irrigation. In the year 1896, when this irrigation system was inaugurated, Government definitely stated that this system was intended to benefit only the ryotwari areas. They said that if at any time should they have superfluous water, they would supply the same to zamindari and inam areas. This was further qualified, by the addition of the clause: at the specific request of the proprietor or proprietors as the case may be. Sir, Periyar water has been let into these proprietary tanks without the written consent of these landholders. That remains an undoubted fact. Even Mr. Twigg who was acting Collector of Madura then admitted that he had been letting water in the proprietary tanks without the consent of the landholder. It was later in the year 1904 that an attempt was made on the part of Government to legalize their trespass, if I may use that word, and to take written permission of these landholders. To-day the Government are irrigating 17,000 acres of dry lands and 15,000 acres of wet lands, totalling in all about 32,000 acres in the zamindari and inam areas by the water which is stored in the proprietary tanks. Government are now levying a water-rate, Rs. 5 for dry lands and Rs. 4 for wet lands. As has been admitted by the hon. the Revenue Member, Government have not all these years spent a single pie for the repairs of these tanks, and these tanks have been kept in a state of repair by the proprietor on his own initiative and at his own cost. Therefore it will be found that the Government have benefited to an immeasurable degree by the use of these proprietary tanks.

“At an earlier stage of the debate it was stated by my hon. Friends, Messrs. Krishnayya Choudari and K. R. Venkatarama Ayyar, that whereas under the Estates Land Act, the landholder has to bear the whole cost, here he is asked to contribute only 50 per cent of the cost of repairs, to the extent of the proportion of the wet lands to the dry lands. There is a world wide difference between a tank repaired under the Estates Land Act and that repaired under the Periyar irrigation system. Under the Estates Land Act it is the ryot who has got to apply to the

[Mr. V. T. Arasu]

[5th February 1934

Collector in the first instance stating that the tank is in a state of disrepair and that the supply of water to his (ryot's) lands is being threatened. At the instance of the ryot the Collector asks the zamindar whether he is prepared to execute the necessary repairs or not. In case the zamindar refuses, the Collector effects the repairs. Here the Government is a third party, the only two interested parties in the bargain being the ryot on the one hand and the landholder on the other. It is only where the landholder fails to effect the repairs, the Government intervene and carry out the repairs. Government are not at all interested in the work. But here under this Bill Government seek to effect repairs in order that their revenue may be augmented, or at any rate to see that their present revenue is not diminished. The income of the proprietor on the other hand is inelastic. Why should the proprietor be called up to contribute to an elasticity of the revenue of Government to an extent more than what he is bound to do if Periyar water had not been let in. It is patently unjust.

“ Sir, the second portion of the amendment says that only 5 per cent should be paid by the landholder and the rest by the Government. The illustration provided in the Bill is utterly misleading. The illustration takes a case where there are 50 acres of dry lands which have been brought under wet cultivation, and only 30 acres registered as wet lands. From the list supplied to this House the other day I do not find even one case, out of 180 cases to which it refers, where dry lands cultivated as wet preponderate the registered wet lands to the extent portrayed in the illustration. So the illustration is entirely misleading. From the illustration it would appear that all that the proprietor is called upon to pay is three-sixteenth of the total cost or about 18 per cent. On a careful examination of the list supplied by Government the other day, you will find that nearly in all cases 50 per cent of the cost will have to be borne by the proprietors.

“ From another point of view also I think the Government are not justified in asking the proprietor of the land to contribute 50 per cent of the costs. The Government are levying Rs. 4 per acre on wet lands, but the benefit to the landholder is very meagre. Sir, from a statement which I have got in my possession containing the rates of assessment in some of the zamindari and inam areas of the Madura taluk I find that the difference between dry-rate and wet rate is not at all too much. On an average, the difference between dry and wet rates of all tarams of land, is about two rupees. Thus broadly speaking it can be stated that while the landholder is levying a water-rate of Rs. 2 per acre, the Government are levying a water-rate of Rs. 4 per acre. Therefore it would be patently unjust if Government should compel the landholder to contribute to the cost of repairs in any proportion higher than what two is to four. To put it in other words, it would come to this. If supposing the ‘ wet ’ portion of the cost of repairs amounts to Rs. 3,000, then, the Government should contribute Rs. 2,000, and the proprietor the remaining Rs. 1,000. This ratio would be the most equitable one

[Mr. V. T. Arasu]

5th February 1934]

5th February 1934] [Mr. V. P. Massey]
 from all view points. About the 'dry' portion of the cost there is no question at all. The entire portion of it will have to be borne by Government. For, the entire benefit of the dry-wet cultivation goes to Government."

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the amendment in the following Tamil speech:—

3-30
p.m.

the following Tamil speech:—

“சென்டேஜ் சார்ஜும் 100-க்கு 16½ இப்போது இருக்கிறது. இதானது முன் ரொம்ப குறைவாய் இருந்து சிறிதாக அதிகப்படுத்தி வந்திருக்கிறது. இன்னும் இஷ்டப்படி அதிகப்படுத்துவார்கள். மேலும் புரோப்பரைட்டர்களும் தாங்கள் சூப்பரவைல் செய்யவேண்டி யிருக்குமாதலால் அவர்களுக்கும் சென்டேஜ் சார்ஜ் ஏற்படாததாலும் கவர்ன்மெண்டு லாபத்துக்கும் அவர்கள் அக்கரைக்கும் வேலை செய்யும்போது இதுவரை புரோப்பரைட்டர்களுக்கு அவர்கள் கணமாயில் பெரியார் தீர்வை வசூலித்து வந்ததற்கு யாதொரு பிரயோஜனமும் கவர்ன்மெண்டார் கொடாததினாலும் சென்டேஜ் சார்ஜ் எடுத்துவிடவேண்டும். இந்த எடி குடிகளுக்கும் பொருக்குமாதலாலும் இதை எடுத்துவிடவேண்டியது.

“ பெரியார் ஆரம்பமாகும்போது அய்யன் கிராமங்களுக்கு முக்கியமாக உத்தேசித்ததாயிருக்கிறது. ஆதியில் 1896-ம் வருஷத்தில் பெரியாரை புரொப்பரைட்டரி எஸ்டேட்டுக்கு விறும்போது டெம்பரவரியாய் மாமூல் நஞ்சைக்கு மட்டும் விட்டால், அப்படி விகிற காலத்திலும் லாண்டு ஹோல்டருடைய கண்மாயின் பூறு அப்படி விகிற செய்யமுடியுமானவென்று பார்த்து சப்ளை செய்ய லாண்டு ஆய்க்கட்டுக்கும் சப்ளை செய்யமுடியுமா என்பதைக் கலெக்டர் மில்லர் டிவிங் ஹோல்டருடைய மனுவின்பேரில் சப்ளை செய்யவும் கலெக்டர் மில்லர் டிவிங் ரிப்போர்ட்டின்பேரில் கவர்ன்மெண்டார் G.O. நெ. 373, 1896-ம் ஆண்டு ஜனவரி 29-உயில் பிறந்திருக்கிறது. அப்படியிருந்தபோதிலும் லாண்டு ஹோல்டருடைய மனுவில்லாமலும் ஜலத்தைவிட்டும் நஞ்சைக்கு மாத்திரம் கவர்ன்மெண்டு ஆர்டர் பிரப்புவிக்கப்பட்டிருந்ததில் அதற்கு விருத்தமாக புஞ்சைக்கும் வழக்கத் தில் ஜலம்விட்டு யேராளமான புஞ்சைகள் நஞ்சை சாகுபடி ஆகி வருகிறது.

“ 1904-ம் வருஷ ஆரம்பத்தில் கவர்ன்மெண்டுக்கு கலெக்டர் புரோபோசல் அனுப்பியிருக்கிறார். அதிலும் ஏராளமான புஞ்சைகள், நஞ்சை சாகுபடியாய் கொண்டிருக்கிறது. அதற்கும் புரோப்பரைட்டரிடத்தில் அப்ளிகேஷன் கேட்டு முன் நஞ்சைக்கு எப்படி மனு வாங்கியதோ அவ்விதம் வாங்கி தண்ணீர் சப்ளை செய்யலாம் என்றார். ”

“ 1332-ம் பசலியில் மனுவில்லாமல் 15,376 ஏக்கர் நஞ்சையும் 17,556 ஏக்கர் புஞ்சை வரவு நஞ்சையும் சாகுபடியானதாயிருக்கிறது. இதற்கு ஆதிமுதல் 1896-ம் வருஷ முதல் நாள்துவரை சர்க்காருக்கு யாதொரு பணச்சிலவும் கிடையாது. வரவா மாமூல் நஞ்சையை காட்டிலும் புஞ்சை வரவு நஞ்சை அதிகரித்துவிட்டது. இதனால் அதிக வரவு கவர்ன்மெண்டுக்கு ஏற்பட்டிருவிட்டது. புரோப்பைட்டர்கள் கண்மாய் ஜலத்தை தவிர வேறு காரணமில்லை. யாதொரு வாய்க்கால்கள், மடைகள் ஒன்றும் பதிதாக கட்டவில்லை. ஏற்படவில்லை.

“இராமமாக சில வாய்க்கால்களில் சில தேக்கங்களில் சகஜமாய் அமைய வேண்டிய மடைகளிலிருந்து மாழலாக கண்மாயிக்கு வரக்கூடிய ஒடையோ, மார்க்கங்களோ அதின் வழியாய் வந்துகொண்டிருக்கிறது. இவ்வளவு எதிர் பார்க்க முடியாத சாகுபடிக்கு காரணம் லாண்டு ஹோல்டர் டாங்குகளும் நல்ல கண்டிஷன்களில் இருந்தமையால்தான். இதுவரை சப்ளை சாகுபடி நடந்து வந்திருக்கிறதென்றும் கவர்ன்மெண்டு எப்பவும் யாதொரு ஷொவும் செய்ய நேர்ந்ததில்லை என்றும் ஏற்படுகிறது. கண்மாய் ஜலத்தினால் சாகுபடியாகும் நிலங்களுக்கு யாதொரு தர வித்தியாசமின்றி நிரந்தர தீர்வை சர்க்கார் வசூலிக்கிறார்கள். இந்த அபிப்பிராயம் பில் ஆப் செட் ரீசனிலே இந்த பாசன ஏற்பாடு மிகவும் அபிவிருத்தி அடைந்திருக்கிறதாக கண்டிருக்கிறது.

[Sir Archibald Campbell] [5th February 1934]

fundamental duty. The Estates Land Act provides that the ryots can compel the proprietors to maintain the tanks at their own expenses entirely. Under this Bill the Government propose to throw on the taxpayer of other districts a portion of the cost of repairs which ought really to be carried out by the proprietors themselves. This Bill does not provide for more than the actual restoring of the tank to efficiency without any further additions. I think, Sir, the financial assistance which Government propose to give under this Bill is very generous towards the owners of the tanks. It is quite possible for the owners to avoid any action being taken under this Bill when it is passed into law by simply carrying out their fundamental duty of keeping the tanks in proper order. By that means they will avoid the trouble and expense due to the enquiry being made by the Collector and the work being carried out under the supervision of the Public Works Department. This also meets the point that what the landowner gets from his wet land as the difference between the wet and the dry rates, is not so great as water-cess charged by the Government. It is not a question of how much each gets. We are relieving the zamindar of a portion of his liability and still he receives the same income. I suggested in the Select Committee that if the hon. Member, Mr. Muthu Chettiyar, would give up to Government all his tanks as they are and would convert the wet lands under them into dry lands, I should be very glad to take them over. Mr. Muthu Chettiyar obviously thinks that he is better off as he is, even if the Bill is passed into law as it is. In the case under the Railway Protection Act to which Mr. Muthu Chettiyar referred, the Executive Engineer determined what repairs the landowner should carry out to the tank but the Collector reduced the amount of the estimates which the Executive Engineer considered necessary. That only shows that the provisions of this Bill are not likely to lay an undue burden on the landowners affected. I beg to oppose this amendment."

The first part of the amendment was first put and lost.

The second part of the amendment was put and lost.

* The hon. Sir ARCHIBALD CAMPBELL:—"I beg to move—

'In line 4 of sub-clause 2 (a), for the expression "order under section 5 was issued," substitute the words "preliminary order was passed".'

"This is purely a drafting amendment, Sir."

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

The amendment was put and carried.

* Mr. V. T. ARASU:—"I beg to move that—

'For sub-clause 8 (2) (b), substitute the following:—

"Then it shall be determined the total annual income during the three preceding fastis which shall have been received

5th February 1934] [Mr. V. T. Arasu]

by the landholder on the area for which the Government have levied water-cess for the use of the water so issuing at the rate prescribed for the irrigation with Periyar water of wet lands in whole inam and zamindari villages, and the total annual income which the landholder would have received if the abovesaid area were dry lands, at the rate at which similar lands in the same village have been assessed under the settlement, and find out the difference between the two amounts thus derived".'

"This is a point I mooted in the previous amendment. The wet rate collected by the landholder is evidently very low and in some cases 25 per cent of the water-rate collected by the Government. Therefore it is necessary and proper that the Government should take into consideration the actual amount the proprietor of the tank derives by way of quit-rent. That is the difference between the dry rate and the wet rate. If a particular piece of land has been dry he would have been receiving a fixed rate. Because it is classified rate he is receiving two rupees. Therefore the difference between the two is one rupee. In assessing the share this must be taken into consideration."

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the amendment in Tamil.

* The hon. Sir ARCHIBALD CAMPBELL:—"Sir, this motion is entirely inconsistent with the principle of the Bill, namely, to divide the cost of the works without any complicated enquiry for the reason it is not proposed that it should depend on the income derived by the proprietor from the tank. We have aimed, as I have said before, at as simple a procedure as possible, which is also fair to all the parties concerned."

The amendment was put and lost.

* The hon. Sir ARCHIBALD CAMPBELL:—"I beg to move—

'that in the proviso to sub-clause 2 (b)—

"(a) in lines 1 and 2, for the expression 'clause (d),' the expression 'sub-clause (d) of clause (i)' be substituted; and

(b) in line 4, after the word 'Collector's,' the word 'final' be inserted".'

Both these amendments are drafting amendments.

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

The amendments were put and carried.

Mr. V. T. ARASU:—"Mr. President, I beg to move—

'that in sub-clause (c) of clause 2'

[5th February 1934]

* The hon. Sir ARCHIBALD CAMPBELL:—" May I ask if the amendment ^a is in order? Is it not consequential to the amendments rejected by the House? "

* The hon. the PRESIDENT:—" Has the hon. Member anything to say as to how it is relevant to this? "

Mr. V. T. ARASU:—" I do not move it, Sir."

* The hon. Sir ARCHIBALD CAMPBELL:—" Mr. President, Sir, I beg to move—

' that in illustration No. 1 under clause 8 (2) (c), in line 6 for the expression " order under section 5 is issued " the words " preliminary order is passed " be substituted '.

" This is another drafting amendment.

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

The amendment was put and carried.

* Mr. K. R. VENKATARAMA AYYAR:—" I beg to move—

' that in illustration No. 4, under clause 8, in lines 9 and 10, for the words " average area lying within their estates " the words " areas lying within their respective estates " be substituted.'

" This amendment is necessary since there is no question of average at all entering in this case as the whole ayacut is under irrigation."

The hon. Sir ARCHIBALD CAMPBELL:—" I second it."

The amendment was put and carried.

Clause 8, as amended, was put and carried.

Clause 9.

* Mr. V. T. ARASU:—" Mr. President, with your permission, I should like to move the amendment of which I have given notice in a slightly different form, as an earlier amendment to which it refers has been rejected by this House. The amendment would read as follows:—

' For the words " specified instalments " substitute the words, " annual instalments of amount which is not greater than the amount collected by the landholder as rent on land registered as wet under the tank minus the rent payable on those lands if they were registered as dry " ' "

^a Mr. V. T. ARASU:—

Insert the following as sub-clause 8 (2) (c):—

" Each landholder concerned shall bear such proportion of the said total costs as the amount derived according to sub-clause 8 (2) (b) bears to the total annual income derived by the Government in the area determined under clause 8 (2) (a). Provided that in cases falling under clause (d) of section 6, the liability of the landholder concerned shall to the extent specified in the Collector's order under section 7 be borne by the persons and in the proportion specified in such order '.

and re-number sub-clause (c) as sub-clause (d).

[5th February 1934]

* The hon. the PRESIDENT:—" It is very difficult to follow if such long amendments are brought forward all on a sudden. The hon. Member may move it and explain the position clearly."

* Mr. V. T. ARASU:—" Sir, as I have already pointed out this change is necessitated on account of the fact that a previous amendment to which the present one refers, has been thrown out.

" Sir, I move my amendment. The object of my amendment is this: No instalment which the Collector may order the proprietor of a tank to pay should exceed the amount that he is actually getting by way of water-rate from out of the ayacut under the tank. Let me take a concrete example. For instance, take a tank with an ayacut of 50 acres registered as wet. Assume for the sake of argument that the total amount of revenue collected by the landholder in respect of the 50 acres is Rs. 100 and that the dry rate for similar lands situated in a neighbouring village is Re. 1 per acre. The difference between the amounts derived according as the rate is a wet rate or a dry rate, is Rs. 50. All that the amendment seeks to effect is that in no case, should a single instalment ordered by the Collector be greater than this Rs. 50. Suppose the total cost of the repair comes to Rs. 10,000. If the Collector orders that this Rs. 10,000 should be paid in four monthly instalments of Rs. 2,500, it would be absolutely impossible for many proprietors to fulfil the obligation. Therefore my amendment lays down that it shall be obligatory on the part of the Collector to collect the amounts due from a landholder only in annual instalments and that no one of those instalments should exceed the amounts that the landholder actually gets as wet rate (the difference between dry and wet lands of the same taram) for lands registered as wet under that tank.

" This suggestion is not my own, Mr. President. For this, I have the support of no less a person than Mr. Hall, who was appointed Special Officer to go into this question. At page 19, paragraph 4, sub-paragraph (3) of his report, Mr. Hall clearly lays down:

' The cost of the repairs executed by the Collector may be collected from the proprietor in annual instalments equal to the difference as determined by the Collector between the amount which is payable to the proprietor as rent on land registered as wet under the tank and the amount which would be payable as rent on those lands if they were registered as dry.'

" Mr. Hall is definite about the matter. He definitely says that the Government would not be justified in asking the proprietor of a tank to pay the cost of the repairs of the tank in heavier instalments than what he is actually getting out of the land. I feel, Sir, that no further words are required from me to commend this amendment to the acceptance of the House."

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the amendment in Tamil as follows:—

"ஸ்பெஷலாயிசர் மிஸ்டர் ஹால் துரையவர்கள் இந்த அபிப்பிராயத்தை ரிப்போர்ட்டில் சொல்லியிருக்கிறார்.

4-15
p.m.

[Mr. P. C. Muthu Chettiyar] [5th February 1934]

“லாண்டு ஹோல்டருக்கு வரும் வரும்படியில் பேஷ் கிஸ்தி குமாஸ்தா வகையறு சிலவு, கோர்ட்டுபீஸ், ஸ்டாம்பு சிலவு, ஸ்டேஷனரி நிலுவை சேதம் வேறு இருக்கிறது. லோன்ஸ்கள் சர்க்காரில் கொடுப்பதுக்கும் இன்ஸ்டால்மெண்டாக வாங்குகிறார்கள்.

நஞ்சையில் வரும் பூறு தீர்வையில் பேஷ் கிஸ்தி நீக்கி பாக்கியை செலுத்தும் படியாவது செய்யலாம்.”

* The hon. Sir ARCHIBALD CAMPBELL:—“Sir, the Mover of this amendment has quoted from Mr. Hall's proposals. If he would read the whole of the paragraph to which he has referred, he would find that, according to Mr. Hall's proposal, there is laid on the landholder the duty of paying the whole cost of the repairs, whereas under our scheme we propose to defray a portion of it. The proposals now put forward in this amendment will again involve us in another complicated procedure. It seems to me that it is better to leave the question in the hands of the Collector. We may trust the Collector not to fix any unreasonable amounts.”

The amendment was put and lost.

Clause 9 was put and carried.

Clause 10 was put and carried.

Clause 11.

* Mr. V. T. ARASU:—“Sir, I beg to move the following amendment:—

‘For the word and figure “section 9,” substitute the words and figures “section 8 or 9” and add the following new sub-clauses:—

“(d) That the tank does not require any repairs;

(e) that measures other than those decided by the Collector and the Local Government would be sufficient for repairs of the tank and its restoration to efficiency”’.

When I moved an amendment to clause 6 that the words ‘any other plea’ may be added, my hon. Friend, Mr. Venkatarama Ayyar, objected on the reason that I should be specific and that room should not be allowed for all possible pleas to be raised. The amendment here seeks to lay down two pleas which shall be open to the landholder to raise whenever a suit is filed in a Civil Court. It must be admitted on all hands that the addition of these two sub-clauses would not in any way complicate matters as the hon. the Revenue Member has too often been using those words. I hope he would not come forward and say that this amendment would complicate matters. We are specific about it. It should be open to the proprietor of the tank to raise these two pleas. The Government would not in any way be affected by accepting this amendment.”

Rao Bahadur P. C. MUTHU CHETTIYAR seconded it in Tamil.

5th February 1934]

* The hon. Sir ARCHIBALD CAMPBELL:—“Sir, I must oppose the amendment. If this proposal is adopted, there would be delay in carrying out the repairs. We consider that these are matters which can well be settled by the Collector of the district. The Collector would be able, after receiving the orders of the Government, to see that the repairs are carried out. If this amendment is carried, he will not be able to carry out the repairs; he will have to wait till the Civil Court has decided the case which may be brought under this amendment. We have provided in the Bill that the Civil Court might decide the question of the portion of the cost to be paid by the landholder and whether the repairs should be carried out at the cost of some other person according to law, local custom or contract and the Civil Court cannot decide on the necessity for the execution of the repairs.”

The amendment was put and lost.

* The hon. Sir ARCHIBALD CAMPBELL:—“Sir, I beg to move the following amendment:—

‘In line 2 of the proviso to clause 11 (1), for the words “an order,” substitute the words “a preliminary order” and omit the comma.’

This is merely a drafting amendment as we have already provided for a preliminary order under section 5.”

Mr. J. A. THORNE:—“I second it.”

The amendment was put and carried.

The hon. Sir ARCHIBALD CAMPBELL:—“Sir, I beg to move the following amendment:—

‘After the expression “section 6” at the end, add the words and figure “or section 7”’.

This amendment is intended to cover cases which had been adjourned after the enquiry was begun.”

Mr. J. A. THORNE:—“I second it.”

The amendment was put and carried.

* Mr. V. T. ARASU:—“Sir, I beg to move the following amendment:—

‘To the proviso to clause 11 (1), add the following:—

“But he shall be allowed to institute the suit if he satisfies the Court that he has been prevented by sufficient cause from raising the aforesaid grounds before the Collector”’.

Under clause 11 in certain cases the landholder or the proprietor of the tanks, as the case may be, may file a suit in a Civil Court against the decision of the Collector. Subject to certain reservations he may file a suit. What is sought to be done by this amendment is that the

[Mr. V. T. Arasu] [5th February 1934]

landholder shall be at liberty to raise fresh pleas also before the Court, pleas which were not raised by him before the Collector. This is an amendment which ought to be accepted."

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the amendment in Tamil.

* The hon. Sir ARCHIBALD CAMPBELL:—"I think, Sir, that there is not sufficient reason for accepting this amendment. The landholder has ample opportunities of raising objections that he is not the landholder of the estate in which a tank is situated and that according to law, local custom or contract, the repairs should be carried out by some other person. It seems to me that these are pleas which ought to be raised in the first instance before the Collector and if they were not raised, they should not be raised before the Civil Court."

Diwan Bahadur B. MUNISWAMI NAYUDU:—"Sir, the provisions of the Bill provide for the filing of a suit in a Civil Court. I do not see any reason why the person filing a suit in a Civil Court should be precluded from raising all legal objections. So far as the Bill is concerned, no doubt a small remedy is provided for taking certain objections that he is not the landholder or that the repairs should be carried out by some other person. If this amendment is not carried, the landholder must, at the first instance itself, consult the best vakil, find out all possible objections that could be urged at any time, come before the Collector and file his application. I take it that the objections that should be raised before the Collector should be practical objections and not technical or legal objections. The landholder is expected to go to the Collector and point out the practical difficulties. Having failed with the Collector, when once the matter goes to a Court, it must be open to him to raise all sorts of legal objections. Otherwise the Government would be driving the landholder to consult the best Advocate-General before he goes to the Collector and raise his objections. I think the landholder should be allowed to go to the Collector and put forward his own point of view. If he fails with the Collector, he should go to Court and he must be allowed to raise such objections as are likely to be necessary and as are advised by his legal advisers. To say that only the two pleas referred to should be raised would be to take away practically a valuable right. I do not think there is anything in this Bill which makes it necessary that the party, when he goes to the Collector, should raise all objections that will have to be raised in a Civil Court. Even Civil Courts allow time to file fresh issues. You go to the Collector; you prefer some objections; he may regard them or he may not regard them. If the Collector decides against him, it must be open to the landholder to raise all objections as are suggested by the best legal adviser. Even in Civil Courts, time is allowed for filing of fresh objections. I think it would be very undesirable that the Collector should be constituted as an authority much higher than the Civil Courts; parties should be entitled to raise all sorts of objections before the Civil Court."

5th February 1934]

The amendment was put and declared lost.

A poll was demanded by Mr. Basheer Ahmed Sayeed and the House divided thus:— 4-30 p.m.

Ayes.

- | | |
|------------------------------------|--------------------------------------|
| 1 Mr. Yakub Hasan. | 10 Diwan Bahadur B. Muniswami |
| 2 " K. R. Venkatarama Ayyar. | Nayudu. |
| 3 Khan Bahadur Schamnad Sahib | 11 Mr. P. V. Krishnayya Choudari. |
| Bahadur. | 12 " J. Kuppuswami Choudari. |
| 4 Mr. V. T. Arasu. | 13 " Mahboob Ali Baig. |
| 5 " A. B. Shetty. | 14 Rai Sahib C. Kolanda Reddi. |
| 6 Khan Bahadur Khalif-ul-lah Sahib | 15 Mr. C. R. Parthasarathi Ayyangar. |
| Bahadur. | 16 " G. R. Premayya. |
| 7 Rao Bahadur P. C. Muthu Chetti- | 17 " K. Pattabhiramayya. |
| yar. | 18 " K. Koti Reddi. |
| 8 Mr. Basheer Ahmed Sayeed. | 19 " G. Lakshmana Reddi. |
| 9 " K. A. Nachiyappa Gounder. | |

Noes.

