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PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL

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

Vol. LXX (Nos. 1 to 9)

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PERSONNEL OF THE GOVERNMENT OF MADRAS.

Governor of Madras.

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

Members of the Executive Council.

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

I.—Provincial Subjects.

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

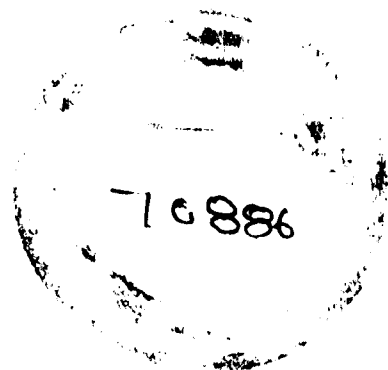
II.—Central Subjects.

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

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

I.—Provincial Subjects.

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



I.—Provincial Subjects—cont.

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

II.—Central Subjects.

- | | |
|----------------------------|--|
| 1. Civil law. | 6. Shipping and navigation. |
| 2. Inventions and designs. | 7. Lighthouses. |
| 3. Copyright. | |
| 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. Yeomials, 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> Tinnevely, Muhammadan Rural.
3 Alagannan Chettiyar, Rao Sahib A. S.	Madura, N.-M. Rural.
4 Alamelumangathayaramma, Mrs. K.	NOMINATED.
5 Annamalai Chettiyar, S. A. A.	Nattukottai Nagarathars' Association.
6 Appadurai Pillai, Diwan Bahadur A.	Central Districts—Indian Christian.
7 Arasu, V. T.	NOMINATED.
8 Ari Gowder, H. B.	The Nilgiris, N.-M. Rural.
9 Basheer Ahmed Sayeed Sahib Bahadur.	Central Districts, Muhammadan Rural.
10 Basu Dev, C.	NOMINATED.
11 Bayappa Reddi, P.	Anantapur, N.-M. Rural.
12 Beyabani Sahib Bahadur, S. M. K.	Ceded Districts, Muhammadan Rural.
13 Bhanoji Rao, A. V.	NOMINATED.
14 Birley, Frank	Madras Chamber of Commerce.
15 Campbell, K.C.I.E., C.S.I., C.B.E., v.D., I.C.S., The Hon. Sir Arohibald.	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.	Bellary, 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, Kt., The Hon. Diwan Bahadur Sir M.	EX OFFICIO.
37 Krishnaswami Ayyar, Kt., Diwan Bahadur Sir Alladi.	NOMINATED.
38 Krishnayya Choudari, P. V.	Guntur, N.-M. Rural.
39 Kumararaja of Venkatagiri (Raja Velugoti Sarvagnya Kumara Krishnayachendrula Bahadur Varu).	Nellore, N.-M. Rural.
40 Kumaraswami Reddiyar, The Hon. Diwan Bahadur S. (<i>Minister</i>).	Tinnevely, N.-M. Rural.
41 Kuppuswami Choudari, J. . .	Guntur, N.-M. Rural.
42 Ladden, W. W.	Madras Trades Association.
43 Lakshmana Reddi, G.	Anantapur, N.-M. Rural.
44 Langley, W. K. M.	Madras Planters.
45 Madanagopal Nayudu, R. . .	Madras City, N.-M. Urban.
46 Madhusoodhanan Thangal, P.	NOMINATED.
47 Maharaja of Venkatagiri (Sri Raja Velugoti 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 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 Baha- dur C.	Madras City, N.-M. Urban.
69 Palat, R. M.	West Coast Landholders.
70 Pannirselvam, Rao Bahadur A. T.	Tanjore and Trichinopoly <i>cum</i> 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 Marla Raja Deo Garu).	Northern Landholders, I.
82 Raja of Parlakimedi (Sri 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.	Tinnevelly <i>cum</i> Palamcottah, N.-M. Urban.
95 Rangaswami Reddi, M. B. ..	North Arcot, N.-M. Rural.
96 Ratnasabhapatil 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 <i>cum</i> 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 <i>cum</i> Tinnevelly, 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 Baha- dur 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 Smith, W. Erlam	} Nominated for the consideration of the Madras Public Libraries Bill.
135 Krishnaswami Ayyar, K. V. ...	
136 Tampoe, I.C.S., A. McG. C. ..	Nominated for the consideration of the Bill to amend the Madras Local Boards 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.*

Wednesday, the 21st February 1934.

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

P R E S E N T :

Usman Sahib Bahadur, K.C.I.E., The Hon. Khan Bahadur Sir Mahomed.	Mahmud Schammad 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., V.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.	Muniswami Nayudu, Diwan Bahadur B.
Raja of Bobbili, The Hon. the.	Muthiah Chettiyar, Mr. M. A.
Rajan, The Hon. Mr. P. T.	Nachiyappa Gounder, Mr. K. A.
Kumaraswami Reddiyar, The Hon. Diwan Bahadur S.	Nanjappa Bahadur, Subadar-Major S. A.
Abdul Hameed Khan Sahib Bahadur.	Narasa Reddi, Mr. T.
Ahmed Meeran Sahib Bahadur, A. M.	Narasimhaswami, Rao Sahib D. V.
Alamelumangathayaramma, Mrs. K.	Narayanan Nambiyar, Mr. V. P.
Appadurai Pillai, Diwan Bahadur A.	Natesa Mudaliyar, Rao Bahadur C.
Arasu, Mr. V. T.	Palat, Mr. R. M.
Basheer Ahmed Sayeed Sahib Bahadur.	Parthasarathi Ayyangar, Mr. C. R.
Basu Dev, Mr. C.	Patro, Kt., Rao Bahadur Sir A. P.
Bayappa Reddi, Mr. P.	Peddi Raju, Mr. P.
Devadasan, Mr. M.	Pocker Sahib Bahadur, B.
Dharmalingam Pillai, Rao Sahib V.	Premayya, Mr. G. R.
Ellappa Chettiyar, Diwan Bahadur S.	Rajagopala Pillai, Mr. P. V.
Foulkes, Mr. R.	Raja of Khallikote.
Gopalaswami Ayyangar, Diwan Bahadur N.	Raja of Parlakimedi.
Hood, I.C.S., Mr. H. M.	Ramakrishna Reddi, Mr. A.
Jagannatham, Mr. H. M.	Ramalingam Chettiyar, Rao Bahadur T. A.
Jayaram Nayudu, Rao Sahib C.	Ramamurti, Rao Sahib Pandit Ganala.
Kesavaramamurti Nayudu, Mr. K.	Raman Menon, Mr. K. P.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.	Ramaswami Ayyar, Mr. T. S.
Kolanda Reddi, Rai Sahib C.	Ramaswami Mudaliyar, Mr. V. M.
Koti Reddi, Mr. K.	Ranganatha Mudaliyar, Mr. A.
Krishnayya Choudari, Mr. P. V.	Ranganatha Mudaliyar, Mr. G.
Krishnamurti, Rao Bahadur D.	Ranganatha Mudaliyar, Mr. M. D. T.
Ladden, Mr. W. W.	Rangaswami Reddi, Mr. M. B.
Lakshmana Reddi, Mr. G.	Sahajanandam, Swami A. S.
Madanagopal Nayudu, Mr. R.	Sami Venkatachalam Chetti, Mr.
	Sesha Reddi, Mr. B. P.
	Simbachalam Pantulu, Mr. G.
	Siva Raj. Rao Sahib N.

[21st February 1934]

PRESENT—cont.

Smith, C.I.E., I.C.S., Mr. E. Conran.
 Sreshta, Mr. M. S.
 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.
 Thorne, C.I.E., I.C.S., Mr. J. A.
 Vasudeva Pillai, Mr. V. G.
 Venkatachala Reddiyar, Mr. K. C. 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.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Administration of Justice

Proposal to increase the pecuniary jurisdiction of the City Civil Court, Madras.

* 643 Q.—Mr. BASHEER AHMED SAYEED: Will the Hon. the Law Member be pleased to state—

(a) whether it is a fact that the High Court of Madras has urged upon the Government to increase the pecuniary jurisdiction of the City Civil Court, Madras;

(b) if so, what the specific reasons are on which the High Court has based its proposal; and

(c) whether a copy of those reasons and suggestions will be placed on the table?

A.—(a) Yes.

(b) & (c) The High Court has stated that a large portion of the suits now tried by Judges on the Original Side can very well be heard by the Judge, City Civil Court; and that the proposal to increase the jurisdiction of that Court will enable it to reduce the arrears on the Original Side and to devote greater time to the clearing of the heavy arrears on the Appellate Side. It is not considered necessary to place the communications from the High Court on the subject on the table of the House.

Expenditure consequent on the proposal to raise the pecuniary jurisdiction of the Madras City Civil Court.

* 644 Q.—Mr. BASHEER AHMED SAYEED: Will the Hon. the Law Member be pleased to state—

(a) whether the Government have examined whether the increase in the pecuniary jurisdiction of the Madras City Civil Court will cost any additional expenditure to the Government;

(b) if so, what the extra cost is expected to be and how it is expected to arise; and

(c) whether there will be any corresponding reduction in the establishment and officers of the High Court on its original side?

[21st February 1934]

A.—(a) & (b) An Additional Judge and an establishment for him may be necessary if the pecuniary jurisdiction of the City Civil Court, Madras, is enhanced to Rs. 10,000. The extra cost to Government consequent on the proposal cannot now be definitely stated.

(c) The question will be considered when the proposal is actually given effect to.

Filling of leave vacancies in the Law Department of the Secretariat.

* 645 Q.—A. M. AHMED MEERAN SAHIB Bahadur: Will the Hon. the Law Member be pleased to state—

(a) how many leave vacancies arose in the Law Department of the Secretariat in the cadres of Superintendents, Upper division clerks and Lower division clerks during the calendar year 1933;

(b) what the duration was of each of such vacancies;

(c) in how many of such vacancies, (i) Upper division clerks were appointed to act as Superintendents, (ii) Lower division clerks were appointed to act as Upper division clerks and (iii) outsiders from the list published by the Madras Services Commission were appointed as direct recruits to act as Upper division clerks or Lower division clerks; and

(d) whether the principle of communal representation was taken into consideration in filling up these vacancies in these three cadres?

A.—(a), (b) & (c) A statement^a furnishing the information is laid on the table.

(d) The principle of communal rotation applies only to admission to the service and not to promotions within the service. The principle of communal rotation was observed in filling up the vacancies in the lower division.

Prisons and Prisoners

Supply of oil and toilet requisites to the political prisoners in the Vellore Central Jail.

* 646 Q.—Mr. M. A. MANIKKAVELU NAYAKAR: Will the Hon. the Law Member be pleased to state—

(a) whether it is a fact that the political prisoners in Vellore Central Jail are not supplied with oil for bath or toilet;

(b) whether they are not allowed even to purchase the oil for bath and toilet purposes;

(c) whether they are not allowed even to purchase soaps; and

(d) if the answer is in the negative, when were these restrictions imposed and why?

[21st February 1934]

A.—(a) Under the rules in the Madras Jail Manual 'A' and 'B' class prisoners are supplied with soap and all female prisoners with oil and soapnut. Oil is not supplied to prisoners for bath. The rules apply to all prisoners in all jails without discrimination.

(b) & (c) The facts are as stated by the hon. Member.

(d) The restrictions referred to in (b) and (c) have been in force for a number of years.

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask whether, in view of the fact that a large number of respectable persons have gone to prison for their political opinions, the Government will be pleased to consider the question of allowing them to purchase soap, oil and other toilet requisites? "

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" As I said in my answer to clause (a) A and B class prisoners are already allowed soap at the cost of Government."

Mr. V. M. RAMASWAMI MUDALIYAR:—" Arising out of the answer to clause (a), A and B class male prisoners are not allowed oil and soapnut and it is only female prisoners that are allowed oil and soapnut, may I ask whether the Hon. the Law Member realizes that among South Indians weekly oil bath is an essential factor in their routine life? "

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—" The number of A and B class prisoners is now very small, and there has been no complaint from them on this score."

Irrigation

Exposure of Bapatla taluk to inundation.

* 647 Q.—Mr. G. SIMHACHALAM PANTULU: Will the Hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the taluk of Bapatla (the portion between Bapatla and Tenali) is subject to severe inundation during rainy season and the ryots are subject to severe loss, year after year, on account of damage to crops; and

(b) if so, whether the Government will be pleased to place on the table of the House the various remedies that have been adopted during the last three years and what further remedies are under contemplation in the near future?

A.—(a) & (b) The report^a received from the Executive Engineer on the subject is laid on the table.

Mr. P. V. KRISUNAYYA CHODARI:—" In view of the report of the Executive Engineer, will the Government be pleased to expedite the estimate mentioned by him? "

^a Printed as Appendix II on pages 104-105 infra.

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The Hon. Sir ARCHIBALD CAMPBELL:—" I cannot hold out any hopes of carrying out the recommendations of the Executive Engineer in the near future, owing to the large remissions of land revenue."

Mr. G. R. PREMAYYA:—" May I know, Sir, when the plans and estimates relating to the Kollimerla basin have been prepared and sent to the Executive Engineer? "

The Hon. Sir ARCHIBALD CAMPBELL:—" I must ask for notice of the question."

Contributions payable on account of repairs to minor irrigation sources.

* 648 Q.—A. M. AHMED MEERAN SAHIB Bahadur: Will the Hon. the Member for Revenue be pleased to state—

(a) when the policy of demanding contributions in respect of repairs of minor irrigation sources was brought into practice; and

(b) whether the Government will be pleased to lay on the table a statement of receipts and charges on ' minor irrigation works ' during the years 1930-31 and 1931-32?

A.—(a) The attention of the hon. Member is invited to section 6 of Madras Act I of 1858 which provides for the levy of contribution in lieu of customary labour and to paragraphs 72 and 73 of Mr. Leach's report on Retrenchment of Land Revenue Establishment. The Government have accepted Mr. Leach's suggestions.

(b) Statements showing (1) contribution realized for repairs to, and (2) expenditure incurred on, minor irrigation works in the charge of the Revenue department in 1930-31 and 1931-32 are attached.^a Information regarding the revenue realized by Government from these works is not available.

Land Revenue Administration

Representations from the Ryots' and Mirasidars' Associations of South Arcot for redress of grievances.

* 649 Q.—Mr. BASHEER AHMED SAYEED: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the Government or the District Collector has received any representations from the various mirasidars' associations of South Arcot, as to the remission of land revenue and the redress of other connected grievances of the ryots in the district;

(b) if so, from what associations and individuals have such representations been received and what the subjects complained of are and the nature of the redress that is prayed for?

^a Printed as Appendix III on pages 106-107 infra.

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(c) what action have the Government taken or propose to take in regard to each one of the grievances complained of;

(d) whether any investigation has been made as to the exact nature and real position of each one of the grievances and, if not, whether such an investigation will be directed; and

(e) whether the Ryots' and Mirasidars' Associations will be given an opportunity to substantiate their grievances before the Government dispose of their representations and communications?

A.—(a) Yes.

(b) It is not possible without excessive labour to compile a list of associations and individuals from whom representations have been received. The more important of the concessions asked for were—

- (1) that the suspended revenue of fasli 1342 should be remitted;
- (2) that a portion of the land revenue of the current fasli should be remitted;
- (3) that facilities should be provided for the marketing of paddy;
- (4) that the assessment of land revenue should be placed on a statutory basis;
- (5) that land revenue should be collected in kind;
- (6) that the kistbandi should be revised; and
- (7) that tree-tax should be reduced.

Some representations were also received in connexion with the damage caused by the cyclone in the district.

(c) As regards damage caused by the cyclone the attention of the hon. Member is invited to question No. 629 and the answer thereto.

As regards requests 1, 2 and 3 mentioned in answer to clause (b) the attention of the hon. Member is invited to the concluding portion of paragraph 4 and paragraphs 5 and 6 of the Press Communiqué, dated 10th January 1934.

No action was considered necessary on requests 4 and 5.

The question whether the kistbandi should be revised has been considered recently and no action was therefore taken on request 6.

Whether there is a case for the reduction of tree-tax in view of the fall in prices is being taken up as a general question.

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(d) The Government had received a precis of the report of the Collector regarding the economic condition of agriculturists in the district and this was considered before a decision was taken on the land revenue concessions to be granted.

(e) The Government consider that the course suggested is not feasible.

MR. BASHEER AHMED SAYEED:—“ May I ask, Sir, whether the Hon. the Revenue Member will reconsider the question of postponing the collection of kist from the month of January to the month of February and the succeeding three months? ”

THE HON. SIR ARCHIBALD CAMPBELL:—“ I do not think we can postpone the kist.”

MR. A. RANGANATHA MUDALIYAR:—“ In regard to item (3) of the answer to clause (b) relating to the provision of facilities for the marketing of paddy, we are referred to the Press Communiqué, dated the 10th January 1934. Do the Government refer to the appointment of a special officer to go into the question? ”

THE HON. SIR ARCHIBALD CAMPBELL:—“ Yes, Sir.”

MR. A. RANGANATHA MUDALIYAR:—“ Is that appointment made to meet the current distress or for future purposes also? ”

THE HON. SIR ARCHIBALD CAMPBELL:—“ I hope it will lead to improvements in the marketing of paddy permanently.”

MR. BASHEER AHMED SAYEED:—“ May I ask whether it is not a fact that these representations that have been received by the Government have made out a case that kist should be collected only in later months than January? ”

THE HON. SIR ARCHIBALD CAMPBELL:—“ No, Sir.”

MR. BASHEER AHMED SAYEED:—“ May I ask, Sir, whether any further enquiry has been instituted by the Government in regard to the conditions that now prevail about harvest and other crops that are now raised on dry lands? ”

THE HON. SIR ARCHIBALD CAMPBELL:—“ No, Sir. The matter was gone into in 1931-32.”

MR. A. RANGANATHA MUDALIYAR:—“ The Government are now considering what more facilities or concessions should be given for relieving the condition of the ryots. It was stated so, Sir, on the floor of this House. May I ask the Government, with reference to this question, whether they have come to any decision at all with regard to granting further concessions? ”

THE HON. SIR ARCHIBALD CAMPBELL:—“ Does the hon. Member refer to remissions or suspensions of land revenue? ”

MR. A. RANGANATHA MUDALIYAR:—“ Yes, Sir.”

THE HON. SIR ARCHIBALD CAMPBELL:—“ The Government are maintaining the position that they have already taken up.”

[21st February 1934]

Action taken by the Government on the resolutions passed at the Landholders' Conference held at Puttur, South Kanara district, on 3rd December 1933.

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

(a) whether the resolutions passed at the Landholders' Conference held at Puttur in South Kanara on 3rd December 1933 have been received by the Government;

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

(c) whether the Government have considered the resolutions and taken any action in regard to them?

A.—(a) Yes.

(b) A copy^a is annexed.

(c) *Resolution I.*—Will be borne in mind (so far as South Kanara is concerned) when the scheme report is taken up for consideration.

Resolution II.—The Government have passed orders in G.O. No. 72, Revenue, dated 10th January 1934.

Resolution III.—The Government have considered and are considering all possible remedies for the effects of the present depression.

Resolution IV.—Is under consideration in the Development Department.

Resolution V.—Contains a request addressed to the Members of the Legislative Council of the district.

Employment of coercive measures for the collection of land revenue in South Kanara.

* 651 Q.—Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur: With reference to the answer to my question No. 381, will the hon. the Member for Revenue be pleased to furnish all the information required in that question?

A.—The information so far as it is available is given below:—

Clause (b) of question No. 381.—The land revenue (including arrears) collected in the South Kanara district in fasli 1342 without the attachment of real or personal property was Rs. 27,81,967. (The total land revenue demand of the district including arrears of previous faslis was Rs. 29,61,836.)

Clause (c) of question No. 381.—The amount realized in the district in fasli 1342 by the sale of personal property was Rupees 14,670 and that realized by the sale of real property was Rs. 12,569.

^a Printed as Appendix IV on pages 107-109 infra.

[21st February 1934]

Clause (e) of question No. 381.—The Government have no information other than what is contained in the "Jamabandi Report" which is given below:—

			Estimated value of property sold.	Amount realized.
			RS.	RS.
Real property	...	...	22,950	12,569
Personal property	...	...	14,687	14,670

Imposition of penal faslijasti rates on inam lands granted for religious purposes.

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

(a) the total extent of ayacut irrigated by the Tinnevely channel within the Tinnevely municipal limits at the time of the last settlement;

(b) the extent that has been classed as (i) single crop and (ii) double crop at the time of the last settlement;

(c) what extent of this area in each class has been taken up by—
(i) the South Indian Railway for permanent way extensions since the last settlement; and

(ii) by the municipality and other private interests for urban usage since the last settlement;

(d) what extent of the single crop areas under this ayacut have been converted into (i) double crop wet lands and (ii) given facilities for double crop wet cultivation;

(e) what the extent is of single crop land belonging to Sri Rajagopalaswami (inamdar) in this ayacut;

(f) whether it was specifically recognized in the settlement of 1874 that religious inam lands should not be charged penal faslijasti rates in the paragraph pertaining to inams of the descriptive memoir of the village of Melaviraraghavapuram, Tinnevely taluk, Tinnevely district;

(g) on whose initiative and authority was this specific provision relating to a religious inam changed in the new settlement register;

(h) whether it is a fact that the omission of the above provision was used as an excuse to penalize double crop cultivation on the lands belonging to Sri Rajagopalaswami temple;

(i) whether it is a fact that portions of the inam lands under the same patta are given facilities for double crop cultivation;

(j) if so, on what grounds were they given the facilities and why were lands situated lower down, and hence having a better claim, omitted;

(k) what the extent is of single crop land enjoying double crop facilities and what the extent is of land charged penal faslijasti rates belonging to Sri Rajagopalaswami temple; and

(l) what the principles are that govern the change of single to double crop land in an ayacut and whether the changes so far effected are in strict conformity with these principles?

[21st February 1934]

A.—(a) to (k) The Government have not the information. A report has been called for.

(l) The attention of the hon. Member is invited to paragraph 1 (4) of Board's Standing Order No. 1. A report has been called for in regard to the latter portion of the question.

Levy of first-crop rate on second crop.

* 653 Q.—Mr. K. KESAVARAMAMURTI NAYUDU: Will the Hon. the Member for Revenue be pleased to state—

(a) whether in cases where first crop was grown and lost and consequently remission was granted and second crop is raised on the land, the Government have treated the second crop as first crop and the full rate of Rs. 10-8-0 is charged thereon; and

(b) if so, why?

A.—(a) & (b) The question does not indicate to what area it refers. It may refer to the Polavaram Island of East Godavari district. Information is being obtained as to the practice prevailing there.

Net income of the ryot on first crop raised under the Polavaram Island Project.

* 654 Q.—Mr. K. KESAVARAMAMURTI NAYUDU: Will the Hon. the Member for Revenue be pleased to state in cases where the full water-rate of Rs. 10-8-0 is charged on the first crop, the net income which the ryot gets after meeting the cultivation expenses, for different classes of lands—the best, middling and the poorest?

A.—The hon. Member presumably refers to the Polavaram Island Project. The Government have not the information.

Local Self-Government

Alleged irregularity in the maintenance of the Minutes Book of the District Board, Salem.