- | | |
|-----------------------------------|--------------------------------------|
| 1 The hon. Sir Mahomed Usman. | 19 Rao Sahib V. I. Muniswami Pillai. |
| 2 " Diwan Bahadur Sir M. | 20 Mr. M. Vedachala Mudaliyar. |
| Krishnan Nayar. | 21 " B. P. Sesha Reddi. |
| 3 " Sir Archibald Campbell. | 22 " G. Sriramulu. |
| 4 " Sir Hopetoun Stokes. | 23 " P. V. Rajagopala Pillai. |
| 5 " Diwan Bahadur S. Kuma- | 24 " V. G. Vasudeva Pillai. |
| raswami Reddiyar. | 25 " P. Bayappa Reddi. |
| 6 " Mr. P. T. Rajan. | 26 Khan Bahadur T. M. Moidoo Sahib |
| 7 Mrs. K. Alamelumangathayaramma. | Bahadur. |
| 8 Diwan Bahadur V. N. Viswanatha | 27 Rao Sahib V. Dharmalingam Pillai. |
| Rao. | 28 Rao Bahadur D. Krishnamurti. |
| 9 Mr. J. A. Thorne. | 29 " P. Subrahmanyam Chetti. |
| 10 " H. M. Hood. | 30 The Zamindar of Kirlampudi. |
| 11 " R. Madanagopal Nayudu. | 31 Diwan Bahadur A. Appadurai |
| 12 " E. Conran Smith. | Pillai. |
| 13 " T. Sundara Rao Nayudu. | 32 Rao Sahib Pandit Ganala Rama- |
| 14 " G. Ranganatha Mudaliyar. | murti. |
| 15 " M. Devadasan. | 33 Mr. A. Ramakrishna Reddi. |
| 16 Rao Sahib N. Siva Raj. | 34 Rao Bahadur C. Natesa Mudaliyar. |
| 17 Subadar-Major S. A. Nanjappa | 35 Mr. C. Basu Dev. |
| Bahadur. | 36 Rao Sahib D. V. Narasimhaswami. |
| 18 Rao Bahadur R. Srinivasan. | |

Ayes 19. Noes 36.

The amendment was lost.

* Mr. K. R. VENKATARAMA AYYAR:—"I move—

'In clause 11, sub-clause (2), proviso, in line 4, for the words and figure "the proviso to section 6," the words and figure "second proviso to section 7" be substituted'.

Sir, it is mere drafting amendment. I think by mere oversight, the Drafting Department overlooked the fact that, what was section 6 before, has now come to be numbered as section 7."

[5th February 1934]

* The hon. Sir ARCHIBALD CAMPBELL:—" May I suggest a small modification of the amendment, in this way:—

" In clause 11, sub-clause (2), proviso, in line 4, for the words and figure " in the proviso to section 6 " the words and figures " in section 6 or section 7 " be substituted " . "

* The hon. the PRESIDENT:—" Is Mr. Venkatarama Ayyar withdrawing his motion? "

Mr. K. R. VENKATARAMA AYYAR:—" I am adopting the suggested correction in my amendment. "

* The hon. the PRESIDENT:—" Then the hon. Member may move it. "

* Mr. K. R. VENKATARAMA AYYAR:—" Sir, I move that in the proviso to sub-clause (2) of clause 11, for the words and figure ' in the proviso to section 6 ' the words and figures ' in section 6 or section 7 ' be substituted. "

The hon. Sir ARCHIBALD CAMPBELL:—" I second it. "

The amendment was put and carried.

Clause 11, as amended, was put and carried.

Clause 12.

* Mr. V. T. ARASU:—" Mr. President, Sir, clause 12 runs thus:—

' Whenever it appears to the Collector that any tank is in such a state of disrepair as to be in imminent danger of breaching, he may by summary order cause to be carried out the measures of repair which in his opinion are necessary to prevent the tank from breaching and shall without delay inform every landholder and other person concerned of the action which he is taking. The provisions of this Act shall thereupon apply as though such repairs had been ordered to be executed by the Local Government under section 8. '

" I move—

' that this clause be omitted altogether. '

" Provisions have been made in this Bill to carry out repairs as expeditiously as possible, and in view of that, it is not known why this clause 12 finds a place here. If this clause is allowed to remain as it is, the whole purpose of this Bill would be defeated and the proprietor of a tank would be entirely at the mercy of the Collector and the Collector for the time being would get over all the procedure laid down under this Bill by taking action under this clause. This is the danger of leaving this clause as it is. As my hon. Friend, Mr. Muthu Chettiyar, pointed out in an earlier speech of his, this clause is like a pinch of poison added to a cup-full of milk. Therefore I move that this clause be omitted. "

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the motion in the following Tamil speech:—

இந்த பில்லில் ரோட்சில் ரயில்வே பாதுகாப்பு ஆக்ட் 1886-ம் ஆண்டுத்திய 4-வது ஆக்ட் 11-வது பிரிவுப்படி இதில் சொல்லியிருப்பதாக சொல்கிறார். ரயில்வே சந்தர்ப்பம் பெரியாருக்கு யோசிக்கத்தக்கதில்லை.

5th February 1934]

* The hon. Sir ARCHIBALD CAMPBELL:—" Mr. President, Sir, I must oppose this motion. This clause is most necessary, especially in cases of emergency which we all know arise from time to time owing to heavy rainfall or cyclones, floods and other catastrophes of that kind. My attention was drawn by the Collector to the fact that in 1932, owing to heavy rains, a certain tank breached and it could not be repaired at once and the result was that the right bank of the third branch channel was breached. That could possibly have been avoided if the Collector had had power to carry out urgent repairs. For these reasons, I oppose this amendment. "

Mr. BASHEER AHMED SAYEED:—" Sir, the reasons given by the hon. the Revenue Member are not at all convincing. If the Act is going to be worked in the manner in which it is intended to be worked, then there shall be no emergent cases arising at all. If the executive officers are keeping in close touch with the existing state of affairs as they obtain from year to year and from period to period, and if under section 8 orders have been passed for repairing the tanks from time to time, I do not think there is any need for this clause 12. If there is an emergency, that emergency ought not to have been allowed to arise. The hon. the Revenue Member stated that floods will come and the tanks will breach. These floods are not an every-day occurrence, and only such of the tanks as have not been kept in proper repair are likely to cause any breach; otherwise, if the Collector is prompt in his duties, or for the matter of that, if his subordinates are keeping themselves in close touch with the conditions of the tanks, there could be no emergency at all. If the minor irrigation officers have not attended to the tanks for years together, if kudimaramat has not taken place and if unusual floods come, then only the tanks will breach. On the other hand, if this Act is going to be worked earnestly, from year to year and from month to month, if there is going to be supervision over the existing tanks, such an emergency provision is unnecessary and uncalled for. Besides, this provision nullifies the effect and the principle involved in the elaborate procedure prescribed in the other clauses. I therefore say that we must either have clause 8 or this clause 12; if, however you want to retain clause 12, do not mention it as mere emergency provision, but give executive power to the Collector to carry out repairs and then prescribe the procedure to collect the quota from the zamindars concerned. That would be a fair way of dealing with all concerned. But to have a procedure in clause 8 and then again to assume powers for emergencies, does not seem to be fair. I suggest therefore, Sir, that this clause may safely be omitted. "

The amendment was put and lost.

Clauses 12, 13 and 14 were put and carried.

Preamble.

* Mr. V. T. ARASU:—" Mr. President, Sir, I move—

' that in the Preamble, after the word " landholders ", the words " and which are being maintained by them " be added. '

[Mr. V. T. Arasu]

[5th February 1934]

“ If this amendment is incorporated, the Preamble would read as follows:—

‘ Whereas it is expedient to provide for the preservation in efficient condition of tanks belonging to landholders and which are being maintained by them and which are used by the Government as part of the Periyar system of irrigation in the Presidency of Madras.’

“ Sir, it is desirable that it must be made clear that the landholders are the proprietors of the tanks and that the Government are temporarily using them for purposes of this system. Lest the proprietary rights of the landholders should go by default, as a measure of abundant precaution, this amendment is sought to be introduced.”

Rao Bahadur P. C. MUTHU CHETTIYAR seconded the amendment in Tamil.

* The hon. Sir ARCHIBALD CAMPBELL:—“ Sir, I must oppose the motion. If the tanks are really owned by the landholders who are maintaining these tanks, there would not be any necessity for this Bill at all. But, the difficulty is that these landholders are not maintaining these tanks in proper order.”

* Mr. V. T. ARASU:—“ The hon. the Revenue Member said that landholders have not been maintaining their tanks in a state of repair. This statement, I believe is made for the first time to-day.”

The hon. Sir ARCHIBALD CAMPBELL:—“ I have said that before.”

* Mr. V. T. ARASU:—“ It is nearly 38 years since the Periyar system was inaugurated. When earlier in the day I put a straight question whether the Government can quote instances in which these tanks have been neglected to such an extent as to cause danger to the Periyar irrigation system, the hon. Member said that the Government have not till now spent any money on the repair of any of these tanks. That is the straight answer that was given by the hon. the Revenue Member. I am surprised that the hon. Member should make this statement at this stage.”

The amendment was put and lost.

The Preamble was put and carried.

The hon. Sir ARCHIBALD CAMPBELL:—“ I beg to move that the Bill, as amended, be passed into law.”

The hon. Sir MAHOMED USMAN:—“ I second it, Sir.”

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

VII.—REPORT OF THE MADRAS SERVICES COMMISSION, 1932-33.

* The hon. Sir ARCHIBALD CAMPBELL:—“ Sir, I beg to move that the Report ^a of the Madras Services Commission for the year 1932-33, submitted with reference to section 20 of the Madras Services Commission Act, 1929 (Madras Act XI of 1929), be taken into consideration.

“ I make this motion under the provision of law I have already quoted.”

^a Printed separately.

5th February 1934]

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

* Mr. K. R. VENKATARAMA AYYAR:—“ Sir, the report of the Madras Services Commission draws attention to certain irregularities that have occurred in the course of the working of the Act and the statutory rules. In particular, the Commission in the closing paragraph of their report draw attention to the fact that the Government have turned down the recommendations of the Commission in certain cases. That does not tend well at all. The fear expressed is that political influences are coming into operation and impeding the proper effectuation of the policy of the Act and of the statutory rules. To the extent that instances have been given in the report of the Commission, it does seem objectionable that after having set up a Commission under a Statute and asked them to deal with certain cases, the Government should turn down the recommendations of the Commission and violate the statutory rules, which are as much binding upon the Government as upon others. Various cases have been given in the course of the report of the rules being violated by appointing authorities. The result of these violations is that less deserving persons have been appointed and more deserving persons who would be entitled are given the go-bye. It is for avoiding such undesirable results that the Commission was set up and statutory rules were enacted. If the appointing authority should be at liberty to give the go-bye to these statutory rules, then there is no object in setting up a commission and in prescribing these rules. The report says that different standards of qualification have been prescribed by Government by their amendment of the statutory rules for different communities. A higher standard has been prescribed, it would appear, for Brahmans and Hindu Non-Brahman communities and a lower standard of qualification for other communities. Now, it is quite enough an inroad that rotations have been prescribed. Even that might have a tendency to tell adversely upon efficiency. But, subject to the understanding that the qualifications being the same for candidates from all communities, that candidates should be preferred in a certain rotation involves a certain amount of equality of opportunities and fairness as amongst the various communities, but to go further and say that Brahmans and Non-Brahman Hindus should obtain a certain percentage of marks to become eligible and that members of other communities might be qualified even if they obtain only a lower percentage of marks, is to cut efficiency at its very root. (Mr. Basheer Ahmed Sayeed: ‘ Question.’) My Friend, Mr. Basheer Ahmed, says ‘ Question.’ I say, if you will take candidates who get 15 per cent marks as eligible, provided their birth is such and such, and that the candidates of certain other communities to become eligible should obtain 35 per cent, it means that you have no consistent idea as to what constitutes efficiency. It cannot be that an ill-qualified candidate is efficient, provided he belongs to a particular community by birth. I think, it is obvious that there cannot be different standards of qualification for different communities but subject to the same standard being observed for all communities, justice as amongst the

[Mr. K. R. Venkatarama Ayyar] [5th February 1934]

various communities may be ensured by some kind of rotation. Even that is only possible as a temporary rule of expediency for a time.

"Sir, the report further says that ineligible persons have been appointed and promoted and that in order to cover such cases the rules have been amended subsequently and retrospective effect has been given to such amendments. The Commission very properly say, in regard to such cases, that they cannot too strongly deprecate such an amendment of the statutory rules so as to suit particular individuals. I entirely endorse that very strong statement of the Commission.

"Now, with reference to the Queen Mary's College, the Natural Science Professor, who was recommended by the Commission being a British Indian candidate, was given the go-bye and the appointment went to a Native State candidate, who was not recommended. Either don't go to the Services Commission for their recommendation, or give effect to their recommendation. Otherwise, you seem to set up a statutory commission only to condemn them. Here again, a statutory rule which prescribed the previous permission of the Government for the Native State candidate to apply at all, would appear to have been violated.

"The Commission pointed out the desirability of amending section 11 of the Statute which as it now stands, is a handicap in the way of all eligible candidates being considered by them. I think it is time that section 11 were amended suitably to the requirement pointed out by the Commission."

Mr. G. LAKSHMANA REDDI:—"Mr. President,"

Diwan Bahadur B. MUNISWAMI NAYUDU:—"May I know whether it is the idea of Government to go on with the discussion or to give another day especially when there are a number of people anxious to speak on the subject?"

* The hon. Sir MAHOMED USMAN:—"The discussion on this and the remaining item on the agenda will continue on the 21st instant, after the presentation of the Budget is over."

* The hon. the PRESIDENT:—"The House will adjourn and meet again at 11 a.m. on the 21st instant."

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

^a 1. *Statement showing area irrigated under each tank falling within the scope of the Periyar Irrigation Tanks (Preservation) Bill (Bill No. 16 of 1933).*

^b 2. *List of posts on Rs. 500 per mensem and above created during the quarter ending 31st December 1933.*

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

^a Printed as Appendix VII on pages 570—575 infra.

^b Printed as Appendix VIII on pages 575—576 infra.

5th February 1934]

APPENDIX I.

[Vide answer to question No. 611 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 5th February 1934, page 445 supra.]

Annexure I.

List of district boards which are working at a deficit and the amount of the deficit in the general funds of each.

District Board.	Amount of deficit in ordinary revenues according to the budget estimate, 1933-34.
	RS.
1 Anantapur	28,590
2 North Arcot	5,060
3 South Arcot	62,910
4 Chittoor	17,390
5 Coimbatore	73,010
6 Cuddapah	6,070
7 Ganjam	19,475
8 South Kanara	74,170
9 Madura	1,68,050
10 Malabar	19,260
11 Nellore	42,530
12 Trichinopoly	1,30,530

Annexure II.

A. *List of taluk boards which have recurring deficits in revenue according to the budget estimate for 1933-34.*

District and taluk boards.	District and taluk boards.
Anantapur—	Cuddapah—
1 Gooty.	24 Jammalamadugu.
2 Kalyandrug.	25 Rajampet.
3 Dharmavaram.	26 Siddhavattam.
4 Penukonda.	27 Proddattur.
5 Madakasira.	28 Cuddapah.
Arcot, North—	Ganjam—
6 Gudiyattam.	29 Goomsur.
7 Tiruppattur.	Godavari, East.
8 Cheyyar.	30 Tuni.
9 Wandiwash.	Godavari, West.
10 Arni.	31 Narasapur.
11 Vellore.	Guntur—
Arcot, South—	32 Gurzala.
12 Gingee.	33 Vinukonda.
Bellary—	34 Guntur.
13 Adoni.	35 Tenali.
14 Alur.	36 Repalle.
15 Bellary.	Kistna—
16 Kudligi.	37 Bezwada.
17 Hadagalli.	38 Nandigama.
Chingleput—	Kurnool—
18 Tiruvallur.	39 Pattikonda.
19 Sriperumbudur.	40 Dhone.
Coimbatore—	41 Koilkuntla.
20 Bhavani.	42 Sirvel.
21 Pollachi.	43 Markapur.
22 Udumalpet.	44 Cumbum.
23 Kollegal.	45 Kurnool.

[5th February 1934]

District and taluk boards.

Madura—
 46 Dindigul.
 47 Madura.
 48 Palni.
 49 Periyakulam.
 50 Tirumangalam.
 Malabar—
 51 Chirakkal.
 52 Kottayam.
 Nellore—
 53 Darsi.
 54 Podili.
 55 Kanigiri.
 56 Udayagiri.
 57 Atmakur.
 58 Gudur.
 59 Rapur.
 60 Venkatagiri.
 61 Sulurpet.
 62 Nellore.
 Ramnad—
 63 Srivilliputtur.
 64 Ramnad.
 65 Sivaganga.
 66 Tiruppattur.
 Salem—
 67 Hosur.
 68 Krishnagiri.

District and taluk boards.

69 Dharmapuri.
 70 Harur.
 71 Attur.
 72 Tiruchengodu.
 73 Omalur.
 Tanjore—
 74 Papanasam.
 75 Kumbakonam.
 76 Nannilam.
 77 Negapatam.
 78 Mannargudi.
 79 Pattukkottai.
 Tinnevely—
 80 Sankarankoyil.
 Trichinopoly—
 81 Karur.
 82 Kulittalai.
 83 Perambalur.
 84 Trichinopoly.
 Vizagapatam—
 85 Vizianagram.
 86 Palkonda.
 87 Salur.
 Chittoor—
 88 Vayalpad.
 89 Chandragiri.
 90 Tiruttani.

B. List of taluk boards which are on the border line, i.e., those which have a surplus of below Rs. 1,000 according to the budget estimate for 1933-34.

District and taluk boards.

Anantapur—
 1 Kadiri.
 2 Hindupur.
 Arcot, North—
 3 Polur.
 4 Chengam.
 Arcot, South—
 5 Tindivanam.
 Bellary—
 6 Siruguppa.
 7 Hospet.
 8 Harpanahalli.
 Chingleput—
 9 Ponneri.
 10 Chingleput.
 11 Madurantakam.
 Coimbatore—
 12 Dharapuram.
 13 Palladam.
 Cuddapah—
 14 Pulivendla.
 Ganjam—
 15 Chicacole.
 16 Parlakimedi.
 Godavari, East—
 17 Rajahmundry.
 18 Pithapuram.
 Godavari, West—
 19 Ellore.
 20 Chintalapudi.

District and taluk boards.

Guntur—
 21 Narasaraopet.
 Kanara, South—
 22 Udipi.
 23 Karkal.
 24 Mangalore.
 25 Puttur.
 Kistna—
 26 Kaikalur.
 Kurnool—
 27 Nandyal.
 Malabar—
 28 Ponnani.
 Nellore—
 29 Kavali.
 30 Kovur.
 Ramnad—
 31 Tiruvadanai.
 Tanjore—
 32 Shiyali.
 Trichinopoly—
 33 Lalgudi.
 34 Udaiyarpalayam.
 Vizagapatam—
 35 Parvatipuram.
 36 Bobbili.
 Chittoor—
 37 Madanapalle.
 38 Punganur.
 39 Palmaner.

5th February 1934]

APPENDIX II.

[Vide answer to question No. 613 asked by Mr. M. B. Rangaswami Reddi at the meeting of the Legislative Council held on the 5th February 1934, page 446 supra.]

Annexure.

District, name of taluk boards which had a revenue deficit before the coming into force of the Madras Local Boards (Amendment) Act, 1930.	District, name of taluk boards which had a revenue deficit before the coming into force of the Madras Local Boards (Amendment) Act, 1930.
North Arcot— 1 Vellore 2 Cheyyar. 3 Tiruvannamalai. 4 Tiruppattur.	South Kanara— 25 Mangalore. 26 Kasargod. 27 Puttur. 28 Udipi. 29 Karkal.
South Arcot— 5 Vriddhachalam.	Kurnool— 30 Kurnool 31 Nandyal.
Bellary— 6 Bellary. 7 Harpanahalli. 8 Adoni.	Madura— 32 Madura.
Coimbatore— 9 Coimbatore. 10 Palladam. 11 Gobichettipalayam.	Malabar— 33 Calicut. 34 Ernad. 35 Ponnani. 36 Palghat.
Cuddapah— 12 Cuddapah. 13 Rajampet. 14 Badvel. 15 Ra. achoti. 16 Proddatur. 17 Jammalamadugu.	Nellore— 37 Kandukur. Tanjore— 38 Kumbakonam, 39 Mayavaram.
East Godavari— 18 Pithapuram. 19 Peddapuram.	Trichinopoly— 40 Musiri. 41 Perambalur. 42 Udaiyarpalayam.
West Godavari— 20 Ellore. 21 Tadepalligudem.	Chingleput— 43 Chingleput. 44 Saidapet.
Guntur— 22 Guntur. 23 Sattenapalle. 24 Ongole.	Chittoor— 45 Chittoor. Tinnevely— 46 Sermadevi.

APPENDIX III.

[Vide answer to question No. 627 asked by the Kumararaja of Venkata-giri at the meeting of the Legislative Council held on the 5th February 1934, page 453 supra.]

*Extract from the report of the Collector of Nellore, R.C.
 No. B-7-5062/33, dated 2nd December 1933.*

1. The cyclonic storm on the afternoon of the 17th November with the wind coming from the west and north-west created a large wave in the Kanigiri reservoir. The impact of this wave accompanied by a terrific wind broke down 22 out of the 27 low level vents of the Maldevi escape. Wind is unusual from this quarter. In the 1927 cyclone the wind came from the opposite direction. The level of the

[5th February 1934]

water in the reservoir before the breach was 19.00 feet and as the sill level is 13.00 feet, 6 feet of water rushed through the breach along the course of the Maldevi drain and spread over a width of 2 to 3 miles on either side of the drain to a length of about 10 miles to the railway line and of about another 20 miles to the coast. The flood extended over an area of about 60 square miles but the water gradually found its way into the sea and within a week had completely disappeared, the level of the reservoir having fallen with sill level of 13 feet.

3. (b) It was at first estimated that crop on about 2,335 acres was submerged and that crop on about 1,000 acres would suffer. After the water receded however, the Tahsildar inspected the affected area and now reports that there would be no loss of crop on more than 200 acres. This is confined to the fields on either side of and near the Maldevi drain.

Figures of anticipated remissions of revenue have been called for from the Tahsildar, Kovur, and his reply is awaited. As the extent on which crop was lost is now reported to be not more than 200 acres, the approximate amount of the remission may be estimated at about Rs. 1,000.

There will be no necessity to grant advances to cultivators on a large scale. I have so far received no applications for loans to repair the lands affected. Any individual application will be considered and disposed of speedily and application for additional allotment will be made, if necessary.

Copy of letter No. 1851, dated 21st November 1933, from the Executive Engineer, Nellore division, to the Chief Engineer for Irrigation, Chepauk, Madras.

Out of 27 low levelled vents at sill 13.00 feet and 4 high level vents at sill 18.00 feet (the latter having been built some years after the project was completed in 1886). Twenty-two vents from the south or R.F. side have been washed away clean of the sill of rock levelled up to 13.00 feet. Of the others counting from left or north, all the 4 high levelled vents and two of the low levelled vents are intact. The third low levelled vent has cracked vertically at the Crown and the fourth at the northern haunch. The fifth and the last of the surviving vents appear intact for the present. There were no abutment piers and all the balance of 22 vents have been carried away.

Observation from either end shows that there is no scour below sill. The collapse is due to the fearful impact of the waves set up by the

5th February 1934]

terrific gale blowing from west or north-west direction. During 1927 cyclone the storm came from east and there was no danger to the eastern shore of the Kanigiri reservoir.

In addition to the above the Kanigiri reservoir suffered damages as follows:—

Washing away of revetment about 5,000 square feet in five patches between miles 4/7 and 5/2, the site of southern channel head.

At 6/1 100, in the south of eastern channel head, for about 100 feet all the revetment parapet wall, all the top or crest and up to 3 or 4 feet of the rear slope have been washed away.

If the collapse at the low level escape did not occur, it is almost certain that the bund would have given way here and the eastern channel head would have been in danger. The waves had risen even to 10 feet over the platform of the escape, i.e., up to 107 feet. In spite of rocks in outcrops in the rear, the breach would have scoured down to bed level and Buchiredipalem would have been washed away.

The eastern channel head itself was badly outflanked on the northern side and was saved by the rocks in rear over which the reservoir splash water escaped in torrents.

[5th February 1934]

5th February 1934]

APPENDIX IV.

[Vide answer to question No. 630 asked by Mr. P. V. Krishnayya Choudari at the meeting of the Legislative Council held on the 5th February 1934, page 456 supra.]

QUESTIONNAIRE

1. What are the principal agricultural products of your district ?
(a) State their prices at the harvest time of fasli 1341.
(b) State their prices at the harvest time of fasli 1342.
(c) State their prices in October 1932.
(d) State their prices in October 1933.
2. Which of the principal agricultural products mentioned in question (1) were adopted for the purpose of calculating the commutation rate at the time when your district was resettled ?
3. What is the condition of the principal agricultural crops which are now standing in your district and what are the prospects for their harvest ?
4. Do the current prices of the principal agricultural crops of your district show a tendency to rise or a tendency to fall ? If so, is the tendency marked ?
5. Do the current prices generally show a tendency to rise or to fall ? If so, is the tendency marked ?
6. Give the figures of faslis 1340, 1341 and 1342 for sales of (a) movable property and (b) land under the Revenue Recovery Act.
7. Is insolvency increasing ? In giving figures of insolvency proceedings for recent years distinguish between traders and agriculturists and among the latter between actual cultivators and larger landholders.
8. Has the value of land fallen ? Compare the most recent figures of (a) sale values and (b) lease values with earlier figures.
9. Is there anything to indicate that the indebtedness of the agricultural population is increasing ? If so, what is there to indicate that this is so ? Distinguish between actual cultivators and larger landholders. Give such figures for faslis 1340, 1341, 1342 and 1343 (up to date) as you may be able to obtain in support of your answer from important banks and co-operative institutions.

Answers.

Question numbers.

1.	GANJAM DISTRICT.					
	Paddy.	Ragi.	Groundnut.	Greengram.	Gingelly.	Horsegram.
	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER GARCE.	SEERS PER RUPEE.	SEERS PER RUPEE.	PER IMPERIAL MAUND.
(a)	Rs. 1-82	Rs. 47	13	9	1-83	Rs. 1-83
(b)	1-80	44	25	11	2-52	2-52
(c)	1-82	44	13	9	2-50	2-50
(d)	1-71	33	19	12	1-59	1-59

2. Paddy, Ragi.

3. Very good—Generally very satisfactory.

4. Stationary.

5. Almost stationary.

6.

	(a) Movables.		(b) Land.	
	Estimated value.	Amount realized.	Estimated value.	Amount realized.
	RS.	RS.	RS.	RS.
Fasli 1340	..	404	1,301	1,102
Fasli 1341	..	76	1,725	618
Fasli 1342	..	69	4,796	4,025

7. Increasing—Increased by about 60 per cent. Insolvents are all traders with the exception of 5 or 6 who are agriculturists. Among the agriculturists, one is a non-cultivating ryot who has lost money in paddy trade. The others are small ryots who have contracted debts for marriages, etc. Their debts are not considerable.

8. Fallen.

	Fasli 1341.		Fasli 1342.		Fasli 1343.	
	RS.	RS.	RS.	RS.	RS.	RS.
Sale value per acre	..	..	430	419	338	338
Lease value per acre	..	..	23	21	18	18

9. Not possible to say—From statistics furnished by co-operative societies, it will be seen that the average indebtedness, per member has gone down from Rs. 70 to Rs. 58 per member during last four years. This is not a sign of prosperity owing to the restrictions exercised by certain financing banks in sanctioning loans. There has been a marked increase in overdues. The reluctance of co-operative societies to grant loans has not had the effect of reducing the total indebtedness but has merely resulted in an increasing number obtaining loans from sowcars. The burden of debt is more crushing because of the fall in prices and of the high rates of interest charged by sowcars.

VIZAGAPATAM DISTRICT.

1.	Paddy.	Cholam.	Cumbu.	Ragi.	Horse-gram.	Gingelly.	Sugar-cane.	Cotton.
	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER GARCE.	PER MAUND.	PER PUTTL.
(a)	0-99	1-11	0-94	0-89	0-96	63	1 4 0	22 8 0
(b)	0-88	0-95	0-86	0-79	0-78	54	1 0 0	18 6 0
(c)	0-96	1-00	0-89	0-81	0-99	56	1 2 0	19 3 0
(d)	0-84	0-75	0-76	0-65	0-80	41	1 0 0	16 13 0

2. Paddy, Ragi, Cumbu.

3. (1) Condition of standing crops—Fair.

(2) Prospects—Fair.

[5th February 1934]

Answers.

Question numbers.

4. Tendency to fall—Not marked.
5. Tendency to fall—Not marked.
6.

	(a) Movable properties.			(b) Land sold.	
	Number of cases.	Amount of arrears.		Extent.	Assessment.
		RS.	A. P.		

Fasli 1340	..	..	..	ACS.	RS. A. P.
Fasli 1341	..	..	..	172-06	259 7 0
Fasli 1342	..	..	..	106-38	150 14 0
	..	..	..	53-68	113 3 0

7. Increasing—

	Number instituted.	Traders.	Culti-vators.	Larger land-holders.	Others.	Remarks.
1930	..	20	14	5	33	Figures furnished by the District Judge, Vizagapatam.
1931	..	26	14	10	27	
1932	..	36	30	11	18	
1933 up to the end of October.	81	33	20	6	22	

8. Generally fallen—

	Fasli 1338.	Fasli 1339.	Fasli 1340.	Fasli 1341.	Fasli 1342.	Fasli 1343.	Remarks.
--	-------------	-------------	-------------	-------------	-------------	-------------	----------

Sale value per acre	..	299	302	298	262	222	294
Lease value per acre	..	30	17	16	15	49	12

Note.—The high prices reported by the Sub-Registrar, Anakapalle, inflated the average sale value of land for fasli 1343. The averages of the figures furnished by him are given below :—

Fasli 1338.	Fasli 1339.	Fasli 1340.	Fasli 1341.	Fasli 1342.	Fasli 1343.
227	324	314	346	252	741

9. Increasing.—Indicated by the increase in the arrears of co-operative loans and the tightness of the money market evidenced by the decrease in the advances given by the Imperial Bank of India, Vizianagram. Particulars furnished by (i) Co-operative Societies, Vizagapatam, and (ii) Imperial Bank, Vizianagram. Increase in indebtedness has been retarded by the sale of gold while prices ruled high.

(i) Particulars furnished by the Deputy Registrar of Co-operative Societies, Vizagapatam.

	Fasli 1339.	Fasli 1340.	Fasli 1341.	Fasli 1342.	Fasli 1343.
Number of agricultural societies	..	414	415	406	408
Number of non-cultivating landlords	..	771	983	1,101	1,539
Number of cultivating landlords	..	13,582	15,332	15,366	15,460
Tenants	..	381	363	1,156	376
Field labourers	..	498	175	241	215
Total agriculturists	..	15,232	16,833	17,864	17,425
Loans outstanding against members	..	11,16,596	14,78,262	15,94,580	14,51,116
Demand	..	8,64,980	11,12,586	13,90,271	15,35,555
Arrears	..	2,30,779	3,71,153	6,41,908	7,58,208
Percentage	..	26.72	36.46	47.71	54.46

(ii) Particulars furnished by the Agent, Imperial Bank of India, Vizianagram.

	Fasli 1339.	Fasli 1340.	Fasli 1341.	Fasli 1342.	Fasli 1343.
Clean trade advances	..	42,20,000	15,70,000	6,000	26,000
Advances as against the security of gold for financing crops	..	27,58,000	16,26,000	7,26,000	3,27,000

EAST GODAVARI DISTRICT.

1.	Wet paddy.		Cholam.		Coconut.		Jaggery.	
	PER IMPERIAL MAUND.	RS.	PER IMPERIAL MAUND.	RS.	PER 1,000.	RS.	PER CANDY OF 500 LB.	RS.
(a)	2.3	3.1	3.1	31	..	..	..	..
(b)	2.0	2.1	3.8	19	..	..	..	..
(c)	2.0	3.2	3.8	29	..	..	..	..
(d)	1.6	1.6	19	22	..	..	..	..

2. White paddy for wet lands. Black paddy for dry.

Note.—The marked prices of black paddy have not been kept, but the commutation price was taken to be about 20 per cent less than that of white paddy.

3. Wet paddy.—Generally fair, but damaged by floods of Godavari and Yeluru. Yield in delta taluks, 8 annas Transplantation under minor irrigation tanks was late for want of timely rains. Prospects, moderate. Cholam —Fair in Peddapur taluk, badly affected in Rajahmundry and lanka and padugai lands of Razole taluk.

Cholam.—Prospects, poor to moderate on the average.

Coconuts.—Condition, fair. Prospects, fair.

Sugarcane.—Condition, fair. Prospects, fair.

Tobacco and chillies.—Crops recently raised. Estimate cannot be made now.

5th February 1934]

[5th February 1934]

4. Tendency to fall—Not marked.

5. Generally steady in the case of pulses, clothes and other sundry articles. Gold and silver—Price slightly fluctuating. Pulses—Tendency to fall at the time of harvest—January and February.

6.

	(a) Movables.	(b) Land.
Fasli 1340		137 cases.
Fasli 1341		117 "
Fasli 1342		129 "

7. Insolvency increasing—

	Traders.	Cultivators.	Landholders.	Total.
1930		49	28	104
1931		75	46	162
1932		71	71	191
1933 up to date		36	47	112

8. Tendency to decrease—

	Sale values.		Lease values.	
	Delta.	Uplands.	Delta.	Uplands.
	RS.	RS.	RS.	RS.
1340		599	44	30
1341		709	36	24
1342		699	30	22
1343		638	28	20

9. Increasing—The increase in the percentage of balance to demand is chiefly due to the plight of the ryot who is unable to meet his obligations to the society owing to his adverse circumstances, such as want of sufficient repaying capacity owing to the fall in the prices of agricultural commodities. No separate information regarding the indebtedness of actual cultivators and larger landholders is available. Loans taken from the Land Mortgage Bank at Alampur are on the increase. There is a fall in the loans taken from Co-operative Society, Anaparti, but there is an increase in the percentage of repayable balances in the case of big landholders and small agriculturists. Loans advanced to agriculturists and landholders by the Kousseema Co-operative Bank and by the Land Mortgage Bank are on the increase.

5th February 1934]

Co-operative Societies, East Godavari.

Year from 1st July to 30th June.	(1)	Indebtedness of the members to Societies.		Loans issued by Societies to members.		Demand during the year.		Balance (arrear) at the end of the year.		Percentage of balance to demand.	
		(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
		RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.
1930-31			48,17,560	18,12,837	44,21,077	22,25,985	50.41	23,57,823	57.21	58.10	41,430
1931-32			41,09,920	11,25,108	41,61,703	20,11,605	58.10	20,11,605	37,713	39,436	39,436
1932-33			37,30,652	10,74,456	34,58,841	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..
1933-34			Information not available.	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..
Year from 1st July to 30th June.		Non-cultivating landlords.	Cultivating landlords.	Tenants.	Field labourers.	Total.					
1930-31											
1931-32											
1932-33											
1933-34											

Co-operative Union, Alamar.

Fasli.	Total indebted members.	Amount borrowed.		Loans for trade.		Indebtedness of agriculturists.	
		RS.	A.	RS.	A.	RS.	A.
		RS.	A.	RS.	A.	RS.	A.
1340		8,44,744	12	80,921	0	7,63,823	12
1341		5,74,474	9	87,863	0	4,86,611	9
1342		4,68,751	3	550	0	4,68,201	3
1343		Not available.	Not available.	.. ..	.. ..	2,48,595	0

Note.—The gradual decrease in the transactions from 1930 to 1932-33 is due not to any relief of agricultural indebtedness but due to stringent recovery of dues from members and the stoppage of further loaning transactions for want of proper repaying capacity of members owing to present economic depression.

[5th February 1934]

Question numbers.

Answers.

Co-operative Society, Anaparti.

Fasli.	Number of persons taking loans.	Amount of loan taken.	Amount repaid.	Balance.	Percentage.
(1)	(2)	(3)	(4)	(5)	(6)
Section I—Big landholders.					
		RS.	RS.	RS.	
1340	35	19,520	7,975	11,545	59
1341	38	22,905	10,547	12,358	54
1342	24	12,694	4,170	8,524	67
1343 (up to date)	11	6,975	1,400	5,575	80
Section II—Agriculturists.					
		RS.	RS.	RS.	
1340	169	23,419	12,475	10,944	47
1341	126	11,389	5,082	6,307	55
1342	84	6,031	2,865	3,166	52
1343 (up to date)	42	4,645	85	4,560	98

WEST GODAVARI DISTRICT.

1.	Paddy. Per imperial maund. RS.	Cholam. Per imperial maund. RS.	Cumbu. Per imperial maund. RS.	Ragi. Per imperial maund. RS.	Horsegram. Per imperial maund. RS.
(a)	2.21	2.92	2.02	2.38	3.05
(b)	1.67	2.58	1.79	2.00	2.38
(c)	2.26	2.98	1.94	2.45	3.36
(d)	1.85	1.92	1.70	1.90	2.20

5th February 1934]

2. All.
3. Owing to the recurring floods during the recent months the yield of paddy and of dry crops is expected to be below normal.

4. Tendency to fall—Marked.

5. Tendency to fall—Marked.

6.

	(a) Movables.		(b) Land.	
Fasli 1340	..	30	..	4
Fasli 1341	..	24	..	47
Fasli 1342	..	62	..	101

7. Gradually increasing.

	Traders.	Agriculturists.	Larger landholders.	Total.
Fasli 1340	64	111	6	181
Fasli 1341	111	226	9	346
Fasli 1342	159	194	19	372
Fasli 1343	98	113	6	217

8. Fallen considerably. Land Mortgage Bank, Penukonda—Statistics show a fall of 40 per cent since 1341. Gradual fall in lease value.

Fasli 1341. Fasli 1342. Fasli 1343.

Sale value per acre	RS.	RS.	RS.
	1,151	841	686

9. Increasing as noticed from figures obtained from Co-operative Societies and from the Imperial Bank, Palacole. No information to distinguish between actual cultivators and larger landholders. Both are in the same plight but the larger landholders still possess better credit.

KISTNA DISTRICT.

1.	Paddy. Per imperial maund. RS.	Cholam. Per imperial maund. RS.	Cumbu. Per imperial maund. RS.	Ragi. Per imperial maund. RS.
(a)	2.2	3.3	2.7	2.2
(b)	1.9	2.8	2.5	2.5
(c)	2.2	3.2	2.8	2.6
(d)	1.6	2.1	1.7	2.0

2. Paddy (white) cholam and cumbu.

3. Generally fair—Fair, harvest, normal. Portions flood affected.

4. Tendency to fall—Marked.

5. Tendency to fall—Marked.

[5th February 1934]

Question numbers.

Answers.

6.		Fasli 1340.				Fasli 1341.				Fasli 1342.			
		Value.				Value.				Value.			
		RS.				RS.				RS.			
	(a)	..	..	..	..	19,404	19,099	25,931	..	..	..	..	..
	(b)	..	..	..	..	11,259	16,967	46,620	..	..	..	..	..
		1930.				1931.				1932.			
		1933 (end of July).											
7.	Traders	..	..	..	..	51	64	59	..	..	..	..	..
	Agriculturists	..	..	..	..	78	137	163	..	..	..	..	..
	Large landholders	..	..	..	..	11	23	12	..	..	..	..	..

8. Fallen—

(a) Sale value—Appreciable fall.
(b) Lease value—Fall.

9. Indebtedness increasing.

GUNTUR DISTRICT.

1.	Paddy.	Cholam.	Cumbu.	Ragi.	Grams.	Variga.	Maize.
						Per candy.	Per candy.
						RS.	RS.
(a)	..	..	..	..	..	80	80
(b)	..	..	..	..	..	71	71
(c)	..	..	..	..	..	86	64
(d)	..	..	..	..	..	64	53
	Chillies.	Groundnuts.	Castor.	Cotton.	Tobacco.	Turneric.	
	PER CANDY.	PER CANDY.	PER CANDY.	PER CANDY.	PER CANDY.	PER CANDY.	
	RS.	RS.	RS.	RS.	RS.	RS.	
(a)	70	25	25	33	45	42	
(b)	60	20	23	30	40	41	
(c)	60	20	24	35	75	48	
(d)	85	15	22½	32	35	32	

2. Paddy, cholam.

3. Fairly good—

Good outturn is expected—10 annas for wet paddy.
8 annas for dry paddy.
8 annas for cholam.

4. General tendency to fall—Marked in this year.

5. Generally a tendency to fall—Not marked.

6.		Number of defaulters.	Amount of arrears.	Estimated value.	Amount realized.	
	Fasli 1340	..	{ 83 { 2,511 { 1,087 { 2,418 { 1,686 { 1,714 { 1,401			
	Fasli 1341	..	(a) { 28 { 1,123 (b) { 1,286 (a) { 15,705 (b) { 3,657 (a) { 733 (b) { 2,610			
	Fasli 1342	..	{ 40 { 3,405 { 2,290 { 1,369 { 6,319 { 1,219 { 5,374			
		(a) Movables.		(b) Land.		
		Traders.	Culti- vators.	Large land- owners.		
7. Increasing—						
	1930	..	75	132	20	Figures of 1933 relate only to a portion of this year.
	1931	..	124	294	29	
	1932	..	94	383	31	
	1933	..	86	243	39	
			379	1,052	119	

7. Increasing—

8. Fallen—

Value of land—From Rs. 500 to Rs. 200 at Sattena-
palle, Rs. 500 to Rs. 100 at Gurzala.
Lease value—From Rs. 42 in the year 1929 to Rs. 24
in 1933. The question of insolvency hardly applies
to small landholders.

9. None—Agriculturists already indebted heavily. Land not treated as proper security by creditors. The high
price of gold has already tempted to sell away whatever jewels the ryots had. He has therefore no security
to offer over borrowing and increase of luxuries when the high prices ruled are the cause of heavy indebted-
ness of larger landholders and middle-class people. The actual cultivator is left with a smaller margin of
profit than before but has not reached the end of his resources.

5th February 1934]

[5th February 1934]

Question numbers.

Answers.

KURNOOL DISTRICT.

1.	Paddy.		Cholam.		Korra.		Sejja (cumbu).		Arika (varagu).		Ragi.		Ground-nut.		Cotton.	
	PER IMPERIAL MAUND.	RS.	PER IMPERIAL MAUND.	RS.	PER IMPERIAL MAUND.	RS.	PER IMPERIAL MAUND.	RS.	PER IMPERIAL MAUND.	RS.	PER IMPERIAL MAUND.	RS.	PER IMPERIAL MAUND.	RS.	PER IMPERIAL MAUND.	RS.
(a)	2-55	2-47	2-47	1-94	3-96	1-94	2-53	3-86	5-04	4-94	4-83	4-68				
(b)	2-65	2-38	2-38	1-94	3-81	1-83	2-53	2-89	4-94	4-83	4-68					
(c)	2-65	2-42	2-42	1-96	4-30	1-94	3-01	2-70	4-83	4-68						
(d)	2-61	2-38	2-38	1-83	3-64	1-79	2-70	1-93	4-68							

2. Paddy for wet lands. Cholam for dry lands. Arika and Korra.

3. Generally fair—Outturn 8 to 12 annas.

4. Tendency to fall—Not marked except in the case of groundnut.

5. Tendency to fall—Not marked except in the case of groundnut.

6.	Number of defaulters.		Sales arrears.		Amount realized.		Number of defaulters.		Arrears.		Amount realized.	
	RS.	A. P.	RS.	A. P.	RS.	A. P.	RS.	A. P.	RS.	A. P.	RS.	A. P.
Fasli 1340	..	..	9	251 14 0	236 2 0	42	538 14 6	552 0 0				
Fasli 1341	..	..	13	217 0 0	192 14 6	11	175 0 0	356 15 0				
Fasli 1342	..	..	15	675 0 0	682 13 0	2	63 0 0	64 11 0				

7. Increasing—

8. Fallen.	Traders.		Cultivators.		Larger landholders.		Others.		Total.	
	1929	1930	1931	1932	1933	1929	1930	1931	1932	1933
	..	..	..	..	..	21	44	10	18	93
	..	..	..	..	..	25	34	11	18	88
	..	..	..	..	..	21	51	12	27	111
	..	..	..	..	..	33	83	22	30	168
	..	..	..	..	..	44	84	15	4	147

Sale values—Decreased by 30 to 50 per cent of their prices in 1929.

Lease values—Decreased by 40 to 50 per cent of their prices in general.

5th February 1934]

9. Indebtedness of the agricultural population is increasing. The Imperial Bank of India (Nandyal branch) is unable to give any statistics. Co-operative bank lend money to ryots through co-operative societies. The Registrar of Co-operative Societies says that voluntary repayments of loans have been less. He also points out that on account of the large percentage of the balance to demand the members could not secure loans freely. Consequently disbursements of loan have considerably fallen. The loans outstanding against actual cultivators and larger landholders disclose that there has been no appreciable progress in the recoveries of loans previously disbursed.

By agricultural societies to banks.

Demand.	Balance.		Percentage.	
	RS.	RS.	Demand.	Percentage.
6,21,058	5,37,441	86-54	7,02,995	86-65

Ryots are going in for loans to private money-lenders even at higher rates of interest.

Number of borrowers.	Actual cultivators.		Larger landholders.		Amount borrowed.	
	RS.	RS.	RS.	RS.	By actual cultivators.	By larger landholders.
Fasli 1340	..	..	518	389	30,446	1,27,548
Fasli 1341	..	..	180	151	8,209	49,936
Fasli 1342	..	..	232	134	12,173	33,878
Fasli 1343	..	..	17	39	1,060	11,820

BELLARY DISTRICT.

1.	Cholam (yellow).		Korra.		Paddy.		Horse-gram.		Ground-nut.		Cotton (hingari).	
	PER IMPERIAL MAUND.	RS.	PER IMPERIAL MAUND.	RS.	PER IMPERIAL MAUND.	RS.	PER IMPERIAL MAUND.	RS.	PER IMPERIAL MAUND.	RS.	PER IMPERIAL MAUND.	RS.
1 (a)	1-74	2-19	1-65	1-53	2-78	1-89	1-96	0 15 8	30 0 0	30		
1 (b)	1-81	2-45	1-69	1-53	2-38	1-96	1-92	0 12 8	30 0 0	24		
1 (c)	1-77	2-40	1-75	1-47	2-72	1-92	1-61	0 11 10	22 12 0	26		
1 (d)	1-66	2-16	1-58	1-67	2-05	1-61		0 8 5	30 0 0	24		

2. Yellow cholam.

3. Poor to fair—Estimate, 3 to 11 annas.

4. Tendency to fall—Not marked.

5. Tendency to fall—Not marked.

[5th February 1934]

Answers.

6.	Fasli 1340.				Fasli 1341.		Fasli 1342.	
	RS.	RS.	RS.	RS.	ACS.	RS.	ACS.	RS.
(a) Movables—								
Estimated value	1,943	3,865	1,898	(b) Land—				
Amount realized.	1,662	3,344	1,153	Dry	214	839	2,536	
				Wet	69	121		
7.				1928.	1929.	1930.	1931.	1932.
Traders ..	..	..	..	44	34	57	80	71
Agriculturists ..	..	..	..	26	34	31	74	84
Larger landholders ..	..	..	..	10	11	19	28	32
Others ..	..	..	..	15	8	12	24	35

8. No continuing decrease.

9. Not increasing. Deputy Registrar of Co-operative Societies says that the majority of members of the societies, largely composed of agriculturists have not paid their dues.

ANANTAPUR DISTRICT.

1. Paddy.	Rice.		Cholam (white).		Cholam (yellow).		Cumbu.		Ragi.		Korra.		Horse-gram.		Ground-nut.		Cotton.	
	RS.	Per imperial maund.	RS.	Per imperial maund.	RS.	Per imperial maund.	RS.	Per imperial maund.	RS.	Per imperial maund.	RS.	Per imperial maund.	RS.	Per imperial maund.	RS.	Per 500 lb.	RS.	Per 400 lb.
(a) 2-07	4-82	2-33	1-99	2-03	1-90	1-77	2-07	15 to 20	109									
(b) 2-08	4-65	2-42	1-82	2-13	1-83	1-73	2-70	Do.	97									
(c) 2-20	4-82	2-60	2-09	2-38	2-07	1-98	2-92	Do.	97									
(d) 1-90	4-00	2-35	2-00	2-50	1-67	1-60	1-82	14 to 16	85 to 90									

2. Paddy, ragi, horsegram, cholam (yellow).

3. Condition—Dry unirrigated crops affected in parts owing to want of rain. They have revived on account of late October rains. Outturn—6 to 8 annas generally.

4. Generally steady. Not marked.

5. Steady. Not marked.

6.	(a) Movables.		(b) Land.	
	Number of defaulters.	Amount realized.	Extent sold.	Amount realized.
Fasli 1340	..	..	ACS.	RS.
Fasli 1341	..	..	29	Bought in by Government for Rs. 56.
Fasli 1342	..	..	84	72
			627	1,288

7. Statistics show an increase in 1932 and decrease in 1933—

	Traders.		Agriculturists.		Larger landholders.		Others.		Total.	
	1931	1932	1931	1932	1931	1932	1931	1932	1931	1932
1933 (up to September) ..	28	27	69	100	12	26	24	39	133	192
	..	..	55	17	..	..	35	..	123	123

8. Fallen—

Average sale value.

	Dry.		Wet.	
	RS.	Per imperial maund.	RS.	Per imperial maund.
1931 ..	..	..	..	..
1932 ..	..	..	..	..
1933 ..	..	..	..	..

No transactions have been registered in the Sub-Registrar's office. Hence not furnished.

9. More money has been advanced in fasli 1342 than in fasli 1341. There is a fall in the demand and in overdues and the proportion of the overdues to the demand is almost the same for faslis 1341 and 1342.

CUDDAPOH DISTRICT.

1.	Paddy.		Cholam.		Cumbu.		Ragi.		Tenai (korra).		Horse-gram.		Bariga.	
	RS.	Per imperial maund.	RS.	Per imperial maund.	RS.	Per imperial maund.	RS.	Per imperial maund.	RS.	Per imperial maund.	RS.	Per imperial maund.	RS.	Per imperial maund.
(a)	2-86	2-11	2-11	1-91	2-16	1-84	2-76	14						
(b)	2-98	2-12	2-12	2-26	2-09	1-81	2-72	14						
(c)	3-08	2-19	2-19	2-29	2-21	1-90	3-08	14						
(d)	2-65	2-21	2-21	2-17	1-92	1-83	2-27	Not available.						

[5th February 1934]

Answers.

Question numbers.

Gingelly.	Castor.	Groundnut.	Turneric.	Indigo.	Cotton.	Onions.
MEASURES PER RUPEE.	MEASURES PER RUPEE.	PER MAUND.	PER MAUND.	PER MAUND.	PER MAUND.	PER MAUND.
RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS.	RS. A. P.	RS. A. P.
(a) 7	8	1 2 3	2 0 10	26	1 8 10	0 4 0
(b) 8	13	0 13 7	1 8 4	28	1 2 3	0 5 9
(c) 8	8	0 13 2	1 12 0	30	1 0 11	0 5 3
(d) 8	9	0 11 4	1 4 0	32	1 5 4	0 3 9

2. Paddy, korra and cholam Cuddapah—Proddatur and Jammalamadugu taluks.

Cholam, paddy and korra Rajampet—Badvel and Siddhavattam taluks.

Paddy and cumbu—Rayachoti taluk.

3. Paddy fair at present—Average yield 8 annas and will be still lower if the north-east monsoon fails.

Cumbu, castor, korra, arika and cholam—Poor in portions of Rayachoti and Badvel taluks. Yield 4 annas to 6 annas and generally fair in the rest of the district—yield 8 annas to 12 annas.

Ragi—Fair, yield 8 annas. Horsegram, turneric, cotton and onions—Fair, yield 8 to 12 annas.

4. General tendency to fall. Not marked. In the case of cholam, indigo, cotton and onions—there is a tendency for rise. Rise being marked in the case of indigo and onions.