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

(a) whether representations have been received from some of the Members of the Salem District Board in the matter of pasting type-written sheets in the minutes book in the place of recording resolutions by hand;

(b) whether a copy of the representation will be placed on the table;

(c) what orders have been passed in the matter;

(d) whether this order was modified or revised subsequently;

(e) if so, whether a copy of the revised order will be placed on the table; and

(f) what the reasons are for revising the order?

[21st February 1934]

A.—(a) Yes.

(b) Government see no need to place a copy of the representation on the table.

(c) The attention of the hon. Member is invited to G.O. No. 3402, L. & M., dated 23rd August 1933, already placed on the table with reference to question No. 508 answered on 29th January 1934.

(d) No; but in order to remove certain misconceptions, Government thought it necessary to explain, in G.O. No. 4920, L. & M., dated 28th November 1933, the circumstances in which the earlier Government Order was issued. A copy of this Government Order was also placed on the table with reference to question No. 508, answered on 29th January 1934.

(e) & (f) Do not arise.

Taluk boards with a deficit budget during the year 1933-34.

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

(a) how many taluk boards were not able to balance their budget for 1933-34; and

(b) what the names are of such taluk boards and what the closing balances under General as well as Education Funds of each?

A.—(a) & (b) Statements ^a are laid on the table. In regard to Elementary Education Fund information has been furnished only in respect of those taluk boards the budgets of which have been received so far.

Mr. A. RANGANATHA MUDALIYAR:—“ Did the Government appoint a special officer to go into the question of finances of taluk boards before they ordered the constitution of taluk boards for each taluk? ”

The Hon. the RAJA OF BOBBILI:—“ No, Sir.”

Mr. A. RANGANATHA MUDALIYAR:—“ What did the Government do, Sir? Before the Act was given effect to, did the Government in any way satisfy themselves that the newly constituted boards would be self-supporting or not? ”

The Hon. the RAJA OF BOBBILI:—“ As far as I am aware, no special officer was appointed in connexion with this matter.”

Mr. A. RANGANATHA MUDALIYAR:—“ Did the Government satisfy themselves in any other way that the newly constituted boards would be self-supporting? ”

The Hon. the RAJA OF BOBBILI:—“ The Government have merely carried out the provisions of the Bill passed by this House.”

^a Printed as Appendix V on pages 110-112 infra.

[21st February 1934]

MR. A. RANGANATHA MUDALIYAR:—“ Did the Government think that the provisions of the Bill were mandatory, if so, why was not the same principle observed with regard to panchayats? Should they not enquire whether or not the new boards would be self-supporting? ”

The Hon. the RAJA OF BOBBILI:—“ I do not see why any special officer should be appointed for this purpose. The provision was that each revenue taluk should be constituted into a separate taluk board.”

Application for a loan from the Cumbum Taluk Board.

* 657 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 Cumbum and Markapur taluk boards in the Kurnool district have applied for a loan of Rs. 20,000 each, through the President, District Board;

(b) whether it is a fact that the Markapur Taluk Board alone got the said loan or advance;

(c) whether the President, District Board, Kurnool, recommended the application for loan for the Cumbum Taluk Board;

(d) if so, whether the Government will be pleased to place on the table of the House his recommendations; and

(e) what steps the Government have taken with regard to the arrears of salaries of teachers in the Cumbum Taluk Board?

A.—(a) to (d) The Government have received an application from the Markapur Taluk Board for an advance of Rs. 20,000 to meet its outstanding liabilities and the matter is under the consideration of the Government. The Cumbum Taluk Board first applied to the Kurnool District Board for a contribution of Rs. 20,000 from the general funds of the latter and for a loan of Rs. 20,000 from the District Board Railway Cess Fund or, if a contribution was not possible, for a loan of the entire sum from the District Board Railway Cess Fund. The President, District Board, thereon reported that this taluk board was spending on an extravagant scale and that it was not possible to comply with its request until it made its normal receipts cover the normal expenditure. It is open to the taluk board to apply to Government for an advance of the amount required to meet its outstanding liabilities after effecting necessary retrenchments in expenditure so as to make repayment of the advance possible. The President, Taluk Board, Cumbum, has since applied to Government for a compassionate grant of Rs. 10,000 to wipe off its deficit. The Government have decided that pending the proposed abolition of taluk boards no compassionate grant should ordinarily be given to taluk boards.

[21st February 1934]

(e) The Government have not taken any action on the subject but they are prepared to consider any proposals which the taluk board or the district board may make.

Income from tolls both prior to and after the passing of the Madras Motor Vehicles Taxation Act.

* 658 Q.—MR. P. V. KRISHNAYYA CHOUDARI: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) what the income was from tolls throughout the Presidency for the five years preceding the coming into effect of the Motor Vehicles Act;

(b) what the annual income is on motor vehicles for each year after the Act was put into force; and

(c) what the original amount anticipated by the Government under this head was at the time of passing the Motor Vehicles Act?

A.—(a) A statement * is laid on the table.

	RS.
(b) 1931-32	29,96,349
1932-33	40,68,461
1933-34	24,02,486
(April 1933—November 1933).*	

(c) Rupees 66 lakhs.

* Final figures for December 1933 are not available.

MR. P. V. KRISHNAYYA CHOUDARI:—“ Is not the little fall in the receipts under this head due to the general depression? ”

The Hon. the RAJA OF BOBBILI:—“ I do not think the fall is small. It is serious. In 1932-33 the receipts were only 40 per cent; last year it was over 50 per cent.”

MR. P. V. KRISHNAYYA CHOUDARI:—“ The figures given here show that generally, you have been able to realize 40 lakhs out of 60 lakhs. Is not the fall of 20 lakhs due to the present economic depression prevailing throughout India and all over the world? ”

The Hon. the RAJA OF BOBBILI:—“ No, Sir.”

Hardship due to the operation of the Motor Vehicles Taxation Act in Coorg.

* 659 Q.—MR. A. B. SHETTY: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether the attention of the Government has been drawn to the hardship and inconvenience caused to motorists in South Kanara and Coorg as the result of the Motor Vehicles Taxation Acts now in operation in both the places; and

(b) whether the Governments of Madras and of Coorg have under consideration any proposal to modify the Acts in the interests of the travelling public?

[21st February 1934]

A.—(a) Yes.

(b) The attention of the hon. Member is invited to G.O. No. 2982, L. & M., dated 26th July 1933, which has already been laid on the table of the House.

Veterinary

Veterinary relief to cattle thriving in the forest areas of the Kurnool district.

* 660 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government have ever considered the desirability of deputing one special doctor to visit 'pentas' surrounding the forest area in the Kurnool district where the cattle-pens are located;

(b) whether it is a fact that there is no breeding bull supplied by the Government to these centres of cattle; and

(c) whether any representation has been made to the Government for the supply of a breeding bull in recent years?

A.—(a) The suggestion will be considered.

(b) One Ongole bull was lent to the Siddapuram Settlement near Atmakur in Kurnool on 10th June 1932.

(c) The Government are not aware of any such representation.

Education

Revision of the special scale of pay prescribed for two posts of munshis and pandits.

* 661 Q.—MR. BASHEER AHMED SAYEED: Will the Hon. the Minister for Education and Excise be pleased to state whether it is a fact that the special scale of pay Rs. 100—5—125 for two of the posts of munshis and pandits have been abolished and merged in the new scales of pay under the revised scheme?

A.—The attention of the hon. Member is invited to the entries against item 8 at page 37 of G.O. No. 311, Public, dated 13th April 1933, which has been placed at the disposal of the press.

MR. BASHEER AHMED SAYEED:—"May I ask whether the Government have any proposals to relieve those people who have already reached the maximum and have no further prospects to look to? New scales are provided for new munshis and pandits, and I want to know whether the Government have any proposals for relieving the old munshis and pandits who reached their maximum which is less than the maximum now provided for the new entrants."

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Notice, Sir."

[21st February 1934]

Distribution of grants by District Educational Councils.

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

(a) the total amount distributed by the District Educational Councils for each district from 1930 under the heads—

Year.	Total grant.	Number of schools.	
		Boys.	Girls.
Muslim.			
Christian.			
Hindu.			
Others.			

(b) what the representation of Muslims in District Educational Councils under the heads for the year 1933-34 is—

District.	Total.	Hindus.	Christians.	Muslims.	Others.
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(c) what special methods are adopted to encourage education among the Muslims by these Councils; and

(d) whether it is a fact that a large number of Muslim aided schools were closed owing to the recent cut which the District Educational Councils have carried through?

A.—(a) The hon. Member is referred to the statement furnished in answer to question No. 264 asked at the meeting of the Legislative Council held on the 1st November 1933, which gives particulars of the funds placed at the disposal of District Educational Councils for teaching grants. Details of how the amounts were distributed by individual District Educational Councils are not available with Government.

(b) A statement * is placed on the table.

(c) & (d) The Government have no information.

Alleged mismanagement of Labour schools transferred to local bodies.

* 663 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 some of the Labour schools recently transferred to local bodies are grossly mismanaged and the teachers thereunder are not paid their salaries regularly in spite of the G.O. No. 2283, Public Works and Labour, dated 20th October 1933; and

(b) whether the Government have received any representation regarding the same and what action has been taken since to redress their grievances?

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

(b) No representation has been received.

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Fisheries*Restrictions on fishing in the Adyar.*

* 664 Q.—Rao Sahib V. DHARMALINGAM PILLAI: With reference to copies of petitions submitted by Adi-Dravida fishermen of Adyar which were placed on the table of this House on the 4th November 1933, in reply to question No. 343 of November 1933, will the Hon. the Minister for Education and Excise be pleased—

(1) to place on the table of the House the reports received from the local officers on which the prohibition of fishing with certain size of nets was ordered as per Development Department No. 137, dated 13th April 1931, and that on which the Government Memorandum No. 2628 U/31-5, dated 22nd December 1932, cancelling the previous order was issued; and

(2) to state—

(a) whether the Commissioner of Labour was consulted in the matter, and

(b) what the economic condition is of the fishermen petitioners?

A.—(1) The Government do not consider it necessary or desirable to place the reports on the table of the House.

(2) (a) No.

(b) Nothing special.

UNSTARRED QUESTIONS**Police***Preferential treatment to Viswabrahmanas in the matter of recruitment to the subordinate ranks of the police.*

665 Q.—Rao Sahib Pandit GANALA RAMAMURTI: Will the Hon. the Home Member be pleased to state—

(a) whether any memorials have been received since 1931, either by the Government or by the Inspector-General of Police asking for special treatment being accorded to the members of the Viswabrahman community with regard to the lower and subordinate ranks of the Police department; and

(b) whether the Government have taken any steps to encourage members of this community to join the Police service in large numbers?

A.—(a) No.

(b) Viswabrahmanas are included among non-Brahmans for purposes of recruitment to the Public Service. The principle that the various communities in the Presidency should, as far as possible, be represented in the public service is kept in view in making appointments in the police department. No special steps have been taken to encourage Viswabrahmanas to join the police service.

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Irrigation*Closure of the breaches in the Korayar river, Srivilliputtur taluk.*

666 Q.—Mr. M. D. T. RANGANATHA MUDALIYAR: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the breaches in the Korayar river between the Nallamangalam and Elundrakondan anicuts and in Elundrakondan Periyakulam have been closed and the dismantled revetment in the river has been repaired; if not, why these have not yet been done;

(b) the improvements the Government propose to carry out to prevent the recurrence of frequent breaches; and

(c) whether it is a fact that the Executive Engineer, Tinnevely, inspected the Elundrakondan supply channel in or about 1927 and proposed the construction of a groyne on the right bank of the Korayar river above the Elundrakondan anicut to prevent the repeated formation of the shoal at the head of the supply channel owing to the incorrect position of the anicut; if so, what has been done in the matter?

A.—A report has been called for.

Public Health and Vital Statistics*Registration of births and deaths in the Ganjam district.*

667 Q.—Sriman M. G. PATNAIK Mahasayo: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) how many Registrars of Births and Deaths are appointed under Madras Act III of 1899 in the Ganjam district;

(b) whether the Act in whole or in part extends to the whole of the district of Ganjam;

(c) the provision made for the registration of births and deaths in areas outside municipal limits and to which Act III of 1899 is not extended;

(d) whether provision is made to prevent unauthorized destruction and falsification of such registers;

(e) whether certificates of courts in which extracts from the registers are sought to be produced are required to be filed with applications for extracts from the registers; and

(f) when the rule insisting upon such production of court certificates was made and why?

A.—(a) Ninety Registrars have been appointed in villages with a population of 2,000 and over and 22 in villages with a population of 1,000 and over.

(b) The Act has been extended to all villages in the district with a population of 2,000 and over except 26 villages and to 23 villages with a population of 1,000 and over.

(c) Attention is invited to the instructions in Board's Standing Order No. 101.

(d) Yes.

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- (e) Production of court certificate is not essential for the grant of extracts from the register of births and deaths.
- (f) Does not arise.

Education

Proceedings of the Director of Public Instruction regarding the scheme of consolidation and concentration of elementary schools.

668 Q.—Mr. P. MADHUSOODHANAN THANGAL: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether the instructions recently issued by the Director of Public Instruction in his Proceedings R.O.C. No. 152-B/32, dated 1st November 1933, in regard to consolidation and concentration of elementary schools have received the approval of the Government;

(b) whether any protests from the public have been received against the scheme;

(c) whether the Government propose to immediately order the closure of schools which are considered superfluous;

(d) how the loss sustained by managements as a result of the unexpected and sudden closure of the schools will be compensated;

(e) whether the Director of Public Instruction or any other authority authorized to receive the statements and reports from the District Educational Councils have received regular reports or statements from the Malabar District Educational Council regarding the names of elementary schools and their grant for each year and the grants-in-aid which have been distributed each year and the annual returns of all elementary schools of each year;

(f) if these reports have not been received by such authorities, why have they not been received; and

(g) whether the Government have already made any enquiries or are going to make any enquiries in the matter?

A.—(a) Yes.

(b) Yes.

(c) No. The question of closing superfluous schools will be considered only when the schemes called for in paragraph 4 of G.O. No. 1639, Education, dated 9th September 1933, are received.

(d) This question will also be considered in connexion with the schemes referred to in the answer to clause (c).

(e), (f) & (g) It is not clear what the reports and statements are to which the hon. Member refers. The Director of Public Instruction receives from the District Educational Council, Malabar, as from other District Educational Councils annual reports on the condition of elementary schools and the usual annual returns.

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

II.—BUDGET FOR 1934-35.

* The Hon. Sir HOPETOUN STOKES:—“ Sir, I rise to present to the House the revised estimate for the current year, 1933-34 and the Budget estimate for the year next ensuing, 1934-35. Before discussing the actual figures, I propose, as is usual, to touch on the events of the past twelve months, but shall do so as briefly as possible. Politically, the year 1933-34 has been upon the whole very tranquil in this Presidency; there have been few or no manifestations of that widespread agitation, tending to unsettle the sense of public security, which a few years back affected, to a not inconsiderable extent, the peace and consequently the finances of the Government. The monsoons have on the whole been kind to us. The south-west monsoon came early and gave heavy rain on the West Coast off and on until September. Elsewhere it was late in development and in most districts did not establish itself until July. From that month until September, however, it was fair and up to the average in most districts. By the end of September the total acreage under cultivation exceeded the average. The north-east monsoon was not quite so satisfactory. Normal in October, it on the whole fell below normal in November and was unduly weak in the following month. The progress of both monsoons was marked by a succession of rain-bursts which in several districts had disastrous effects. Thus during August the districts of Kistna, Guntur, West Godavari and East Godavari suffered from severe floods in the Godavari, Kistna and Budameru rivers, in November the Ramnad and parts of Tinnevely districts were similarly afflicted, while in the third week of December a violent cyclone struck the coast in the neighbourhood of Cuddalore, and caused extensive damage in the South Arcot district, and the adjacent taluks of Tanjore; Trichinopoly district also was to some extent affected. In all cases the demands of the local officers for funds for immediate needs were promptly met. The full effect of these occurrences upon the revenue has yet to be ascertained precisely, but allowance has been made for it in our estimates as well as provision for repairing damages to buildings, and irrigation works, and for assistance to local bodies in this connexion. The Standing Orders of the Revenue Department provide for relief in such contingencies by remission of revenue, and whatever is found to be necessary on this account will be given apart from the special land revenue remission for faslis 1342 and 1343 on account of the general economic depression.

“ 2. The cloud of that depression still rests upon us. Prices have continued at or about the low level to which they had sunk at the beginning of the year and difficulty of obtaining credit still continues. In view of the general economic conditions, Government have decided wholly to remit the Land Revenue suspended in March last for fasli 1342, the amount for the full fasli being Rs. 33.38 lakhs. They have also decided to grant further suspensions of Land Revenue for fasli 1343, the cost of which in the full fasli is calculated to be Rs. 59.73 lakhs. The estimates now presented take note of these concessions. On the other hand there seem to be signs that the darkness is lifting. Conditions of trade

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and commerce in Great Britain seem to be improving, and the atmosphere is one of confidence and hope. It will no doubt take time for the effect of these conditions to be felt in trade and commerce here, but it is not too much to expect the result in the near future. Meantime, in South India the position of the tea industry has benefited by the arrangements to restrict production; it is possible that analogous measures may be taken in the rubber industry, while it is to be hoped that the recent negotiations with Japan will improve the prospects of the cotton interests. The protection afforded to the sugar industry by the Act of 1932 has stimulated the starting of sugar factories. Although, however, there are a few streaks of silver in the cloud, it would be unwise to anticipate a sudden or phenomenal change for the better during the year before us, and the estimates now presented are drawn on this footing.

" 3. I now come to those estimates, commencing, as is customary, with the Accounts figures for 1932-33.

Accounts for the year 1932-33.

REVENUE ACCOUNT.

" 4. According to the Revised Estimate for the year 1932-33, a revenue surplus of Rs. 62.77 lakhs was anticipated. The realized surplus for that period was, however, Rs. 77.21 lakhs. In LAND REVENUE, owing to the introduction of the 12½ per cent reduction, there was a fall on the receipt side of Rs. 8.96 lakhs. The total cost of that remission in the full fasli 1342 was Rs. 33.38 lakhs, of which Rs. 10.71 lakhs affected the Revised Estimate figures of 1932-33, the remainder falling within the Budget of 1933-34. The reduction of Rs. 8.96 lakhs, however, was almost entirely set off by improvements under other receipt heads—such as STAMPS, MAGISTERIAL FINES, INDUSTRIES and the like—amounting in all to Rs. 8.47 lakhs. The net result of these and other minor factors has been that the actuals of the year under review fall short of the Revised Estimate by Rs. 2.90 lakhs only, which may be taken to indicate careful estimation. On the other hand, taking the figures of EXPENDITURE chargeable to Revenue, savings are shown amounting on the whole to Rs. 17.34 lakhs occurring mainly under EDUCATION (3.03 lakhs), due mainly to the equivalent Government grant under the Elementary Education Act having been less than estimated owing to smaller realizations of the tax and to the inability of some local bodies to draw grants owing to the reconstitution of taluk boards; under CIVIL WORKS, including Road Grants (13.96 lakhs), owing to the unanticipated payment by the Coimbatore Municipality of the amount spent by Government on its water-supply in previous years and to the inability of the Public Works Department to spend up to the revised appropriations on the Ellore buildings, the Penitentiary, the General Hospital buildings and Agency communications and of local bodies to spend the amounts placed at their disposal for village and other roads and other heads (3.35 lakh). In the result the revenue account surplus for the year shows a betterment of Rs. 14.44 lakhs.

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CAPITAL AND DEBT HEADS.

" 5. As regards the figures for the Capital and Debt heads, I do not think I need trouble the Legislative Council with details. Progress on the Cauvery-Mettur Project was more rapid than had been anticipated, the expenditure being greater by Rs. 2.01 lakhs. The progress of the Cochin Harbour works has been held up to a great extent owing to the discussions that have been going on regarding the desirability of proceeding with the IV stage of the works, with the result that the closing balance of the loan taken under this head stood at Rs. 8.37 lakhs, the expenditure having been only Rs. 1.63 lakhs during the year.

Revised Estimate for the year 1933-34.

REVENUE ACCOUNT.

" 6. Coming to the figures of the Revenue Account for the current year 1933-34, it will be seen that, as regards RECEIPTS, the Revised Estimate is worse than the Budget Estimate by a net amount of Rs. 98.44 lakhs. By far the greater part of this decrease is to be ascribed to the remission of a portion of the LAND REVENUE in fasli 1342 and the grant of further concessions in this respect for fasli 1343 amounting in the full fasli to Rs. 59.73 lakhs, say, Rs. 60 lakhs in round figure. Of this amount a sum of Rs. 49.48 lakhs is adjusted in the estimates for 1933-34, and Rs. 10.25 lakhs in 1934-35. To the figure of Rs. 49.48 lakhs must be added the remission of that portion of the concessions for fasli 1342 which must be adjusted in the Budget of 1933-34, viz., Rs. 22.67 lakhs. The total gross charge therefore on account of Land Revenue concessions of the two faslis falling on the Budget for 1933-34 is Rs. 72.15 lakhs. Of this about Rs. 7.51 lakhs is set off by minor increases. The remainder of the net fall of Rs. 98.44 lakhs is accounted for by decreases in most of the other revenue heads of the Budget, partly set off by increases under a few of them.

" 7. The fall in revenues is discernible under all the principal revenue heads and is certainly disquieting; the figures are EXCISE (-16.14 lakhs), STAMPS (-7.61 lakhs), FOREST (-2.69 lakhs), REGISTRATION (-2.92 lakhs) and MISCELLANEOUS DEPARTMENTS (-6.08 lakhs). The fall under the last head is due almost entirely to reduced receipts under the Madras Motor Vehicles Taxation Act. This general tendency to decline is to be found in those heads which are liable to the influence of the economic depression. The increases, on the other hand, occur only under four heads, viz., INTEREST (+2.55 lakhs), ADMINISTRATION OF JUSTICE (+2.03 lakhs), PUBLIC HEALTH (+1.15 lakhs) and MISCELLANEOUS (+.90 lakh). The increase under INTEREST mainly represents increased interest on deposits of Provincial balances not anticipated when the Budget was drawn up; that under ADMINISTRATION OF JUSTICE is due mainly to increased recoveries of magisterial fines and translation and printing fees. Those under the other two heads are of the nature of minor temporary windfalls which will not recur.

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" 8. The net fall in REVENUE (98.44 lakhs) has been met partly by reduction and partly by re-adjustment of EXPENDITURE. The items which principally contribute to it are as follows:—16. IRRIGATION (*minus* 19.58 lakhs), 41. CIVIL WORKS (*minus* 17.62 lakhs) and 41-B CAPITAL EXPENDITURE ON HYDRO-ELECTRIC SCHEMES (*minus* 35.77 lakhs).

" The decision taken in March 1933 (after the preparation of the Budget) to suspend immediately in certain districts $12\frac{1}{2}$ per cent of the land revenue rendered it necessary to find in the current year's Budget a sum of Rs. 22.67 lakhs, while the decision taken later on to repeat suspension for fasli 1343 on an extended scale involved a further charge on the Revised Estimate of Rs. 49.48 lakhs—total Rs. 72.15 lakhs. We immediately took steps in March last to restrict expenditure amounting to over Rs. 10 lakhs under 41. CIVIL WORKS and other heads, and later on, when the further decision was taken, we decided to finance the schemes of Irrigation and Hydro-Electric development for which provision had been made in the Budget Estimate from current revenue, from the revenue balances direct, and to charge them to the CAPITAL ACCOUNT. The schemes are all productive, and some highly lucrative. Under 41. CIVIL WORKS about Rs. 9 lakhs was deferred; a lapse of about Rs. 4 lakhs is anticipated on the amounts provided for the General Hospital, Madura Hospital and the Penitentiary buildings owing to unforeseen difficulties; and a lapse of Rs. 4 lakhs on account of the decision to abandon a scheme for bridging the Tungabhadra and completion of some road development works at a smaller cost than estimated, coupled with short expenditure of minor amounts on other works, account for the balance of decrease.