5. Generally a tendency towards fall. Marked in the case of groundnut and onions.

6. Nil.

1928. 1929. 1930. 1931. 1932. 1933.

7. Information to Traders .. 30 25 21 45 29 21 (28-10-33) A little over 55 distinguish between agriculturists and larger landholders. .. 60 43 68 120 113 59 per cent were landholders not available. .. 15 38 31 45 40 28 Traders 20 per cent.

8. No appreciable fall in the case of dry lands; The drop is about 14 per cent in the case of wet lands. No appreciable fall in the case of dry lands; Lease deeds are not registered. No information to arrive at a conclusion.

9. Indebtedness on the increase—

Cultivators.

Larger landholders.

	(a)	(b)	(a)	(b)
Fasli 1340	115,240	99,758	28,760	24,940
Fasli 1341	99,360	106,766	24,840	26,691
Fasli 1342	47,040	195,741	11,760	48,936
Fasli 1343	44,640	415,611	11,160	103,902

(a) Outside indebtedness.
(b) Indebtedness to co-operative societies.

Shows a steady decline, but outside indebtedness has shown a corresponding increase. The Co-operative Department is rigorously enforcing the provisions of the Revenue Recovery Act of overdue instalments and the borrower has to resort to outside help to meet his liability to the Co-operative Department.

NELLORE DISTRICT.

1.	Paddy.	Cholam.	Cumbu.	Ragi.	Varagu (arika).	Variga.	Horsegram.
	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.
(a)	2.5	2.5	2.4	2.3	1.7	1.2	3.0
(b)	2.7	2.2	2.6	2.2	1.7	1.4	2.7
(c)	2.6	2.5	2.6	2.3	1.7	1.4	3.2
(d)	2.2	2.1	2.4	2.0	1.9	1.4	2.5

2. Wet paddy under wet crop in both the divisions.
Late cholam and varagu (arika) in the south of the district.
Early cholam and variga and cumbu in the north of the district.

3. Condition—Good. Prospects good for wet and dry crops except in parts of Gudur and Rapur taluks.

4. Prices on the whole steady except in Atmakur and Udayagiri taluks where there is a tendency to fall which is reported to be marked.

5. Steady generally. Tendency to rise in the Nellore taluk and a tendency to fall in the taluks of Atmakur and Udayagiri.

6.

Fasli.	Movables.	Land.
RS.	RS.	RS.
1340	..	10,527
1341	..	4,228
1342	..	3,618
		420

[5th February 1934]

Question numbers. Answers.

7. There has been an increase up to 1932 but there is a decrease in 1933—

Year.	Traders.	Culti- vators.	Land- holders.	Others.
1930	..	..	63	56
1931	..	..	77	61
1932	..	..	82	112
1933	..	..	54	85

8. Fallen.

9. The indebtedness of the agricultural population has increased. The ryots who borrowed large sums of money when the prices ruled high find it difficult to repay even the interest on the borrowed amount. The existing debts have increased while the repaying capacity has decreased. New debts are being contracted to repay the old debts with the result that the accumulated interest is being repaid by a fresh loan.

CHINGLEPUT DISTRICT.

1.	Movables.				Immovables.			
	Paddy.	Ragi.	Rice.		Fasli 1340.	Fasli 1341.	Fasli 1342.	Fasli 1342.
	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	RS.	RS.	RS.	RS.	RS.
(a)	..	..	..	2.50	766	1,059	2,787	13,143
(b)	..	..	..	2.72	470	735	1,353	17,549
(c)	2.23	3.01	3.88	3.61				3,772
(d)	2.31	3.64						16,272
								6,761

2. Paddy. Ragi.

3. Early sown crops poor for want of rain. Six to 8 annas crop expected with a fair amount of rainfall in the future. Prospects poor. Better rains may however alter conditions.

4. Generally steady.

5. Generally steady.

6.

7. Not answered for want of details.

8.

Sale value, 1929.
Sale value, 1930.

Wet lands generally fallen. 619 an acre 408 an acre. Difficult of explanation without knowing what Dry lands tendency to rise. 180 " 182 " kind of land the transactions covered.

Lease values—No sufficient data to arrive at a conclusion.

9. Increasing—Not able to get accurate information in the short time regarding indebtedness. Ryots have reached the limit of their borrowing capacity. Loans from private money-lenders except at very high rate of interest are very difficult to get. The policy of restriction is rigorously enforced.

SOUTH ARCOT DISTRICT.

1.	Paddy. Per imperial maund.	Ragi. Per imperial maund.	Cumbu. Per imperial maund.	Varagu.	Groundnut.
	RS.	RS.	RS.		
(a)	2.26	2.17	2.41	19 measures per rupee.	Price not given.
(b)	1.82	2.09	2.22	21 measures per rupee.	Do.
(c)	2.23	2.25	2.48	19 measures per rupee.	Do.
(d)	1.84	1.98	2.17	24.5 measures per rupee.	Do.

2. Paddy, cumbu, varagu.

3. Broad-cast paddy—fair; outturn normal if the season is favourable. Transplantation of paddy in areas commanded by irrigation sources progressing and under rain-fed sources, not commenced.

Ragi below normal, groundnut crop affected by pests—Below normal.
Cumbu, rather not fair, area cultivated is much less.

4. Generally a tendency to fall, marked only in the case of groundnut.

5. General tendency to fall, marked only in the case of groundnut.

6.

(a) Movables.		(b) Land.	
Fasli.	RS.		RS.
1340	..	4.482	3.991
1341	..	4.617	12,319
1342	..	6,708	14,943

5th February 1934]

[5th February 1934]

Answers.

7. Gradually increasing—

Traders.	Agriculturists.	Landholders.	Total.
1930	Details not available.		35
1931	36	6	60
1932	50	9	71
1933 (up to October)	34	8	50

8. Perceptible fall in the case of wet lands and slight tendency to fall in the case of dry lands.

9. Increasing. Banks have stopped lending money. The ryots are unable to raise loans in villages owing to the fall in the value of lands and to the tightness of the money market.

CHITTOOR DISTRICT.

1. Paddy.	Ragi.	Cumbu (sajja).	Jonna.	Sugarcane per candy.	Groundnut per candy.	Horsegram.	Gingelly, seeds per rupee.
PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	RS. A. P.	RS. A. P.	PER IMPERIAL MAUND.	RS.
(a) 2-70	2-86	2-86	4-88	31 5 0	25 5 0	4-44	5-00
(b) 2-70	2-70	2-96	4-88	27 14 0	24 1 0	4-44	5-25
(c) 3-08	3-20	3-08	4-88	26 14 0	25 1 0	5-00	5-25
(d) 2-53	2-58	2-76	4-88	20 1 0	17 10 0	4-00	6-50

2. Paddy. Ragi. Cumbu (sajja).

3. Condition of the agricultural crops—Generally fair. Prospects generally fair.

4. Generally steady—Not marked.

5. Stationary except in three taluks where there is a tendency to fall. In the case of chillies in one taluk the rise is 25 per cent.

6. Fasli.

	Movables.	Lands.
RS.	RS.	RS.
1340	150	1,659
1341	197	1,626
1342	338	3,126

7. Increasing—

Traders	1930.	1931.	1932.	1933.
Cultivators	45	53	61	60
Larger landholders	20	23	41	38
	10	11	11	16

Recent times.

Wet.	Dry.
RS.	RS.
200—800	35—200
20—40	6—12
180—450	26—150
11—22	4

8. Fallen generally in Sale values Increase marked in the case of larger landholders in the year 1933.

9. Increasing.—The percentage of arrears due to the Societies is increasing. It is reported that the agriculturists are now refraining from applying to the Societies for loans as they have lost all credit. They are borrowing from private money lenders.

NORTH ARCOT DISTRICT.

1.

Paddy.	Ragi.	Cumbu.
Per imperial maund.	Per imperial maund.	Per imperial maund.
RS.	RS.	RS.
1-81	2-09	2-05
1-71	2-19	2-22
2-16	2-40	2-13
1-97	2-16	2-05

2. Paddy, cumbu.

3. Paddy raised with the aid of well-water may show a normal outturn—Entire ayacut not brought under cultivation. Completed harvest of ragi and cumbu—Poor outturn.

4. Generally steady.

5. Steady.

Fasli 1340.	Fasli 1341.	Fasli 1342.	Number of cases.	* Number distrained.
432/42	433/10	2081/15	Number actually sold.	Number sold.
629/320	820/184	857/154		

7. Steady increase.

1930.	1931.	1932.	1933.	Remarks.
Traders	5	3	6	5
Agriculturists	13	16	18	6
Landholders	..	..	..	..

Reached a peak in 1932.

8. Land value fallen—No cases of lease.

9. Indebtedness increasing. No distinction between actual cultivators and large landholders.

The above is a summary for Tiruvannamalai taluk including Chengam. Rest not furnished by Collector.

[5th February 1934]

[5th February 1934]

Question
numbers.

Answers.

9. Indebtedness increasing—Curtailment of expenditure on luxuries, expensive clothes and jewelleryes and curtailment of marriage expenses and dowries indicate that the indebtedness of agricultural population is increasing. This applies to actual cultivators and large landholders. Figures not readily available.

TRICHINOPOLY DISTRICT.

1.

	Paddy		Cholam.	Cumbu.		Ragi.	Varagu.
	I and II.	Per imperial maund.	Per imperial maund.	Per imperial maund.	Per imperial maund.	Per imperial maund.	Per imperial maund.
(a)	RS.	RS.	RS.	RS.	RS.	RS.	RS.
(b)	2-61	2-84	2-58	2-58	2-25	Not given.	
(c)	2-18	2-13	2-44	2-44	2-25	Do.	
(d)	2-47	2-55	2-44	2-44	2-25	Do.	
	1-79	2-25	2-53	2-53	1-65	Do.	

2. Paddy, cholam, ragi and cumbu.

3. Condition—fair. Prospects—fair. Outturn—10 to 12 annas.

4. Paddy—gradual fall. Other dry crops—stationary. Fall steady but not marked.

5. Price of commodities other than agricultural product—stationary.

6. (a) Movables. (b) Land.

Fasli.	
1340	60
1341	34
1342	56

7. Increasing; shows a slight decrease in 1933.

	Traders.	Cultivators.	Landholders.	Total.
1929	..	86	61	8
1930	..	115	46	12
1931	..	103	63	21
1932	..	131	68	23
1933	..	90	46	12

8. Fallen.

Sale values.

Wet. Dry. Lease amount.

	Wet.	Dry.	Lease amount.
1929	RS.	RS.	RS.
1930	1,194	286	100
1931	1,193	238	97
1932	1,090	198	102
1933	976	226	71
	883	225	53

9. Probably on the increase.

TANJORE DISTRICT.

	Paddy	Ragi.	Varagu.	Cholam.	Ground- nut.	Tobacco.	Cocunut.	Cumbu.	Plantains.
	I and II.	Per imperial maund.	Per imperial maund.	Per kalam.	Per kalam.	Per candy.	Per 1,000.	Per imperial maund.	Per bunch.
(a)	RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.
(b)	2-50	2-66	1-30	3 7 0	1 7 6	120	..	3-65	..
(c)	1-70	2-02	1-06	3 0 0	0 14 6	41	..	2-66	..
(d)	2-25	1-49	1-30	3 0 0	0 15 0	100	22 8 0	3-65	12
	1-61	1-62	1-10	2 6 5	0 12 0	62	12 4 0	2-66	10

2. Paddy, cumbu, ragi and varagu.

3. Condition of crops—Fair to good. Outturn—6 to 12 annas.

4. Slight tendency to rise, but not marked.

5. Fairly steady—Slight tendency to rise but not marked. In Pattukkottai and Arantangi taluks there is a slight, though not marked, tendency for prices to fall.

6.

(a) Movables. (b) Land. Extent bought in by Government.

	RS.	ACS.	RS.
Fasli.			
1340	..	7,901	790-86
1341	..	10,443	1,003-39
1342	..	25,638	1,136-93
			28,413*
			429-58
			349-13
			414-71

* Excludes Tiruturaipundi taluk.

5th February 1934]

[5th February 1934]

Question numbers.

7. Increasing.

Answers.

	Number of petitions filed.	Traders.	Cultivators.	Landholders.
1928	..	..	..	..
1929	..	..	..	..
1930	..	..	..	..
1931	..	..	..	..
1932	..	..	..	..
1933	..	..	..	..

* Relate to Tanjore and Negapatam districts.

Negapatam only.			
1930.	1931.	1932.	1933.

Traders ..	..	..	..
Cultivators ..	..	..	..
Landholders ..	..	..	..

8. Fallen.

Sale value ..	Wet land from Rs. 681 in fasli 1340 to Rs. 511 in fasli 1343.
Lease value ..	Dry land from Rs. 445 do. 367 do.
	Wet land fallen from Rs. 59 do. 34 do.
	Dry land * increase from Rs. 52 do. 84 do.

* Increase due to heavy rise in the figures of Kumbakonam division which include padugai lands.

9. Increasing.

It is stated that the agricultural classes find it increasingly difficult to raise loans owing to the contraction of credit due to the fall in the prices of agricultural produce and in the price of land. There is increase in loans on pledge of jewels and a decrease in loans on pro-note and personal securities. Ryots are prepared to sell their lands in discharge of their debts. Larger landholder has been hit harder than the actual cultivator. There has been an increase of indebtedness of actual cultivators and big landholders in a few societies and a decrease in others but indebtedness by way of further contraction of debt cannot be said to be on the increase. The credit worthiness of the members is low.

5th February 1934]

MADURA DISTRICT.

	Paddy.	Ragi.	Cumbu.	Cholam.
	Per imperial maund.	Per imperial maund.	Per imperial maund.	Per imperial maund.
(a)	RS. 2.83	RS. 2.40	RS. 2.95	RS. 2.50
(b)	2.58	2.35	2.90	2.20
(c)	2.75	2.40	3.00	2.40
(d)	2.15	1.90	2.40	1.90

1. Paddy.
2. Condition—Good for the present. Prospect—Better than fair but a good deal depends on the course of the season hereafter.
3. Condition—Good for the present. Prospect—Better than fair but a good deal depends on the course of the season hereafter.
4. Distinct tendency to fall—Gradual but very marked in the case of paddy.
5. Tendency in the fall of prices appears to be gradual—Paddy and rice—Slight rise but fall again.
6. The extent of land sold for arrears of revenue is increasing. The extent of land bought in by the Government is also on the increase.
7. Insolvency figures are of no economic significance. Stray men want to dodge creditors and go to insolvency courts.
8. Fallen—

Sale value by about 38 per cent.
Lease value by about 41 per cent.

9. Increasing—The Banks pursue a restrictive policy. Rural co-operative societies have practically ceased to advance loans as ryots are unable to pay the instalments regularly.

RAMNAD DISTRICT.

	Paddy.	Ragi.	Cholam.	Cumbu.	Horsegram.	Ground-nut.	Cotton.
	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	PER MEASURES RUPEE.	RS. PER CANTY.
(a)	RS. 2.60	RS. 2.47	RS. 1.49	RS. 1.85	RS. 3.23	RS. 15.24	114
(b)	1.78	2.00	1.17	1.25	2.56	19.23	113
(c)	2.47	2.70	1.57	1.83	3.05	21.18	136
(d)	1.67	1.86	1.23	2.02	2.53	21.24	123

2. Paddy—Sattur and Srivilliputtur taluks. Paddy, cholam and cumbu—Paramakudi taluk.

3. Condition—Good; outturn—slightly above normal.

4. Generally steady—In the case of paddy the tendency is for rising when the first-crop paddy is off the market.

5. Steady on the whole—Fluctuations here and there but the tendency is not marked.

[5th February 1934]

6.

Fasli.	Movables.		Land.	
	Number of cases.	Value.	Number of cases.	Value.
1340	..	Rs. 252	171	Rs. 881
1341	..	.. 21	265	2,869
1342	..	.. 22	307	4,256

7. Increasing—Figures not furnished by District Judge; but taken from Tahsildars' reports.

1340. 1341. 1342. 1343.

Traders	..	..	7	4	6	56
Agriculturists	..	..	5	8	3	1
Large landholders	..	..	2	2	1	..

8. Generally fallen—

Sale value	..	..	..	37½ to 45 per cent.
Lease value	..	..	..	30 and 50 per cent.

9. Increasing—Statistics not furnished by Deputy Registrar of Co-operative Societies. Owing to the fall in the value of lands to an extent of 50 per cent coupled with the fall in the prices of agricultural produce, ryots have not been able to reduce their indebtedness and adverse economic conditions drive them to further borrowings. The District Registrar is also of the same opinion.

Tinnevely District.

1.	Paddy.		Ragi.		Cholam.		Cumbu.	
	PER IMPERIAL MAUND.	RS.	PER IMPERIAL MAUND.	RS.	PER IMPERIAL MAUND.	RS.	PER IMPERIAL MAUND.	RS.
(a)	2-56	2-27	2-34	2-86	2-45	2-82	2-26	2-26
(b)	2-35	2-01	1-99	1-94	1-64	1-64	1-64	1-64
(c)	2-43	2-15	1-77	1-64	1-64	1-64	1-64	1-64
(d)	1-97	1-77	1-64	1-64	1-64	1-64	1-64	1-64

2. Paddy.

3. Good—Prospects very fair.

4. Yes—Tendency to fall—marked.

5. Commercial crops seem to be stationary.

5th February 1934]

Movables.	Land.	
	Extent.	Value.
Fasli.	ACS.	RS.
1341	91	{ 3-67 (Dry). 10 (Wet). 315-12 (Dry). 59-96 (Wet). 566
1342	560	566

7. Insolvency decreasing—

Year.	Traders.	Cultivators.	Landholders.
1930	90	136	35
1931	109	179	56
1932	68	151	32

Economic situation has affected agriculturists in general than traders and the actual cultivators in particular.

Fasli 1340. Fasli 1341. Fasli 1342. Fasli 1343.

Sale value per acre	..	633	608	535	589
Lease value	..	..	31	26	21

9. Decreasing—Statistics show that the total indebtedness (urban and rural combined) in fasli 1341 was Rs. 23,48,981 against Rs. 18,68,468 in fasli 1342.

Malabar District.

1.	Paddy.		Coconut.		Pepper.	
	PER IMPERIAL MAUND.	RS.	PER 1,000.	RS. A. P.	PER IMPERIAL MAUND.	RS.
(a)	2-28	2-28	30 6 0	0	29-57	29-57
(b)	2-01	2-01	32 15 0	0	20-57	20-57
(c)	1-92	1-92	35 10 0	0	24-43	24-43
(d)	1-51	1-51	18 10 0	0	21-43	21-43

2. Paddy and coconut.

3. Fair. Normal outturn expected except in a few parts.

4. A tendency to fall—Marked since July 1933.

5. Tendency to fall—Marked in most cases.

6.

	(a) Movables.		(b) Land.	
	NO.	RS.	NO.	RS.
Fasli 1340	..	3,518	187	20,561
" 1341	..	108	138	8,413
" 1342	..	161	150	17,342

7. Increasing.

	Traders.	Agriculturists.	Landholders.	Total.
1930	..	104	52	14
1931	..	118	51	9
1932	..	102	53	19
1933	..	103	47	10

8. Generally fallen—Details for the whole district not available.

9. Increasing—Indebtedness is undoubtedly on the increase up to few months ago. Lenders refuse to lend except on gold and jewels.

1.

SOUTH KANARA DISTRICT.

	Rice.	Coconut.	Areca nuts.	Pepper.	Sugarcane.
	PER IMPERIAL MAUND.	PER 100.	PER CANDY.	PER MAUND.	PER MAUND.
(a)	RS. 4.7	RS. A. P. 4 10 0	RS. A. P. 115 0 0	RS. A. P. 16 0 0	RS. A. P. 2 0 0
(b)	4.0	4 9 0	120 0 0	10 0 0	1 12 0
(c)	4.0	4 9 0	125 0 0	7 0 0	1 12 0
(d)	4.4	3 4 0	120 0 0	6 0 0	1 8 0

2. Rice.

Coconut.

3. Fair. Normal yield

4. A tendency to fall—Marked on account of importation of rice from outside.

[5th February 1934]

5. Tendency to fall but not marked.

	Movables.	Land.
	NUMBER OF DEFAULTERS.	NUMBER OF DEFAULTERS.
Fasli.		
1340	19	45
1341	54	89
1342	575	172

15

7. . .

8. Sale values—Fallen considerably.

Lease values—Actually depreciated.

9. Increasing—Loans taken for household purposes and for paying taxes increasing. Agriculturist is always indebted but indebtedness does not always indicate a bad state of affairs when loans are taken increasingly for household expenses and paying taxes; it is an indication that the ryot is not able to meet both ends and the economic condition is getting worse.

THE NILGIRIS.

1.

	Paddy.	Ragi.	Tea and coffee.
	PER IMPERIAL MAUND.	PER IMPERIAL MAUND.	
(a)	RS. 1.82	RS. 2.45	Not given.
(b)	1.44	2.84	Do.
(c)	1.82	2.84	Do.
(d)	1.77	2.16	Do.

2. None.

3. Broadcast paddy suffered to some extent owing to excessive rains.

Transplanted paddy fairly good.

Ragi—Not come up to expectations.

4. Tendency to fall a little during the past 12 months—Not marked.

5. Tendency to fall—Not marked.

5th February 1934]

[5th February 1934]

Question numbers.	Answers.				
	(a) Movables.		(b) Land.		
		Rs.		ACS.	
6.	Fashi 1340	..	..	67-24	
	" 1341	..	..	15	8-00
	" 1342	..	..	193	143-00
	"	..	..		
7. Increasing.	Traders.	Agriculturists.	Landholders.	Planters.	
	1930	..	..	1	
	1931	..	..	..	..
	1932	..	..	..	..

Note.—Figures are of little value.

8. Fallen.

Sale value—Average in 1933, wet—Rs. 19 an acre against Rs. 22 to 35 in earlier years.

Dry—Extent not sufficient for comparison.

Lease value—

Dry—Insufficient figures.

Wet—Fallen to Rs. 4 from Rs. 6½ during 1928—32.

9. Increasing—Failure of timely rains and consequent poor harvests coupled with the general low level of prices.

5th February 1934]

APPENDIX V.

[Vide answer to question No. 642 asked by S. M. K. Beyabani Sahib Bahadur at the meeting of the Legislative Council held on the 5th February 1934, page 462 supra.]

To

HIS EXCELLENCY LIEUT.-COL. THE RT. HON'BLE

SIR GEORGE STANLEY, P.C., G.C.I.E., C.M.G.,

Governor of Madras.

MAY IT PLEASE YOUR EXCELLENCY,

[Communal disturbances at Nandyal.]

MOST HONOURED SIR,

We, the poor and helpless Muslims of Nandyal (Kurnool district), beg to submit the following few lines for Your Excellency's kind and sympathetic consideration.

We had submitted last year our humble petition of the dishonourable, illegal and ferocious atrocities committed on the Dasara festival day, 1932, in supporting the Hindus by the then district authorities on the poor Muslims of this place to Your Excellency, to the hon. Home Member, to the District Magistrate, Kurnool, and other executive administration authorities. Conjecturing the same atrocities this year also on 28th September 1933, the last day of the Dasara festival, we informed all the executive authorities to consider the difficulties which the poor Muslims of this place will be put to, in taking the Hindu procession by the mosque in dispute with the Government support.

Though we said that we are going to the Sessions Court for appeal, our District Magistrate in co-operation with the District Superintendent of Police, Assistant Superintendent of Police and the Sub-Magistrate without paying any attention to our request, honour and dignity, treated us very cruelly and inhumanly on the above date by serving warrants on some respectable gentlemen, putting few in jails like criminals, dishonouring the purdah of the Muhammadan females and prohibiting them from going for their calls of nature by placing police on the roofs of the Muhammadan houses, and by stopping Muslims from going out for the necessary purchases and "Zoher" (afternoon) and "Asar" (evening) prayers.

Three or four days prior to the festival day, when a few Muhammadan gentlemen went to the District Superintendent of Police to inform him about the forthcoming danger, the Assistant Superintendent of Police rebuked them by asking them to get out of Nandyal that day if they are so particular about their honour.

We beg to pray Your Excellency that our grievances be redressed by taking the necessary action and by saving us from such dishonourable treatment henceforward.

For which act of kindness and generosity we shall feel ever grateful.

NANDYAL,

Dated October 1933.

We beg to remain,

Most Honoured Sir,

We, the Muslims of Nandyal,
M. Gousmiah and 119 others.

APPENDIX VI.

[5th February 1934]

[Vide item IV at page 469 supra.]

BILL No. 16 OF 1933.

A Bill to provide for the preservation in efficient condition of tanks belonging to landholders which are used as part of the Periyar System of Irrigation in the Presidency of Madras.

To

THE HONOURABLE THE LEGISLATIVE COUNCIL
OF THE GOVERNOR OF MADRAS.

WE, the Members of the Select Committee appointed to consider the Periyar Irrigation Tanks Preservation Bill (Bill No. 16 of 1933), have the honour to make the following report.

2. The Bill was published in the *Fort St. George Gazette* in English on the 17th October 1933.

3. We met on the 11th November and 19th of December 1933 for the consideration of the provisions of the Bill and on the 5th and 6th January 1934 for passing our report.

4. The object of the Bill is to empower the Government to carry out the repairs necessary to the non-Government tanks used as a part of the Periyar System of irrigation, after affording to the landholder or other persons concerned an opportunity to establish that the repairs proposed are not needed or that less costly measures would suffice. We consider that the provisions of the Bill are conceived on right lines and have not made any material changes in any of the clauses.

5. Clauses 5 to 8 of the Bill provide for the passing of a preliminary order by the Collector specifying the measures which in his opinion are necessary for the repair and restoration to efficiency of any tank which appears to him to be in a state of disrepair, for the preparation of plans and estimates of the cost of such repair, for the service of the order on each landholder affected by the order, for the raising of objections thereto, for the enquiry by the Collector, and for the passing of final orders after such enquiry. We have made suitable amendments which have the effect of ensuring that notice is given to all the persons concerned of the preliminary order of the Collector. With this object, we have provided that along with a vernacular translation of the order which is to be affixed in the village or villages in which

[5th February 1934]

the tank is situated and in such other villages, if any, as the Collector may think fit, a description in the vernacular of the measures of repair proposed and the estimated cost of carrying them out should also be affixed. We have also made it incumbent upon the Collector to cause intimation of such affixture to be given by beat of drum in each of the villages in which such affixture has been made. We have further provided that in the notice issued to each landholder requiring him to appear before the Collector to show cause why the preliminary order should not be confirmed, a date should be fixed for the appearance of such landholder, which shall be not less than sixty days from the date of the notice.

6. To provide for all possible cases by which a landholder can make out an obligation on the part of another person to carry out the whole or any part of the repairs to a tank situated in his estate, we have for the words "by local custom or express agreement" appearing in clause 6 and elsewhere, substituted the words "by law, local custom or contract."

7. Clauses 5 to 8 have been redrafted so as to make the original intention clearer and so as to incorporate the amendments made by us.

8. We have also made various other drafting changes in the Bill which it is unnecessary to refer to in detail here.

9. As the changes made by us are not of great importance, we do not think it necessary that the Bill should be republished.

10. A copy of the Bill as amended by us is annexed.

K. R. VENKATRAMA AYYAR (*Chairman*).

A. Y. G. CAMPBELL.

N. GOPALSWAMI.

A. KRISHNASWAMY.

J. A. THORNE.

* P. C. MUTHU CHETTI.

G. R. PREMAYYA.

P. V. KRISHNAYYA CHOWDHARY.

T. C. SRINIVASA AYYANGAR.

A. S. ALAGANAN CHETTI.

T. V. K. KAMA RAJA PANDIA NAYAKAR.

(Zamindar of Bodinayakkanur).

R. FOULKES.

* Subject to a dissenting minute.

[5th February 1934]

MINUTE OF DISSENT.

I am not satisfied that the Bill is necessary or essential at this stage. The Government has not given any data or information received after the investigation of the matter, which is the object of the Bill. The sudden anxiety for this legislation is not warranted by the experience of 38 years during which period the Periyar project was working and supplying water to the proprietary lands. The provision of the Bill is likely to be a menace to the rights of the proprietary inamdars and its working is sure to be most detrimental to the interests of the proprietors. This Bill will be most injurious to the proprietors inasmuch as they are already suffering from severe provisions contained in the Madras Estates Land Act and the Railway Affected Tanks Protection Act. This legislation will add most injuriously to already overburdened poor proprietors with a further liability.

2. The Select Committee had not sufficient time or data to consider the Bill in all its aspects.

3. The only way, I think, by which the tank might be preserved without working any hardship on the proprietor is to fix the hydraulic standards of the tank as it existed according to the pre-Periyar accounts and to insist on the maintenance of the hydraulic standards so fixed, and the effective way to insist on the maintenance of the tank to that standard would be to insert the appropriate clause to section 135 of the Madras Estates Land Act or chapter VIII of the Madras Estates Land Act as amended recently.

4. The Bill will thus appear to be quite unnecessary and as a matter of fact it is harmful so far as the proprietor is concerned because it enables the Government to collect the contributions from the proprietor for works from which he does not get any return. It is carried out solely for the benefit of the Government. This is rather an extraordinary measure and any legislation to saddle the proprietor with further liability is not justified and is quite inopportune in the present state of affairs.

5. In clause 4 the Collector has been given jurisdiction to try whether an area is comprised in a tank or not. Practical difficulty may arise if the Collector were to summarily decide the question, because the rights of third parties are likely to be affected by an adverse decision

[5th February 1934]

of the Collector whose decision is, under the Bill, final. The clause has to be modified so that the Collector may proceed to summarily adjudicate upon the question, provided that, right is given to any person aggrieved by the order to contest the decision in a court by a suit filed within six months from the date of the Collector's order. With regard to clause 5 the Collector has been given power to prepare estimates and plans without any reference to the landholder concerned. Such a provision is likely to be abused by the subordinates through whom only the Collector will have to act. It will conduce to allay the fears of the proprietor if it were so framed as to give him an opportunity to inspect and discuss the nature of the repairs to be effected with the Collector or with the engineering staff who is to investigate the matter before making their estimates and plans. Thus to a great extent the question that may arise afterwards might very well be decided by these proceedings to the satisfaction of both the parties if the landholder is allowed to have his say then and there. If the landholder and the Collector do not agree even after such a joint investigation of the affair then the only course which will be just is to have an adjudication by the court. The matters in controversy before the court will cover not only the question of the measures to be adopted, but the court will also have the power to go into the question whether any alternative relief entailing lesser cost would not be sufficient and also the court will be in a position to give a finding on the question which is in my opinion very important, namely, whether the Collector himself is or is not responsible for the condition of the tank by his letting in Periyar water to a greater extent than the tank could bear, in which case I cannot expect the Collector to ask for any proportion of costs from the landholder. Such a reference to a court by means of suit or otherwise might entail delay but that delay can be avoided by having the scope of the suit and the appeal therefrom restricted, that is by making the order of the court final subject only to revision by High Court. I also think that the time given for the landholders to appear, that is 60 days, is too meagre and that at least six months will have to be given. The Collector with all his staff might have taken months and years to prepare his plan but the landholder has to collect the data and make his own investigations handicapped for want of sufficient staff and other

[5th February 1934]

things necessary for the investigation, and therefore six months will not be too long a period for the landholder to investigate the nature of repairs that are necessary and find out whether the Collector's estimates could be complied with or not. With regard to clause 6, there must be a provision added so that the landholder might put forward any other plea *ejusdem generis* sub-clauses (a) to (d). Clause 7 gives finality to the Collector's order which is objected to. The Collector can never be the final authority to adjudicate in this matter. He must be deemed to be a party. Provisions for a suit in the civil court will be absolutely necessary to safeguard the landholders from the decision of a Collector when the landholder feels bona fide that the decision is erroneous. I cannot think of a case in which the Collector forming his opinion that repairs are necessary will revise it at any future time; but it may very well be imagined that the Collector, will stick to his opinion in the teeth of even very good reasons that might be given by the landholder and the result will be that the Collector might estimate the amount by many times the amount that will be necessary to have the repairs made. This being a vital question affecting the finance, both of the Government and of the proprietors, there must be a decision upon the Collector's order by an impartial tribunal. I suggest that the tribunal should be either a court in rank not below that of the sub-court or a body of respectable people who may be taken as assessors to whom the order may be referred to. Such body may be constituted out of very responsible gentlemen whose qualifications may be mentioned in the Act. Their opinion, i.e., the opinion of the court or of the assessors shall be final in the same way as an order of court under some special Act is final; that is to say, subject only to modifications by the High Court under its powers under the Government of India Act.

6. The court shall have power to enquire into the whole matter either of the necessity for repairs, the cost thereof, the liability for the same, the apportionment of the same and any other matter which is likely to go before it. It is that final decision of the court which is to be accepted by the Collector for executing the repair. No objection can be taken to such a procedure if sufficient safeguards against delay are made in the Act or by rules to be framed under it, i.e., for avoiding unnecessary delay.

5th February 1934]

7. Under clause 8 a provision must be made for the Local Government to give notice to the proprietor to contest the decision of the Collector. In clause 8 (ii) the basis of the apportionment of costs between the Collector and the proprietor seems to me to be extremely arbitrary and unjust.

8. Periyar water under the rules framed by the Government had to be let into the proprietor's tank only with the consent of the proprietor. The proprietor's consent in most cases was not taken and Periyar water was let into the tank purely on an application made by the ryots holding dry lands in an estate. Secondly, the proprietors derive no special benefit from the letting of Periyar water into the tanks. Their income from the wet registered ayacut of the tank is not increased owing to cultivation of the same by Periyar water whereas the Government is levying a flat water rate upon every acre of land so cultivated. Therefore the only party benefited by the letting in of Periyar water into the proprietary tank is the Government. This Bill aims at compelling the proprietor to put the tank in order to receive the Government's water or to pay contribution to Government for putting the same in order. Therefore I consider that there is no principle under which the Government can reasonably ask for contribution from the landholder. The Bill is framed recognizing that all these tanks also are part of the Periyar system; what then is the justification for the Government in asking for contribution while in regard to the rest of the system the tanks are repaired at their cost and are maintained by them absolutely without contribution from anybody else? If any contribution is necessary, I suggest 5 to 10 per cent of the total expenses to be paid by the landholder. The landholder might like to pay the same because as the owner of the land he would not like to have his interest lapsed by non-interference while the Government virtually takes possession and uses his tank.

9. The proportion, that is in clause 2 of the Bill appears to have been based upon a misapprehension that the amount received by the landholder as water cess or as representing the value of the water supplied by him from the tank, is the same as the Government receives for the Periyar water supplied by it, which is not the case.

[5th February 1934]

10. In clause 8 (i) repairs are to be carried out by the Government. It may be that the proprietor himself might be willing to effect the repairs necessary at a much lower cost and that clause may be amended to include such provision also. The Government are not justified in claiming centage charges on works carried out under this Act, since in my opinion they derive the sole benefit of the repairs and also because they are also to a greater extent interested in carrying out the repairs.

11. In clause 10 the proportion of costs to be paid by the landholder is to be recovered in instalments. I suggest that the instalments should be spread over some convenient period and the amount of each instalment be fixed so that it is not more than the difference between the amount received by the landholders as assessment on the wet registered ayacut of the tank and the amount which the landholder would receive if that extent were dry lands. Mr. Hall has also recommended that the instalments have to be determined on this principle—vide page 19, paragraph 41 of his report.

12. Clause 12 is unnecessary and dangerous and that has to be omitted. In view of the various safeguards provided by the Madras Estates Land Act and the Railway Protection Act, and in view of the fact that all these years ever since the introduction of the Periyar system and the storing of water in the proprietor's tanks, there never arose any occasion of any imminent danger of breach, in view of the elaborate and adequate provisions made for the various channels and in the lake itself to prevent over-flooding of the tanks or channels, this provision is unnecessary, but on the other hand it is so drastic that the section can be used to the detriment of the proprietors when there is no imminent danger as the only authority who is to decide it is the Collector himself. It is also likely to lead to unnecessary orders due to imaginary fears and imminent danger of breach which after all might have been based on flimsy grounds.

P. C. MUTHU CHETTIAR.

5th February 1934]

[Note.—The changes made by the Select Committee are shown in Clarendon type.]

BILL No. 16 OF 1933.

A Bill to provide for the preservation in efficient condition of tanks belonging to landholders which are used as part of the Periyar system of irrigation in the Presidency of Madras.

(Bill as amended by the Select Committee.)

WHEREAS it is expedient to provide for the preservation in efficient condition of tanks belonging to landholders which are used by the Government as part of the Periyar system of irrigation in the Presidency of Madras:

AND WHEREAS the previous sanction of the Governor-General has been obtained to the passing of this Act:

It is hereby enacted as follows:—

1. This Act may be called the Periyar Irrigation Tanks (Preservation) Act, 1934.

2. It extends to the whole of the Madura district.

3. In this Act, unless there is something repugnant in the subject or context,

(a) 'Collector' means the Collector of the **Madura** district;

(b) 'estate' and 'landholder' have the same meaning as in the Madras Estates Land Act, 1908; and

(c) 'tank' means any tank situated wholly or partly in an estate and used by the Government as part of the Periyar system of irrigation.

4. If any question arises as to whether any area is or forms part of a tank, it shall be decided by the Collector whose decision shall be final.

5. Whenever it appears to the Collector that any tank is in a state of disrepair, he may **pass a preliminary order** specifying the measures which in his opinion are necessary for its repair and restoration to efficiency **and cause plans and estimates of the cost of such measures to be prepared.** The Collector shall

[5th February 1934]

send copies of such **preliminary order**, plans and estimates to the landholder of the estate in which the tank is situated, or if the tank is situated in **more than one estate** to each landholder concerned, together with **a notice** in writing requiring him to appear before the Collector on a date to be specified in the notice, **not being less than sixty days after the date of the notice**, and show cause why the said order should not be confirmed.

The Collector shall cause a vernacular translation of such order and notice, together with a description in the vernacular of such measures and of the estimated cost of carrying them out to be affixed in some conspicuous place or places in the village or villages in which the tank or its *ayacut* is situated and in such other villages, if any, as he may think fit and shall cause intimation to be given of such affixture by beat of drum in the village or in each of the villages in which such affixture has been made.

6. On or before the date specified in the notice—

(i) the landholder or any of the landholders concerned may appear before the Collector and raise an objection—

- (a) that he is not the landholder of any estate in which the tank is wholly or partly situated; or
- (b) that the tank does not require repair; or
- (c) that measures other than those proposed would be sufficient for the repair of the tank and its restoration to efficiency; or
- (d) that by law, local custom or contract any of the measures proposed should be carried out wholly or in part by or at the cost of some other person or persons.

(ii) the holder of any land irrigated by the Periyar system or any other person concerned may appear before the Collector and make such representations as he may think fit with regard to the nature of the measures proposed.

7. On the date specified in the notice or on any subsequent date to which he may adjourn his enquiry, the Collector shall hold such enquiry as he thinks fit, and after such enquiry, shall confirm, cancel or modify

5th February 1934]

his preliminary order; and in the last case shall cause to be made such modifications in the plans and estimates as he may find necessary;

Provided that before modifying his preliminary order to the disadvantage of any party who has not appeared, he shall give a reasonable opportunity to such party to appear and show cause why the order should not be modified as proposed;

Provided further that in cases falling under clause (d) of section 6, the Collector shall specify in his final order the extent to which the landholder's liability devolves on the person or persons concerned under the law or local custom or contract and the proportions if any in which each of such persons, if more than one, shall bear such liability.

8. (1) If the Collector confirms or modifies his order under section (5), he shall report the matter to the Local Government who may cause to be carried out the measures specified in the order as confirmed or modified by him.

(2) The total cost of carrying out such measures (including the charges on account of establishment and tools and plant at such percentages on the actual cost of the work done as the Local Government may from time to time prescribe) shall be divided between the Local Government and the landholder or landholders and the other persons concerned, if any, in accordance with the following provisions:—

(a) There shall first be determined the total average area on which, during the three faslis immediately preceding the fasli in which the order under section 5 was issued, the Local Government have levied water-cess for the use of water issuing from the tank otherwise than through its surplus works, whether at the rate prescribed for the irrigation of dry land with Periyar water or at the rate prescribed for the irrigation of wet land in whole inam and zamindari villages with such water.

(b) Each landholder concerned shall bear such proportion of the said total cost, as one half of the average area of the lands in his

[5th February 1934]

estate, on which during the said three faslis the Local Government have levied water-cess for the use of water so issuing at the rate prescribed for the irrigation with Periyar water of wet lands in whole inam and zamindari villages, bears to the total average area as determined under clause (a):

Provided that in cases falling under clause (d) of section 6, the liability of the landholder concerned shall, to the extent specified in the Collector's order **under section 7**, be borne by the persons and in the proportions specified in such order.

(c) The Local Government shall bear the balance of the said total cost.

Illustrations.—1. A tank is wholly situated in the estate of a landholder. **There is no law**, local custom or **contract** excluding the liability of the landholder. The average area on which water-cess was levied during the three faslis immediately preceding that in which the order under section 5 is issued consists of 50 acres on which water-cess was levied at the rate prescribed for the irrigation of dry lands and 30 acres on which water-cess was levied at the rate prescribed for the irrigation of wet lands in whole inam and zamindari villages. The landholder should bear $\frac{1}{2}$ of $\frac{30}{30+50}$ i.e., $\frac{3}{16}$ of the total cost and the Government should bear the remainder, namely, $\frac{13}{16}$.

2. The facts are the same as in Illustration 1, except that a contract is proved by which the ryots holding the wet lands are bound to bear a share of the cost in proportion to their holding. Twenty acres of the wet lands are held by the ryots and the remaining ten by the landholder. The Government have to bear **$\frac{13}{16}$ of the total cost as in Illustration 1, the ryots $\frac{2}{16}$ and the landholder $\frac{1}{16}$.**

3. A tank is situated partly in the estate of landholder A and partly in that of landholder B. **There is no law**, local custom or **contract** excluding the liability of either landholder. The average area on which water-cess was levied during the three faslis immediately preceding, consists of 50 acres on which

5th February 1934]

the cess was levied at the rate prescribed for dry lands, 20 acres in the estate of landholder A, on which the cess was levied at the rate prescribed for wet lands in whole inam and zamindari villages, and 10 acres in the estate of landholder B on which the cess was levied at the rate prescribed for such wet lands. Landholder A will bear $\frac{\frac{1}{2} \text{ of } 20}{50+20+10}$ or $\frac{2}{16}$ of the total cost, landholder B will bear $\frac{\frac{1}{2} \text{ of } 10}{50+20+10}$ or $\frac{1}{16}$ of the total cost and the Government will bear the remainder, **namely, $\frac{13}{16}$.**

4. A tank is situated in the estates of several landholders. During the three faslis immediately preceding, water-cess has been levied on the whole ayacut at the rate prescribed for the irrigation of wet lands in whole inam and zamindari villages. **There is no law**, local custom or **contract** excluding the liability of any landholder. One-half of the total cost will be borne by the Government and the other half by the several landholders in proportion to the average area lying within their estates on which such water-cess has been levied.

9. After such measures as may have been ordered by the Local Government under section 8 have been carried out, the Collector shall cause to be served upon every landholder or other person concerned, a memorandum showing the total cost of carrying out the same and the portion of such cost for which he is liable under section 8, together with an order directing him to pay the said portion either in a lump sum within a specified time **or in specified instalments.**

10. Any amount payable by a landholder or other person under an order under section 9 shall be recoverable as an arrear of land revenue.

11. (1) Any landholder aggrieved by an order under section 9 served on him may within six months from the date on which such order was served institute a suit in a Civil Court to have such order set aside or modified on any of the following grounds, namely:—

(a) that he is not the landholder of any estate in which the tank is wholly or partly situated; or

Service of notice on landholder or other person to pay amount of cost due from him.

Recovery of amount due.

Right of suit of landholder, etc., in certain cases.

[5th February 1934]

- (b) that by **law**, local custom or **contract** any of the measures should have been carried out by, **or** at the cost of, some other person; or
- (c) that the portion of the cost for which he has been made liable has been wrongly calculated:

Provided that a landholder who has been served with an order, under section 5 shall not be entitled to institute a suit on the ground specified in clause (a) or clause (b), unless he has raised such ground in the proceedings before the Collector under section 6.

(2) Any person other than a landholder aggrieved by an order under section 9 served on him may within six months from the date on which such order was served institute a suit in a Civil Court to have such order set aside or modified on any of the following grounds, namely:—

- (a) that he is not bound to carry out any of the measures by **law**, local custom or **contract**; or
- (b) that the portion of the cost for which he has been made liable has been wrongly calculated.

Provided that no such person shall be entitled to institute a suit on the ground specified in clause (a), unless he has raised such ground in the proceedings referred to in the proviso to section 6 having had a reasonable opportunity to do so.

Procedure
in case of
emergency.

12. Whenever it appears to the Collector that any tank is in such a state of disrepair as to be in imminent danger of breaching, he may by summary order cause to be carried out the measures of repair which in his opinion are necessary to prevent the tank from breaching and shall without delay inform every landholder and other person concerned of the action which he is taking. The provisions of this Act shall thereupon apply as though such repairs had been ordered to be executed by the Local Government under section 8.

Service of
notice or
other docu-
ment.

13. Every notice, **order** or other document required by this Act to be served on or sent to any person, shall, if practicable, be served personally on such person; or,

[5th February 1934]

if he cannot be found, the notice, **order** or document may be left at his usual or last known place of abode with an adult member of his family or an adult servant or agent, or may be sent by registered post, or may be affixed to some conspicuous part of his usual or last known place of abode and shall thereupon be deemed to have been duly served or sent.

14. The Collector or any officer appointed by him in that behalf may, for the purposes of this Act, at any time, enter upon any land and inspect or cause to be inspected any tank situated therein.

Powers of
entry and
inspection.

[5th February 1934]

APPENDIX VII.

[Vide item VIII—Papers laid on the table of the House at page 518 supra.]

Statement showing area irrigated under each tank falling within the scope of the Periyar Irrigation Tanks (Preservation) Bill.

Name of tank.	Total average area on which during the last three faslis the Government have levied water-cess.		Total of items (a) and (b) in column (2).	Percentage of which one half the figure in column (2) (b) bears to the total figure in column (3).
	At the rate prescribed for irrigation of dry land with Periyar water.	At the rate prescribed for irrigation of wet land in whole inam and zamindari villages.		
	2 (a) ACS.	2 (b) ACS.	(3) ACS.	(4)
NILAKKOTTAI TALUK.				
Achampatti—				
Achampatti tank ..	..	129.46	129.46	50
Mettupatti—				
Nedungulam tank ..	4.59	97.70	102.29	48
Panaikudi—				
Ammakulam ..	..	2.05	2.05	50
Kavandankulam ..	..	2.98	2.98	50
Kaval kanmoi ..	..	38.11	38.11	50
Pannaikudi kanmoi ..	5.33	115.07	120.40	48
Vavidamaruthur—				
Chinna kanmoi ..	..	..	..	..
Periya kanmoi ..	1.40	103.13	104.53	49
Parali—				
Parali kanmoi ..	10.51	185.55	196.06	47
Tattankulam—				
Tattankulam tank ..	2.53	35.97	38.50	47
Tirumalnathan—				
Sankaran kanmoi ..	1.88	70.40	72.28	48
Nagari—				
Nagari kanmoi ..	21.65	136.66	158.31	43
Tiruvalavayanallur—				
Tiruvalavayanallur tank.	3.53	177.29	180.82	49
Sithalangudi—				
Sithalangudi tank ..	78.97	274.01	352.98	39
Pudur tank ..	21.72	318.39	340.11	47
Anaikulam ..	33.83	94.82	128.65	37
Bodinayakkanpatti—				
Reddivadugar kanmoi.	..	118.39	118.39	50
Sambukulam—				
Sambakulam kanmoi ..	192.21	125.67	317.88	30
Total ayacut in both the villages ..	113.57	22.35	135.92	(a) 8
Tanichiam—				
Periya kanmoi ..	72.76	788.84	861.60	46
Total ayacut of the tank in both the villages ..	24.76	6.19	30.95	(b) 10
Pudukulam ..	5.50	795.03	802.55	45
Total ayacut of the tank in both the villages ..	66.95	10.56	77.51	(c) 7
	72.45	63.64	136.09	23

(a) Lands irrigated in Sithalangudi village limits.

(b) Lands irrigated within Tiruvalavayanallur village limits.

(c) Lands irrigated within Nagari limits.

5th February 1934]

Name of tank.	Total average area on which during the last three faslis the Government have levied water-cess.		Total of items (a) and (b) in column (2).	Percentage of which one half the figure in column (2) (b) bears to the total figure in column (3).
	At the rate prescribed for irrigation of dry land with Periyar water.	At the rate prescribed for irrigation of wet land in whole inam and zamindari villages.		
	(2) (a) ACS.	(2) (b) ACS.	(3) ACS.	(4)
MELUR TALUK.				
Sorukulipatti—				
Sorukulipatti kanmoi ..	0.84	83.91	84.75	49
Perungalakudi—				
Keelaperungalakudi kanmoi ..	..	26.38	26.38	50
Melaperungalakudi kanmoi ..	28.77	144.00	172.77	42
Kilavikulam—				
Kilavikulam kanmoi ..	..	86.23	86.23	50
Unukal Puliyankulam—				
Unukal Puliyankulam ..	8.97	135.18	144.15	47
Veppadappu—				
Panikkan endal ..	..	..	..	..
Embi kanmoi ..	..	..	..	..
Sinnakonakulam ..	..	..	..	..
Pillukulam kanmoi ..	..	..	..	..
Periyakonakulam ..	19.36	460.41	479.77	48
Kumili kanmoi ..	..	..	..	..
Patti kanmoi ..	..	..	..	..
Namba kulandai kye ..	..	..	..	..
Damodaram kanmoi ..	..	..	..	..
Muthalu kulam ..	..	..	..	..
Valayankulam—				
Valayankulam kanmoi ..	27.77	57.26	85.03	34
MADURA TALUK.				
Bibikulam ..	1.11	94.96	96.07	49
Sokkikulam ..	2.21	62.52	64.73	48
Sokkikulam sinna kanmoi.	0.79	10.26	11.05	47
Vellaikuppan tank ..	0.91	69.05	69.96	49
Essalani tank ..	..	124.82	124.82	50
Ayyanendal tank ..	..	25.48	25.48	50
Tachanendal ..	64.53	75.30	139.83	27
Karuppukkal tank ..	79.15	67.69	146.84	23
Vellangulam tank ..	0.75	116.82	117.57	50
Kosayikulam ..	76.73	49.20	126.02	20
Poolangulam ..	105.81	28.91	134.72	11
Kathavanendal ..	32.42	46.60	79.02	30
Seegangulam ..	25.45	50.70	76.15	35
Pappagudi tank ..	53.70	122.57	176.27	36
Athikulam tank ..	50.46	55.58	106.04	26
Vedathakulam tank ..	45.41	67.41	112.82	30
Vellagundu tank ..	..	17.21	17.21	50
Udangundu tank ..	33.91	68.13	102.04	33
Alavandan tank ..	2.86	20.46	23.32	44
Mundanayagam tank ..	151.17	27.46	178.63	6
Mylangundu kanmoi ..	10.24	84.56	94.80	45
Podasupatti kanmoi ..	11.40	42.60	54.00	40
Eachaneri kanmoi ..	..	37.27	37.27	50
Sithakur kanmoi ..	..	62.73	62.73	50
Kundukulam kanmoi ..	..	74.72	74.72	50
Panaikulam kanmoi ..	..	68.07	68.97	50

[5th February 1934]