" Under other heads savings occur among which I need only notice here a reduction of Rs. 6.59 lakhs under GENERAL ADMINISTRATION due to a lapse of the provision made for general election expenses (8.00 lakhs) partly offset by minor increases of expenditure under the same head, and a fall of Rs. 4.33 lakhs in the expenditure on STATIONERY and PRINTING. This has been due to the fact that our efforts at retrenchment during 1932-33 had resulted in so curtailing the expenditure of stationery that it was unnecessary to purchase so largely as usual during the succeeding year, and a saving of Rs. 2.94 lakhs resulted. Savings are also anticipated in the provision made for 1933-34 for temporary printing establishments and for printing at private presses in view of the near approach, as we expected, of the new Constitution and the consequent necessity for undertaking during the current year the task of preparing revised electoral rolls.

" 9. The final result of the variations in EXPENDITURE which I have mentioned and of several minor ones with which I need not detain the House, is that the Revised Estimate for 1933-34 is expected to close with a small surplus of .61 lakh, the Revenue Account total being REVENUE Rs. 16,28.27 lakhs and EXPENDITURE charged to Revenue Rs. 16,27.66 lakhs.

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CAPITAL AND DEBT HEADS.

" 10. I need not trouble the House with a detailed analysis of the figures under the CAPITAL and DEBT HEADS. It will be noticed that, as compared with the Budget Estimate, the figure of expenditure taken in the Revised Estimate for the Cauvery-Mettur Project is reduced by Rs. 10.52 lakhs. This does not mean that the work on the project has lagged; the amount represents the cost of the penstock pipes and connected works for utilizing the water power of the lake for generating electricity. These were provided in the course of construction of the dam, and their cost is now written-back to the Mettur Hydro-Electric Project, the estimates for which are under preparation. In the figure relating to the Pykara, Kattalai and Cochin Harbour Schemes, the House will notice a similar difference of Rs. 5.79 lakhs between the disbursements as allowed for in the Budget and in the Revised Estimates. This short expenditure is due principally to the delay in arriving at a decision regarding the IV stage works of the Cochin Harbour to which I have already referred. On the other hand, the disbursements on account of Loans and Advances and Capital Expenditure on Irrigation, Hydro-Electric and Industrial development are shown in the Revised Estimate as Rs. 64.84 lakhs as against Rs. 40.77 lakhs in the Budget Estimate. The increase is due chiefly to the write-back of the Capital Expenditure on remunerative irrigation works from current revenues to the Capital head 55. IRRIGATION and of the capital outlay on the Mettur Hydro-Electric Works which had been debited to the Cauvery-Mettur Project.

" The Pykara Scheme, so far as the headworks, generating station and principal transmission lines are concerned, has been completed at a capital cost of Rs. 108.01 lakhs of which Rs. 43.27 lakhs has been borrowed. The Cauvery-Mettur Project work is expected to reach completion during 1934-35 at a total cost of Rs. 647 lakhs (round figure) of which Rs. 613.33 lakhs has been borrowed. It will not be necessary to borrow during 1934-35 for the completion of the work.

" The Revenue Closing Balance of 1932-33 stood at Rs. 305.47 lakhs. Of this we have devoted Rs. 37.21 lakhs to financing the Cauvery-Mettur Project (Rs. 17.78 lakhs) and various other items of Capital expenditure (Rs. 19.43 lakhs). Adding the Revenue Surplus of .61 lakh the Revenue Closing Balance for the current year is now estimated to be Rs. 268.87 lakhs. This forms the Revenue Opening Balance for 1934-35.

Budget Estimate for the year 1934-35.

REVENUE ACCOUNT—PART I.

" 11. I now turn to the Budget Estimate for the year that is about to begin. The revenue figures take into account the proceeds—Rs. 3.92 lakhs—of the 5 per cent pay cut on All-India officers serving under this Government, the retention of which for another year has recently been announced by the Government of India. The total estimated revenue

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is Rs. 16,43.24 lakhs, the total estimated expenditure charged to revenue is Rs. 16,13.55 lakhs under PART I, leaving an estimated surplus of Rs. 29.69 lakhs available for PART II SCHEMES. Taking first the RECEIPT side of the Revenue Account, it will be seen that, as compared with Revised Estimate for the current year, a net increase of revenue of Rs. 14.97 lakhs is anticipated. To this net increase the main contributing factor is the increase of Rs. 7.33 lakhs under the head XXV. INDUSTRIES. This, I am sorry to say, is not real money. It is due merely to a change in the method of accounting. Hitherto, under this head of account only the recoveries of investments in Government commercial concerns and the profit, if any, have been shown, the normal transactions of the concerns having been kept out of the ordinary Government accounts. The Audit Department having advised that this procedure is not in strict compliance with the requirements of the Government of India Act, it has been decided to exhibit in the Civil Budget Estimate on both sides of the Revenue Account the gross transactions, and the resulting increase under XXV. INDUSTRIES is counter-balanced by a corresponding increase under the head 35. INDUSTRIES on the expenditure side.

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“ 12. The only other REVENUE heads under which the estimates show increases are XXX-A. HYDRO-ELECTRIC SCHEMES (*plus* 2.10), LAND REVENUE (*plus* 21.70) and other heads showing minor variations of less than half a lakh; these contribute *plus* .81 lakh to the net result. The gross revenue from Hydro-Electric Schemes as per the Revised Estimate for the current year is Rs. 3.75 lakhs; the corresponding figure for 1934-35 is Rs. 5.85 lakhs, the increase being due to more executed sales of electrical power. The Budget Estimate under the Land Revenue head has been prepared on the assumption that land revenue concessions, similar to those sanctioned in fasli 1343, will be repeated in fasli 1344. This assumption is necessary for budget purposes, and is not to be interpreted to mean that the Government have already decided to do so. They reserve a free hand to consider the matter a year hence in the light of the conditions then prevailing. The concessions for fasli 1343 are estimated to result in a gross loss of revenue in 1934-35 by Rs. 10.25 lakhs, while those for fasli 1344 are expected to further reduce the revenue in that year by Rs. 51.60 lakhs, leaving a sum of Rs. 10.27 lakhs to be adjusted in 1935-36. The total gross loss in 1934-35 amounts to Rs. 61.85 lakhs against Rs. 72.15 lakhs in 1933-34. The reason why the total amount in 1933-34 is greater than that in 1934-35 by Rs. 10.30 lakhs is that a larger portion of the charge for fasli 1342 is thrown forward into the current year than is the case in faslis 1343 and 1344.

“ The increase of Rs. 21.70 lakhs as compared with the Revised Estimate for 1933-34 is partly due to this decrease in the loss on account of the land revenue concessions and partly to credit having been taken for alteration of the kistbandi of Trichinopoly according to which the last kist, which in last fasli fell in March 1933, will fall in April 1934, affecting therefore the estimates for 1934-35 and not those of the preceding year. Credit has also been taken for some additional revenue

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from the Cauvery-Mettur Project, while allowance has been made for remissions due to the cyclone of December last. No credit has been taken for additional revenue due to proposed resettlement of South Kanara, Salem and Guntur.

“ Passing to the other REVENUE heads noticeable decreases, anticipated as compared with the Revised Estimate for 1933-34, occur under XVI. INTEREST (7.99 lakhs), and XXX. CIVIL WORKS (5.88 lakhs). Under CIVIL WORKS the decrease is due to short expenditure on works financed from the Road Development Fund and consequent decrease in the amount transferred to revenue from the deposit head ‘Subventions from the Central Road Development Account.’ That under INTEREST is due to the expectation that the amount available for deposit with the Government of India in the coming year will be less than that deposited in 1933-34. A decrease of Rs. 2 lakhs is also anticipated under this head owing to the consolidation on a $4\frac{1}{2}$ per cent basis and for a larger period of repayment of various outstanding loans to local bodies bearing interest at rates exceeding that figure. This we have been able to do owing to the fact that the Government of India have been able to give us the benefit of their recent loan conversion operations in respect of the debts we owe to them and we, in turn, have been able to pass on that benefit to those of the local bodies who are in debt to us. It is estimated that the Provincial revenues will benefit in 1933-34 and 1934-35 by Rs. 1.17 and Rs. 2.24 lakhs respectively, while the arrangement made as regards the debts of local bodies will relieve them by an amount of about Rs. 7.00 lakhs annually, payable, however, over an extended period of years. A few brief remarks will suffice for the remaining revenue heads requiring particular notice, viz., EXCISE; STAMPS, FOREST and REGISTRATION. Under STAMPS and REGISTRATION and FOREST, we anticipate no improvement over the revised estimate for the current year. Under EXCISE we have allowed for a further fall of about Rs. 1 lakh. This is the net result of an anticipated loss of Rs. 2 lakhs under licence fees for the sale of arrack shops consequent on a fall in the consumption of arrack, counterbalanced by about a lakh increase in toddy revenue anticipated with reference to the results of the current year's sales. The heads mentioned are those upon which we chiefly depend. Under other heads slight variations occur with the details of which I need not now trouble the House.

“ Our estimates, in view of the tendency of practically all heads of REVENUE to decline to which I have already alluded, may be said to be conservative; I am inclined, however, still to think that they err, if at all, on the side of optimism. EXCISE, in particular, is affected by so many factors and is so liable, as we know, to unexpected variations, dependent on the state of the season, the tranquillity of the province and the like, that it is not easy to foresee its vagaries. We have, however, estimated as closely as in reason we can and I hope that we have at least avoided the sin of which some hon. Members have seen fit in the past to accuse us, of underestimating our resources.

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EXPENDITURE CHANGED TO REVENUE IN 1934-35—PART I.

" 13. Coming to the EXPENDITURE side of the Revenue Account, provision is made under the heads 15. IRRIGATION and XIII. IRRIGATION for an increase of Rs. .61 lakh and Rs. 2.32 lakhs for special expenditure and of Rs. 3 lakhs under each head for flood damages and special repairs. This justifies the expectation of some savings on ordinary maintenance and repairs during the year; the increased expenditure mentioned is the net result of setting off the one against the other. Under the head GENERAL ADMINISTRATION, we find an increase of Rs. 4.94 lakhs; of this the greater part represents provision for the cost of the Legislative Assembly Elections (Rs. 3.00 lakhs), the Reforms Office (Rs. .50 lakh) and for the inauguration, voyage and equipment expenses of the new Governor (Rs. 1.25 lakhs). The head ADMINISTRATION OF JUSTICE discloses an increase of Rs. 1.55 lakhs, due mainly to increased expenditure on pay on account of increments and in part on account of provision for certain additional judicial officers. Under MEDICAL increased cost of hospital necessities accounts for an increase of Rs. 1.92 lakhs. I have already referred to the change in the method of accounting which has resulted in an apparent increase of Rs. 8.44 lakhs under the head 35. INDUSTRIES. The heads relating to pensions and their commutation show an increased provision respectively of Rs. 1.46 and Rs. 4.73 lakhs mainly due to increase in payment of pensions in England and to anticipated increase in commutations in India. The reduction of the interest rates will lead to an increase in the amounts payable by way of commutation. The above are the noticeable items of increase. Noticeable decreases may now be touched upon. Under INTEREST, we save Rs. 2.43 lakhs partly because we have avoided borrowing in 1933-34 and partly because of the reduction from 6½ per cent to 5½ per cent on outstanding advances of 1922-23, to which effect has been given from 1st April 1932. The reduction in the rate to which I have already referred will give us, it is anticipated, a further relief of about Rs. 1.00 lakh in 1934-35; the decreases shown under EDUCATION (Rs. — 4.43 lakhs), PUBLIC HEALTH (Rs. — 3.69 lakhs) and MISCELLANEOUS DEPARTMENTS (Rs. — 1.12 lakhs) are mainly due to the grants debitable to these heads being treated as PART II EXPENDITURE. The head CIVIL WORKS shows a decrease of Rs. 28.79 lakhs; this is due partly to the provision for grants-in-aid, for buildings, roads and bridges, and major water-supply and drainage schemes being taken under PART II; partly because we have not been able to repeat for 1934-35 the special provision of Rs. 5 lakhs for the repair of trunk roads for want of funds as a result of the land revenue concessions. We have, however, been able to include under this head some extra provision (Rs. 3.00 lakhs) for repair of flood damages, including assistance in this regard to local bodies.

" The net result of the variations (plus or minus) on the EXPENDITURE side is that the Part I figures of expenditure disclose a net reduction of Rs. 14.11 lakhs.

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Part II Schemes for the year 1934-35.

" 14. I now turn to the Part II Schemes. The various departments put forward very large demands for 1934-35. Taking them all together they represented a total *ultimate* commitment of Rs. 104.04 lakhs of which Rs. 96.56 lakhs was non-recurring, and Rs. 7.48 lakhs recurring expenditure; for 1934-35 they demanded an expenditure of Rs. 52.34 lakhs of which Rs. 48.55 lakhs was non-recurring and Rs. 3.79 lakhs recurring. These were to be met from CURRENT REVENUES. In addition, the departmental demand covered schemes of CAPITAL EXPENDITURE to be met from REVENUE BALANCES, costing in 1934-35, Rs. 23.94 lakhs, with an ultimate commitment of Rs. 32.47 lakhs all non-recurring.

" The Finance Committee, with admirable care, performed their difficult task of classifying the large number of schemes submitted to them. They were informed that probably about Rs. 20 lakhs would be available, and with reference to this figure they made their recommendations as regards those to be taken up for 1934-35. At the same time, they indicated in respect of all the schemes their view as to classification, placing in Class III (i.e., schemes to be taken up if money is available) most of those for the immediate undertaking of which they could not find money. As, upon a further scrutiny of the estimates, it has been found possible to find a few lakhs additional funds, the Government have added to the schemes placed in Class II a certain number of those from Class III, and it is proposed now to allocate Rs. 25.76 lakhs in all for PART II SCHEMES CHARGEABLE TO CURRENT REVENUES, a sum of .39 lakh of which is covered by additional revenue expected from some of the schemes. I do not propose to detain the House now by a detailed review of these schemes. They represent about one-quarter of the ultimate commitment of the departmental demands and about one-half of the commitment which those demands involve for 1934-35. Of the total now allotted about Rs. 3.82 lakhs (14.8 per cent) appertains to the 'RESERVED' subjects, and Rs. 21.94 lakhs (85.2 per cent) to the 'TRANSFERRED.'

" Besides the Part II Schemes chargeable to CURRENT REVENUES, the Finance Committee considered ten schemes chargeable to the REVENUE BALANCES, of which they recommended 9 to be put in Class II for 1934-35. The cost of these, including charges for establishment and tools and plant is Rs. 24.03 lakhs in that year; the total ultimate commitment (non-recurring) is about Rs. 31½ lakhs. Of the proposed expenditure of Rs. 24.03 lakhs in 1934-35, about Rs. 18.77 lakhs represent loans to the Madras Corporation and other Local Boards and Municipalities for water-supply, drainage and other schemes; Rs. 4.24 lakhs is for capital outlay on various Hydro-Electric schemes for the supply of electric power; of the rest the greater portion is provision for irrigation improvements in Kistna.

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REVENUE SURPLUS IN 1934-35.

" 15. The final result is that the Revenue Account will close with a small surplus of Rs. 4.46 lakhs, taking Parts I and II together. The Government propose to retain this in their own hands against unforeseen demands.

CAPITAL AND DEBT HEADS, 1934-35—PARTS I AND II.

" 16. The total estimated expenditure for 1934-35 under the CAPITAL and DEBT heads is Rs. 133.31 lakhs. Of this Rs. 15.15 lakhs is required for the Cauvery-Mettur Project, Rs. .88 lakh is for industrial development (Cinchona plantations), Rs. 46.98 lakhs for capital outlay on Hydro-Electric schemes, and Rs. 55.14 lakhs for Loans and Advances by the Government including Rs. 10 lakhs for the Cochin Harbour, on which we hope to resume progress in 1934-35.

" Against the total of Rs. 133.31 lakhs we have available the opening balance of Rs. 8.37 lakhs in the Cochin Harbour Account; loans recoveries provide Rs. 35.99 lakhs and the remainder (Rs. 88.95 lakhs) will be financed from the Provincial Balances. On the receipt side of the account the figure Rs. 35.99 lakhs makes allowance for a fall of about Rs. 5 lakhs due to the consolidation (to which I have already referred) of all loans to local bodies bearing interest in excess of 4½ per cent and their re-issue at this rate.

" It will be observed that the Budget adopts the policy of financing remunerative capital schemes from the balances instead of from current revenue. That process may continue so long as money is available in the balances. When no more is available, we must either borrow, if we cannot find funds from current revenues, with or without increased taxation. The only other alternative is stagnation.

" 17. Here I may remind the House in passing that the Government have had in view the early inception of various important schemes of Capital Expenditure. There is the Tungabhadra Project to which the ryots of the Ceded districts have been long looking forward; its cost is not known precisely, but may be put at not less than Rs. 12 crores. Another scheme for the benefit of the Coimbatore district is the Bhavani scheme of which, probably, the cost will be not less than Rs. 2 crores. There is also the next great step in the extension of electrical power facilities—the Mettur Hydro-Electric Scheme, likely to cost about Rs. 1½ crores, for the benefit of the Salem and North Arcot districts, I believe, as well as of the Chingleput district and of Madras itself. These enterprises can only be financed from borrowed money and loans can only be financed from current revenue. These schemes have yet to be considered, particularly in their financial aspect, so that I cannot do more at present than indicate the possibility that, with its revenue position weakened by the Land Revenue concessions already given, the Government may be obliged to abandon, or indefinitely to postpone a considerable part

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of its programme until either it is found possible to restore the land revenue to its old level, or to devise alternative sources of revenue. And, if that is the position with a 12½ per cent remission, it is obviously much worse with a 25 per cent remission such as the House recently voted. I shall attempt later on in my speech to illustrate further the probable effects of that resolution.

" 18. A few remarks may be made on the important items of expenditure.

" The total estimated cost of the CAUVERY-METTUR PROJECT was Rs. 723.11 lakhs. The actual expenditure to end of 1932-33 has been Rs. 605.61 lakhs; in 1933-34 it is expected to spend Rs. 25.68 lakhs (after adjusting to the credit of the project by debit to the Mettur Hydro-Electric scheme a sum of Rs. 9.72 lakhs as already explained.) The dam and distribution works will be practically finished in 1934-35 for which year the demand is Rs. 15.15 lakhs. From the outset up to the end of 1932-33, the money required has been found from advances from the Provincial Loans Fund; for 1933-34 and 1934-35 no advances from that fund are required, the necessary funds being found partly from the balance of the loan taken from the Provincial Loans Fund in 1932-33 and partly from our balances.

" Under IRRIGATION, ETC., WORKS OTHER THAN THE CAUVERY-METTUR PROJECT are included a number of works in progress of which the most important are the Kistna East Bank Canal scheme and the Kattalai scheme, which includes the Bed Regulator across the Cauvery at Kattalai, the High Level channel and the North Bank Canal scheme. For the Kistna East Bank the total estimate is Rs. 28.49 lakhs of which Rs. 27.53 lakhs will remain to be spent at the close of 1933-34. Expenditure of Rs. 7.20 lakhs is provided for 1934-35. The estimated cost of the Kattalai scheme (including the North Bank Canal) is Rs. 28.42 lakhs of which Rs. 18.62 lakhs will be spent by the end of the current year leaving Rs. 9.80 lakhs still to be found; a sum of Rs. 4.15 lakhs is provided for 1934-35.

" The total amount to be drawn during 1934-35 from the revenue balances will thus be Rs. 88.95, i.e., Rs. 64.92 lakhs under Part I of the estimates, and Rs. 24.03 lakhs for Part II Schemes. We expect to close the current year with a balance in the Revenue account of Rs. 268.87 lakhs to which must be added the estimated revenue surplus of Rs. 29.83 lakhs, including Rs. .14 lakh representing the *pro rata* charges for Public Works Department establishment on account of new Irrigation Capital works provided for in the budget estimates, which has been transferred from Revenue to Capital section and met from balances. Deducting, on the other hand, the anticipated net expenditure on account of Part II Schemes for next year (Rs. 25.37 lakhs) and the amount to be drawn from the balances for capital expenditure (Rs. 88.95 lakhs), the closing Revenue Balance for 1934-35 is estimated to amount to Rs. 184.38 lakhs.

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RE-INTRODUCTION OF PAY CUT.

"19. It will be seen from the analysis of the estimates now presented that the Government have not seen their way to accept a suggestion which has been urged, not only in this House but in the Public Press, that, at a time of economic depression like the present, the Government should re-introduce the salary cut from which, with effect from the beginning of current financial year, they relieved all provincial officers and servants under their control. A resolution was recently tabled by my friend, Mr. P. V. Krishnayya Choudari, M.L.C., urging a graduated scale rising from 5 per cent on incomes between Rs. 50 and Rs. 100 to 15 per cent on salaries of Rs. 500 and over. That resolution was not reached, but in the course of the discussion on the resolution to remit 25 per cent of the land revenue, frequent references to the 'pay cut' were made. I propose therefore to advert now to the subject. As regards the Government's position, it is the same as was explained to the House in my Budget Speech in February last year, announcing the intention of the Government to restore the 'pay cut,' in so far as their powers extended, from 1st April 1933. I then dwelt at some length on the matter and need not repeat now in full what I then said. I need only remind the House of the pledges which this Government gave that the measure was an extraordinary and exceptional one, adopted in the presence of financial difficulties so great as to amount to a national emergency; that it was a temporary expedient to which recourse would be had only so long as it was absolutely necessary, and that the relief from the pay cut would take the first place when the improvement in the finances should render this possible. Now, what has been our financial position since the occurrence of the acute financial stringency of 1930-31 and 1931-32? At the close of 1930-31 we had a revenue deficit of Rs. 105.75 lakhs. At the end of 1931-32 we had a realized revenue surplus of Rs. 5.41 lakhs; this was due in great part to an unexpected recovery in the abkari revenue of about $\frac{1}{4}$ crore, but partly also to the immediate results of the measures of economy which the Government took in that year. For 1932-33 we anticipated a revenue surplus of about Rs. 8½ lakhs in Part I. During that year, however, the further effects of retrenchment made themselves felt; revenue continued to recover and expenditure decreased; the revised estimate for that year pointed to a revenue surplus of Rs. 62.77 lakhs, and we realized an actual surplus of Rs. 77.21 lakhs. In preparing the Budget Estimate for 1933-34 we considered that we were justified in relaxing considerably the financial curb. Apart from the removal of the pay cut on provincial and subordinate services, items retrenched were restored amounting to Rs. 9.56 lakhs, the principal beneficiaries being the Education department, to the tune of Rs. 6.95 lakhs. According to our Budget Estimates for 1933-34, we anticipated a revenue surplus of Rs. 4.08 lakhs, after restored items of retrenched expenditure. After providing (by the means already explained) further for a sum of Rs. 72.15 lakhs on account of

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land revenue remissions for faslis 1342 and 1343 which fell on the estimates for 1933-34, we now expect to close the year with a small revenue surplus of Rs. 61 lakh. We may call it a budget of equilibrium. For 1934-35, we anticipate again a small revenue surplus of about Rs. 4 lakhs after providing for land revenue remission of about Rs. 62 lakhs, and about Rs. 25 lakhs for Part II Schemes. Such, broadly speaking, is the position. It cannot, I think, in the face of these figures, be said that we are confronted now with a financial crisis such as would justify us in again having recourse to an expedient adopted only by reason of the suddenness and magnitude of our past difficulties.