Name of tank.	Total average area on which during the last three faslis the Government have levied water-cess.		Total of items (a) and (b) in column (2).	Percentage which one-half the figure in column (2) (b) bears to the total figure in column (3).
	At the rate prescribed for irrigation of dry land with Periyar water.	At the rate prescribed for irrigation of wet land in whole inam and zamindari villages.		
(1)	(2) (a)	(2) (b)	(3)	(4)
	ACS.	ACS.	ACS.	
MADURA TALUK—cont.				
Elandaikulam kanmoi ..	253.44	35.96	280.40	6
Malliapuli kanmoi ..	6.42	72.75	79.17	46
Veerapanjan Sinna kanmoi ..	25.43	56.58	82.01	35
and Periya kanmoi ..	5.91	61.08	67.80	46
Sivalingam Periya kanmoi ..	3.18	31.52	34.70	45
Sivalingam Sinna kanmoi ..	189.99	64.11	254.10	15
Ulaganeri Periya kanmoi ..	..	123.38	123.38	50
and Sinna kanmoi ..	..	6.18	6.18	50
Narasingam kanmoi ..	..	..	..	..
Soorakulam kanmoi ..	..	..	..	..
Thattangulam Periya kanmoi ..	..	..	..	..
kanmoi and Sinna kanmoi ..	..	..	..	..
Perakur Kanmoi ..	69.47	37.19	37.19	50
Thathankulam kanmoi ..	47.49	111.37	180.84	31
Sena Nedungulam Periya kanmoi ..	..	39.61	87.10	23
kanmoi and Sinna kanmoi ..	..	..	..	..
Pappangulam kanmoi ..	5.42	68.88	74.30	46
Kollangulam kanmoi ..	20.25	9.60	29.85	16
..	15.08	83.08	98.16	42
Kathakinar.				
Thannuthu kanmoi ..	..	10.59	10.59	50
Periya kanmoi ..	..	72.84	72.84	50
Peekulam kanmoi ..	..	4.95	4.95	50
Sembiyendal kanmoi ..	..	16.26	16.26	50
Kadakashivanendal kanmoi ..	..	..	..	..
Sengulam kanmoi ..	82.47	65.18	147.65	22
Thathankulam Periya kanmoi ..	..	58.23	58.23	50
kanmoi and Sinna kanmoi ..	..	..	..	..
Kundusetti kanmoi ..	2.81	34.00	36.81	46
Sirupuliendal tank ..	13.66	15.50	29.16	27
Kannikulam tank ..	..	8.87	8.87	50
Parayankulam tank ..	56.08	24.57	80.65	15
Kondisetti kulam ..	..	30.98	30.98	50
Savalakaran kanmoi ..	7.18	4.41	11.59	19
..	6.15	46.28	52.43	44
Velliakundram.				
Shanmuganadhi kanmoi ..	..	107.41	107.41	50
Sengulam kanmoi ..	..	35.75	35.75	50
Veppi kanmoi ..	..	35.84	35.84	50
Velliagundaram kanmoi ..	..	222.55	222.55	50
Paraikulam ..	..	12.84	12.84	50
Kannimarkulam ..	..	6.38	6.38	50
Peria Amanthur kanmoi ..	..	20.14	20.14	50
Appanthiruppathi tank ..	1.48	81.70	83.18	49
Poondi.				
Peria kanmoi ..	2.45	59.13	61.58	48
Sinna kanmoi ..	..	35.14	35.14	50
Udaikulam ..	..	32.62	32.62	50

5th February 1934]

Name of tank.	Total average area on which during the last three faslis the Government have levied water-cess.		Total of items (a) and (b) in column (2).	Percentage of which one-half the figure in column (2) (b) bears to the total figures in column (3).
	At the rate prescribed for irrigation of dry land with Periyar water.	At the rate prescribed for irrigation of wet land in whole inam and zamindari villages.		
(1)	(2) (a)	(2) (b)	(3)	(4)
MADURA TALUK—cont.				
Porasapatti.				
Paluam kanmoi ..	..	12.16	12.16	50
Chettikulam kanmoi ..	..	90.26	90.26	50
Navakulam kanmoi ..	..	63.36	63.36	50
Navakulam.				
Seethakulam kanmoi ..	..	13.98	13.98	50
Andaman kanmoi ..	43.20	121.24	164.44	37
Veppi kanmoi ..	0.22	15.12	15.34	49
Pasukulam kanmoi ..	9.39	4.35	13.74	16
Paraikulam kanmoi ..	1.47	51.18	52.63	49
Pudukulam kanmoi ..	2.60	1.43	4.03	18
Vakulam.				
Peria Vakulam kanmoi ..	3.61	85.81	89.42	48
Sinna Vakulam kanmoi ..	..	17.28	17.28	50
Erukknatham kanmoi ..	..	3.93	3.93	50
Poonachi kanmoi ..	..	1.98	1.98	50
Mathur.				
Pilluseri kanmoi ..	..	17.30	17.30	50
Kallandiri kanmoi ..	..	12.08	12.88	50
Valayankulam.				
Keela kanmoi ..	43.52	103.39	146.91	35
Mela kanmoi ..	..	176.50	176.50	50
Thuyyaneri madai ..	..	2.00	2.00	50
Mudaliendal ..	..	34.00	34.00	50
Vadakundu kanmoi ..	..	50.80	50.80	50
Chettikulam ..	..	48.59	48.59	50
Pilluseri kanmoi ..	40.10	65.23	105.33	31
Pirakudi.				
Keela kanmoi ..	..	4.35	4.35	50
Mathur Pirakudi kanmoi ..	2.82	68.95	71.77	48
Poovakudi kanmoi ..	..	48.50	48.50	50
Jothiapatti.				
Vagulam kanmoi ..	14.68	101.30	115.98	44
Jothia kanmoi ..	1.93	32.41	34.34	47
Kurudur.				
Koothankulam ..	7.29	52.29	59.58	44
Nedunkulam ..	0.28	14.62	14.90	49
Manthaikulam ..	..	11.32	11.32	50
Periakulam ..	..	88.17	88.17	50
Sinnakulam ..	..	32.42	32.42	50
Vakulam ..	9.75	10.43	20.18	26
Thulukankulam tank ..	11.00	34.00	45.00	38

[5th February 1934]

Name of taluk.	Total average area on which during the last three fasils the Government have levied water-cess.		Total of items (a) and (b) in column (2).	Percentage of which one-half the figures in column (2) (b) bears to the total figures in column (3).
	At the rate prescribed for irrigation of dry land with Periyar water.	At the rate prescribed for irrigation of wet land in whole inam and zamindari villages.		
	2 (a)	2 (b)		
	ACS.	ACS.	ACS.	(4)
MADURA TALUK—cont.				
<i>Eraniam.</i>				
Peria kanmoi ..	..	19-00	19-00	50
Pudu kanmoi ..	..	3-75	3-75	50
Sathindal ..	..	5-26	5-26	50
Poonari kanmoi ..	10-47	44-44	54-91	50
<i>Alathur.</i>				
Peria kanmoi ..	..	135-00	135-00	50
Sinna kanmoi ..	..	24-30	24-30	50
Sichulappai kanmoi ..	..	70-08	70-08	50
<i>Athikulam.</i>				
Athikulam kanmoi ..	..	28-75	28-75	50
Periapuliyangulam kanmoi ..	..	42-28	42-28	50
Sinnapuliyangulam kanmoi ..	5-42	8-25	13-67	30
<i>Nagankulam.</i>				
Kanakkan kanmoi ..	5-28	27-12	32-40	42
Peria kanmoi ..	19-43	30-74	50-17	31
Sinna kanmoi ..	5-88	6-55	12-43	26
Parayathikulam tank ..	21-26	38-45	59-71	32
Kurundankulam kanmoi ..	3-92	20-58	24-50	42
<i>Maranavariendal.</i>				
Veppangulam tank ..	20-10	30-94	51-04	30
Marani kanmoi ..	55-70	75-98	131-68	29
Variendal kanmoi ..	38-45	15-50	53-95	15
<i>Veppangulam.</i>				
Veppangulam tank ..	30-72	170-99	201-71	42
Parasurampatti tank ..	10-44	41-67	52-11	40
<i>Veerapandi.</i>				
Peria kanmoi ..	..	198-75	198-75	50
Kundukulam kanmoi ..	..	100-91	100-91	50
Sirudur Peria kanmoi ..	16-96	145-70	162-66	45
Sinna kanmoi ..	27-11	120-68	147-79	41
Men endal ..	96-92	3-23	100-15	2
Vellurani ..	0-51	10-14	10-65	48
Tiruppalai Peria kanmoi ..	26-00	65-04	91-04	36
Do. Sinna kanmoi ..	2-05	40-30	42-35	48
Kannanendal tank ..	2-68	42-04	44-72	47
Melapanangadi tank ..	62-07	138-50	200-57	35
Vedugapatti tank ..	132-76	285-03	417-79	34
Vyavanatham tank ..	376-56	221-42	597-98	19
Pillayarnatham tank ..	36-43	107-72	144-15	37
Sambarkulam tank ..	20-06	80-44	100-50	40
Vagaikulam tank ..	48-73	71-03	119-76	30
Keelapanangadi tank ..	53-97	63-15	117-12	27
Vittangulam tank ..	119-15	21-48	140-63	8
Siruvalai Peria kanmoi ..	47-66	187-66	235-32	40
Do. Sinna kanmoi ..	37-64	108-24	146-88	37
Vallakulam tank ..	..	54-19	54-19	50

5th February 1934]

Name of taluk.	Total average area on which during the last three fasils the Government have levied water-cess.		Total of items (a) and (b) in column (2).	Percentage of which one-half the figures in column (2) (b) bears to the total figures in column (3).
	At the rate prescribed for irrigation of dry land with Periyar water.	At the rate prescribed for irrigation of wet land in whole inam and zamindari villages.		
	2 (a)	2 (b)		
	ACS.	ACS.	ACS.	(4)
MADURA TALUK—cont.				
<i>Araiyyur.</i>				
Mela kanmoi ..	..	145-53	145-53	50
Kila kanmoi ..	..	70-45	70-45	50
Keelanedungulam tank ..	..	133-60	133-60	50
Kalligudi tank ..	164-03	38-66	202-69	10
Moolakurichi kanmoi ..	..	145-16	145-16	50
Sambandar Alangulam tank ..	73-90	66-64	140-54	24
Pattakurichi kanmoi ..	5-20	96-88	102-08	48
<i>Vayalur.</i>				
Kila kanmoi and Mela kanmoi ..	118-92	72-80	191-72	19
Ambalathadi tank ..	161-91	93-78	255-69	18

APPENDIX VIII.

[Vide item VIII—PAPERS laid on the table of the House at page 518 supra.]

FINANCE DEPARTMENT

List of posts on Rs. 500 per mensem and above created during the quarter ending 31st December 1933.

Department and designation of the post.	Pay per mensem.	Period of tenure.	Remarks.
PERMANENT.			
Nil.			
TEMPORARY.			
Extension of previous sanction.			
RS.			
Public Department— Additional Sessions Judge, Coimbatore.	Pay in the senior time-scale of the Indian Civil Service.	For one year from 24th December 1933.	....
Law Department— Additional Sub-Judge, Coimbatore.	650	One year from 1st October 1933.	....
Additional Sub-Judge, Vizagapatam.	650	One year from 24th December 1933.	....
Public Works and Labour Department— Executive Engineer.	625—1,375	Till the end of March 1934.	For charge of the Ramnad division.
Electrical Engineer, Cauvery-Mettur Project.	800—100—1,200	3rd December 1933 to 31st March 1935.	....

[5th February, 1934]

Remarks.

TEMPORARY.

Posts newly created.

RS.

Department and designation of the post.	Pay per mensem.	Period of tenure.	Remarks.
Public Department— Collector	2,500 plus £30 over-seas pay.	From 15th November 1933 to 2nd January 1934.	Mr. A. R. Cox, I.C.S., was appointed to be on special duty as a nominated member of the Assembly.
Additional Secretary to Government, Public Department.	2,500, over-seas pay £30, special pay Rs. 250.	For six months from 16th November 1933.	Mr. G. T. Boag, C.I.E., I.C.S., has been appointed to the post.
Officer on special duty in the Chief Secretariat for the preparation of the Presidency Administration Report.	Pay in the regular line of the Indian Civil Service plus Madras house allowance.	From 26th October 1933 to 25th January 1934.	Mr. P. Achutha Menon, I.C.S., was appointed to be on special duty.
Officer on special duty in the Chief Secretariat for editing certain pamphlets for distribution in the Presidency.	Pay in the regular line of the Indian Civil Service plus Madras house allowance.	One month from 23rd November 1933.	Mr. D. I. R. Muir, I.C.S., was appointed to the post.
Additional Assistant Secretary, Public Department.	500—50—800	8th December 1933 to 31st March 1934.	For the revision of the statutory rules for the services.
Finance Department— Assistant Secretary, Finance Department.	500—50—800	For six months from 1st October 1933.	For the preparation for budget estimates for 1934-35.
Revenue Department— Joint Secretary to the Board of Revenue.	Pay in the senior time-scale of the Indian Civil Service plus Madras house allowance.	20th October 1933 to 31st March 1934.	The post is created in lieu of the post on Director of Land Records.
Law Department— Sub-Judge, Kurnool ..	650	From 1st October 1933 up to the commencement of the summer recess for 1934.	....

S. A. VENKATARAMAN,
Deputy Secretary to Government.

INDEX TO THE PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL

FOURTH SESSION OF THE FOURTH LEGISLATIVE COUNCIL

29th, 30th and 31st January, 1st, 2nd and
5th February 1934.

Volume LXIX

	PAGES
"A" class prisoners—	
Question re bread and milk for—	376
" sleeping accommodation for — in Central Jail, Vellore ..	376
Abdul Hameed Khan, Mr.—	
Bills—	
Impartible Estates Act, Bill to amend — (Bill No. 11 of 1932) ..	140, 314
Impartible Estates Act, Bill further to amend — (Bill No. 17 of 1933) ..	320
Local Boards Act and Elementary Education Act, Bill to amend —	89-92
Maternity Benefit Bill	150-151
Public Libraries Bill	142
Periyar Irrigation Tanks (Preservation) Bill	470
Resolution of congratulation to the Hon. Sir Mahomed Usman on his appointment as Acting Governor of Madras	15-16
Resolution re—	
Muslim girls, exemption of — from payment of fees in educational institutions	359-360
See Questions and Answers.	
Accountant-General's report—	
Appropriation accounts for 1931-32 and —	104
Adirampatnam Port—	
Question re closure of —	21-22
Admission—	
See Government Training schools.	
See Widows' Home, Madras.	
Agricultural produce—	
Question re Prices of —, improving the level of —	128-130
Ahmed Meeran Sahib Bahadur—	
Resolution re—	
Remission of assessment on ryotwari lands	279-281
See Questions and Answers.	
Alamelumangathayaramma, Mrs. K.—	
Bills—	
Maternity Benefit Bill	150
Resolution re—	
Muslim girls, exemption of — from payment of fees in educational institutions	364-365
Remission of assessment on ryotwari lands	286
See Questions and Answers.	
Alangayam reserve forests—	
Question re grazing fees in —	20-21

A—cont.

PAGES

All-India Medical Council— Demand for supplementary grant <i>re</i> allowances to members of the — ..	66
Amalgamation— See Muslim schools.	
Appadurai Pillai, Diwan Bahadur A.— Bills— Impartible Estates Act, Bill further to amend— (Bill No. 17 of 1933) ..	321-322, 324-325
Resolution <i>re</i> — Communal Government Order, enforcement of — in local bodies ..	351-352
See Questions and Answers.	
Appointment— See Executive Officers. See Government Technical Examinations. See Panchayat officers. See Religious instructors. See Water-works supervisor, Ootacamund.	
Appropriation Accounts for 1931-32— — and report of the Accountant-General ..	104
Arasu, Mr. V. T.— Bills— Periyar Irrigation Tanks (Preservation) Bill 476-477, 478-479, 481-483, 484, 485-486, 488, 490, 492, 493, 494-495, 496-497, 499-503, 505-506, 508, 509, 511-512, 514, 515-516	471-472, 496-497, 499-503, 505-506, 508, 509, 511-512, 514, 515-516
Resolution <i>re</i> — Remission of assessment on ryotwari lands ..	296-299
Arrears of land revenue— Question <i>re</i> attachment of property for —, levy of additional charges ..	27
Arrest for debts— Question <i>re</i> Bill to amend provision in Criminal Procedure Code <i>re</i> — ..	246
Artisans— Question <i>re</i> Economic enquiry concerning ..	313
Atmakur— Question <i>re</i> Bandobast in —, expenditure on ..	462-464
Attachment of lands— See Land Revenue.	
Attachment of property— Question <i>re</i> arrears of land revenue, levy of additional charges in cases of — ..	27
Automatic firearms— Question <i>re</i> renewal licences for — stoppage of ..	311-312

B

"B" class prisoners— Question <i>re</i> bread and milk diet for — ..	376
Bandobast— Question <i>re</i> expenditure on — in Atmakur and Nandyal ..	462-464
B.M. Press, Mangalore— Question <i>re</i> working hours of the — ..	233
Basheer Ahmed Sayeed, Mr.— Bills— City Civil Court Act, Bill to amend— .. Local Boards Act and Elementary Education Act, Bill to amend— .. Periyar Irrigation Tanks (Preservation) Bill .. Public Libraries Bill ..	68-70 86-89 515 141-142
Demands for supplementary grants <i>re</i> — Irrigation (Cauvery-Mettur Project)—Reserved ..	50-51

B

PAGES

Basheer Ahmed Sayeed, Mr.—cont.

Resolution <i>re</i> — Communal Government Order, enforcement of — in local bodies ..	356
Muslim girls, exemption of — from payment of fees in educational institutions ..	360-362
Remission of assessment on ryotwari lands ..	154, 181-184
See Questions and Answers.	
Basu Dev, Mr. C.— Bills— Impartible Estates Act, Bill to amend— (Bill No. 11 of 1932) ..	140
Maternity Benefit Bill ..	150
Moneylenders' Bill ..	141
Resolution <i>re</i> — Communal Government Order, enforcement of — in local bodies ..	354
Remission of assessment on ryotwari lands ..	176-177
Benoh Court, Salem— Question <i>re</i> accommodation for first-class — ..	375-376
Beyabani Sahib Bahadur, Mr. S. M. K.— Bills— Muslim Wakf Bill ..	151
See Questions and Answers.	
Bhanoji Rao, Mr. A. V.— Bills— Impartible Estates Act, Bill further to amend (Bill No. 17 of 1933) ..	142, 316, 318, 468
Bihar Earthquake Relief Fund— Suggestion <i>re</i> subscription to — ..	491
Bills— City Civil Court Act, Bill to amend— Introduction ..	67
Motion to refer the Bill to Select Committee ..	67-70
Hindu Religious Endowments Act, Bill to amend (of Mr. K. Koti Reddi)— Motion for leave to introduce the Bill ..	151
Introduction ..	151
Hindu Religious Endowments Act, Bill to amend (of Mr. P. V. Krishnayya Choudari)— Motion to refer the Bill to Select Committee ..	143-148
Impartible Estates Act, Bill to amend (Bill No. 11 of 1932)— Presentation of Select Committee's report ..	139
Motion that the Bill be taken into consideration ..	139-140
Motion to adjourn consideration of the Bill ..	140-141, 314-318
Impartible Estates Act, Bill further to amend (Bill No. 17 of 1933)— Presentation of Select Committees' report ..	142
Motion to take the Bill into consideration ..	142, 316-330
Motion to recommit the Bill to the same Select Committee ..	318-330
Bill discussed ..	330-343, 464-468
Motion to pass Bill into law ..	468-469
Leave to introduce the Bill ..	151
Introduction ..	151
Local Boards Act and Elementary Education Act, Bill to amend— Introduction ..	71
Motion to refer the Bill to Select Committee ..	71-103, 386-440
Motion to defer consideration of the subject ..	76-103, 386-431
Motion for circulation of the Bill ..	86-103, 386-431
Local Boards Bill (of Mr. P. C. Moses)— Maternity Benefit Bill— Motion to refer the Bill to Select Committee ..	148-151
Moneylenders Bill— Presentation of Select Committee's report ..	141
Motion to take the Bill into consideration ..	141

B—cont.	PAGES
Bills—cont.	
Muslim Wakf Bill—	
Leave to introduce the Bill	151
Introduction	151
Periyar Irrigation Tanks (Preservation) Bill—	
Presentation of Select Committee's report	469
Motion to take the Bill into consideration	469-476
Motion to adjourn consideration of the Bill	470-476
Bill discussed	476-516
Motion to pass the Bill into law	516
Public Libraries Bill—	
Presentation of Select Committee's report	141
Motion to take the Bill into consideration	141-142
Motion to adjourn consideration of the Bill	142
Town-Planning Act, Bill to amend—	
Introduction	70
Motion to take the Bill into consideration	70-71
Bill considered and passed into law	71
Birley, Mr. F.—	
Resolution of congratulation to the Hon. Sir Mahomed Usman on his appointment as Acting Governor of Madras	16
Birth control—	
Pamphlet on — by George Bernard Shaw	301
Pamphlet by Upton Sinclair on —	301
Pamphlet on ethics of birth control by the Madras Neo Malthusian League	301
Board of Industries—	
Announcement re members nominated for election to —	409
Motion re election of two members to —	385
Business during February and March 1934—	
Announcement re —	464
Butter-milk—	
Question re supply of — to "C" class prisoners	138-139, 456
C	
"C" class prisoners—	
Question re butter-milk, supply to —	138-139, 456
Campbell, the Hon. Sir Archibald—	
Bills—	
Hindu Religious Endowments Act, Bill to amend —	144-145
Impartible Estates Act, Bill to amend — (Bill No. 11 of 1932)	315
Impartible Estates Act, Bill further to amend — (Bill No. 17 of 1933)	325-326, 330, 331-332, 333-334, 339, 340, 342, 343, 467
Periyar Irrigation Tanks (Preservation) Bill	469, 475-476, 481, 483-484, 485, 487, 489, 490, 492, 493, 494, 496, 499, 500, 505-506, 507, 508, 510, 511, 512, 514, 515, 516
Demands for supplementary grants re —	
Irrigation (Cauvery-Mettur Project)—Reserved	58-59, 62-63
Irrigation (excluding Cauvery-Mettur Project)—Reserved — closing of Nethilativarava breach and extension of Polavaram Island embankment	56-57
Motion re —	516
Madras Services Commission, report of —	287-295
Resolution re —	29
Remission of assessment on ryotwari lands	376
Cattle-pounds—	
Question re transfer of control of — to local bodies	
Central Jail, Vellore.	
Question re "A" class prisoners in — sleeping accommodation for —	

C—cont.	PAGES
Champion Scheme—	
Question re Muslim schools, amalgamation with non-Muslim schools— pursuant to the —	245
Cheris—	
Question re wells, provision in — with less than 100 houses	41-42
Christians—	
Question re Government Training schools at Kovilpatti and Tinnevely, selection of — for admission into	46-47
City Civil Court Act, Bill to amend—	
Chairman of Select Committee on —, appointment of Mr. M. A. Muthiah Chettiyar as —	103
See Bills.	
Civil disobedience movement—	
Question re Pleaders' sanads, cancellation for participation in the —	233-234
Civil Procedure Code—	
Question re Bill to amend provision in the — re arrest and imprisonment for debt	246
Civil Veterinary department—	
Question re vacancies remaining unfilled in the —	243
Civil Works—Establishment and Tools and Plant—	
See Excess demands for grants.	
Clerks—	
Question re selection of — by Madras Services Commission for Telugu areas	29
Coconuts—	
Question re report on the fall in price of —, action taken on	306-307
Communal Government Order—	
Resolution re enforcement of — in local bodies	343-358
Connemara Public Library—	
Question re duties of the Superintendent of the —	459
Conran Smith, Mr. E.—	
Bills—	
Local Boards Act and Elementary Education Act, Bill to amend —	407, 416
Co-operative Inspectors—	
Question re selection for posts of — by Madras Services Commission	243
Co-operative Societies—	
See Depressed classes tenants' co-operative societies.	
Cuddapah-Kurnool Canal—	
Question re channel connecting Cumbum tank with the —, estimates for —	376-377
" Cumbum tank, channel connecting — with the —, investigating the feasibility of —	377
Cumbum Taluk Board—	
Question re village development, grant to — for	40
Cumbum tank—	
Question re channel for connecting — with the Cuddapah-Kurnool canal.	376-377
" water-supply in the —, failure of —	22
Cyclone damage—	
Question re extent — to life and property	139
Cyclone havoc—	
Question re extent of — to the Kanigiri Reservoir	453
" relief measures in South Arcot consequent on —	454-455
D	
Darkhast lands—	
Question re ex-army men, application for —	236
" grant of — to ex-army men	237
Davis, Mr. J. A.—	
Resolution of congratulation to the Hon. Sir Mahomed Usman on his appointment as Acting Governor of Madras	16
Resolution re remission of assessment on ryotwari lands	285-286

D—cont.

PAGES

Defalcation— See District Educational Council, Malabar.	
Demands for supplementary of grants <i>re</i> Irrigation (Cauvery-Mettur Project) — Reserved	58-63
Irrigation (excluding Cauvery-Mettur Project) — Reserved, — closing of Nettulettivarava breach and extension of Polavaram Island embankments.	56-57
Medical — (allowances to members of Medical Council)	66
Ministers, Civil Secretariats and Miscellaneous—Transferred (Panchayat Board elections)	63-66
Miscellaneous Departments — Reserved (allotments for Labour Commissioner)	66
Depressed classes— Question <i>re</i> Government Training schools at Kovilpatti and Tinnevely, selection of — students for admission into	46-47
Depressed classes tenants' co-operative societies— Question <i>re</i> rental on lands leased to —	28
Devadassan, Mr. M.— Bills— Hindu Religious Endowments Bill Resolution <i>re</i> Communal Government Order, enforcement of — in local bodies See Questions and Answers.	145, 146-147 343-345
Dharmalingam Pillai, Rao Sahib V.— See Questions and Answers.	
Diet— See "A" class prisoners. See "B" class prisoners.	
District Board— See Salem District Board. Question <i>re</i> names and number of — working at a deficit " names of — working at a deficit " tenders, compliance with Government Order regarding acceptance by —	445 445 444
District Educational Council, Malabar— Question <i>re</i> defalcation in the — judgment in regard to the case of — " defalcation in the —, observations of the Assistant sessions Judge on the conduct of the investigating officer	247 313
Drainage schemes— Question <i>re</i> execution of — in Guntur district	309-310
Drinking water— Question <i>re</i> supply of — to Salem from Mettur Reservoir	448-449
Duty on rice— Question <i>re</i> levy of — by His Exalted Highness the Nizam's Government	128

E

Earthquake— Resolution of sympathy with provinces affected by —	12-13
Economic condition— Question <i>re</i> Collectors' reports on the — in the districts " reports on the — of the province	461-462 455-456
Elections— Question <i>re</i> Special officer for — to panchayats, appointment of President of Kistna District Board as See Temple Committee, Trichinopoly. See Temple Committees.	83

E—cont.

PAGES

Elementary schools— See Higher Elementary schools.	
Ellappa Chettiyar, Diwan Bahadur S.— Resolution <i>re</i> — remission of assessment on ryotwari lands	281
Esplanade Road— Question <i>re</i> Hawkers and pedlars, eradication of nuisance caused by —	374-375
Ex-army men— Question <i>re</i> applications from — for lands on darkhast " darkhast lands, grant of — " employment of — " employment of — by Collectors and District Judges	236 237 237 137
Excess demands for Grants— Civil Works—Establishment and Tools and Plant, etc., — Refunds of Revenue	66-67
Executive officers— Question <i>re</i> appointment of — to municipalities	237-239
Extension of term— See Taluk boards.	

F

Family limitation— Pamphlet on — by Sherwood Eddy	301
Fee concessions— See Medical College, Vizagapatam.	
Finance Committee— Announcement of the result of election to — Motion <i>re</i> election of members to the —,	152 56
Fire-arms— See Automatic fire-arms.	
Floods— Question <i>re</i> relief to ryots in East and West Godavari districts on account of floods	27-28
Forest concessions— Question <i>re</i> Memorandum by the Landholders' Association, South Kanara, on the withdrawal of —	234-235
Forest grievances— Question <i>re</i> Landholders' Association, South Kanara, Memorandum on — " Memorandum on — Submitted by South Kanara Landholders' Association	234 138
Forest Panchayat, Nampalle village— Question <i>re</i> irregularities on the part of the President of the —	246

G

"G" permits— See Motor vehicles.	
Gopalaswami Mudaliyar, Diwan Bahadur M.— Resolution <i>re</i> — Remission of assessment on ryotwari lands,	162-163
Government Muhammadan Training school, Kurnool— Question <i>re</i> teaching staff of the —	50
Government Muhammadan Training School for Women, Bellary— Question <i>re</i> conveyance facilities for the pupils of —	50-51
Government Press, Madras— Question <i>re</i> Piece-workers in the composing department of the — Discharge of —	232-233

G—cont.

PAGES

Government servants—	
Question re Government Circular prohibiting — from participating in functions re: Mahatma Gandhi's visit	18-19
" quarters for —, expenditure since provincial contribution was fixed	43
Government Technical Examinations—	
Question re examiners for —, appointment of	43-44
Government Training schools—	
Question re admission into the — at Kovilpatti and Tinnevely	46-47
Governor's Message, His Excellency the —	
Thanking the Council for their resolution of congratulation on his appointment as Acting Viceroy	491
Grant—	
See Cumbum Taluk Board.	
See Village development.	

H

Higher elementary schools—	
Question re Hindi teachers, proposal to appoint in the —	243-245
" revision of the curriculum of studies in the —	44-45
Hindi teachers—	
Question re Higher elementary schools, proposal to appoint — in	243-245
Hindu Religious Endowments Act—	
Question re Temple committees under the —, constitution of	449-450
Hindu Religious Endowments Bill (of Mr. K. Koti Reddi)—	
See Bills.	
Hindu Religious Endowments Bill (of Mr. P. V. Krishnayya Choudari)—	
See Bills.	
Hostel—	
See Medical College, Madras.	

I

Impartible Estates Act, Bill to amend—(Bill No. 11 of 1932)—	
See Bills.	
Impartible Estates Act, Bill to further amend—(Bill No. 17 of 1933)—	
See Bills.	
Imprisonment for debt—	
Question re Bill to amend provision in Criminal Procedure Code re:	246
Indian Christian Depressed class students—	
Question re scholarships and stipends, award of	51-53
Indian School of Medicine—	
Question re out-patient departments in the —	39
Industrial workmen—	
Question re economic enquiry concerning	313
Inspectors of motor vehicles —	
Question re permanent retention of —, proposal of Government for the —	457
Irrigation—(Cauvery-Mettur Project)—Reserved—	
Demand for supplementary grant	58-63
Irrigation (excluding Cauvery-Mettur Project)—Reserved—	
— Closing of Nettilettivarava breach and extension of Polavaram Island embankments, demand for sub-grant regarding —	56-57
Irrigation Conference—	
Question re publication of the proceedings of the — between the Madras and Mysore Governments	132-133
Islam—	
Question re attack on — in a book published by Mr. L. Srinivasa Ayyar of Coimbatore	455-459

J

PAGES

Joint Committee—	
Secretary of State's evidence on constitutional reforms before — ..	104
See Papers laid on the table.	

K

Kanchalamma project—	
Government Order regarding abandonment of —	104
Kanigiri reservoir—	
Question re damage caused by cyclone to the —	453
" removal of silt in the —	136
Kesavaramamurti Nayudu, Mr. K.—	
Resolution re—	
Remission of assessment on ryotwari lands	179-180
See Questions and Answers.	
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.—	
Resolution re—	
Remission of assessment on ryotwari lands	180-181
See Questions and Answers.	
Kilanur tank—	
Question re Oobrapalayam, submergence through overflow of the — ..	22-23
Kistbandi—	
Question re extension of — from three to four months	26-27
" Gumsoor taluk, representation from ryots regarding alteration of —	377
Kistna delta—	
See Pipe sluices.	
Korayar river—	
Question re flood bank to the —, provision of	312-313
Koti Reddi, Mr. K.—	
Bills—	
Hindu Religious Endowments Act, Bill to amend —	143-144, 151
Local Boards Act and Elementary Education Act, Bill to amend — ..	433-436
Demands for supplementary grants re—	
Irrigation (Cauvery-Mettur Project)—Reserved	59-60, 63
Ministers, Civil Secretariats and Miscellaneous—Transferred (Panchayat Board Elections)	64-65
Resolution re—	
Remission of assessment on ryotwari lands	194-197
Krishnamurti, Rao Bahadur D.—	
Bills—	
Local Boards Act and Elementary Education Act, Bill to amend — ..	386-388
Krishnan Nayar, The Hon. Diwan Bahadur Sir M.—	
Bills—	
City Civil Court Act, Bill to amend —	67-68, 70
Krishnaswami Ayyar, Diwan Bahadur Sir Alladi—	
Bills—	
Impartible Estates Act, Bill further to amend — (Bill No. 17 of 1933) ..	328-328, 330, 334-335
Krishnayya Choudari, Mr. P. V.—	
Bills—	
Hindu Religious Endowments Act, Bill to amend —	143
Periyar Irrigation Tanks (Preservation) Bill	472
See Questions and Answers.	
Kumararaja of Venkatagiri—	
Bills—	
Impartible Estates Act, Bill to amend — (Bill No. 11 of 1932)	314
See Questions and Answers.	

K—cont.		PAGES
Kumaraswami Reddiyar, The Hon. Diwan Bahadur S.—		
Motion re—		
Board of Industries, election of two members to —	385	
Resolution re—		
Muslim girls, exemption of — from payment of fees in educational institutions	369-370	
L		
Lady apothecary—		
Question re change of designation of — into 'woman apothecary' ..	36	
Lady assistant surgeon—		
Question re change of designation of — into 'woman assistant surgeon' ..	36	
Lady doctor—		
Question re representation re — for the Kasaragod taluk	447-448	
Lady medical officers—		
Question re change of designation of — into 'women medical officers' ..	35-36	
Lakkavalli project—		
Question re execution of the — proposal to proceed with the —	452-453	
Lakshmana Reddi, Mr. G.—		
Resolution re—		
Remission of assessment on ryotwari lands	169-170	
See Questions and Answers.		
Land revenue—		
Question re arrears of —, attachment and sale of lands for —	310-311	
„ arrears of —, distraint and sale of lands for realizing	235-236	
„ remission of — in Salem district, proposal of the Collector for	462	
Landholders' association—		
See South Kanara Landholders' Association.		
Landholders' Association, South Kanara—		
Question re memorandum of the — on forest grievances	234	
„ memorandum by the — on the withdrawal of forest concessions	234-235	
Landholders' Conference—		
Question re Proceedings of the — at Puttur on 3rd December 1933 ..	23	
Langley, Mr. W. K. M.—		
Bills—		
Local Boards Act and Elementary Education Act, Bill to amend — ..	411-414, 429	
Resolution re—		
Remission of assessment on ryotwari lands	184-188	
Law College—		
Question re Victoria Hostel, non-admission of students of the — ..	245	
Leave allowances—		
See Medical officers.		
Licences—		
See Automatic firearms.		
Local boards—		
Question re complaints against presidents of — re disposal of tenders	443	
Local Boards Act and Elementary Education Act, Bill to amend—		
See Bills.		
Local Boards Bill (of Mr. P. C. Moses)—		
See Bills.		
Local bodies—		
Question re cattle-pounds, transfer of control to —	39	
„ members of — in Guntur district, disqualification for voting ..	32-33	
„ Muslim schools, amalgamation with non-Muslim schools	48-49	
See Communal Government Order.		

L—cont.		PAGES
Local bodies, financial position of —		
Government Order re — special officer's general report	104, 120-123	
Lower division clerks—		
Question re promotion of — to upper division	29-30	
„ savings due to stoppage of officiating promotion to — to upper division	30	
M		
Maachavaram tank—		
Question re supply channel of the —, improvements to —,	235	
Madanagopal Nayudu, Mr. R.—		
Bills—		
Public Libraries Bill	142	
Madayi amsam—		
Question re panchayat court, opening of —	375	
Madhusoodhanan Thangal, Mr. P.—		
See Questions and Answers.		
Madras Conspiracy Case prisoners—		
U.O. note re Question No. 410 about confining 14 — in three small rooms.	197, 230	
Madras Services Commission—		
Motion to take the report of the — into consideration	516-518	
Question re selection of clerks by — for Telugu areas	29	
„ selection to posts of co-operative inspectors by the —	243	
Madrasa-i-Azam—		
Question re dining hall for —, provision of —	49	
Mahatma Gandhi's visit—		
Question re Government circular prohibiting Government servants from participating in functions re —	18-19	
Mahboob Ali Baig Sahib Bahadur—		
Resolution re—		
Muslim girls, exemption of — from payment of fees in educational institutions	366-367	
Remission of assessment on ryotwari lands	263-264	
See Questions and Answers.		
Manikkavelu Nayakar, Mr. M. A.—		
Demands for supplementary grants re—		
Ministers, Civil Secretariats and Miscellaneous—Transferred (Panchayat Board Elections)	65	
Resolution re—		
Remission of assessment on ryotwari lands	273-276	
See Questions and Answers.		
Manneru river—		
Question re supply channel from the —, improvements to —	235	
Manure leaves—		
Question re supply of — from reserve forests in South Kanara	19-20	
See Seigniorage fee.		
Maternity Benefit Bill—		
See Bills.		
Medical—		
Demand for supplementary grant re — (allowances to members of Medical Council)	66	
Medical certificates—		
Question re countersignature of — issued to non-gazetted officers ..	36-37	
„ restrictions on the issue of — by L.I.M. certificate holders ..	448	
Medical College, Madras—		
Question re hostel for —, provision of —	378	
Medical College, Vizagapatam—		
Question re fee concessions to students in the —	37-38	

M—cont.	PAGES
Medical Council— See Demands for supplementary grants—Medical.	
Medical officers— Question re leave allowances of — on leave preparatory to retirement ..	33-35
Metherell, Mr. J. K.— Oath of office	12
Mettur Hydro-Electric scheme— Question re progress of the —	311
Mettur reservoir— Question re drinking water to Salem from the —, supply of — ..	448-449
Miller, Mr. W. H.— Oath of office	12
Ministers, Civil Secretariats and Miscellaneous— Demand for supplementary grant under — re Panchayat Board Elections.	63-66
Misappropriation— See Police Training School, Vellore.	
Miscellaneous Departments—Labour— Demand for supplementary grant re —	66
Money-lenders Bill— See Bills.	
Mopad tank— Question re supply channel of the —, improvements to —	235
Moses, Mr. P. C.— Bills— Local Boards Bill See Questions and Answers.	151
Motions re— Finance Committee, election of members to the — Madras Services Commission, report of — Standing Orders, amendments to —	56 516-518 380-385
Motor vehicles— Question re 'G' permits to — plying for hire, authorization of district Superintendents of Police to issue	456-457
Motor Vehicles Taxation Act— Notification of a rule under —	104
Muhammadan College— Question re dining hall for — provision of —	49
Muhammadan schools— Question re religious instructors — sanction of Government for appoint- ment of —	126-127
Municipalities— Question re executive officers to —, appointment of —	237-239
Muniswami Nayudu, Diwan Bahadur B.— Bills— Hindu Religious Endowments Act, Bill to amend — Impartible Estates Act, Bill further to amend — (Bill No. 17 of 1933) Local Boards Act and Elementary Education Act, Bill to amend — Periyar Irrigation Tanks (Preservation) Bill Discussion re Business during February and March sittings of the Council Motion re Madras Services Commission, report of — Resolution of congratulation to His Excellency Sir George Stanley on his appointment of acting Viceroy Resolution of congratulation to the Hon. Sir Mahomed Usman on his appointment as acting Governor of Madras Resolution re — Communal Government Order, enforcement of — in local bodies	145 142, 322- 324, 332-333, 337, 338, 339-341, 465-467, 468-469 92-103, 433-436 512 464 518 14 15 349-350

M—cont.	PAGES
Muniswami Pillai, Rao Sahib V. I.— Bills— Local Boards Act and Elementary Education Act, Bill to amend — Resolution of congratulation to the Hon. Sir Mahomed Usman on his appointment as acting Governor of Madras	417-418 15
Resolution re— Muslim girls, exemption of — from payment of fees in educational institutions Remission of assessment on ryotwari lands See Questions and Answers.	363-364 284-285
Muslim Education Committee— Question re report of the —	457-458
Muslim girls— Resolution re exemption of — from payment of fees in educational institu- tions	359-370
Muslim schools— Question re amalgamation of — with non-Muslim schools pursuant to the Champion scheme Question re amalgamation of — with non-Muslim schools by local bodies ..	245 48-49
Muslim Wakf Bill— See Bills.	
Muthiah Chettiyar, Mr. M. A.— Bills— Money-lenders Bill	141
Muthu Chettiyar, Rao Bahadur P. C.— Bills— Periyar Irrigation Tanks (Preservation) Bill Resolution re— Remission of assessment on ryotwari lands	470-471, 477, 479, 483, 486, 488, 490, 495, 497-498, 503-505, 509-510, 514 269-271
N	
Nachiappa Goundar, Mr. K. A.— See Questions and Answers.	
Nadimuthu Pillai, Mr. A. Pl. N. V.— See Questions and Answers.	
Nampalli village— See "Forest Panchayat."	
Nandyal— Question re bandobust in —, expenditure on —	462-464
Nanjappa Bahadur, Subedar-Major S. A.— See Questions and Answers.	
Narasa Reddi, Mr. T.— See Questions and Answers.	
Narayanan Nambiyar, Mr. V. P.— Resolutions re — Communal Government Order, enforcement of — in local bodies Remission of assessment on ryotwari lands	350-351 254-257
Narayanaswami Pillai, Mr. T. M.— Resolution re— Remission of assessment on ryotwari lands	278-279
Natesa Mudaliyar, Rao Bahadur C.— Demands for supplementary grants re — Irrigation (Cauvery-Mettur Project)—Reserved Resolution re — Remission of assessment on ryotwari lands	61-62 166-167
Nellore— See "Pennar amcuts."	

N—cont.

PAGES

Nettilativarava breach—closing of— See Demands for supplementary grants.	
New members— See "Oath of office."	
No-confidence motion— Question re Taluk Board President, Guntur	130-131
Non-gazetted officers— Question re medical certificates issued to —, countersignature of ..	36-37

O

Oath of office— Metherell, Mr. J. K.	12
Miller, Mr. W. H.	12
Tampoe, Mr. A. McG. C.	12
Yahya Ali Sahib Bahadur, Khan Bahadur	12
Odugathur reserve forests— Question re grazing fees in —	20-21
Officers holding permanent appointments— Return of — on 1st April of each year from 1924 to 1933	104
Officers holding temporary, etc., appointments— Return of — on the 1st April of each year from 1924 to 1933	104
Oobrapalayam— Question re submergence of — preventive measures against the— ..	22-23

P

Paddy— Question re price of — improving the level of —	128-130
Palacole Municipal Council— Notification re dissolution and reconstitution of —	103
Palar Enquiry Committee— Question re information called for by the —	133-134
Palar irrigation— Question re information called for from Mysore Government	135
Palar river— Question re irrigation conference between Madras and Mysore Govern- ments re —	132-133
Question re supply of more water to the — decision of the Mysore Gov- ernment re	134-135
Palat, Mr. R. M. — Resolution re — Communal Government Order, enforcement of — in local bodies ..	345-346, 347
Muslim girls, exemption of — from payment of fees in educational insti- tutions	362
Remission of assessment on ryotwari lands	155-157, 159
Palkonda taluk— Question re constitution of — in Vizagapatam and parts of Ganjam into a new district	247
Panchayat Board, Chennai— Question re maladministration of the —	248
Panchayat Board Elections— Demand for supplementary grant under Ministers, Civil Secretariats and Miscellaneous — Transferred	63-66
Panchayat boards— Question re formation of	55-56
Panchayats— Government Order re extension of terms of members of certain — ..	104
Question re elections to — appointment of President of Kistna District Board as special officer for—	83

P—cont.

PAGES

Panchayat Court— Question re Modayi amsam, North Malabar, opening of —	375
Panchayat Officer, Salem— Question re educational qualifications of the —	241-242
Panchayat Officers— Question re appointment of —	239-240
„ appointment and pay of —	446-447
„ continuance in office of — appointed by presidents of district boards	240-241
„ qualifications of — appointed by Government	240
Pannirselvam, Rao Bahadur A. T.— Bills— Local Boards Act and Elementary Education Act, Bill to amend — ..	399-407, 438-439
Resolutions re— Communal Government Order, enforcement of — in local bodies ..	346-348
Remission of assessment on ryotwari lands	257-260
Papers laid on the table— Birth control, pamphlet on — by George Bernard Shaw	301
Birth control, pamphlet on — by Upton Sinclair	301
Birth control, pamphlet on the ethics of — by the Madras Neo Malthusian League	301
Family limitation, pamphlet on — by Sherwood Eddy	301
Kanchalamma Project, Government Order re abandonment of—	104
Local bodies, special officer's general report on the financial position of — ..	104, 120- 123
Madras Conspiracy Case prisoners, U.O. note on question re confinement of 14 — in three small rooms	197-230
Motor Vehicles Taxation Act, notification of a rule under —	104
Officers who held permanent appointments on 1st April of each year from 1924 to 1933	104
Officers who held acting and temporary appointments on the 1st April of each year from 1924 to 1933	104
Palacole Municipal Council, notification re dissolution and reconstitution of —	103
Panchayats, Government Order re extending terms of members of cer- tain —	104
Periyar Irrigation Tanks (Preservation) Bill, statement showing the area irrigated under each tank falling within the scope of the — ..	518, 570-575
Population, pamphlet on the menace of increasing — by Sir George H. Kimbho	301
Posts on Rs. 500 and above, list of — created during the quarter ending 31st December 1933	518, 575-576
Public Accounts Committee, report of the — on the accounts of 1931-32. ..	104
Secretary of State's evidence on constitutional reforms	104
Taluk boards — Government Order re extension of term of members of certain —	104
Thattahalla Project, Government Order re — Kollegal taluk	104, 117-120
Untouchables, Government Order re resolution of Salem Municipality about accessibility of — to coffee hotels, etc.	103, 116-117
Wright, Mr. W. O. — Government Order re accepting the resignation of membership of the Finance Committee by —	104
Yedapadi — U.O. note on supplementary question re post-mortem shed at —	104, 123

P—cont.		PAGES
Parthasarathi Ayyangar, Mr. C. R.— See Questions and Answers.		
Patnaik Mahasayo, Sriman M. G.— Bills—		
Hindu Religious Endowments Bill	146	
Impartible Estates Act, Bill to amend — (Bill No. 11 of 1932) ..	139, 140-141, 315	
Impartible Estates Act, Bill further to amend — (Bill No. 17 of 1933)..	324-325, 338-339	
Local Boards Act and Elementary Education Act, Bill to amend— ..	408-409, 410-411	
Resolutions re—		
Muslim girls, exemption of — from payment of fees in educational insti- tutions	367-368	
Remission of assessment on ryotwari lands	163-165	
See Questions and Answers.		
Patro, Rao Bahadur Sir A. P.— Bills—		
Hindu Religious Endowments Bill	146	
Impartible Estates Act, Bill to amend — (Bill No. 11 of 1932) ..	314-315	
Impartible Estates Act, Bill further to amend — (Bill No. 17 of 1933) ..	336-337	
Local Boards Act and Elementary Education Act, Bill to amend— ..	395-398	
Resolution re—		
Remission of assessment on ryotwari lands	157-159, 162, 177-178	
Pattagar of Palayakottai— Resolution re—		
Remission of assessment on ryotwari lands	184	
Peddi Raju, Mr. P.— Resolution re—		
Remission of assessment on ryotwari lands	167-169	
Pennar Anicuts— Question re falling shutters on the — at Sangam and Nellore, provision of —	136-137	
Pennar-Kumudavathi Project— Question re feasibility of the —	308-309	
Periyar Irrigation Tanks (Preservation) Bill— Statement showing the area under each tank falling under the scope of the —	518, 570-575	
See Bills.		
Petitions— See Salem District Board.		
Piece-workers— See Government Press, Madras.		
Pipe sluices— Question re provision of — in the Kistna Delta, security deposits from ryots for the —	310	
Pleaders— Question re appearance before Sub-Magistrates' Courts of persons not qualified to act as—	137-138	
Pleaders' Sanads— Question re cancellation of — for participation in the civil disobedience movement	233-234	
Pocker Sahib, Mr. B.— See Questions and Answers.		
Polavaram Island Embankments—Extension of— See Demands for Supplementary Grants.		

P—cont.		PAGES
Polavaram Project— Question re water-rate on lands under the —, imposition of —	23-25	
Police Training School, Vellore— Question re Misappropriation by head clerk of the —,	55	
Political offences— Question re arrests, conviction and discharge since June 1933 for — ..	312	
Population— Pamphlet on the menace of increasing — by Sir George H. Kimbho ..	301	
Ports— See Adirampatnam Port. See Thopputhurai Port.		
Posts on Rs. 500 and above— List of — created during the quarter ending 31st December 1933 ..	518, 575-576	
Potato tubers— Question re disease affecting — out-break of —	42-43	
Premayya, Mr. G. R.— Bills—		
Local Boards Act and Elementary Education Act, Bill to amend —, ..	432, 440	
See Questions and Answers.		
President, the Hon. the— Announcement re—		
Board of Industries, nomination of members for election to —,	400	
Select Committees on Hindu Religious Endowments Bill and Maternity Benefit Bill, Chairmen of —,	301	
Bihar Earthquake Relief Fund, suggestion re subscriptions to —, ..	491	
Bills—		
Hindu Religious Endowments Bill	145, 147	
Impartible Estates Act, Bill to amend—(Bill No. 11 of 1932)	313, 314	
Impartible Estates Act, Bill further to amend—(Bill No. 17 of 1933) ..	142, 316, 317, 318, 325, 332, 341, 342, 343	
Money Lenders' Bill	141	
Periyar Irrigation Tanks (Preservation) Bill	488, 508, 509, 514	
Public Libraries Bill	142	
Finance Committee, announcement of the result of election to —	152	
Message of His Excellency the Governor thanking the Council for their resolution of congratulation on his appointment as acting Viceroy ..	491	
Motions re —		
Board of Industries, election of two members to the —	385	
Finance Committee, election of members to the —	56	
Standing Orders, amendments to —	380-385	
Resolutions re —		
Communal Government Order, enforcement of — in local bodies ..	343, 357	
Remission of assessment on ryotwari lands	152, 154, 174, 178, 181, 196, 197, 248, 250, 298, 299	
See Rulings.		
Priestley, Mr.— Question re report of — on the Tungabhadra Project	461	
Prohibition— Question re districts subject to the — experiment	442-443	
Public Accounts Committee— Report of the — on the accounts of 1931-32	104	
Public Libraries Bill— See Bills.		

Quarters—

See Government servants.

Questions and Answers—

Abdul Hameed Khan, Mr.—

Question re higher elementary schools, revision of the curriculum of studies in the —	44-45
„ local bodies, amalgamation of Muslim and Non-Muslim schools by —	48-49
„ Madrasa-i-Azam and Muhammadan College, provision of dining hall to —	49
„ Salem District Board, petitions re —	31
„ weaving parties, disbandment of —	127

Ahmed Miran Sahib, Mr.—

Question re Tank Restoration Schemes, suspension of —	135-136
---	---------

Alamelumanga Thayaramma, Mrs. K.—

Question re Women's dispensary, Sivaganga	131
---	-----

Appadurai Pillai, Diwan Bahadur A.—

Question re Indian Christian depressed class students, award of scholarships and stipends to —	51-53
„ Lady Medical officers, change of designation into Women Medical officers	35-36
„ Palar river, decision of Mysore Government re supply of more water to the —	134-135
„ Sericultural operations, extension of —	53-55
„ wells, provision in cheris with less than 100 houses	41-42
„ wood-work shop at Olavakkode	53

Basheer Ahmed Sayeed, Mr.—

Question re cyclone havoc, relief in South Arcot consequent on the —	454-455
„ hawkers and pedlars on Esplanade Road, eradication of nuisance caused by —	374-375
„ Islam, attack in a book of Mr. L. Srinivasa Ayyar of Coimbatore	458-459
„ Medical College, Madras, provision of a boys' hostel for —	378

Beyabani Sahib, Mr. S. M. K.—

Question re bandobast, expenditure in Atmakur and Nandyal on —	462-464
„ Champion Scheme, amalgamation of Muslim and Non-Muslim schools pursuant to the —	245
„ Cumbum Taluk Board, grant for village development in 1932-33	40
„ Cumbum tank, channel connecting Cuddapah-Kurnool canal with the —	376-377
„ Cumbum tank, channel connecting Kurnool-Cuddapah canal with the — investigation into feasibility of —	377
„ Cumbum tank, failure of water-supply in the —	22
„ Government Muhammadan Training School for Women, Bullary, conveyance facilities for the pupils of —	50-51
„ Government Muhammadan Training Schools for Women, Kurnool, teaching staff of the —	50
„ Indian School of Medicine, out-patient departments in the —	39
„ medical certificates by L.I.M. certificate holders, restrictions on the issue of —	448
„ Taluk Headquarters hospitals, management of —	447
„ Temple committees, re constitution of —	450
„ Tippyayapalem project, progress of the —	309
„ Training schools for Muslim women, employment of qualified hands in the —	49-50
„ Widows' Home, Madras, rules of admission into the —	45-46

Devadasan, Mr. M.