"20. In particular I should say that we should not be justified in deferring compliance with our pledges *in order* mainly to find funds ^{a.m.} for expansions of expenditure such as are known as Part II Schemes. In saying this, I do not mean to take up the position that under no circumstances would the Government be justified in embarking on fresh expenditure of any sort so long as their servants or any of them were being subjected to a 'pay cut.' That is a point on which I dwelt at some length in my Budget speech of 1932-33 (paragraphs 18-19). I pointed out that (if I may quote my own words) 'the business of Government is not so simple that one can draw a line and say "Here is our limit; further, expenditure beyond this is unnecessary." Contemplating as I did then a modest Part I surplus of about Rs. 8½ lakhs, I indicated that the admission of Part II Schemes would not be incompatible or inconsistent with the existence of a 'pay cut' within due limits provided that they are of pressing necessity, that they do not commit us, or materially commit us, beyond the year for which we budget, and provided that the amount is modest and in no case such as may affect our ability to redeem the undertaking given. On the other hand, when we have now for three years not only balanced our budget, but have provided for substantial expansions of expenditure as well as substantial remissions of taxation, it would certainly not be in accordance with the letter or spirit of the pledges we have given to re-impose the pay cut on our servants. It is conceivable, of course, that circumstances may occur which may render that course necessary. If that should be so, it will be for the Government to consider how best to meet whatever contingency may have arisen. So far as the budget now presented is concerned, the Government do not consider that the existing circumstances require recourse to this expedient.

"21. I do not think I need dwell further on this topic in the present context. I will only make one further observation with reference to the feelings which several speakers expressed in the debate on the 25 per cent remission proposal. They, in effect, said 'Why should these officials on fat pay continue just as they are, now that food-grains etc., are so much cheaper, while we others are suffering from low prices?' This sort of argument, in so far as it is not derived from mere envy, seems to be based on misunderstanding or on a failure to

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reflect. In the first place, it is not the case that the bulk of the officials concerned are on 'fat pay.' The vast majority of them are on small pays. In the second place, it should not be forgotten that the Government servant pays income-tax and other taxes like anybody else. As regards taxes of the nature of income-tax, in particular, he pays to the last anna.

"22. The general character of Government service has also to be borne in mind. It offers a man a competence with an assured provision for his old age. It does not offer a man a prospect of a fortune; it deprives him from participation in many fields of activity which are open to his non-official fellows; it deprives him to a great extent of individual freedom. The compensation for these disadvantages is to be found in the certainty of the salary and pension which it ensures, and that certainty has in the past been and must always be its principal attraction. Take away that security, and there is a grave danger of deterioration in the quality of the men and the efficiency and honesty of their service. That is why the Government have attached throughout great importance to the security of salary and have only assented to a temporary infringement of it with reluctance and in the face of what has been described as a 'national' crisis. That is why they feel that a 'cut' involving, as it does, a departure from the most explicit pledges, is an expedient to be adopted only when other measures fail.

LAND REVENUE CONCESSIONS.

"23. There is one other matter upon which the House will expect some observations from me, and that is the proposals for land revenue remission. Before going further, there are one or two general considerations which I think are germane to the subject and need to be borne in mind. The first is the character and the causes of the low price levels. I do not propose, nor indeed am I competent, to attempt a disquisition on the abstruse economic controversy in which this complicated subject is wrapped. I wish merely to point out that the various problems presented by the depression—whether it be excessive economic nationalism, or the existence of vast war-debts, reparations and so on—are none of them matters with which individual Governments, not even the Governments of great States, can effectively deal, much less a subordinate Government such as ours is. And the same applies to the application of the remedies, international stabilization of exchanges, mutual removal of trade restrictions or whatever they may be. General co-operation has been tried and so far has failed, and individual nations here and there are trying to arrange working agreements with each other with a view to find a solution of their particular difficulties that may be tolerable to both. What the outcome may be one cannot guess, but my point now is that it is idle to expect a Provincial Government to find remedies for an evil of which the causes and the cures are far beyond its competence.

"24. It is obvious that no remission of taxation which this Government can contemplate will afford a remedy for the low prices of

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which we complain. A world-wide evil cannot be thus encountered. If that is so, it appears to me to follow that the measure of what a Provincial Government should attempt to do is what it can afford to do, consistently with maintaining its own solvency and retaining the ability to discharge with a reasonable degree of efficiency the functions which devolve upon it. And that is the policy which this Government is seeking to pursue. And this brings me to a further consideration which I would ask this Council to bear in mind in weighing this question. It is that in this country the Government is called upon constantly, to undertake expenditure in numerous directions in which elsewhere initiative and accomplishment is left to, and is undertaken by, non-Government agency. It is needless for me to weary the House with illustrations of this; numerous instances will occur, I am sure, to every Member who gives his mind to the subject. With the reasons why this is so, I am not here concerned. The fact remains, and it follows that, unless the Government is to withdraw, in great measure or wholly, from various fields of activity, it must retain in its hands the resources necessary to enable it to continue those activities at least upon a reasonable footing; in other words, its power to come to the relief of the class which pays land revenue must be proportionately restricted. It is all very well for the Members of this House to exclaim, as several of them did, in the heat of debate, 'Away with these activities.' We don't want 'nation-building' expenditure if we can't get land revenue remission while retaining it. What is the use of nation-building if by refusing remission you destroy the 'nation,' i.e., the ryots? and so on. Sir, I am afraid, rhetorical exuberance of this sort is not going to get us very far, nor is it very helpful to the Government in discharging its duties in these difficult times. And I am persuaded that, if the Government sought to do away with or even seriously to curtail the expenditure in these directions, its proposals would be received with no less vehement explosions of eloquent reproach from the same hon. Gentlemen. In fact, in respect even of such reductions as we have been compelled to make in the budget now presented in order to provide for the measure of relief now proposed to be given, we shall be denounced by the parties interested with bell, book and candle. In my speech on the 25 per cent cut resolution, last November, I drew attention to this aspect of the case, and from the interjections of certain hon. Members on that occasion, it is to be gathered that they had hardly realized the position. Since then I have had worked out, very roughly, the financial effect on the Revised Estimate for 1933-34 and the Budget Estimate for 1934-35. The additional loss of revenue works out probably to Rs. 61.69 lakhs in 1933-34 and Rs. 97.24 lakhs in 1934-35. The Revised Estimate for 1933-34 would have been in deficit by Rs. 61 lakhs and the closing balance of Rs. 184 lakhs in 1934-35 would be reduced to Rs. 123 lakhs. In the next year (1934-35) the total estimated surplus works out to about Rs. 30 lakhs. Probably we should have to provide a small sum (say Rs. 5 lakhs or so) for absolutely essential Part II Schemes; leaving

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Rs. 25 lakhs or so available. We should still have to find, say Rs. 72½ lakhs in 1934-35. If this were found from the balances by declaring a revenue deficit of this amount, the balance in March 1934-35 would stand at about Rs. 50½ lakhs. If, further, the land revenue remission on this basis were continued for fasli 1344, the portion of its cost falling due in 1935-36 is about Rs. 47 lakhs; so that by 1935-36 the whole of your Provincial balances would be swallowed up. If, on the other hand, we attempted to find the money by retrenchment of current expenditure in 1934-35, it is improbable that much could be done in retrenching personnel; we have already in the past three years done a great deal in this direction and not a great deal more can be done without crippling the administration. In any case retrenchment of personnel takes time. The other principal 'Expenditure' head is IRRIGATION, for which Rs. 40.19 lakhs is provided under '15. IRRIGATION,' and Rs. 36.28 lakhs under 'XIII. IRRIGATION.' Most of this represents expenditure on maintenance and repairs which cannot be foregone without danger. The rest represents costs of various improvements intended for the benefit of the ryots of which they ought not to be deprived. Suppose, however, that we were able to find, say Rs. 5 lakhs or so under this head, then the remaining 67 lakhs could only be found by reducing grants under all heads. Roughly the reduction would amount to 30 per cent at the lowest, rising in some cases to 40 per cent of the existing grants. I do not think that such a state of things would be received with equanimity by anyone concerned. Even if the 'pay cut' were reimposed on all Provincial and Subordinate Services on the basis of 5 per cent, as recently announced by the Government of India, it would give us only some Rs. 13½ lakhs from the 1st April 1934, which would not materially decrease the percentage rate of reduction in grants above indicated. I do not say that this is precisely what would have to be done, but it is not improbable that the vote of this Council on the 25 per cent remission proposal would have given some such results.

"25. And, for whose benefit principally—it is pertinent to ask—are such restrictions to be imposed on the power of the Government to comply with the consent calls upon it? The answer usually given is, of course, 'the ryot, who forms the backbone of the population, who pays the bulk of the land revenue,' etc., etc. I do not deny that the small ryots, who form the majority of those who pay land revenue, will experience some relief by being excused the payment of 12½ or 18½ or 25 per cent of the kist—representing, say, in the case of a 10-rupee pattadar—Rs. 1-4-0 to Rs. 2-8-0 per year. But he will not be slow to observe the consequences, in the shape of reduced expenditure on tanks and other irrigation works, of the abandonment or indefinite postponement of improvements for which perhaps he has been sighing for years past; in less money for schools for his children, and for medical or veterinary relief for himself or his livestock; in less or no money for his village wells or the roads which he uses; in less or no money for various other benefits which the Government has

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been striving to give him, and of which he is yearly learning to appreciate the value. He is shrewd enough to set off in such matters the loss against the gain, and has in fact already begun to do so. Still less is the fact likely to escape him that, if he—the small man—stands to gain a small sum, with corresponding disadvantages, it is the big man who stands to gain substantially, while he is in many respects less affected by the disadvantages, especially where, as is frequently the case, he does not reside on the land.

"And, leaving the agricultural voter, what shall be said of the masses of the poor whose needs are so pressing and so obvious—the landless labourer, the small shop-keeper and the rest? These gain nothing by the land revenue remission, but stand wholly to lose by a measure which can only cripple the power of the Government to aid them. Does this House owe no duty to them?" 12 noon.

"26. I fear, Sir, that perhaps I have detained the House unduly, but if hon. Members will bear with me, there is one other aspect of the case which I would wish once more to press upon their consideration. I have already drawn attention to it in speaking on the 25 per cent resolution. We are now approaching the time when Provincial autonomy is to be granted, and it is the earnest desire not only of the Government, but of every well-wisher of Madras and of India that the scheme, whatever it may be, should be launched under the most favourable conditions. And of those conditions perhaps the most essential is that the new Government should start financially in a reasonably favourable position. Nothing could be more disastrous, or more prejudicial to the chances of success of this great constitutional experiment than that Ministers should, from the very outset, find themselves hampered by want of adequate resources. The Government have felt that it behoves them to adopt a financial policy which keeps this aspect of the matter prominently in view. If they have felt obliged to resist the exorbitant demands for land revenue remission that have been pressed upon them, it is not because they do not realize that the fall of prices has caused and is causing hardship to many, but because, in dealing with those demands, they have felt it their duty to take longer views and to consider the near future as well as the immediate present.

CONCLUSION.

"27. Before I sit down, let me express to the Members of the Public Accounts and Finance Committees my sense of the obligation under which they have laid not only the Finance Member but also the Department and the Government by the helpful care they have exercised in performing the functions with which the House entrusted them. Lastly, I should like once again to express my cordial thanks to the Financial Secretary, Mr. Hood, his officers and the staff of his department for the excellent work which they have done during the year now closing. They have fully maintained that high level of efficiency which in past years has more than once been recognized

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by high financial authority, and, if Madras has managed thus far to come through a period of great difficulty with success, we owe it primarily to those who have served us so well in this, the most pivotal department of all.'

* The Hon. the PRESIDENT:—"The general discussion on the Budget will commence on the 23rd February 1934. During the discussion I propose to prescribe a time-limit of 20 minutes for the speech of a Leader of a Party and 10 minutes for the speech of any other Member. I would suggest that the reading of manuscript speeches should be exceptional. In regard to such speeches, I propose to prescribe a time-limit of 6 minutes. The afternoon of Monday the 26th February 1934 will be at the disposal of Hon. Members of Government to make their replies."

III.—REPORT* OF THE MADRAS SERVICES COMMISSION FOR THE YEAR 1932-33.

* The Hon. the PRESIDENT:—"The discussion on the report of the Madras Services Commission will now be resumed."

* Mr. G. LAKSHMANA REDDI:—"Sir, the report of the Services Commission says that, since the institution of the scheme of competitive examination, the Commission held two examinations, one in March 1931 and the other in March 1932, and selected 2,278 candidates for appointment as clerks in various Government offices in the Presidency. The report further states that of these only 50 per cent of the candidates had been absorbed. The Commission observes that as a consequence there was no necessity for another examination in 1932. While matters stand thus, Government want that in the case of these appointments medical certificates should be produced along with the applications. The Legislative Council in its debates passed a resolution that medical certificates should be made to be produced not with the applications but after selection. I think these certificates may be ordered to be procured after selection and not before the selection, because it is not known how many of these candidates go unemployed on account of the operation of the age-limit rule. It is very desirable that the medical certificate should be ordered to be produced only after selection."

"Another important point which the Government are now adopting by an amendment of the rule relating to the Madras Ministerial Service is that of prescribing typewriting qualification for appointment as clerks with effect from the 1st January of this year. The Commission rightly protested that this amendment by the Government was not at all necessary. It would be oppressive on the part of the poor-paid clerks. But the Government turn down the suggestion of the Commission and insists that these clerks should possess typewriting qualifications. In every Government office there are typists and it is not known why every clerk should possess this typewriting qualification to boot."

* For previous discussion, please see proceedings of the 5th February 1934.

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"The Government had contemplated to open an institute for training clerks and this idea was suggested to the Commission by the Government. But the Commission was rightly of the opinion that an institute like this was unnecessary and burdensome. I am glad the proposal is dropped."

"With regard to the competitive examination for recruitment of civil assistant surgeons, the Commission seems to have pressed the Government to pass orders on the lists of successful candidates furnished. It is regrettable that no orders are passed yet, even though the examination was held in June 1931."

"The Government informed the Commission that on a suggestion made by the Government of India the Local Government proposed to increase the fee for medical examination from Rs. 7-8-0 to Rs. 16 in the case of candidates for Provincial Services. The Commission stated that as candidates had to pay an examination fee of Rs. 20 on application, it was highly inadvisable to enhance the fee on medical certificates. Nevertheless, the Government ordered the imposition of the enhanced rate of fee."

"In this connexion I may state that there is a feeling in the Ceded districts that candidates belonging to those districts are not encouraged. Provided qualified candidates are available, I suggest that Ceded districts applicants may be encouraged to stimulate education in those benighted tracts."

Mr. ABDUL HAMEED KHAN:—"Sir, every year we have before us a report presented of the activities of the Public Services Commission. This year, more than the previous year, the Commission has taken Government furiously to task for trying their utmost to nullify their objects for which the Commission had been brought into existence. The Government was opposed to any political influence being brought to bear in the matter of appointment. But now the time has unfortunately come when the Government themselves have gone wrong. Half of the report contains the various ways in which the Government has been trying to reduce the Commission practically into non-existing condition. There are many paragraphs in the report where the Services Commission complain that the appointments have been made by the departments themselves without the consultation of the Commission or any selection being made by the Commission itself."

"I know, Sir, as a matter of fact, fears were entertained in certain 12-15 quarters when the Commission was brought into existence. But some P.M. of us thought that by the appointment of the Commission, a body independent of the Government, it would be possible to give effect to the communal rule without any regulation whatever. But the Government would not allow that body to carry on its work in that direction. The vested interests in the departments, by their interpretation of the rules made for the conduct of its activities by the Commission, and by their manipulation of the vacancies arising in the various departments, are trying to put the communal Government Order in the background."

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In this situation if either the Ministers or the Members of Government exercise their patronage, they will be playing into the hands of these vested interests who are interested in their own existence and in the existence of their own people.

“ Sir, on the question of the examination fees, medical fees and so on, I am not going to repeat on this occasion what has been many a time said in this House. It seems to me a pity that numerous candidates should be invited to appear for examinations and made to spend enormous sums when ultimately only a fraction of their number get jobs. Recently, on account of reasons best known to Government themselves, though the Commission was called upon to make selection of candidates and that body did make the selection, the Government have not enabled that body to publish the list. Unnecessary difficulties have been put by the departments in the way of the Commission's selection. When once the Commission has been called upon to make the selection and the selection has been made, I do not see what purpose is served by delaying the publication of the list for years together. The departmental head takes objection to the selection on various flimsy grounds and the selection is not approved. This means that the Commission is there for no purpose. It is possible that hon. Members of the House, from a very cursory glance at the report of the activities of the Commission, might come to the conclusion that it need not exist. But I am afraid that will be taking a very hasty view of the question. If they think deeply, they will change their opinion. The Government have erred in their dealings with the Commission. If they had kept aloof from the Commission and had not tried to patronize anybody, the Commission would have functioned and would function properly in advancing the interests of all communities inhabiting this Presidency.”

* MR. SAMI VENKATACHALAM CHETTI:—“ Mr. President, the Madras Services Commission was started under very hopeful auspices, but I am afraid the activities of this body have been of a very disappointing nature; so much so, the Government had occasion to complain about it in a very vigilant manner. Though expediency required on certain occasions the withdrawal of the criticism made against the Commission, the truth of the allegations made seemed obvious. Sir, if, on reading the report which is now the subject-matter of the discussion, I do not take up cudgels against the Government on the information furnished by the Commission; it is because I fear it is merely a case of the kettle calling the pot black. In the various stages of the activities of this body such as recruitment, conduct of examinations, levy of fees, insistence on medical certificates and particularly in the award of punishments, it does not seem to have acted quite in the public interests.

“ First, let us take the question of the personnel of the Secretary. It is very wrong in policy to allow an officer to remain in that office for an unduly long period. It is a healthy convention—though in recent days this convention is not on all occasions observed—that even for

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the terms of Executive Councillors there should be a time-limit, so that persons who have been in Government service or who have been Executive Councillors might not make themselves rusted with the work and might give place to others. In the case of the Secretaryship of the Commission it is really very desirable there should be a change at least at every period of three years. The Government were following this policy in the case of the Collectors and the Secretaries to the Government. I therefore suggest, Sir, that the Government might consider the urgent desirability of not allowing the Secretary to the Commission to earn what may be called vested interests in being permanently in that job for a long number of years.

“ The second matter that calls for some comments is the levy of fees for the selection and special test examinations. In this matter, I am glad to note that the Public Services Commission made a recommendation that the fees might be reduced. The levy of fees from candidates brings in a revenue of nearly Rs. 50,600. There is no justification to levy such fees from the candidates who appear for examinations to get themselves qualified for the public services. If this levy was made by a non-official employment agency, it would amount to nothing short of cheating. When that is the case, why, Sir, should a Government body instituting examinations for the selection of persons for the public service, try to collect a revenue from these unfortunate candidates? The times are too hard to think of collecting these fees from the applicants on the plea that they increase the work of this body and therefore should contribute for its maintenance. The parents of these unfortunate young men whose lot is to hang on the doors of the Public Services Commission must have spent large sums to educate these young men. In fact, if there is any wisdom in the parents spending large sums on the education of their boys, they would do well to lay-by this sum as a capital investment allowing the interest earned by it to be used as expenses for the maintenance of the boys. Sir, not less than Rs. 10,000 to Rs. 15,000 is generally spent upon a young man even to go up to the S.S.L.C. grade. This sum of Rs. 15,000 will even in these days of low rate of interest, bring in about Rs. 78 in the shape of interest. If we take into account the various other sums spent upon the boy, this amount would be enough to maintain him without an unnecessary undue strain upon his brains. I beg to suggest to the Government that they need not make revenue from these unfortunate youths and that if an entrance fee is absolutely necessary it might be made a merely nominal one.

“ There is one other matter on which the report of the Public Services Commission is a legitimate criticism upon the resolution of the Government to lower the qualifications of candidates according to communities. I do not think, Sir, it was ever the intention of even the best advocate of the communal Government Order, that there should be a lowering of qualifications in the case of particular communities. Even in the interests of those communities which are not adequately

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represented in the services, this sort of differentiation is not very happy. It would certainly mean a reflection upon the merits of the candidates belonging to these communities.

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"What we really wanted was that men having equal qualifications should have equal opportunities, so that representation of all communities might be provided for in the public services. I thought, Sir, that was the view the Government also took and it therefore comes to me as a surprise that, despite the recommendation of the Madras Services Commission, the Government should have considered that qualifications might be reduced according to communities.

"With regard to sub-paragraph (b) of paragraph 9, Sir, this is an unnecessary restriction put upon clerks, i.e., prescribing typewriting qualification for applicants aspiring for a clerk's post. It looks as though the amount of time spent by these young men on their academic qualifications is not enough, and that they must put themselves to the further strain of passing an examination on typewriting, when even typewriting is not a necessary requirement for the post to which these young men aspire. To insist on this qualification would only mean restricting the scope of selection of candidates and thus augmenting the ranks of the unemployed people. I would therefore request Government to remove that qualification.

"In the Veterinary Service, it is stated that the qualifications originally laid down were modified; and not only modified in order that they may be given effect to in future, but they were modified so as to give them effect two years earlier from the date on which the modification was made, i.e., retrospective effect by two years. Though the amendment was issued on 20th December 1932, it was given retrospective effect from 7th April 1930. This, on the very face of it, must strike one to be very unreasonable, as it certainly does not conduce to the efficiency of the services.

"With regard to paragraph 11, I wish to state that the non-publication of the names of selected candidates causes a great deal of unrest among the applicants, and I appeal to Government to expedite the publication of the list.

"Sir, after a great deal of agitation in the Legislative Council the preliminary production of the certificate of physical fitness by candidates was in some cases discarded. And yet there are a few other cases in which such certificates could be discarded, and I wish Government extend this leniency to those cases also.

"With regard to the fee for medical examination, I think the Madras Services Commission recommended Rs. 7-8-0 to be the fee that must be charged for that examination. But for reasons unknown and which are not explained, Government do not agree with that proposal but insist upon Rs. 16 being paid.

"Sir, it is a pity that to the various criticisms of the Commission, the answers of Government have not been appended to the report; and probably those answers would at least be now forthcoming. In any

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case, it would be only more convenient to the House if they are made aware of what Government have to say with regard to the charges made by the Commission.

"With regard to candidates selected by the Commission but who, for want of vacancies, could not be appointed—their case seems to be very hard indeed. These candidates undergo all trials which are necessary and incidental for qualifying themselves to the public service, and when once they get themselves entered in the list, that should be considered sufficient for appointment in the public service, even though they may pass the age-limit by the time they are first appointed. To hold otherwise would be working hardship on them. When they have once qualified themselves for public service, naturally they look up to Government appointment, discarding all appointments in other services, and if owing to various policies of the Government from time to time, either on account of retrenchment or on account of adjustment, even the selected candidates get no chance of being appointed even once, before they attain 25 years, it only stands to reason that they should not be victimized on that account. Therefore, Sir, I consider some concession should be given to them; and I daresay it would be possible for Government to give them preference, if only they want to do so, by adding two or three years to the age-limit.

"Sir, paragraph 21 is rather difficult to be understood by me. It is stated: 'The Government have after consultation with the Commission directed that, other things being equal, the status of a candidate's family and his family connexions should be taken into account in selecting candidates for appointment otherwise than by competitive examination.' It looks very harmless, Sir, in giving preference to the status of a candidate's family. But what the 'status' is, requires further elucidation. Whether being the son of a Government servant, or being a relative of a member of a public service, or being a relative of a member of the staff of the Secretariat, or being a relation of a Member of Government or a Member of the Legislative Council would be considered sufficient status to give preference to a candidate over others possessing equal qualifications, is not clear. Unless it is clearly defined, this will lead to many abuses and open to suspicion. I would therefore request Government to make that matter clearer.

"With regard to paragraph 22, I think Government have got to explain why the candidate that was selected by the Commission was dropped, and another was appointed. The explanation given here does not satisfy me, particularly in view of the fact that the finally selected candidate is not a British Indian candidate, but belongs to an Indian State, which is another disqualification against that candidate. This would require an explanation from the Government. I do not think they could possibly explain it away by saying that they have awarded a scholarship to that particular candidate with the specific intention that that candidate should be appointed to the post in question. I hope there is some other reason, for the Commission itself says

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that it fails to 'appreciate how the provisions of statutory rules may be *deemed* to have been complied with when they were not *actually* complied with.'

"Apart from this, the Madras Services Commission criticizes the Government for not giving reasons why they could not agree with their recommendations on one or other matter. It is here the Commission is guilty of the same laconic and short orders as the Government. In the matter of punishment, so far as I can see in the report and so far as I heard, they do not seem to be following any consistent policy. In the first place, the services have got a right to look to the Commission as a judicial body, which hears the pros and cons of every charge that is brought to its notice, and then delivers an impartial judgment. But if it should only dot the i's and cross the t's of the heads of the department, or follow its own procedure without giving reasons for its decision, I am afraid its orders or decisions will not carry much weight; and not only that, it might be doing considerable harm to the services. There are instances in which enquiries are held in a very perfunctory manner; I do not think the person concerned was called for and asked to answer the charges made against him; everything is done *in camera*; in some cases the Commission has not given an opportunity to the person concerned to vindicate his cause; and in some other cases the records which the party concerned wanted to summon and which could easily have been secured, the Commission did not consider it necessary to call for. Therefore, the inquiry which the Commission is holding is anything but judicial.

"It appears to be the characteristic feature of Government, be it of any department, not to adduce reasons for their decision; so much so the aggrieved party is at a loss to know whether all the facts bearing on the case were brought to the notice of the Government, before they came to their decision.

"I suppose Government are aware of the difference in punishment awarded for the same offence in respect of different individual officers. It has been represented to me—I do not know what amount of accuracy or truth there is in that—that even in the matter of punishment, it went by communal order. If a public servant belonged to a particular community, the punishment was of one nature. If the same offence was committed by a person belonging to another community, the punishment was more severe.

12-45 p.m. "That is certainly a very disquieting feature. But, as I said already, this is a statement which I make so that the Government may make enquiries and let us know whether there is any accuracy in that statement. Apart from that for the same kind of offence two kinds of punishment were awarded. In one case it was simply blocking of promotion, but in another case it was dismissal. In both the cases the heads of departments seemed to have exercised more caution than the Public Services Commission. It would be some consolation to the Government servants concerned if only the Public Services Commission had made

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their judgments followed up by arguments for coming up to such decisions. I am afraid I will have to remark that the Commission has acted very badly and unless it is able to justify its judgment by cogent arguments, their judgments will always be open to suspicion of being partial or prejudicial.

"Apart from that, it will be really accusable that the Public Services Commission should be thinking that their recommendations should always be respected by Government irrespective of other considerations. Wherever the Government disagree with the Public Services Commission, the Government must be in a position to state the reasons. Apart from that it would be wrong to allow the Public Services Commission to be under the impression that their decision should be final. Every moment the Government have to answer public opinion and public opinion expects the Government to state the reasons for following a particular line of policy from time to time. Therefore a certain amount of freedom must be given to the Members of Government that in cases of departure from the recommendations of the Public Services Commission, only restricted by the necessities of the case, they must be allowed to state those reasons and justify those reasons in the public.

"With these few remarks I move the amendments of which I have already given notice and copies of which are already in the hands of hon. Members of this House. The amendments are as follows:—

'and on such consideration, this Council recommends to the Government—

- (1) *that the personnel of the Secretary to the Commission be changed every three years;*
- (2) *that the fees for selection and special test examinations be considerably reduced;*
- (3) *that lowering of qualifications according to the communities is undesirable;*
- (4) *that the enforcement of a pass in typewriting for appointment as clerks is unnecessary;*
- (5) *that giving retrospective effect to a rule passed in December 1932, to 7th April 1930, in qualifications for selection for admission into the Veterinary Service is unreasonable;*
- (6) *that the preliminary production of certificates of physical fitness by candidates for clerks' posts be discarded;*
- (7) *that the fee for medical examination be restored to Rs. 7-8-0; and*
- (8) *that candidates selected should be given preference even though at the time of appointment they have passed the age-limit.'*

"I do not think it has been the practice of this House to propose amendments in connexion with this report but only to make observations and allow the report to be passed. The more correct procedure,

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I thought, would be that the suggestions which the hon. Members will have to make might be put in the form of amendments, so that, if they find acceptance by the majority of the House, the Government will be able to consider them and treat them as resolutions and not only that, giving such regard and respect which the resolutions of this House have got a right to expect from the Government."

Mr. P. V. KRISHNAYYA CHOUDARI:—"I second it."

* Mr. M. S. SRESHTA:—"I was not aware that it was possible to move any amendment to-day to this report. That is the reason I have to make some general observations on the report in addition to the specific amendment I am going to move in view of the amendment which has just been moved by my hon. Friend, Mr. Sami Venkatachalam Chetti. With your permission, Sir, I shall make my general observations and then come to the amendment which I propose to move.

"The Madras Services Commission was the subject of a considerable amount of criticism in the past. It is a new institution and it has had many difficulties to face. I think the best reply to the various criticisms that have been made against the Commission is the report which is now under discussion. It shows not only good work done but a courageous attitude which I think is very necessary, in view of the functions which have to be performed by a Public Services Commission. Last year I believe the Hon. the Revenue Member during the discussion on the previous year's report said:

'In every country where there is a system of Government similar to that adopted in this country it has always been found necessary to dissociate appointments from political influences and to remove them as far as possible from the sphere of those responsible for the Legislature. Experience shows that otherwise there is considerable danger of instability and inefficiency in Government service.'

The necessity for the Madras Services Commission, I think, need not be argued at any very great length. At present it is absolutely necessary in my opinion. When all power goes into the hands of Ministers who are responsible to the Council and to the people, the executive part of the work must necessarily be transferred to a different body and the power of appointment must also be transferred to a Commission such as the Public Services Commission. This is the practice in all civilized countries. So far as England is concerned, the Public Services Commission there never found itself criticized even in Parliament. It has established its position so securely. However, in our Province there are difficulties to face. I have no doubt that in course of time it will be found that this Commission has justified its existence. It is natural there should be some difficulty and as Mr. Sami Venkatachalam Chetti pointed out, the Madras Services Commission acts more or less in a mechanical sort of way and it has no humane feelings which the heads of departments seem to have as has been referred to in one or two cases which have been referred to in this report. I cannot but feel that the Government have acted correctly and justice has been done in the case where a lady has been appointed to a certain post in

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a college, because there was an original promise to her, but unfortunately the Government acted in an irregular manner. This is a matter which has got to be rectified.

"There are several things which I wish to deal with. In the first place I wish to refer to one fact, viz., that it is left to the Government to decide, when a set of appointments has to be filled in, whether the selection is to be by means of competitive examination or by a scrutiny of the applications placed before them coupled with an interview. In my opinion, as far as possible, all appointments should be filled by competitive examinations. That is the case in England. I quite admit that it is not the ideal method, but it is possible to also have an interview with these applicants to select the best men suitable for the posts. This sort of competitive examination is a better system than patronage. It is because of the evil of patronage in England that a system of competitive examination was introduced. This system of competitive examination was first introduced in connexion with the Indian Civil Service Examination. Before that, several appointments were made by mere patronage. But after the Indian Civil Service Examination was established, its success was very great as is shown by the type of Members of the Civil Service who occupy the Treasury Bench to-day. The success of this competitive examination was so great that it was extended to all sorts of appointments in England. After a long period of years this system has been introduced in Madras in regard to the Ministerial Service, but I do not see any reason why it has stood there, and such a system could not have been introduced in the case of appointments like the reserve sub-registrar, junior inspectors of co-operative societies and so forth. I feel strongly that a comprehensive examination for all possible services could be introduced and the successful candidates may be asked to choose whichever service they want, just as it is done in the case of the combined examination for the Indian Civil Service, Home Civil Service and Eastern cadetships. Even as regards the Police service, in England there is a competitive examination and I do not see any reason why we should not have such an examination here. The interview is certainly a satisfactory method of selection, but it is not possible to interview 30 or 40 applicants that come before you to find out which of them is the most suitable. About a year ago or so, when a post in the Police Department had to be filled in, and when there were well-qualified applicants and when one out of them was selected as the best man, within six months he had to be discontinued. Supposing there are a number of applicants and you will have to select only two or three out of them, how are you to find out after an interview which of them is the best man? So that by this process in case, any bad selection is to be made, the blame should be laid not upon the shoulders of the Madras Services Commission but upon the system itself. Therefore, I strongly urge that ways and means must be found to hold competitive examinations for all posts other than perhaps technical posts.

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"There is one point of detail to which I should like to refer now and I think it has already been referred to by Mr. Sami Venkatachalam Chetti. That is with regard to the appointments in the Ministerial Service. As many as 2,258 candidates were selected in 1931 for this service and normally they would all have been appointed but for the fact that there was retrenchment and exemptions were given to a large number of persons already in service. These were two exceptional circumstances which may not recur. Therefore, I think that all these men who have been selected, who have been in great suspense for several years and who have endured, I should say, much worry and agony of mind, should be appointed before new men are selected. It may be said that such a course would work as a hardship to the many young men who will be seeking appointments. But I submit that it would be a greater hardship and injustice not to appoint men who have already been selected and who for reasons beyond their control have not yet received any appointments. I know that the Hon. the Revenue Member is very conscientious and in several cases which have been brought to his notice, he has dealt with them in a very humane way. I trust therefore that on this point also, he will see that justice is done to a large number of candidates who have been enduring all this trouble for several years.

"Another point referred to in the report of the Commission is that personal records of officers are not sent to them, but only copies of such records are sent to them. Such a step might lead to mistakes being committed and even to abuse. I want that in all cases the original record should be sent to the Services Commission. I think that according to Statutory Rules no adverse remark can be made against any officer in his personal record without it being shown to the officer concerned. I am not quite sure on the point and I speak subject to correction. But if there is no such rule, it is high time that such a rule was made. No adverse remark against an officer should be entered in his personal record without its being shown to him and without his being given an opportunity to rebut the charge made against him. (Mr. Basheer Ahmed Sayeed: 'I think there is a Government Order to that effect.') If so, I think the Government Order is not always observed. Sometimes an official finds to his great surprise that he is not promoted and that he is kept back for several years, because of some adverse remark made against him, of which he was not aware and about which he had no opportunity of making his defence. There was one such case a few years ago. The officer concerned was not promoted for several years. I think he must have lost a large sum of money, because an adverse remark had been made against him. However ultimately justice was done to him and recently he has been promoted. But there must be several other cases like this. I trust that if there is a Government Order as pointed out by Mr. Basheer Ahmed, an enquiry will be made into the case I have mentioned just now to find out why the Government Order was not observed. Government officials do hard work and I do not see why they should not be treated fairly. I do not think we want star chamber procedure in the case of Government officers. Any adverse remark made against an officer should be shown to him and he should be given an

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opportunity to say what he has to say in his defence. Then only, the adverse remark should be taken notice of by the Madras Services Commission. If the Commission gets a personal record sent to them in which it is not clear that the person concerned has made his defence, they should not take any notice whatever of the adverse remarks against the person concerned.

1 p.m.

"There is another point and that is about the reserve sub-registrars. I believe applications were called for a long time ago (an hon. Member: four years ago) and yet all these men have been kept in suspense. We do not know why they have not been selected. If they were not wanted, it would have been better to have told them, 'we do not want you.' They have been kept in suspense. They feel they may get an appointment any day, but perhaps ultimately many of them will not get an appointment at all. In the mean time, many of them will become age-barred. This is sheer injustice to these men. This did not take place formerly when there was no Madras Services Commission. The heads of departments were then able to get into touch with individual applicants. I mention this not because I want to criticise the Commission—it is not their fault—but I want to point out that these matters which may seem small to them are very great indeed for the public.

"As regards the comments made in the report of the Commission, I trust that the Government will give us proper and effective replies, so that we may know exactly why having invested the Commission with certain functions in the interests of the public, they did not permit them to exercise those functions."

* The Hon. the PRESIDENT:—"The hon. Member has not moved his amendment."

Mr. M. S. SRESHTA:—"I am sorry I forgot to move my amendment. I move, Sir, that the following be added at the end of the motion:—

'and on such consideration, the Council recommends to the Government that the Secretary to the Commission be appointed for three years and shall be eligible for reappointment for a further period not exceeding three years and that the Commission shall have power to discontinue his services at any time.'

My amendment is a compromise between Mr. Sami Venkatachalam Chetti's motion and the existing practice, because the Secretary to the Commission may prove himself to be a very useful man and his services might be needed beyond the fixed period. Of course, he should not be under the control of the Government, but under the control of the Commission, because if he writes a strong report like the one now before the Council, he might be removed from the post at the end of three years. I think it would be better if we left it to the Madras Services Commission to continue his services or not beyond the period of three years."

Mr. G. R. PREMAYYA:—"I second it."

* Mr. P. V. RAJAGOPAL PILLAI:—"Mr. President, Sir, we have been urging the Government to raise the age-limit of candidates from the

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depressed classes for appointments in Government service from 25 to 30 years. In answer to question No. 1021 put on 14th March 1932, the Hon. the Revenue Member said that the Government had decided to raise the age-limit to 27 in the case of the Ministerial Service and to 26 in the case of services for which technical qualifications have been prescribed. We are very grateful to the Government even for this small mercy. But to our great dismay we find in paragraph 8 (b) of the Administration Report of the Services Commission that this concession would be in force only until 1936. I am sure that the House would agree with me when I say that by 1936 the boys and girls of my community will not have risen anywhere to the level of the boys and girls of other communities in the matter of education. I would therefore urge upon the Government to consider this question very sympathetically and allow this concession to be in force for at least ten years from 1932."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—" Mr. President, Sir, I am afraid, I cannot agree with all that Mr. Sami Venkatachalam Chetti has said. The object with which the Services Commission was brought into existence was to see that Government appointments were kept above political influences. If that was so, the Government should not at all interfere with the selections made by the Commission. The Government may make rules and regulations in order to see that the selections are impartial, but once the selections are made, they must be final. I do not mind if the Government comes to the conclusion that it is not necessary to continue the Services Commission, but after sufficient consideration of the matter, they have decided that in view of the coming constitutional changes that is to establish popular Government in this country, such a Commission is essential in order to ensure impartiality in recruitment and security for the services. Therefore, I think the selections made by the Commission should be final and should not be interfered with by the Government. It is necessary to leave the selections to all the Government departments in the hands of the Commission. In page 3 of the Commission's report it is stated that recruitment to one Provincial Service remains to be transferred to the Commission, viz., the Madras Civil Service (Judicial Branch). Sir, if there is one service recruitment to which should be transferred to the Commission, it is the Madras Civil Service (Judicial Branch); yet it has not been done. Not merely in this Provincial Service, but even the clerks in that department are not recruited by the Commission. Some time back, in answer to a question put in the Council, it was stated that the duty of selecting officers to this service would soon be delegated to the Commission. I do not know why it has taken such a long time to do this.

" With regard to violation of the rules, sufficient has already been said by hon. Members and I do not want to add anything more.

" With regard to the question of age-limit for entry into Government service, the Government have been satisfied that on account of the conditions of life and other things, members of certain communities cannot finish their education as early as members of other advanced

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communities and therefore they have raised the age-limit in the case of those backward communities to 26 in some cases and 27 in some other cases. But this concession is to be in force only for a period of five years, while the difficulties that stand in the way of these communities finishing their education before 25 will continue to remain even after these five years. Especially in the case of Muhammadans, it is well-known that before a boy finishes his religious education he cannot go in for his secular education, and that means a delay of two or three years as compared with the children of other communities. That difficulty will continue for a long time to come, if not for ever. So that, the rule raising the age-limit in the case of Muhammadans, depressed classes and other backward classes should be in force for some years more at least.

" With regard to making typewriting as a qualification for clerkship, I should say that it is a hardship as has been pointed out by Mr. Sami Venkatachalam Chetti. It is not all appointments that require a knowledge of typewriting and, when that is the case, it would be a hardship if typewriting is insisted on as a qualification for all clerkships. The parents undergo so much trouble and expense in educating their boys and it would be an additional unnecessary hardship if you insist on this additional qualification. The Commission's report says; 'There is no reason to expect an adequate supply by 1st January 1934 of candidates with the qualifications in typewriting now prescribed for appointment either as clerks or as typists.' When even the Commission finds it difficult to get a sufficient number of men qualified in typewriting for appointment as clerks, that qualification is, I submit, not called for at least for the present. Either it may be discontinued or kept in abeyance for a long time.

" The Commission say further that the applicability of the Ministerial Service Rules to the establishment in the Judicial department has been under consideration and that no decision has been arrived at. Even in the case of clerks in the Judicial department, I do not see why the Government have not seen their way to come to a decision yet. Appointment of clerks in the Judicial Department is made without any reference, I am told, to the list of candidates supplied by the Commission to the Collectors, for appointment in the Judicial department.

" Though the production of certificates for physical fitness has been dispensed with in the case of some appointments, it is still insisted upon in the case of several other appointments. This is an unnecessary item of expenditure incurred by the poor clerks. In some cases, I think, the production of physical fitness certificate is not at all necessary. That is a point that has to be taken into consideration. The fees which is proposed to be raised is very high. It ought to be, as recommended by the Services Commission, Rs. 7-8-0. Several persons are selected and put in the list by the Commission and the Government say when there is no vacancy and when they are not provided for in any department, that the candidates are age-barred for further appointments. It is very hard. Once the Commission makes the selection and the candidates are put in

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the list, they must be assured that appointments will be given to them in course of time. Selections are made only against a certain number of vacancies that are likely to occur in the course of the year; if all the candidates could not be employed and if a few are left over, they should not be allowed to go without any appointments thereby losing their chances in other departments or in other walks of life. I support the amendment of Mr. Sami Venkatachalam Chetti not in all respects, but in respect of items (2), (4), (6), (7) and (8)."

Mr. K. KOTI REDDI:—"Mr. President, Sir, I am afraid that this time the Government have come in for a great deal of criticism at the hands of the Public Services Commission; I think they deserve it, unless they are going to give an effective reply. The institution of Public Services Commission is desirable if not necessary. It is really necessary. I believe the practice in all civilized countries in the world where there are popular governments, is to have a Services Commission both in the interests of the services and the public so as to make the Government not interfere in individual cases. The extent to which the Government can interfere in the matter of selections to be made by the Madras Services Commission, is not really very limited. It is for instance left to the Government to make general rules, and to frame regulations favouring one community as against others, favouring one group of districts as against others, for various considerations. But the Government should not interfere with the discretion of the Commission in individual cases. The Services Commission have put this idea well in their report: 'It was pointed out in the Commission's report for the previous year that the setting aside of the Commission's recommendations, when there is merely a difference of opinion, appears incompatible with the objects for which the Commission was established and may go far to defeat those objects as political influences become more active.' I hope the Government will realize their responsibility before they interfere with individual selections made by the Commission. Various instances are given by the Commission where such interference is made. They think that these are instances in which the Government ought not to have interfered. I really cannot understand why preference should have been given to the lady hailing from an Indian State when qualified candidates are available in British India itself, on the ground that the Government had already promised her. If so, the Government should not have asked the Commission at all. It may be that she was educated at the expense of the Government; she might have been given a scholarship. She might thank the Government for this foolishness but that is no reason why she should have been appointed especially when a lady from British India was available. This is a point of great importance, because we find that the practice in Indian States especially in the south—Mysore, Travancore and recently in the Nizam's Dominions also—is not to give appointments to British Indians, unless they are driven to do so for want of qualified candidates. That may be a very wise rule. Why should not then, this Government also adopt that rule, as far as candidates are available? I do not believe there is

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any dearth of candidates. If the Commission is to serve any useful purpose—it ought to serve a really useful purpose in the case of democratic Governments—the Government ought not to interfere with the selections made by the Commission or else, why should Government spend a lakh of rupees for three officers with a big establishment? It is possible the Commission may commit mistakes now and then, as the Government may also do. The chief idea of setting up the Commission is to see that political influences ought not to play in the matter of selection of candidates. When the Government are not usually satisfied with the selections made by the Services Commission, the better course will be to dispense with the services of the Commission altogether. It is, then, for the Government to advise His Excellency the Governor to dispense with the services of the Commission. But so long as the personnel is retained, I do not think that the Government would be wise in interfering with individual selections. We want a Commission on which we can depend for the selection of candidates free from political and other influences. I hope the Government realize that aspect of the matter.

"There is a lot which the Government can and ought to do in the matter of these selections made by the Commission. I am one of those who have been complaining very often that the Ceded districts have been very much neglected in the matter of appointments. Our position is growing worse. The Government have adopted the policy of giving some preference to backward communities in the matter of appointments, as against advanced communities; the backward districts should be shown similar preference. This is one of the directions in which the Government ought to interfere by issuing general instructions. This is only a question of favouring some communities or districts as against others for specific good reasons and not of interfering with individual selections, which ought not to be welcomed. Unhappily a number of officials and lawyers of other places come to the Ceded districts; they are after all birds of passage they earn money in the Ceded districts and then settle down in other districts. A number of people occupy Government appointments whose sojourn in the Ceded districts is only temporary. Their sons and relations are considered to belong to these districts and are selected for the appointments. What I want to draw attention to is that where preference is to be shown, only candidates who really belong to the Ceded districts should be given some preference. I would therefore appeal to the Government to frame a rule instructing the Services Commission to see that so long as candidates belonging to those districts are available, candidates from other districts are not to be appointed in those districts.