Question re Government Training schools at Kollipatti and Thanevally, admission into —	
--	--

Q—cont.

Questions and Answers—cont.

Dharmalingam Pillai, Rao Sahib V.

Question re Oobrapalaiyam, Kilanur, preventive measures against submergence of—	22-23
---	-------

Kesavaramamurti Nayudu, Mr. K.—

Question re Polavaram project, uniform water-rate on lands under the—	23-25
---	-------

Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.—

Question re Travelling Allowance Rules, travelling allowance under rule 95 of the—	308
--	-----

Krishnayya Choudari, Mr. P. V.—

Question re Attachment of property for arrears of land revenue, additional charges in cases of—	27
„ Cattle-pounds, transfer of control to local bodies	29
„ Co-operative Inspectors' posts, selection by Madras Services Commission for—	243
„ Drainage schemes in Guntur district, execution of—	309-310
„ Duty on rice by H.E.H. the Nizam's Government	128
„ Economic condition of the province, reports on the—	455-456
„ Elections to panchayats, appointment of President of the Kistna District Board as special officer for—	33
„ Income due to water-tax at a flat rate of Rs. 6-4-0 an acre..	25-26
„ Kistbandi, extension from 3 to 4 months	26-27
„ Madras Services Commission, selection of clerks for Telugu areas	29
„ Members of local bodies in Guntur district, disqualification for voting of—	32-33
„ Panchayat officers, appointment of—	239-240
„ Prices of paddy and other agricultural produce, improving the level of—	128-130
„ Religious instructors in Muhammadan schools, sanction of Government for appointment of—	126-127
„ Taluk Board President, Guntur, no confidence motion against—	130-131
„ Tenders, compliance by district boards with the Government Order re acceptance of—	444

Kumararaja of Venkatagiri, The—

Question re Kanigiri Reservoir, damage caused by cyclone	453
„ Kanigiri Reservoir, removal of silt in the—	136
„ Machavaram—Mopad tanks, improvements to the supply channel of—	235
„ Pennar anicuts at Sangam and Nellore, provision of falling shutters on the—	136-137
„ Tungabhadra project, Mr. Priestley's report on the—	461

Lakshmana Reddi, Mr. G.—

Question re Automatic fire-arms, stoppage of renewal licences for—	311-312
„ Collector's reports re economic and seasonal conditions in the districts	461-462
„ Lakkavalli project, proposal of the Mysore Government to proceed with the execution of—	452-453
„ Pennar-Kumudavathi project, feasibility of—	308-309

Madhusoodhanan Thangal, Mr. P.—

Question re District Educational Council, Malabar, judgment in the case of defalcation in the—	247
„ District Educational Council, Malabar, defalcation in the— observations of the Assistant Sessions Judge on the conduct of the investigating officer	313

Mahaboob Ali Raig, Mr.—

Question re Medical College, Vizagapatam, fee concessions to students in the—	37-38
---	-------

Q—cont.

PAGES

Questions and Answers—cont.

Manikkavelu Nayagar, Mr. M. A.—	
Question re 'A' and 'B' class prisoners, bread and milk diet for—	376
„ Central Jail, Vellore, sleeping accommodation for 'A' class prisoners in—	376
„ Palar irrigation, information called for from Mysore Government re	135
Moses, Mr. P. C.—	
Question re Depressed classes tenants' co-operative societies, rental on lands leased to—	28
„ Law College students, non-admission into Victoria Hostel ..	245
Muniswami Pillai, Rao Sahib V. I.—	
Question re Potato tubers, out-break of a new disease affecting— ..	42-43
Nachiyappa Gounder, Mr. K. A.—	
Question re butter milk, supply to 'C' class prisoners	456
„ Civil Disobedience movement, cancellation of pleaders' sanads for participation in the—	233-234
„ Land revenue, proposal of the Collector of Salem for remission of—	462
„ Mettur Hydro-Electric scheme, progress of the—	311
„ Mettur reservoir, supply of drinking water to Salem from— ..	448-449
„ Panchayat Officer, Salem, educational qualifications of— ..	241-242
„ Panchayat officers appointed by presidents of district boards, continuance in office of—	240-241
„ Panchayat officers, qualifications of—	240
„ Political offences, arrests, conviction and discharge	312
„ Prohibition experiment, districts subject to the—	442-443
„ Resettlement operations in Salem district	454
„ Temple committees, elected, districts in which they function. ..	450-451
„ Temple committees in the Coimbatore district	451
„ Tenders, complaints against presidents of local boards re disposal of—	443
„ Toddy shops, income on account of sale in 1932-33 and 1933-34	380
„ Tungabhadra project, stoppage of preliminary work re the— ..	461
Nadimuthu Pillai, Mr. A. Pl. N. V.—	
Question re Quarters for Government servants, expenditure since provincial contribution was fixed	43
Nanjappa Bahadur, Subadar-Major S. A.—	
Question re darkhast lands, application from ex-army men for— ..	236
„ ex-army men, employment by Collectors and District Judges	137
„ ex-army men, grants of darkhast lands to and employment of—	237
„ First-class Bench Court, Salem, accommodation for—	375-376
Narasa Reddi, Mr. T.—	
Question re Panchayat Board, Chennur, maladministration of— ..	242
Patnaik Mahasayo, Sriman M. G.—	
Question re kistbandi, representation from ryots of Gumsur taluk for alteration of—	377
„ Sub-Magistrates' Courts, appearance of persons, not qualified to act as pleaders before—	137-138
Parthasarathi Ayyangar, Mr. C. R.—	
Question re Forest Panchayat, Nampalle village, irregularities on the part of the President of—	246
Pocker Sahib, Mr. B.—	
Question re medical certificates issued to non-gazetted Government servants, countersignature of—	36-37
Premayya, Mr. G. R.—	
Question re Sitanagram Criminal Settlement, religious worship in— ..	17-18

PAGES

Q—cont.

Questions and Answers—cont.

Ramamurti, Rao Sahib Pandit Ganala—	
Question re Artisans and industrial workmen, economic enquiry concerning —	313
„ New district from parts of Ganjam and Palkonda taluk of Vizagapatam, constitution of —	247
Ramaswami Mudaliyar, Mr. V. M.—	
Question re Alangayam and Odugathur reserve forests, grazing fees in—	20-21
„ Government Press, Madras, discharge of piece workers in the composing department of—	232-233
„ Hindi teachers in higher elementary schools, proposal of Tadepalligudem Taluk Board to appoint —	243-245
„ Lady Apothecary, change of designation into "Woman Apothecary"	36
„ Lady Assistant Surgeon, change of designation into "Woman Assistant Surgeon"	36
„ Medical officers on leave preparatory to retirement, leave allowances of—	33-35
„ Palar Enquiry Committee, information called for by the — ..	133-134
„ Palar river, Irrigation Conference between Madras and Mysore Governments regarding —	132-133
„ Temple Committees under the Hindu Religious Endowments Act, measures for the constitution of —	449-450
„ Water-works Supervisor, Ootacamund appointment of — ..	40-41
Ranganatha Mudaliyar, Mr. G.—	
Question re Adirampatnam and Thopputhurai ports, closure of — ..	21-22
Ranganatha Mudaliyar, Mr. M. D. T.—	
Question re Korayar river, provision of a flood bank to the — ..	312-313
„ Taluk boards and their finances before bifurcation	446
Rangaswami Reddi, Mr. M. B.—	
Question re Arrest and imprisonment for debts, a Bill to amend provision in Criminal Procedure Code regarding —	246
„ Connemara Public Library, duties of the superintendent of the —	459
„ cyclone damage to life and property	139
„ District boards working at a deficit	445
„ Police Training School, Vellore, misappropriation by head clerk of —	55
„ Taluk boards working at a deficit prior to and after Local Boards (Amendment) Act, 1930	445-446
Sami Venkatachalam Chetti, Mr.—	
Question re Lower division clerks, promotion to Upper division ..	29-30
Schamnad Sahib Bahadur, Khan Bahadur Mahmud—	
Question re Lady doctor for the Kasaragod taluk	447-448
„ Muslim Education Committee, report of the —	457-458
„ Panchayat boards, formation of —	55-56
„ Panchayat Court at Madayi amsam, North Malabar	375
„ Women and Children's hospital, Mangalore, appointment of male medical officer in charge of the maternity ward ..	378-379
Shetty, Mr. A. B.—	
Question re Civil Veterinary department, vacancies remaining unfilled in the —	243
„ coconuts, report regarding fall in the price of —	306-307
„ District boards and taluk boards working at a deficit	445
„ Forest concessions, memorandum of the Landholders' Association, South Kanara, on the withdrawal of —	234-235
„ Land revenue, attachment and sale of lands in South Kanara for arrears of —	310-311
„ Panchayat officers, appointment and pay of —	446-447
„ Reserve forests, supply of manure leaves from —	19-20
„ rice trade in the Presidency, survey of —	379
„ seigniorage fee for manure leaves in South Kanara	19

Q—cont.

PAGES

Questions and Answers—cont.

Shetty, Mr. A.B.—cont.	
Question re Sub-registry offices in South Kanara, posting of clerks unacquainted with local language ..	307-308
„ Upper division clerks, direct recruitment in Madras City ..	236
Simhachalam Pantulu, Mr. G.—	
Question re Government Technical examinations, appointment of examiners for ..	43-44
„ pipe sluices, security deposits from ryots for the provision of ..	310
Singam Ayyangar, Mr. K.—	
Question re Temple Committee, Trichinopoly, delay in the conduct of elections to ..	452
„ Temple committees in Trichinopoly district, delay in the conduct of elections to the ..	451
Sreshtha, Mr. M. S.—	
Question re X-Ray facilities provided by Government Secretariat, savings due to stoppage of officiating promotions from lower to upper division ..	38-39
Sriramulu, Mr. G.—	
Question re floods in the East and West Godavari districts ..	30
Subrahmanya Bhatt, Mr. U. C.—	
Question re B.M. Press, Mangalore, working hours of the ..	27-28
„ butter-milk supply to “C” class prisoners ..	233
„ Executive officers, appointment to municipalities ..	138-139
„ forest grievances, memorandum by the Landholders' Association on the ..	237-239
„ forest grievances, memorandum submitted by, South Kanara Landholders' Association on ..	234
„ land revenue, distraint and sale of land for realization of arrears ..	138
„ Landholders' Conference at Puttur, proceedings of the ..	235-236
„ Mahatma Gandhi's visit—Government circular prohibiting Government servants from participating in ..	23
„ Snake-bite, relief rendered by the Taluk Board of Kasaragod to sufferers from, stoppage of ..	18-19
„ Viceroy's visit to Madras, arrest and detention of students during the ..	459-460
Tajuddin Sahib Bahadur, Khan Sahib—	
Question re Inspectors of Motor Vehicles, proposal for the permanent retention of ..	232
„ motor vehicles plying for hire, issue of “G” permits to ..	457
	456-457

R

Raja of Bobbili, the Hon. the —	
Bills—	
Impartible Estates Bill — (Bill No. 11 of 1932) ..	140
Impartible Estates Bill (No. 17 of 1933 of Mr. A. V. Bhanaji Rao) ..	465
Local Boards Act and Elementary Education Act, Bill to amend— ..	71-76, 82,
Town-Planning Act, Bill to amend— ..	419-426, 436-437, 439
	70, 71
Demand for supplementary grant re—	
Ministers, Civil Secretariats and Miscellaneous (Panchayat Board elections) ..	63-64, 65
Resolution re—	
Communal Government Order, enforcement of — in local bodies ..	354-356
Raja of Khallikote—	
Bills—	
Local Boards Act and Elementary Education Act, Bill to amend ..	359-395,
	416-417

R—cont.

PAGES

Rajan, the Hon. Mr. P. T.—	
Resolution of congratulation to His Excellency Sir George Stanley on his appointment as Acting Viceroy	14
Resolution of congratulation to the Hon'ble Sir Mahomed Usman on his appointment as Acting Governor of Madras	15
Ramamurti, Rao Sahib Pandit Ganala—	
Bills—	
City Civil Court Act, Bill to amend —	70
See Questions and Answers.	
Raman Menon, Mr. K. P.—	
Resolution re—	
Remission of assessment on ryotwari lands	252-254
Ramaswami Ayyar, Mr. T. S.—	
Resolution re—	
Remission of assessment on ryotwari lands	264-269
Ramaswami Mudaliyar, Mr. V. M.—	
Bills—	
Maternity Benefit Bill	148-150,
	150-151
Resolution re—	
Remission of assessment on ryotwari lands	248-251
See Questions and Answers.	
Ranganatha Mudaliyar, Mr. A.—	
Bills—	
Local Boards Act and Elementary Education Act, Bill to amend — ..	398-399,
	440
Resolution re—	
Remission of assessment on ryotwari lands	292, 294
Ranganatha Mudaliyar, Mr. G.—	
See Questions and Answers.	
Ranganatha Mudaliyar, Mr. M. D. T.—	
See Questions and Answers.	
Rangaswami Reddi, Mr. M. B.—	
Resolution re—	
Remission of assessment on ryotwari lands	251-252
See Questions and Answers.	
Ratnasabhapati Mudaliyar, Diwan Bahadur C. S.—	
Resolution re—	
Communal Government Order, enforcement of — in local bodies ..	352
Muslim girls, exemption of — from payment of fees in educational institutions	361, 368-369
Remission of assessment on ryotwari lands	286-287,
	289
Refunds of revenue—	
See Excess demands for grants.	
Religious instructors—	
Question re appointment of — in Muhammadan schools, sanction of Government for the —	126-127
Remission—	
Question re proposal of the Collector of Salem for — of land revenue ..	462
Remission of assessment on ryotwari lands—	
Resolution re —	152-197,
	248-300
Reserve forests—	
Question re supply of manure leaves from — in South Kanara	19-20
See Alangayam reserve forests.	
See Odugathar reserve forests.	

R—cont.	PAGES
Resettlement operations—	
Question <i>re</i> stage of — in the Salem district	454
Resolution of sympathy—	
With provinces affected by earthquake	12-13
Resolutions of congratulation—	
To His Excellency Sir George Stanley on his appointment as Acting Viceroy	13-14
To the Hon'ble Sir Mahomed Usman on his appointment as Acting Governor of Madras	14-16
Resolutions on matters of general public interest—	
Communal Government Order, enforcement of — in local bodies	343-358
Muslim girls, exemption of — from payment of fees in educational institutions	359-370
Remission of assessment on ryotwari lands	152-197, 248-300
Rice trade—	
Question <i>re</i> survey of — in the Presidency	379
Rulings—	
Bills—consideration of—	
When the mover of a Bill gives notice to proceed with the consideration of his Bill, as amended by the Select Committee, and when the report of the Select Committee has been published in the official Gazette and copies have been made available to members of the Legislative Council for more than 15 days before the Bill actually comes up for consideration, any objection taken on the ground that fifteen days notice of the motion had not been given to the Council office is out of order under Standing Order No. 43—Legislative Council Instructions, No. 77 (1).	317-318
Ryotwari lands—	
<i>See</i> Remission of assessment on ryotwari lands.	

S

Sahajanandam, Swami A. S.—	
Resolution <i>re</i> —	
Muslim girls, exemption of — from payment of fees in educational institutions	369
Remission of assessment on ryotwari lands	285
Sale of lands—	
<i>See</i> Land Revenue.	
Salem District Board—	
Question <i>re</i> Petitions presented regarding	31
Sami Venkatachalam Chetti, Mr.—	
Bills—	
Impartible Estates Act, Bill to amend — (Bill No. 11 of 1932)	314
Impartible Estates Act, Bill further to amend — (Bill No. 17 of 1933)	314-318, 341
Local Boards Act and Elementary Education Act, Bill to amend —	402, 407, 409, 418, 419, 426-429, 433, 439
Resolution <i>re</i> —	
Communal Government Order, enforcement of — in local bodies	353-354, 356
Muslim girls, exemption of — from payment of fees in educational institutions	365-366, 370
Remission of assessment on ryotwari lands	172-173
<i>See</i> Questions and Answers.	
Sangam—	
<i>See</i> Pennar Anicut.	

S—cont.	PAGES
Sahannad, Sahib Bahadur Khan Bahadur Mahmud—	
Bills—	
Local Boards Act and Elementary Education Act, Bill to amend —	388-389
Resolution <i>re</i> —	
Remission of assessment on ryotwari lands	170-172
<i>See</i> Questions and Answers.	
Seasonal condition—	
Question <i>re</i> Collectors' reports on the — in the districts	461-462
Secretariat—	
Question <i>re</i> Savings due to stoppage of officiating promotion from lower to upper division in the —	30
Secretary of state's evidence—	
— before the joint committee on constitutional reforms	104
Seed farm—	
Question <i>re</i> public utility of the —	42-43
Seigniorage fee—	
Question <i>re</i> payment of — for manure leaves in South Kanara	19
Select Committees—	
Announcement of chairmen of certain —	301
Sericultural operations—	
Question <i>re</i> extension of —	53-55
Shetty, Mr. A. B.—	
Bills—	
Local Boards Act and Elementary Education Act, Bill to amend —	85-86
Resolution <i>re</i> —	
Remission of assessment on ryotwari lands	178-179
<i>See</i> Questions and Answers.	
Simhachalam Pantulu, Mr. G.—	
Bills—	
Local Boards Act and Elementary Education Act, Bill to amend —,	432
Resolution <i>re</i> —	
Remission of assessment on ryotwari lands	165-166
<i>See</i> Questions and Answers.	
Singam Ayyangar, Mr. K.—	
Bills—	
Local Boards Act and Elementary Education Act, Bill to amend —,	407-408
<i>See</i> Questions and Answers.	
Sitanagaram Settlement—	
Question <i>re</i> religious worship in the —	17-18
Sivasubrahmanya Ayyar, Mr. K. S.—	
Resolution <i>re</i> —	
Remission of assessment on ryotwari lands,	281-284
Snake-bite—	
Question <i>re</i> Taluk Board, Kasargod, relief rendered to sufferers from — stoppage of	459-460
South Kanara Landholders' Association—	
Question <i>re</i> memorandum submitted by the — on forest grievances	138
Special officer—	
Question <i>re</i> Appointment of President of Kistna District Board as — for panchayat elections	33
Stantha, Mr. M. S.—	
Resolution of congratulation to the Hon. Sir Mahomed Usman on his appointment as Acting Governor of Madras	16
Resolutions <i>re</i> —	
Communal Government Order, enforcement of — in local bodies,	355
Remission of assessment on ryotwari lands,	371-373
<i>See</i> Questions and Answers.	

	PAGES
S—cont.	
Sriramulu, Mr. G.— See Questions and Answers.	
Srinivasa Ayyar, Mr. L.— Question re Islam, attack in a book published by —	458-459
Srinivasa Ayyangar, Mr. T. C.— Bills— Hindu Religious Endowments Bill	145-146
Impartible Estates Act, Bill further to amend — (Bill No. 17 of 1933) ..	318-320, 328, 330, 339
Resolution re— Remission of assessment on ryotwari lands	161-162
Srinivasan, Rao Bahadur R.— Resolution re — Remission of assessment on ryotwari lands	260-261
Standing Orders — Amendments to —	380-385
Stanley, H. E. Sir George— Resolution of congratulation to — on his appointment as Acting Viceroy.	13-14
Stokes, the Hon. Sir Hopetoun— Excess Demands for grants— Civil Works—Establishments and Tools and Plant and Refunds of Revenue	66-67
Motion re Finance Committee, election of members to the —,	56
Resolution re— Remission of assessment on ryotwari lands	267, 295-296
Subbarayan, Dr. P.— Bills— Hindu Religious Endowments Bill	147
Impartible Estates Act, Bill to amend—(Bill No. 17 of 1933)	342
Local Boards Act and Elementary Education Act, Bill to amend— ..	414-416, 432-433, 436
Resolution of congratulation to His Excellency Sir George Stanley on his appointment as Acting Viceroy	13-14
Resolution of congratulation to the Hon. Sir Mahomed Usman on his appointment as Acting Governor of Madras	14-15
Resolution of sympathy with provinces affected by earthquake	12-13
Resolution re — Remission of assessment on ryotwari lands	188-191
Sub-Magistrates' Courts— Question re Pleaders, appearance before — of persons not qualified to act as—	137-138
Subrahmanya Bhat, Mr. U. C.— Resolution re — Remission of assessment on ryotwari lands	159-161, 178
See Questions and Answers.	
Sub-Registry offices— Question re Posting of clerks unacquainted with local language to — in south Kanara	307-308
Supply channel— See "Machavaram tank." See "Mopad tank."	
Swearing in of Members— See Oath of office.	

T

Tadepalligudem Taluk Board— Question re — Hindi Teachers in higher elementary schools, proposal of the — to appoint	243-245
---	---------

	PAGES
T—cont.	
Tajudin Sahib Bahadur, Khan Sahib Syed— See Questions and Answers.	
Taluk Board, Kasargod— Question re — snake-bite, relief rendered by the — to sufferers from— stoppage of —	459-460
Taluk Board President, Guntur— Question re — No-confidence motion against the —	130-131
Taluk Boards— Government Order re — extension of term of members of certain —, ..	104
Question re — Finances of — before bifurcation	446
Question re — Names and number of — working at a deficit prior to and after Local Boards (Amendment) Act, 1930	445-446
Question re — Names of — working at a deficit	445
Taluk Headquarters Hospital, Kasaragod— Question re Appointment of a lady doctor in the —	447-448
Taluk Headquarters Hospitals— Question re Management of — by Government	447
Tampoe, Mr. A. McG. C.— Oath of office	12
Tank restoration schemes— Question re suspension of —	135-136
Temple Committee, Trichinopoly— Question re elections to —, delay in the conduct of —	452
Temple Committees— Question re constitution of — in Coimbatore district	451
" constitution of — under the Hindu Religious Endowments Act.	449-450
" Districts in which elected — function	450-451
" Elections to the — in the Trichinopoly district, delay in the conduct of —	451
" Reconstitution of —	450
Tenders— Question re District Boards, compliance with the Government Order re acceptance of —	444
" Presidents of local boards, complaints re disposal of —	443
Thattahalla Project— Government Order re —, Kollegal taluk	104, 117-120
Thomas, Mr. Daniel— Resolution re — Remission of assessment on ryotwari lands	191-194
Thopputhurai Port— Question re closure of —	21-22
Tippayapalem project— Question re progress of the —	309
Toddy shops— Question re sale of — in 1932-33 and 1933-34, income from —	380
Town-Planning Act, Bill to amend — See Bills.	
Travelling Allowance Rules— Question re Admissibility of Travelling Allowance under rule 95 of the —.	208
Training schools— Question re Employment of qualified hands in the — for Muslim women ..	49-50
Tungabhadra Project— Question re preliminary work in connection with the — stoppage of — ..	461
" report of Mr. Priestley on the —	461

	PAGES
U	
Untouchables—	
Government Order re accessibility of — to coffee hotels, etc. — resolution of Salem Municipality	103, 116-117
Upper Division—	
Question re Lower division clerks, promotion to —	29-30
See "Lower division clerks."	
See "Secretariat."	
Upper Division clerks—	
Question re Recruitment to the posts of — in Madras City	236
Usman, the Hon. Sir Mahomed—	
Announcement re—	
Business during February and March sittings	464
Bills—	
Hindu Religious Endowments Bill	147
Maternity Benefit Bill	150
Public Libraries Bill	142
Demands for supplementary grants re —	
Medical—(allowances to members of the All-India Medical Council) ..	66
Miscellaneous Departments—(allotments for Labour Commissioner) ..	66
Motion re —	
Standing Orders, amendments to —	380
Resolution of congratulation to His Excellency Sir George Stanley on his appointment as Acting Viceroy	13-14
Resolution of congratulation to — on his appointment as Acting Governor.	14-16
Resolution of sympathy with provinces affected by earthquake	12-13

V

Venkatarama Ayyar, Mr. K. R.—	
Bills—	
Impartible Estates Act, Bill further to amend—(Bill No. 17 of 1933) ..	335-336
Periyar Irrigation Tanks (Preservation) Bill	472-475, 477, 480-481, 486-487, 489, 491, 495-496, 498-499, 513
Motion re —	
Madras Services Commission, report of —	517-518
Resolution re —	
Remission of assessment on ryotwari lands	152-154
Venugopal Nayudu, Rao Bahadur R. K.—	
Resolution re—	
Remission of assessment on ryotwari lands	261-263
Viceroy's visit—	
Question re arrest and detention of students during the —	232
Victoria Hostel—	
Question re non-admission into — of Law College students	245
Village development—	
Question re Cumbum Taluk Board, grant in 1932-33 for —	40

W

Water-rate—	
Question re imposition of a uniform — on lands under the Polavaram Project	12-26
Water-supply—	
See "Cumbum tank."	
Water tax—	
Question re income due to — at a flat rate of Rs. 6-4-0 an acre	25-26
Usman the Hon. Sir Muhammad—	
Bills—	

W—cont.

Water Works Supervisor, Ootacamund—	
Question re appointment of —	40-41
Weaving parties—	
Question re disbandment of —	127
Wells—	
Question re provision of — in cheris with less than 100 houses	41-42
Widows' Home, Madras—	
Question re admission into the — rules regarding —	45-46
Woman Apothecary—	
See "Lady apothecary."	
Woman Assistant Surgeon—	
See "Lady Assistant Surgeon."	
Women and Children's Hospital, Mangalore—	
Question re maternity ward of the — appointment of a male medical officer in charge of —	378-379
Women Medical Officers—	
See "Lady Medical Officers."	
Women's dispensary, Sivaganga—	
Question re attendance at the —	131
Wood-work shop—	
Question re wood-work shop, Olavakkode	53
Wright, Mr. W. O.—	
Government Order re acceptance of resignation of membership of the Finance Committee by —	104

X

X-Ray—	
Question re facilities provided by Government	38-39

Y

Yahya Ali Sahib Bahadur, Khan Bahadur—	
Oath of office	12
Resolution re—	
Remission of assessment of ryotwari lands	276-278
Yedapadi—	
Un-official note on question re post-mortem shed at —	104, 123