"There is another hardship which I want to bring to the notice of the Government and which has not yet been brought to their notice; it is a very serious hardship, and it is concerning the question of age-limit. Complaint has been made by some hon. Members that, even when candidates have been selected, they are not appointed if at the time of the appointment, they have passed the prescribed age. There may be

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some justification for doing so. If for instance the Government have put any age restriction that at the time of the appointment, a candidate should be, say, 25 or 26 or 27 years of age, and if any candidate has passed that age at the time of the actual appointment, that may be a good reason if that candidate is rejected. But in the following instance there is no such justification and the rule causes much hardship. I think the Government can and ought to do something to remedy that hardship. I shall refer to the particular instance. For the recent selection of candidates for upper subordinate services in the Agricultural department, the age fixed by the Government for candidates at the time of appointment was 27 years. But when the Services Commission published the notification inviting applications for these appointments, they stated that candidates should not be above that age—27 years on 30th June 1934. If the selections are made, there is every chance of the selected candidates being appointed before 30th June 1934. I was informed that there was every chance of these candidates, at least some of them, being appointed by the Government before 30th June 1934. When such is the case I do not understand why the Services Commission should advertise that candidates should not be above a particular age on 30th June 1934. There is every chance of the candidates selected being appointed before they attain the prescribed age of 27. I hope the Government will take note of this point and issue general instructions to the Commission. As a matter of fact, it was brought to my notice that in the case of two candidates they would have been eligible for selection by the Commission, if only 29th June instead of 30th, was fixed and if they were selected they would have been appointed by the Government before they completed the prescribed age of 27. If the candidates are above the prescribed age at the time of appointment, it may not be helped, but it is not advisable to reject candidates even at the time of selection on account of this rule, this arbitrary rule that a candidate should be of a particular age on a fixed date. The only restriction that ought to be imposed, if at all, is that at the time of the actual appointment, a candidate should not be above a particular age.

“ Another point which I want to refer to is of very great importance. At page 11 of the report it is stated that ‘ the Government have after consultation with the Commission directed that, other things being equal, the status of a candidate’s family and his family connexions should be taken into account in selecting candidates for appointment otherwise than by competitive examination.’ I thought that this principle of giving preference to relations of persons who have been or are in service of the Government, had been given up. In the matter of appointments, I think, that a provision like this is likely to result in a great deal of mischief and abuse. In these days of democracy, talent is not wanting in poor people, in the sons of agriculturists, in persons whose parents are not in Government service or can lay claim to any aristocratic birth. The history of competitive examinations shows that the majority of persons who top the lists come from very poor families with no social

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pretensions; they are not persons whose parents are aristocrats or Government servants.”

The House adjourned for lunch.

After Lunch (2-30 p.m.)

Mr. K. KOTI REDDI:—“ I do not believe, Sir, it is the intention of the Government to create a governing caste. The spirit of this rule, viz., that other things being equal, where there are no competitive examinations for selection of candidates, family connexions and social status should be taken into account, would mean that the Government propose to create a governing caste. The actual words used, ‘ social status ’ and ‘ family connexions ’ are very vague. It is very difficult to understand what they mean. Does it mean that we the Members of the Legislative Council are men of high social status? Or is it meant that members of the families of zamindars, big landholders owning thousands of acres are of high social status? Or again, are the sons of all or any Government officials men of high social status? Anyway, the underlying idea seems to be to prevent the sons of poor people, of the ordinary ryot, from holding positions in Government service. It comes to that practically. In other words, the effect of this rule would be that sons of Government officials alone would be preferred. I think, Sir, even to-day there is a provision in the application forms to show how a candidate is connected with Government officials. I do not know whether there is any significance in that provision; apparently there is. After all, Sir, are the sons or relations of Government officials alone safer to be employed in Government service? If that is the real intention, I should at once condemn it. I do not, however, believe it is the intention. Apart from that, nobody can say that intellect is inherited from father to son. I am not much of a believer in heredity; and there is a proverb in Telugu about ‘ Panditha putras ’ which suggests that the sons of highly intellectual people are generally idiots. There are many instances in which the fathers of highly intellectual people can never lay claim to great intellectual attainments. If we take the instances of those who have passed the Indian Civil Service or the Home Civil Service examinations, it will be clear that there is nothing like heredity in intellect. Even in respect of administrative skill, we find there is little chance of the skill being inherited from generation to generation. I think, Sir, any effort on the part of the Government to make this a sort of statutory rule would be very dangerous. The fact that in cases where competitive examinations are held and selections made on that basis, these considerations do not apply, clearly shows that after all even in the opinion of the Government there cannot be much behind these ‘ family connexions ’ or ‘ social status ’ for purposes of Government service. The Government themselves do not seem to attach much importance to ‘ family connexions ’ and ‘ social status ’ in the case of those who pass the competitive examinations. Probably the reason why the Government wants to introduce this principle now is to enable the Public Services Commission to make selections easily from out of the

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very large number of applicants. Naturally, when the number of applications is very large, the Commission may find it difficult to choose. But the applications can easily be sorted out in such a way as to weed out all those who are below the average.

“ There is one other thing, Sir, which I want to refer to. Much is really made of the competitive examination. There are no doubt certain services where an intellectual test may probably be the best test; but there are very many services where the intellectual test is almost a failure. In an executive branch, you very often find that men who topped the list in the examinations are absolute failures; while at the same time you find people in certain services, with no high intellectual attainments, turning out excellent work. For instance, take the Police force. What is the nature of intellectual work there? Men of average intellectual attainments seem to be much better fitted for occupying such posts. Probably in services such as the Financial Service or the Accounts Service, etc., a good mathematician will be a necessity. Even in the Educational Service, not very often do you find that the intellectual man is always a success; sometimes average men have contributed a great deal to the knowledge of the world. So, I say there are more services than one where intellectual tests are a failure. As my friend from South Kanara put it, these competitive examinations have come into being because politicians at one time used to reward the services of their friends for their help in the political field by offering appointments. It was thought that these examinations were a way out of the evil consequences of such a ‘spoils system’; but we have learnt that it is not an unmixed good. Some means must be adopted to get over the difficulty. In my view, there must be some wise combination of an intellectual test, with a view to weed out men below the average and a test to judge other qualities which go to make up an administrator.

“ I want to make one suggestion in this connexion which I think will commend itself at least to some hon. Members here. Though I strongly supported this institution of the Public Services Commission at the time it came into being, on the ground that it was better to have a body which would be outside all political influences, I regret to say that I hear lots of complaints against the way in which the Public Services Commission do their business. Those complaints may be well-founded or ill-founded; but all the same I must give vent to the feeling that is entertained, that the selections made by the Commission have not generally been satisfactory. What is wrong and where it is wrong, I am not however in a position to say; it is for the Government to find it out—whether it is in the rules they have framed for the guidance of the Commission or in the personnel of the Commission itself, or some where else. Anyway there is a common feeling that the selections have not been satisfactory. The Commission, like Caesar’s wife, should be above suspicion. I can, of course, understand that there is great difficulty in the matter of making the selections, especially when there are a huge number of candidates of whom one is almost as good as the other, and it is likely on that account, there is what is called

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‘dakshinyam’ and favouritism coming into play. Instead of applying these tests of ‘family connexions’ and ‘social status,’ and instead of having this sort of interview—I believe most of the interviews by the Commission are slipshod—it would probably be much more satisfactory, in making selection, to reject the number who are considered to be below the average in the first instance, then pick out the very best few for selection, and then cast lots among the rest of those who have practically the same qualifications. Suppose you have about 100 applications for four posts; instead of leaving it to the whim and fancy of the Commission to pick and choose in their own way, it may be possible to easily reject 50 applications as being below the standard, pick out one or two as being the best and then cast lots for the two or three places amongst the rest. Why not adopt this method, I ask? If this is done, I am sure there would be more contentment and happiness among the candidates than under the present system of choosing people. I am not suggesting the casting of lots in the case of all people; I am suggesting it only in the case of the 50 people or so, each one of whom the Commission may think, to be as good as the other. So, the casting of lots will be restricted to a few only; and I think, Sir, that if this system is adopted, there would be much less discontent among the people with regard to the selection made by the Public Services Commission than under the present system.

“ There is only one other matter which I would like to mention 2-45
and that is that the Government appear to be more humane than is p.m.
necessary. I really believe that the Services Commission itself is in many cases more humane than Heads of Departments, such as in matters of fines, suspensions and dismissals. I thought that ordinarily the Heads of Departments were rather very severe and it was probably for that purpose that the Commission were given power to deal with such cases. In a number of cases, it was found that the Services Commission were very sympathetic in their decision and Government seemed to be more sympathetic in matters in which they ought to be much less sympathetic. Unless, therefore, Government come to know of any breach of the rules or bad faith on the part of the Commission in performing their duties, I am afraid the efficiency of the system would be spoiled by such interference. I must impress once more on the Government the fact that, if the Services Commission is to function properly for the purpose for which it is intended, it is much better that Government do not interfere with their individual selections; and there are a number of directions in which Government can interfere, viz., by way of framing rules for regulating appointments and they ought to be content with that. If, on the other hand, the Government are not generally satisfied with the selections made by the Services Commission, let them advise His Excellency the Governor to change the personnel, instead of interfering with the decision of the Commission.”

* Khan Bahadur P. KHALIF-UL-LAH SAHIB Bahadur:—“ Mr. President, Sir, I think I must congratulate the Services Commission on

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the very frank report that they have placed in our hands this year. The basic principle on which this Commission was instituted was that the question of appointments to the public services should be above party politics and political influences. Even a cursory reading of the report reveals to us the fact that it is not at all as it ought to be; numerous cases where Government have interfered with the Commission's decision without showing any reason therefor have been brought to our notice in this report. I do not want to enter into the details of the several cases described in the report, but I believe they are only a few of the very numerous cases which do not find a place in it. So far as the interference of the Government in not giving effect to the recommendations of the Services Commission is concerned, all these cases reveal the fact that Government have not given any good reason therefor. For instance, in one case where a British Indian candidate who was selected by the Commission was not appointed and the appointment was given by the Government to an Indian State candidate, it is said, that the reason for rejecting the Commission's nomination in this case was that the candidate appointed by them had been awarded a scholarship with the specific intention that she should later on be appointed to the post in question; but as the Commission has rightly pointed out, if the Government had already come to this determination, it is not evident why the Commission was called upon to make a selection. I do not think there will be even one among my hon. Friends who will dispute the contention of the Commission. If Government had really made a promise like that, they could have straightaway given the appointment to their candidate. Why should they have gone to the expense and trouble of asking the Commission to call for applications and make the applicants spend money in obtaining medical certificates and appearing before the Commission and undergo the farce of a selection. I do not think the Commission is without much work and why should they tax the Commission unnecessarily for a thing already decided upon it is not given to us to know. Anyhow, even otherwise, I would point out that the Government have absolutely no business to make any promise of that sort. Even in another connexion, I have heard the Government have come forward with the apology that they had promised a certain contract to a certain party however more profitable the other tenders might have been. This case also seems to be one of that sort. I would therefore submit to the House that it is not fair or proper that Government should make any such promises, and if they choose to do so, it is not at all right that they should send such cases for the farce of a selection by the Commission, because after all their selection is not going to be upheld by the Government, unless the Commission happen to select the very same person as the Government have in their mind. So also, with reference to the other appointment of part-time lecturer in Geography.

"Sir, another point which I would like to touch in this connexion is the question of age-limit for Indian Christians, Anglo-Indians, Muhammadans and other minority communities. Here, I must

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certainly say that the extension of the age-limit to 27 years is certainly very reasonable for the ordinary services, but I must, at the same time, point out, that fixing 1936 as the period after which the concession will cease will not at all suit the requirements of the minority communities concerned. It is common knowledge that all these minority communities take to their education rather late in life; particularly it is the case with the Muslims, because in this community, the common practice is to send the children first to their Mukhtabkhanas to have religious education and it is only after they get some religious education that their attention is directed to the ordinary schools, so that when they begin to attend the ordinary schools, they are ten years or even twelve years of age. So, when they start going to these schools at such a late stage, it is not easy to expect them to complete their School Final or other examinations at an early age, at any rate, as early as the boys of other communities. Similar, I should think, is the case of the other minority communities who take to education only very late. In these circumstances, it is absolutely necessary that the concession should be extended at least for ten years, if not for twenty years.

"In this connexion, another point to which I would like to draw the attention of the Government is, in the matter of appointments to the services in the Veterinary department, Agricultural department and the Engineering department. I should submit that these students having a special course of five years to go through, must be given special exemption—at least students coming from the minority communities—for the reasons stated already. For them, the age-limit should be raised at least to 30 instead of 27, in the case of appointments to the departments requiring special training extending over a period of about five years.

"Next I would like to say a word about the fees prescribed for the medical certificates. It has been rightly pointed out by the Commission that the Local Government proposed to increase the fee for medical examination for certificates of physical fitness from Rs. 7-8-0 to Rs. 16 in the case of candidates for Provincial services and invited the Commission's views on the proposal. No reasons were advanced in support of the suggestion. The Commission stated that as candidates had to pay a fee of Rs. 20 on application, it was inadvisable to enhance the fee on medical certificates. The Local Government, nevertheless, agreed to the adoption of a fee of Rs. 16 for the grant of certificates of physical fitness.' It is indeed very cruel on the part of the Government to have raised the fee for medical certificates from Rs. 7-8-0 to Rs. 16 in the face of the objection pointed out by the Commission. It is all the more cruel particularly in these hard times when the whole world is undergoing a financial crisis and the suffering is particularly acute in the Madras Presidency. It is therefore urgently necessary that Government should be pleased to reconsider their decision and go back to the original scale of fee and cancel the present rate.

"On the whole, Sir, I would like to point out that having regard to the cases referred to in the report where Government have sought to interfere with the decisions of the Commission, such

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a practice must be put an end to in the future, because, as I said at the beginning, such interference with the Commission's selection is an interference with the basic principle of the appointment of the Commission itself. It is to avoid the play of politics and political influences in the matter of appointments that the Commission was set up and it will be going against that same principle if Government were to interfere with the selections and recommendations made by the Commission.

"It was only just this morning that the Hon. the Finance Member told us in his Budget speech that 'We are now approaching the time when Provincial Autonomy is to be granted, and it is the earnest desire not only of the Government but of every well-wisher of Madras and of India that the scheme, whatever it may be, should be launched under the most favourable conditions.' So also, I would similarly state in connexion with the working of the Services Commission, that we must also make a favourable start in the matter of appointments to the public services also. Having appointed a Commission whose sole duty it is to select proper candidates who will fill the various posts well, it is not proper that Government should set a bad example of unnecessarily interfering with the selections made by that body. Even now as we are on the eve of great political reforms, when the whole Government—instead only a part of it, is to be transferred to popular control, it is absolutely necessary that Government should set the House in order by setting up good precedents which will be a good guide for the future responsible Government to come. In this connexion I must point out that the interference has come not only from the Transferred Half, but also from the Reserved Half. The Commission has pointed out a case in which the recommendation of the Commission, in regard to the punishment of a Sub-Magistrate was not upheld. I had thought that it was the Transferred Half that was susceptible to political or other influences, but that the Reserved Half would not be a party to the setting aside of the recommendations of its own department. It is therefore regrettable to note that there are cases of interference even from the Reserved Half of Government. All the same, whether it is the Reserved Half or the Transferred Half, we must even from now start setting a good example for the Government that is to come in the very near future. It is therefore just and proper that such interferences should be avoided in future.

"One word more, Sir. My hon. Friend, Mr. Koti Reddi, was telling us that instead of allowing the Commission to make a regular selection, he would rather have the Commission make a preliminary selection and then decide by lot. Lottery, Sir, so far as I understand it, is a scorn of human reason. I do not think if you want the Commission to exercise all their powers of reasoning and selection in selecting proper candidates for posts, it is not at all desirable to make a suggestion of the sort that my hon. Friend has made, particularly in the matter of selection to the services, because here it is not everybody that is fit. As he has pointed out, no doubt out of hundred applicants at least fifty may be eligible for the post concerned. Fifty are

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eligible for the post only so far as educational qualifications and other tests are concerned. But there are so many other things which the Commission is the best authority to note, find out and appreciate in candidates that appear before them. It may be that the candidates appear before the Commission for only one minute or five minutes, but all the same, from the very demeanour of the candidates and from the way in which each candidate is able to answer questions put to him on the spur of the moment when he appears before the Commission and in so many other ways also, the Commission consisting as it does of very responsible officers is the best authority to make the best selection possible out of the candidates appearing before them.

"Lastly, Sir, considering the amendments proposed by my hon. Friend, Mr. Sami Venkatachalam Chetti, I perfectly agree with him except with regard to the question of the Secretary; I am not holding any brief for the Secretary, but I must point out that in this matter it must be left entirely to the Commission and the Government. The Commission and the Government know very well who is best fitted for the work to be done and it is for them to decide whether a Secretary should continue for one year or for five years or ten. It is not just to lay down a rule to the effect that he shall have to vacate after a term of three years. It is not like posts in other departments of the public service, for instance that of a District Collector or a District Judge where one may develop certain prejudices or partialities and his continuance in the district for more than three years must be avoided. But the Secretary to the Commission holds a different office altogether and there is no scope for his developing any partialities or prejudices. The rule of rotation is therefore out of place in the case of the Secretary to the Commission."

Diwan Bahadur B. MUNISWAMI NAYUDU:—"Sir, I think this is the third report that we have received from the Public Services Commission about their working. If there had been any doubts about the usefulness and utility of a Commission of this sort, I think this report bears ample testimony that this Province has done the best thing in having set up the Public Services Commission (hear, hear). The report is a well-reasoned one and contains details of a very important character and shows to the public how it is working and what reception it is having at the hands of the Government in respect of the various matters dealt with. I therefore congratulate the Commission on the splendid report that they have presented to this House and the way in which they have discharged their duties, so far as the electors' representatives in this House are concerned. At the same time, Sir, I am sorry that the Government have not seen their way to place their case also before the Council when presenting this report. It may be, Sir, that the Government had very good reasons for differing from some of the recommendations of the Commission, but it would be to the advantage of this House and also to the advantage of the Government if they, before placing the report on the floor of this House, also explain what reasons they have got for differing from particular recommendations of the Commission.

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We have taken up practically a day in discussing the report of the Commission upon the materials placed before us by the Commission itself and stigmatising the Government for this and that, and possibly after we have finished, the Government Member in charge will rise up and begin to reply, and there will be no chance for us to speak upon what he says on behalf of the Government and we will be no better than we were. I would therefore seriously urge for the earnest consideration of the Government that, if the object of this report is to be fully served as provided by the statute, it is not merely the report that should be placed on the table of the House, but the Government should append their remarks on the various points raised therein, so that a lot of unnecessary criticism possibly due to inadequate information may be avoided. I hope, Sir, that the Government will do that in future. Not only that, I would proceed further and state that after these criticisms and the remarks made by hon. Members in this House, the Government should finally pass orders for the information of the public, so that we might know to what extent remarks made on the floor of this House have had effect, or in what respects Government propose to improve matters. These, Sir, are some of the suggestions which occur to me, and I think that, if they are adopted, the object of a report like this being presented to the House would be effectuated and the report will serve the purpose for which it is intended.

“Now, Sir, coming to the points at issue, there are one or two valuable suggestions made by the Commission itself. They point out that the Act requires amendment in certain respects, that the necessity for such amendments had been brought to the notice of the Government and that the Government had not taken steps in that direction. One of them is stated in paragraph 34 of the report with reference to section 7 of the Public Services Commission Act. For selecting candidates for promotion to the provincial service from the subordinate services the Public Services Commission is asked to recommend or give their opinion about the names. But the section, as it now stands, gives the ultimate power to the heads of departments to choose persons from whom the Public Services Commission has to make their own recommendations. The result is that, if a number of people are entitled to be promoted or at least have their claims for promotion considered and if the head of the department does not choose all the names but chooses only some of them to be sent up, the Public Services Commission now seems to have no power at all to consider whether the names of those who were omitted have been rightly omitted or not. In paragraph 34 of their report, they refer to this and say:—

‘The Commission’s difficulty in drawing up lists of candidates for selection for the provincial services from the corresponding subordinate services continues in the absence of specific powers enabling it to consider, while drawing up those lists, the cases of all persons eligible for such selection. The Commission is obliged to confine its recommendations to the claims of those nominated by the head of the department even though those recommendations involve the supersession of senior officers with records as good as those of the officers nominated. The Commission’s examination of such proposals is bound to be ineffective so long as it is not empowered as stated above, and it urges the need for expediting the amendment of the Act in this respect.’

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I hope, Sir, the Government will see their way to accept that recommendation and bring in an amendment and see as far as possible that this object is carried out. If really the balance is to be held evenly with regard to all people who are entitled to be selected and whose claims have anyhow to be considered, it would be a farce to say that the head of the department could overlook the claims of some people and the Commission should consider only the claims of those whose names have been sent up by him and not of those whose claims have to be considered.

“Then, Sir, there is another direction in which amendment of the Act is necessary. You will see, Sir, that the object of constituting the Public Services Commission was to see that, as far as possible, purity of administration is secured and the best material for manning the public services is obtained, free from all political influences and free from all suspicion of any political influence. Now, so far as the Government are concerned, they have got the power to appoint servants or officers who are paid either wholly or in part from provincial revenues. They have also got, under various enactments, power to appoint officers to serve in quasi-public bodies like the municipalities, district boards and other agencies. Now, if in the case of those people who are appointed to serve in local bodies, boards or municipalities, the pay to some extent or other is provided from the provincial revenues, then the Public Services Commission has a right to select those candidates. For instance, if it is a question of the selection of a district board engineer or a public health officer or a health inspector to serve under a local body, it is the Public Services Commission that is to select the officer, the reason being that the pay of those officers is met either wholly or in part from provincial revenues. But of late the local body has been given the power by legislative enactments to appoint officers to certain important posts under it. But that power is delegated to the Government with a view to take it out of the influence of local factions and other things and also to see that the best and most efficient men should be got for these offices. I refer to the case of electrical engineers under municipalities, and similar other posts created from time to time. If there is a genuine demand on the part of this House or on the part of the public that some of these pivotal appointments in local boards should be outside the pale of local party feelings, it is with a view to get the best possible men for the posts. Again, I may point out that, in the matter of these officers, the Government do not pay a single pie, but they stipulate that the local body should pay the whole of their salaries. But, I submit that, that by itself should not be a sufficient reason to take these appointments out of the pale of the Public Services Commission, who must have a right to select such officers also. I therefore think that it is high time that, while the Government are keen that the officers who serve under them and are paid out of the provincial revenues are selected by the Public Services Commission, they must be equally keen in the matter of the selection of officers whose pay may not under statutory enactments come from provincial funds, in view of the

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fact that their status and emoluments do not in some cases at least fall below those of the officers, clerks and others whom now the Public Services Commission are asked to select. It is therefore necessary that the Act should be amended in this respect also, that is, that in all cases of officers, whether their salaries are met from the finances of the provincial Government or the local bodies, the power of selection should be vested in the Public Services Commission. I find that there is a difficulty now, because the Act provides for the Public Services Commission stepping in only in cases where something is paid from provincial finances, and therefore it has no power with regard to all the appointments in the local boards and municipalities and other quasi-public bodies. This is a state of things which, I hope, the Government will take occasion to remedy and see that the Act is amended in a suitable manner as early as possible.

"The next point that I would submit, is this. My Friend, Mr. Koti Reddi, has stated that there is some amount of discontent about the way in which the Public Services Commission is functioning, though he could not say what the ground is for it. I should say, Sir, that the purpose for which this Commission is constituted and the work that it does are such that they must leave some amount of discontent in somebody or other, whoever may be the selecting authority. If only we turn to the appendix to this report we will find that the number of candidates applying for posts, where 47 had to be selected, was 655. And I do not think, whether it is the Public Services Commission or any other body or agency, that the selections made would be satisfactory to everybody; there will be people who are disappointed because they are not selected or their particular communities have not been given proper representation. I think the Public Services Commission owe a duty so far as the candidates who apply to them are concerned, to tell them as quickly as possible which of them are likely to be selected so that they might be ready to join service or make their own arrangements. We find here in the report a list of offices for which the Public Services Commission called for applications, interviewed candidates and made selections. And with regard to reserve sub-registrars, at page 27 of the report we find that for 20 vacancies, 751 applied and 681 appeared for interview. As against the recommendations of the Public Services Commission I find in the annual report the remark that the final selection is pending orders of Government. The report is for 1932-33 and we are now in February 1934. Two years have now practically elapsed and I think it is only fair to the candidates who have applied that they should know exactly what the result of their application is. At any rate, I hope, Sir, had only the Government made a few observations thereon with regard to this, a lot of misconception would have been avoided and we, the Members of this Council, would feel satisfied and a lot of animadversion would be avoided. It is therefore necessary that as soon as an examination is over there must be some kind of publication so far as the candidates are concerned as to who might be selected whatever may be the period of time required by Government for such selection so that the candidates might at least know that they

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have a chance. In that direction, I know there is a discontent with regard to the work of the Commission. It is one with regard to the observance of the formalities by the Commission. I hope Government will see their way to be helpful in this regard.

"The next point I wish to urge is one which is a potent source of discontent from the point of view of the public and that is with regard to the way in which the candidates are posted. We find from the report that more than 2,800 candidates have passed the examination and the several Collectors and several officers in the district have to select people holding S.S.L.C. certificates for posts carrying the lowest salary and the rest to the higher posts. So far as that is concerned, what exactly is the procedure laid down with a view to see that district interests are satisfied and the district men are satisfied? We have no inkling in the report as to that. I know there is a large volume of feeling that for these selections people from all the districts sit and a list is prepared from out of them. The result is that sometimes we find that in a very backward district no people are selected for appointments in subordinate offices and the people from outside districts are suggested while a number of district men who are eligible could not go high up in the competition. I think that so far as these offices are concerned, while it is necessary to select the candidates for posts, it is not necessary to select only men at the top. You can have a sort of list prepared of the candidates who belong to the district arranged in the order of seniority in the competitive examination and you will be satisfying the requirements of the district as you would be giving preference to them over other people from other districts. Sir, in the report of the Services Commission, prominent attention has been directed to the fact that according to the Government Order candidates from Indian States would be considered only if qualified and suitable British-Indian candidates were not forthcoming in required numbers. If it is extended further, it is but legitimate for the district people to say with regard to the small appointments that district people should have preference over non-district people and that, as far as possible, while there are district people who applied and sat for the examination and satisfied the tests, they should be given preference in their own district to the exclusion of those who might get more marks and who therefore have no better claims to be in those districts. There is another consideration which I wish to take note of. For posts carrying a salary of Rs. 35 people from one district are taken to another. People from Malabar are asked to serve in the Ceded districts or northern districts and people from Tanjore are asked to serve in the Anantapur district. I am sure if the Members of the Treasury Benches can speak out, I think they will admit that the Collectors themselves are complaining that they are asked to get persons from other districts who do not know the language of the district. I think it is better that the Commissioners and the Government put their heads together and get so far as each district is concerned a list prepared for that district showing who will be entitled to appointments in that district.

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"These are some of the remarks that I wish to make and I hope, Sir, that the Public Services Commission would continue to do the splendid work they are doing, that the Government would realize the value of these Commissions and also that the public will realize and appreciate the tone of the Commission and the Government without taking the few remarks to heart will see their way to strengthen their hands by adopting the suggestions in the several directions and see that there is no room for criticism. All that the public expect is not that the recommendations of the Commission should be accepted as sanctified but see whether they are based on reason."

* Rao Bahadur C. NATESA MUDALIYAR:—"Mr. President, Sir, I strongly support the amendment moved by Mr. Venkatachalam Chetti except the amendment No. 3 and the amendment No. 5, the latter because I am sure the Minister will be satisfactorily replying. Sir, in the report of the Commission, it is said the candidates are committing grammatical mistakes, spelling mistakes and that their answers in some cases are mere jumble of words. If one were to take into consideration what sort of education is imparted in the elementary and secondary schools, then, these mistakes would not be surprising to us. The students do not know where to place the subject and where to place the object and where to place the predicate. I hope the Education Minister will delegate to his subordinate officers all redtapism and routine and give his full attention to educational problems and initiate educational policies. We cannot but go back to the old system of imparting education. At least we should meet it half way. Sir C. V. Raman and Sir Radhakrishnan were all of the old schools. Can you produce now one Ramanujam—late Ramanujam, I mean,—from our system of education?"

* The Hon. the PRESIDENT:—"The hon. Member may reserve his remarks till he comes to the Budget Demand on Education."

* Rao Bahadur C. NATESA MUDALIYAR:—"I am only speaking as to how to prepare candidates for Madras Services Commission examinations. Coming to the report, I may say the report is very meagre. It is neither informing nor explanatory. Are we to understand that in the appointment of the provincial officers communal rotation is not observed? The appointments are not arranged according to communities and moreover, as Mr. Muniswami Nayudu said, we want the appointments to be made districtwar. I wish the Services Commission had said so and so belongs to such and such a community. I wish that examinations are held in various districts for the candidates of the corresponding district and appointments are given to them in that district. What is the good of dumping 33 Malayalees and 10 Tamils in the Andhra country when there were 44 vacancies to be filled. I think, Sir, the Services Commission must submit the report in an informing way as to the names of those selected and as to the district from which they are coming and the community to which they belong."

"Then, Sir, the selection of the Deputy Superintendents of Police has recently been transferred to the Commission. The selection was

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being very well done under Sir Mahomed Usman. Only in cases where the heads of departments were not doing their duty well in this respect that a transfer to the Commission is necessary. Sir Usman was doing his duty very well. He was useful to all communities and I do not know why this should be taken away from him now.

"Then with regard to the subordinate services, except with regard to the women's services, there is no other department where there is a dearth of candidates. If 20 candidates are wanted, about ten times the number are the applicants. It would have been better in this report that the Commission had mentioned the community, the district and the qualification of the people selected, and if possible, even the names. I want this to be done in the same way as the Chief Minister, Raja of Bobbili, issues Government Orders for the admission of students into the Medical College and Schools. This will give us an idea as to how many from each district and from each community with what qualification were available and were selected. This will also give an idea of the educationally advanced and educationally backward communities. These things are the omissions in the report."

"Then, Sir, in selecting a Chemical Analyst, I want that the candidate should be an Arts graduate with a medical qualification such as a degree-holder in Chemistry with medical qualification such as M.B.C.M., or M.D. A medical man with Arts qualifications, if available, should have been preferred for the chemical assistant's place. The purely Arts graduate mechanically detects a certain thing and there it ends, but one with a medical qualification in addition knows the pros and cons of what he finds and thus he will be more useful." 3-30 P.M.

"Now, coming to the report proper, it is said in it that the object of the Commission is to function as a body free from political influences. I ask under what influence is the Commission itself? In my opinion this is only a transference of patronage from one body to another. I know a case where a candidate having the necessary physical measurements, length and breadth and highly qualified (an M.A.) was not selected as a sub-inspector of Police nor as a sub-inspector of Excise whereas people with less qualification with less physique were selected. These cases lead one to think that it is preferable to leave this power in the hands of our Ministers and Members and Heads of Departments. At least they would have to justify their action before the Legislature."

"In paragraph 34 of the report, the Commission suggests the amendment of sections 6, 7 and 11 of the Madras Services Commission Act. To my mind it is unnecessary to agree to this suggestion. Till the Services Commission make us develop absolute faith in them by their actions, it is impossible to agree to the amendment of these sections. We see that it is only this year that the Commission has been showing some symptom of life. It says that this year the Government was wrong and that it was right. I am sorry that the Development and Education Departments made themselves responsible for this criticism by the Commission. The Development Department need not

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have gone out of way as to first supersede the claims of two senior men and then looked about the means of justifying their action, and then promoted the next junior man and then promoted the senior out of sympathy as he was hard hit. All from the same community. The communal Government Order and the various rules should be applied without distinction to all appointments. I should be glad to have an explanation from the Hon. Minister for allowing things to happen in the manner complained of by the Commission.

"I next come to the question of appointing a man in a Women's College by the Educational Department. (Laughter.) Nayudus, Mudaliyars and other Hindu communities who observe half purdah and not to speak of Muslim community which observes full purdah are just beginning to send their girls to women schools and colleges. I want that all arrangements should be made for these pupils feeling quite at home in the schools. This would not be the case if you appoint a man to a place in an educational institution meant purely for women. In coming to the other question of appointing a person who is not a British subject until the Native States say that their services will be open to Madrasees, we should not give preference to their men or women in our services. No doubt the whole world is a single family and we should protect the interests of the subjects of Native States. But the economic condition being what it is, we should give preference to our own men. When that is the case, to appoint an outsider on the plea that she was the recipient of a scholarship from Madras is adding insult to injury. The Madras Government has no business to give scholarship to a member of a Native State and then give her the appointment in addition.

"I quite agree that in the case of the backward communities, minimum and not the maximum qualifications might be deemed sufficient for appointment. The increase in the case of the backward communities in respect of the age-limit has my entire support. As to others the age when they appear before the Commission through competitive examination or in person should be taken into consideration and not when they are to be confirmed in the appointments, in view of the fact that before these people are finally confirmed, for long periods they are asked to go from one corner of the Presidency to another to act in short vacancies; and when they are to be confirmed they are over-aged. In this connexion I may say that I agree with the hon. Member, Mr. Koti Reddi, in his demand for a territorial basis for the selections made by the Commission. I am sure if that is done there will be no cry for the splitting up of the Province.

"Lastly, Sir, I suggest that there should be five members on the Commission. I have got high regard for the personnel of the Commission, as it is constituted now, but what I want is that there should be two more communities represented on it. No doubt if a gentleman like Sir Mahomed Usman is put in there, it will satisfy all communities, but there is a grievance that there should be two more members—extraordinary—from two more communities. With these few words,

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taking note of your advice, Mr. President, that I should take another opportunity to discuss the question of education imparted at present I resume my seat."

* The Hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, when the first report of this Commission came before this House, there was a great deal of criticism of the Commission and the view was expressed from the various sides of the House that the Commission was not necessary. I am very glad to observe that there is now practically unanimous agreement that the Commission is serving an extremely useful purpose and will continue to do so and that, in fact, it is essential under the Reformed Constitution.

"Sir, much of the criticism that has been raised this afternoon relates to the orders of the Government and to the statutory rules framed by them for which the Commission is not generally responsible, although we get their advice on them in certain respects. I will deal, as far as I can, with the points which have been raised this afternoon. The first point related to the production of medical certificates. It was suggested that the fees for medical certificates were too high and that the fees charged by commissioned medical officers of the Indian Medical Service should not have been raised from Rs. 7-8-0 to Rs. 16. As I have explained on a former occasion, that action was taken under instructions from the Government of India in order that a uniform rate might be charged for such medical certificates throughout India.

"The second point raised in this connexion was that the candidates should not be asked to pay for medical certificates or to undergo medical examination until after they had been selected by the Madras Services Commission. As the result of a similar representation made in the Council when the report for 1930-31 was under discussion, we accepted that suggestion except in respect of posts for which physical measurements are prescribed in the statutory rules or are required by the appointing authorities—I may mention for example, the case of the Police sub-inspectors—and also in respect of admission to the competitive examination for posts in the Madras Ministerial Service. We have since decided and have issued orders that, as an experimental measure for two years, candidates that are selected for the Madras Ministerial Service may be allowed to produce certificates of physical fitness after their names are approved by the Commission; so that now medical certificates have to be produced before selection, only in those cases in which certain physical measurements are required as a qualification for appointment.

"Objection was taken that the fees demanded from the applicants for selection by the Madras Services Commission and for various examinations are too high. It was suggested that the fees for selection by the Commission should be purely nominal. It was pointed out that it costs some Rs. 15,000 for a candidate to be educated up to the standard required for appearance before the Commission. I think, Sir, that the fee forms an insignificant addition to this figure.

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(Laughter.) I believe, Sir, the fees now charged are moderate on the whole. The fees for examinations were fixed, if I remember rightly, on the recommendation of the Retrenchment Committee, on the ground that they should cover the costs of the examinations as far as possible. We have, however, recently directed that no examination fee should be levied in the following cases:—(1) Where a test or Government technical examination is prescribed as part of the probation or training of an officer whether recruited directly or by transfer; (2) where a test is prescribed as a qualification necessary for an officer to continue in his post without penalty; and (3) where it has been newly imposed on a person already in the service concerned. (Mr. Ramalingam Chettiar: 'In all cases, after appointment?') Yes.

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"Reference was made to the Ministerial Service Rules which lay down that clerks must be qualified as typists as if it was a new qualification now inserted for the first time. As a matter of fact, Government, for some years, have been endeavouring to get clerks qualified as typists. First they offered an increase in pay to those who obtained that qualification, but, later on—it was, I think, about 4 or 5 years ago—they decided that that special remuneration should be stopped and that they should in future endeavour to get the clerks all qualified as typists, as indeed they are in England. Rules were framed in June 1931 making typewriting a qualification after a certain date. We have since amended the rules so that they do not come into force till a later date from that originally intended; because we found that the rules were not given wide enough circulation among the educational institutions. Also we found it desirable to alter the Government examinations in typewriting. We had originally prescribed a pass by the higher standard, as the lower standard examination did not contain any paper or any examination on the mechanism of the typewriter. It merely indicated capacity to type at a certain speed, and we realized that a man possessing merely a certificate of speed and no knowledge of the mechanism of a typewriter is not really fit to be in charge of a typewriter. We have therefore altered the examination syllabus so as to include the necessary examination in the mechanism of the typewriter in the lower standard and have substituted a pass by the lower standard under the new rules in the qualification for clerks. The supply of typewriters was at first restricted to a few offices. We realized that clerks in such offices would use the typewriters even if they had not passed any examination in typewriting, and at first we applied the rule only to offices to which typewriters had been supplied by Government. Now typewriters have been supplied to a large number of offices and we have now extended the rule already in force to all offices, as clerks may be transferred from one office to another. This rule does not apply to store-keepers or other members of the Ministerial Service; it applies only to clerks.

"As regards the difficulty of learning to use a typewriter, I do not think really anyone can contend that it is a very difficult art. Candidates who aspire for the post of a clerk generally have to spend a long time, sometimes several months and sometimes years after they pass

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out of school or college before they apply for selection, and they have plenty of time to get themselves qualified. I think it is not unreasonable on our part to insist on this additional qualification, which will add to their usefulness as Government servants.

"The next question with which I would like to deal is the recent order of Government regarding the consideration of the status of a candidate's relatives. It was suggested that this is not done anywhere else. I believe, as a matter of fact, this fact is taken into consideration by the Secretary of State and by the Public Services Commission of the Government of India. Before the issue of this order we consulted the Madras Services Commission, and they expressed their entire approval of the suggestion; and they further stated that even at present the application form which they have prescribed contains a column calling for information regarding the applicant's relatives, if any, in the public service, and any special service, rendered to the Government by the applicant's family, which he desires to be considered by the selecting authority and that in selecting candidates, the Commission already gives due consideration to these claims; and so they had no objection to the principle being embodied in a definite Government Order. Thus we have not really made any change in the procedure adopted by the Commission. Hitherto no complaint has been made that this procedure has led to any undesirable results so the fear entertained by some hon. Members that this is an innovation which will ultimately lead to political influences being brought to bear in the selection of candidates is without foundation.

"Objection was raised to the reduction of qualifications in regard to certain communities. As far as I can recollect, that has been actually done only in one service, and that is, in the Veterinary Service; and possibly the Hon. Minister who deals with that question will reply on that point."

The Hon. Mr. P. T. RAJAN:—"I am sorry I have not the materials at hand." (Laughter.)

The Hon. Sir ARCHIBALD CAMPBELL:—"In that case, I will reply; if I remember rightly, it has been found by experience that it was difficult to recruit candidates to that service from backward communities because they could not afford the cost of the training necessary for the service; it was therefore decided to select candidates from those communities before training and to send them for training with the necessary stipends."

Mr. SAMI VENKATACHALAM CHETTI:—"May I just draw the Hon. Member's attention to the last sentence in paragraph 9 (a) at page 7 of the report, which runs thus—

'The Government, however, amended the rules prescribing different standards of qualification for different communities, viz., a higher standard of qualifications for Brahmans and non-Brahman (Hindus) and a lower standard of qualification for candidates belonging to other communities.'

May I know why a lower standard of qualification has been fixed to all but two communities?"

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The Hon. Sir ARCHIBALD CAMPBELL:—"Paragraph 9 (a) refers to general qualifications. A higher standard of qualification has been fixed for the Brahman and non-Brahman (Hindu) communities because we have many more applicants from those two communities, than we require for our purposes, and we have fixed a higher standard, so as to restrict the number of applicants and prevent large number of persons from disappointment when they cannot get appointments. On the other hand, with regard to the other communities, we have had to fix a lower qualification, in order to get the necessary number of applicants to enable the communities to obtain adequate representation in the service."

Mr. ABDUL HAMEED KHAN:—"But that is only on paper; as a matter of fact it has not been given effect to."

The Hon. Sir ARCHIBALD CAMPBELL:—"We have also raised the age-limit in favour of certain classes in certain services, on the ground that those particular backward classes usually begin their education at a later stage than the other classes and so by the time they finish their education they would have passed their twenty-fifth year. I do not think much objection has been raised on that point, but it has been suggested that we should extend this concession for at least ten years instead of for five years. It seems to me that it is sufficient for the present to try it for five years; at the end of that period the question can be re-examined."

"Representations have been made again regarding the alleged hardship caused to persons, whose names, though originally included in the Madras Services Commission's list, are struck off when they become over-age before they actually obtain an appointment. That question is now under correspondence between the Government and the Commission, and we have put forward the suggestion that the Commission should prepare a list which shall be in force only for a certain definite period, say, one year, on the principle adopted in England where the Public Service Commissioners prepare a list of candidates for the Indian Civil Service which is in force for one year only."

Mr. M. S. SRESHTA:—"I fear even such a move would not remove the hardship caused to the candidates by reason of their becoming overage before they actually get an appointment."

The Hon. Sir ARCHIBALD CAMPBELL:—"I am coming to that point. The suggestion is that the candidate's name would not be removed during the year on account of his age; the age would be fixed as in England at the time of selection."

Mr. M. S. SRESHTA:—"Am I to understand that the list is to be in force for one year only?"

The Hon. Sir ARCHIBALD CAMPBELL:—"Yes, and at the end of each year fresh selections will be made, so that every year you will be giving an opportunity for every candidate before he becomes overage, an opportunity to get into the public service."

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Mr. M. S. SRESHTA:—"Then what about those candidates, who though selected, do not get an appointment by the end of the year?"

The Hon. Sir ARCHIBALD CAMPBELL:—"If they are not absorbed before the end of the year and if they do not become overage by that time, they would be eligible for re-selection. I may also mention here that in respect of candidates in the Commission's present list for the Ministerial Service, we propose to increase the age to 27 in the case of those who are qualified in typewriting."

"Representation has been made of a case, which took place very recently, in which the Madras Services Commission refused to entertain the applications of a few candidates even though they were under-age on the date of selection, on the ground that they would be becoming overage on a date of few weeks later. That is a question which is generally left to the discretion of the Commission; obviously there is no use in selecting a candidate who is going to be overage a week or so later, that is, long before he can get any chance of being appointed. That, however, is a difficulty which may be overcome if we can devise some other suitable scheme; and I may assure hon. Members that we will give the matter our careful consideration."

"My friend, Mr. Koti Reddi, referred to the injustice done to his district owing to the fact that not only persons from his district fail to get adequate representation in the public service, but that persons from other parts of the Presidency were posted to the Government offices in his district. So far as Provincial Services are concerned we cannot lay down a rule to the effect that only persons belonging to a particular district should be appointed in that district. We have however under consideration a proposal that a candidate selected for a subordinate service in a particular district should have a knowledge of the language or one of the languages of the district for which he is selected."

Mr. M. S. SRESHTA:—"May I know whether Government have got any objection to giving preference to candidates coming from the same district over others?"

The Hon. Sir ARCHIBALD CAMPBELL:—"We have examined that question, and it was suggested that candidates belonging to a district should be given a few marks on that account in the competitive examination for clerks, but the Madras Services Commission were not in favour of that proposal as they feared that it would lead to the deterioration of the efficiency of the services."

"The hon. Member from the Ceded districts disagreed with the suggestion of Mr. Schamnad in favour of the extension of selection of candidates for public service by competitive examination to the other services. At present only selections for the Medical Service and the Ministerial Services are made by competitive examination. If we find that the system can be suitably applied to any other service, we shall do so. At the present moment we do not think it necessary or desirable to do so."

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"The question was raised why the Madras Services Commission does not select candidates for appointments in the offices attached to the High Court and the City Civil Courts. This is a matter which is still under consideration by the Government and is under correspondence with the High Court. It is not quite so simple as it looks, for the problem has to be considered in the light of the Letters Patent and the Madras Civil Courts Act, which confer certain powers on the High Court. The matter is still under consideration.

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"A suggestion has been made that the Madras Services Commission should be authorized to publish their selections. I understand that they now publish practically all their selections for subordinate services. I will see to what extent they do publish them and whether the practice can be further extended.

"It was stated that adverse remarks made in confidential reports are not now communicated to the officers concerned. I find that as long ago as 1915 orders were issued by this Government that any defects which could be remedied should be pointed out and we have recently drawn the attention of heads of departments to these orders and I have no doubt they will be carried out generally although they may have been overlooked in certain cases. We have also had under examination another matter to which reference was made, viz., the communication of the views of the Commission to the officers concerned. Sir, this is what section 17 of the Public Services Commission Act states:—

'In any case in which the advice of the Commission is sought under section 15 or 16 the record of the case shall be forwarded to the Commission and the opinion given by the Commission shall form part of the record of the case and shall be communicated to the officer or officers concerned along with the orders of the authority empowered to pass orders on the case.'

It will be apparent therefore that even under the law, as it stands, the Commission's opinion is bound to be communicated to the officers concerned."

Mr. SAMI VENKATACHALAM CHETTI:—"The opinion given may be a short sentence."

The Hon. Sir ARCHIBALD CAMPBELL:—"As my hon. Friend, Mr. Sami Venkatachalam Chetti, has just pointed out, the opinion in some cases may be short stating that they agree with the opinion expressed by the head of the department or the investigating authority. So we have issued instructions as to the manner in which the Commission's opinion should be communicated to officers and they are as follows:—

'The simplest and most convenient course will of course be to communicate to the officer a copy of the letter from the Commission conveying its opinion. Such a letter will generally be self-contained and this method will also ensure accuracy but any other method of communication which ensures that the substance of the Commission's opinion is communicated to the officer in an accurate and intelligible form would be permissible. In certain cases for instance the letter from the Commission may not be self-contained and may not for that reason be intelligible unless it is read with other papers. In such cases a copy of the letter would not be sufficient and it would be necessary to communicate with the Commission's letter copies or the gist—but a complete gist—of the papers reference to which is necessary to render the Commission's letter entirely intelligible to the officers concerned.'

I think those instructions will meet that point.

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"It was suggested by my hon. Friend, Mr. Sami Venkatachalam Chetti, that the tenure of office of Secretary to the Commission should be limited to three years. That suggestion was not agreeable to my hon. Friend, Mr. Khalif-ul-lah Sahib. However, that is a matter which is entirely within the discretion of the Commission under the Act and Government have no power to interfere with their discretion. On the whole it is not desirable that Government should have power to interfere with the discretion of the Commission as regards their selection of this officer or pressure may be brought on the Commission for political reasons.

"It was suggested that when the Government placed the Commission's annual report on the table of the House they should place with it an exhaustive statement dealing with the cases to which the Commission has drawn attention and also their reasons for not accepting the Commission's recommendations. At present it is the usual practice to communicate to the Commission the reasons for our decision. It is possible that this has not been done in all cases, but I think it is likely it will be done regularly in the future. I feel sure that if our reasons are communicated to the Commission, they will in fairness to the Government, include the Government's reasons in their report. However when the time for the issue of the next report comes, I will examine this point, and see whether it is desirable to attach to the report any other particulars that may be necessary for the information of the House.

"My hon. Friend, Mr. Muniswami Nayudu, drew my attention to the desirability of amending the Act so as to make it obligatory on the heads of departments to send up the names of all the applicants for promotion instead of only a few. He also suggested—this is a new suggestion—that the Commission should be compelled to select candidates for services under local bodies."

Diwan Bahadur B. MUNISWAMI NAYUDU:—"In the case of those men who are appointed by the Government . . ."

The Hon. Sir ARCHIBALD CAMPBELL:—"Sir, a Bill for the amendment of the Act is now under consideration of the Government and I hope it will meet the first point. I will consider the second suggestion.

"Sir, when the Commission first came into being we had certain difficulties to contend with, but I am satisfied that these difficulties are gradually disappearing. I have already referred to the fact that the Commission has established itself in the opinion of the public as a very necessary and very useful institution. At one time, I think, the heads of departments and others were suspicious of interference by the Commission and were afraid that it would upset the efficiency of the departments. More recently the heads of departments and the Commission got into much closer touch with each other and it is more generally realized by the services themselves and also by the heads of departments that the Commission is there not to affect adversely the efficiency of the departments but to protect the interests of the members of the

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services. Of course, it takes some time for new ideas to be appreciated. It is true that we have had to amend our rules in certain cases with retrospective effect, because things had been done in a certain way overlooking the rules and the amendments were necessary to prevent undue hardship to individuals; we recognize however that it is generally undesirable to amend rules with retrospective effect for such reasons.

"The Commission has been doing very useful work and I should like to acknowledge the very great assistance the Commission has given us in various ways. They have always been willing to give us their best advice not only in connexion with the selection of candidates for the public service and with disciplinary cases but also in connexion with the framing of rules. At the present time the rules are under general revision and we hope to put them in a better form than in the past. When that is done, many of the difficulties which we were experiencing in the working of the rules will be obviated. I am sure the Commission will have a very useful career in future and that their work will be fully appreciated."

* The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Mr. President, Sir, in paragraph 22-A of the Report of the Commission, mention is made of an instance in which selection was made to the Madras Educational Service in contravention of the advice of the Commission. Of course it is true that the candidate selected for appointment to that service was not recommended by the Commission. There were two applicants for the post. One of them, who was ultimately selected by the Government, was in Government service for some time and was sent on a Government scholarship to England for being trained for the very post to which she has now been appointed by the Government; and such training cost the Government the large sum of Rs. 30,000. Her qualifications also are much superior to those of the candidate who was selected by the Services Commission. The candidate selected by the Government was a Second-class Honours Graduate in Natural Science of the Madras University and after she was sent to England she took the B.Sc. degree (Hons.) of the London University in the first class. On the other hand the candidate who was selected by the Commission was only a Third-class Honours Graduate of the Madras University. When the advice of the Commission came up before the Government, it appeared to the Government that the rejection of a candidate with such superior qualifications required some explanation and the Government therefore amongst other matters placed this great difference between the qualifications of the two candidates before the Commission and asked them why they rejected the candidate with the superior qualifications and selected one with such inferior qualifications. I may also mention to this House that for a professorship in a first-grade college a Third-class Honours Graduate is seldom considered suitable and yet that was the qualification of the candidate selected by the Commission.

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"And when this point was specifically put to the Commission, the reply they sent did not throw much enlightenment on the question referred

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to them. They were not prepared to disclose anything further than that this difference in the qualifications was present to their minds when they made the selection. When the Government got this brief and unhelpful reply from the Services Commission, they thought that this was a case in which deviation from the advice of the Commission would certainly be justifiable. The Services Commission wanted apparently to rest their decision mainly on the technical ground that the candidate chosen by them was a British Indian subject while the candidate rejected by them was a subject of an Indian State. (An hon. Member: 'What about family connexions?') We have no information either from the Services Commission or from any other source on this point. Family connexion apparently was not one of the considerations which influenced the Services Commission. With regard to this technical question, it appeared to the Government that it was more academic than real. As I have already told hon. Members of this House, this candidate was in the service of the Government when she was sent to England by the Government and there was this very important fact that Rs. 30,000 of Government's money had been spent on giving her that equipment which would make her most suitable for the appointment to which Government ultimately selected her. The Services Commission also said that the previous sanction of the Government should have been obtained before this candidate applied to the Services Commission. It looked to the Government that this technical objection had not much substance in it as she was already in the service of Government and as she had been selected by the Government for being trained in England with a view to ultimate employment in Government service. It seemed obvious that the Government expected her to apply for employment in the Madras Government Service. If she was not to be given such sanction and was to be refused permission to apply for service under Madras Government, I wonder why she should have been sent to England for being trained. She gave a bond to the Secretary of State undertaking to serve the Madras Government for a period of five years. Well, if sanction to apply for service under the Madras Government was going to be refused, where was the need for a bond on these terms to the Secretary of State? The Government therefore came to the conclusion that if not in express terms at least impliedly, there was permission given to this candidate to apply for appointment to the post. The Services Commission Report mentions it as a criticism of the Government order that it is said there that this candidate should be deemed to have been given such permission. This order was passed on the advice of our service experts with a view to cure any technical defect if one existed and I do not think this could be construed as an admission of any defect having existed in the first instance. It was intended only as a measure of more abundant caution. I feel confident, Sir, that when I have made this statement, hon. Members of the House would realize that the Government would certainly have failed in their duty if they had rejected the candidate on whom they had spent Rs. 30,000 of their money, on this mere technical ground which was not a substantial one and in its opinion had no application to this case.

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"Well, Sir, from the general observations which hon. Members of this House have made both with regard to this case and some other similar cases which are mentioned in the Commission's Report, one might probably go away with the impression that by repeated rejection of the advice of the Services Commission, the Government were defeating the very object with which the Services Commission has been set up by them. I must submit, Sir, that if this impression is entertained by anybody, it is a very erroneous one. Before hon. Members animadvert on the conduct of the Government in having disagreed with the recommendation of the Services Commission in the handful of instances mentioned in the Report, I would ask them to try and realize in how many hundreds of cases the Government have accepted their recommendations; in fact in several of these cases, they would have come to different conclusions if they had been dealing with the cases in the first instance. The Government have realized that the ideal which they should keep in view should be the acceptance unquestioningly of the recommendations of the Services Commission. Hon. Members would remember that under the terms of its constitution, the Services Commission is only an advisory body, but the Government have not, on the strength of these terms, regarded the Services Commission as a mere advisory body. They have, of their own accord, adopted the convention that the recommendations of the Services Commission should ordinarily be accepted by the Government and they have been acting on that convention. But hon. Members would realize that a convention does not ripen into full maturity in a year or two. As my hon. Friend Mr. Muniswami Nayudu pointed out, this is only the third report of the Services Commission which we are dealing with. The Commission is itself an infant institution: it has been in existence only for four or five years. I am sure that the sound and healthy traditions that the Commission are building up will soon silence hostile critics like my hon. Friend Dr. Natesa Mudaliyar and inspire such implicit faith in the public and in the Government as to ensure the unquestioning acceptance of all their recommendations. But I am afraid they are trying unduly to force the pace in asking for such acceptance at once. Government, as I have said, realize what the ideal ought to be. Reading the report, I see nothing in it to cause any regret to the Services Commission, to the Government or to the public. On the other hand, it is a matter for sincere gratification that we have made such rapid progress, even within the short time that the Commission has been in existence, in establishing healthy convention regulating the relations between the Government and the Service Commission."

* The Hon. the PRESIDENT:—"Is the hon. Member pressing his amendment?"

Mr. SAMI VENKATACHALAM CHETTI:—"We should like to hear the Development Minister."

* The Hon. Mr. P. T. RAJAN:—"Sir, my hon. Friend, Mr. Muniswami Nayudu, asked why there has been delay in the publication of the list of candidates for the posts of reserve Sub-Registrars. Last year the Government asked the Services Commission to send a list

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of candidates. In the meantime a doubt arose as to whether the clerks who have acted as Sub-Registrars for some time had a legal claim for confirmation. As the number of such clerks was large in number, nearly 300, the question had to be examined whether those clerks had any preferential claim. The matter is being considered and I hope the Government would be in a position to pass orders and ask the Services Commission to send the list of candidates soon. (Interruption.) No, the clerks will not be deprived of their chances and 25 per cent of the vacancies will be given to them.

"As to the point raised by my hon. Friend, Sami Venkatachalam Chetti, the amendments to the rules were given retrospective effect in spite of the recommendation of the Services Commission, I may state briefly what had happened. In G.O. No. 782, dated 7th April 1930, the Government revised the curriculum in the Madras Veterinary College in the light of the recommendations of the Royal Commission on Agriculture. The higher standard of education then prescribed demanded equally a higher standard of teaching; and the Government laid down that the four additional lecturers required should be officers with qualifications prescribed for direct recruitment to the Madras Veterinary Service. The need for amending the statutory rules to the Madras Veterinary Service in accordance with this order was overlooked and it was not until March 1932, when the Director of Veterinary Services reported that the old rules were creating practical difficulties in recruiting the best type of lecturers in the College, that the amendment was undertaken. Before the rules were amended, the Government consulted the Services Commission, and the Commission expressed the opinion that the qualifications were too high, that they would unduly restrict the field of selection and that men with such qualifications would not be available. It, therefore, advised against the proposed amendment.

"As the Government was satisfied that no lower qualifications would guarantee the standard of teaching required they amended the rules prescribing higher qualifications. The Government should have no doubt communicated their reason to the Commission earlier. The amendment was given retrospective effect from the 7th April 1930 for the following reasons:—

"Though it was recognized in G.O. No. 782, Development of that date, that the posts of lecturers required special qualifications, the statutory rules for the Madras Veterinary Services were by an oversight not amended. When the need for the amendment of the rules was brought to the notice of Government by the Director of Veterinary Services, effect was given to the amendment from the date of the above order. The amendment with retrospective effect removed a defect in the rules which ought to have been rectified before and there was no intention to evade any rule or to prejudice the claims of any qualified men. By giving retrospective effect it was felt that the Assistant Surgeons would take the trouble to qualify themselves

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in order to render themselves eligible for the lectureships. The Commission was also informed that, while the Government agreed with it, that it was dangerous to give retrospective effect to amendments if the object was to ratify in contravention of the statutory rules appointments of or advantages allowed to persons who were not eligible for them they must reserve complete freedom to amend the rules with retrospective effect if circumstances necessitated such a step.

"There is one other matter which was referred to by my hon. Friend, Mr. Natesa Mudaliyar, that a certain officer of a particular community was given preference over several others. In April 1931 the Madras Services Commission sent a list of Veterinary Assistant Surgeons arranged in order of merit under each community who were qualified and suitable for admission to the Madras Veterinary Service. This selection did not take into consideration the special qualifications required for the lectureship in the Veterinary College. I may mention here that these are the lecturers who were referred to in G.O. No. 782, dated 7th April 1930. When the turn came to the Brahman community the first man was left out and two of his juniors were appointed as lecturers because the first candidate did not possess the necessary qualifications. This caused a certain amount of hardship to the first man in the list and so the Government relaxed the communal rule in his favour and directed that the next vacancy in the Madras Veterinary Service should go to a member of the Muslim community and after a member of that community, if available, is selected, he should be promoted to the service. The Services Commission pointed out that the selection of this officer would be in supersession of the other officers belonging to other communities. The Government replied that they were aware of it. In this connexion, I may mention that, though his case was favourably dealt with, he is not likely to be selected to the Provincial Service for another four or five years to come. As such I do not think anybody is likely to be affected adversely by this order.

"There are some other points relating to my departments but I am afraid, I have no time to deal with them all. Before I conclude I would like to point out, as has been said by my Hon. Friend, the Education Minister, that though we consult the Services Commission in regard to these matters, it does not follow that their recommendations should be accepted as a matter of course. We accept their recommendations whenever we can, but, where we find that for some reason or other, it is not possible to accept them, we, as representing this House and the people of this Province, use our discretion."

* Mr. SAMI VENKATACHALAM CHETTI:—"Sir, with regard to item (1) of my amendment, I realize that the Government cannot interfere in the matter of the appointment of the Secretary. I dare say that the Commission will take note of the sense of this House and act in the best interests of the Commission. I therefore beg leave to withdraw that item. With regard to item (2), the Hon. the Revenue Member did not make an attempt to answer that point. He argued logically and said that when a person was aspiring for promotion, he

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might pay the fees. I would therefore not press this item to a division. With regard to item (3), having regard to the convincing reply the Hon. the Revenue Member was pleased to give, I do not want to press it. I think that item (4) was, in a way, satisfactorily answered. With regard to item (5), the Hon. Minister for Development attempted to make a reply, though I was not able to follow his arguments. At any rate I do not want to press that point also. As regards item (6), I am glad the Hon. the Revenue Member was trying to meet the point raised and I do not want to press it. With regard to item (7)—fee for medical examination—I do not think that the order of the Government of India need not be accepted by the Local Government. This Government have modified the scale of fees and they say that it has been suggested by the Government of India. I therefore think that this amendment should be pressed to a division. I do not want to press item (8). I am sure the House must feel grateful for the very close attention the Hon. the Revenue Member and the other Members of the Government have given to and treated the debate and for their trying to meet the many points that were raised.

"There is one point to which I must invite the attention of the Hon. the Revenue Member, that is, the variation of punishments according to the communities of the persons concerned. There is lot of very serious hardship in this matter. The punishment is very serious in the case of a member of a more advanced community. A public servant belonging to a particular community is more severely punished than a member of another community. If examples are wanted I can easily give them. This happened in the Excise Department. In the case of a person who was found to be corrupt, the head of the department recommended a certain kind of punishment but the Madras Services Commission merely recommended the punishment of promotion being stopped. But in the case of Narasimhalu Nayudu, Inspector of Excise, who was found guilty of some offence, the head of the department recommended his removal from service. But the Services Commission reverted him to his permanent job as Assistant Inspector. But in the case of a person belonging to some other community, the severest punishment, namely dismissal, was awarded. It is therefore desirable that no room should be given to the complaint in the matter of punishments that the Commission is partial. It is desirable that the Government should protect the interests of public servants so that they may not become victims to the caprices of the Services Commission. Unless there were cogent reasons and arguments for meting out such severe punishments, the Government should restore those persons who were severely punished."

* The Hon. the PRESIDENT:—"The question is that the Report 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."

The motion was carried.

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* The Hon. the PRESIDENT:—"The question is—

'and on such consideration, this Council recommends to the Government that the fee for medical examination be restored to Rs. 7-8-0.'"

The amendment was put and declared lost.

A poll was demanded and the House divided as follows:—

Ayes.

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| 1 Mr. T. Narasa Reddi. | 16 Mr. U. C. Subrahmanya Bhatt. |
| 2 „ V. G. Vasudeva Pillai. | 17 „ K. A. Nachiyappa Gounder. |
| 3 „ G. Lakshmana Reddi. | 18 „ P. Peddi Raju. |
| 4 „ H. M. Jagannatham. | 19 Ahmed Meeran Sahib Bahadur. |
| 5 Rao Sahib P. Subrahmanyam Chetti. | 20 Diwan Bahadur B. Muniswami |
| 6 Mr. B. P. Sesha Reddi. | Nayudu. |
| 7 Diwan Bahadur A. Appadurai Pillai. | 21 Mr. K. P. Raman Menon. |
| 8 Mr. P. Bayappa Reddi. | 22 „ M. S. Sreshta. |
| 9 Rao Bahadur T. A. Ramalingam | 23 „ P. V. Krishnayya Choudari. |
| Chettiyar. | 24 Rai Sahib C. Kolanda Reddi. |
| 10 Mr. Sami Venkatachalam Chetti. | 25 Mr. K. Koti Reddi. |
| 11 Khan Bahadur Mahmud Schammad | 26 Rao Bahadur C. Natesa Mudaliyar. |
| Sahib Bahadur. | 27 Diwan Bahadur S. Ellappa Chettiyar. |
| 12 B. Pocker Sahib Bahadur. | 28 Mr. G. R. Premayya. |
| 13 Mr. M. A. Manikkavelu Nayakar. | 29 „ G. Simhaachalam Pantulu. |
| 14 „ Abdul Hameed Khan. | 30 Rao Sahib V. Dharmalingam Pillai. |
| 15 „ Basheer Ahmed Sayeed. | |

Noes.

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| 1 The Hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur. | 11 Mr. H. M. Hood. |
| 2 „ Diwan Bahadur Sir M. Krishnan Nayar. | 12 Diwan Bahadur N. Gopalaswami |
| 3 „ Sir Archibald Campbell. | Ayyangar. |
| 4 „ Sir Hopetoun Stokes. | 13 Mr. R. Madanagopal Nayudu. |
| 5 „ Diwan Bahadur S. Kumaraswami Reddiyar. | 14 „ E. Conran Smith. |
| 6 „ the Raja of Bobbili. | 15 „ T. Sundara Rao Nayudu. |
| 7 „ Mr. P. T. Raian | 16 Khan Sahib Syed Taj-ud-din Sahib |
| 8 Mrs. K. Alamelumangathayaramma. | Bahadur. |
| 9 Diwan Bahadur V. N. Viswanatha Rao. | 17 Mr. G. Sriramulu. |
| 10 Mr. J. A. Thorne. | 18 Rao Bahadur D. Krishnamurti. |
| | 19 Rao Sahib D. V. Narasimhaswami. |
| | 20 „ Pandit Ganala Ramamurti. |
| | 21 Mr. C. Basudev. |
| | 22 „ R. M. Palat. |

Ayes 30. Noes 22.

The motion was carried.

Mr. M. S. Sreshta's amendment was, by leave, withdrawn.

IV.—REPORT OF THE PUBLIC ACCOUNTS COMMITTEE FOR 1931-32.

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

'the Report of the Public Accounts Committee on the Appropriation Accounts of this Province and the Report of the Audit Officer thereon for the year 1931-32 be taken into consideration.'"

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

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Mr. BASHEER AHMED SAYEED:—"Sir, I beg to move the following amendment:—

'and on such consideration this Council is of opinion—

- (1) that with reference to paragraph 16 on pages 10 and 11 of the report the Chief Engineer's proposals should not be accepted for the reason among others that they are costly and involve wasteful methods;
- (2) that with reference to paragraph 19 on page 13 of the report there has been overbudgeting contrary to the Auditor-General's repeated warnings in respect of Kallars and under Grant XXVIII—Miscellaneous Departments—Transferred—Non-voted, and that no steps have been taken to surrender in time such heavy savings;
- (3) that with reference to paragraph 21 on page 16 of the report, action is called for against the officer or officers responsible for the expenditure on schemes of an experimental nature and of doubtful utility without reference to River Conservancy Works of proved necessity;
- (4) that with reference to paragraph 22 on pages 16 and 17 of the report the growth of irrigation under the Cauvery-Mettur Project cannot be adequately speeded up unless the reduction in the water-cess is so made as to take due note of the low level of prices of agricultural produce now prevailing; and
- (5) that with reference to paragraph 26 on pages 20 and 21 of the report the progress of reduction of charges on account of reduction of the Public Works Department establishment made in 1931-32 has not been visible and that the cost of establishment should always be subject to periodical examination with reference to works outlay alone and that the execution of works on the system of contracts by open tenders should be largely resorted to.'

"In the first instance, I shall confine my remarks to the first point. This item relates to the Pykara Hydro-Electric scheme. Originally it was the idea that the commercial system of accounting should be introduced as soon as this work was completed. In the course of the completion of the works, the Government of India decided to abolish the commercial system of accounting so far as they were concerned, and they intimated that in future they will not have any commercial system of accounting, and that the Government of Madras should make their own arrangements with regard to accounting and auditing of the Pykara Hydro-Electric Works. Even when the matter was placed before the Public Accounts Committee, the Government had already resolved by G.O. No. 373, Works, dated 14th February 1933, that the Pykara Hydro-Electric scheme should be deemed to be on the same footing as an irrigation project. According to the Madras Public

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Accounts Department Code, irrigation projects are classed as productive or unproductive according to the conditions laid down there. It is to the effect that an irrigation work for which capital accounts are kept should, until ten years after the date of the closure of the construction of the system, be classed as productive if the net revenue anticipated appears likely to repay on the expiry of that period, the annual interest charges on the capital invested including direct and indirect charges, arrears of simple interest calculated at 6 per cent in the case of works sanctioned on or after 1st August 1921. If it is not expected to yield that return, it would be classed as unproductive. This decision which has been endorsed by the majority of the Public Accounts Committee myself alone dissenting, has placed the Hydro-Electric scheme in a very unsatisfactory condition as I conceive it. What was originally thought to be a very productive scheme, need not be classed now on the same footing as an irrigation work. The principle involved in an irrigation work being classified as productive or unproductive work is a very liberal one. But I do not concede that the same liberal principle should be applied in the case of a commercial concern like the Hydro-Electric Works at Pykara. It is true, Sir, in most of the concerns that Government undertook in recent years, the Government have never been able to show that the enterprise has succeeded to the benefit of the tax-payer. In respect of several concerns, the commercial system of accounting has revealed that a very large number of Government enterprises has failed. Now, Sir, in order to test whether the amount invested on the Pykara Hydro-Electric scheme is really going to lead in the long run to any profit, as was assured when it was started, the best thing to do would be to subject it to the system of commercial accounting. The Government have decided that that should go; and I am sorry that the Public Accounts Committee also has agreed with that. Not merely that; the further question has arisen now—and that is the direct point involved in my amendment this evening—and that is: what is the system of accounting that the Government are now going to introduce? In the note prepared by the Public Works Department, they have proposed an elaborate system of accounting which they want to introduce. I think, Sir, even to this day—I speak subject to correction—they have not come to any decision as to what exactly should be the system to be introduced in regard to the Pykara Hydro-Electric scheme. Probably that question is still under consideration with the Auditor-General or the Accountant-General or some auditing department. Whatever that might be, my complaint is that the note placed before the Public Accounts Committee did not reveal what exactly would be the ultimate cost of the Government scheme to be introduced. They propose to appoint two or three officers for the purpose; and certainly that would involve extra cost to the Government. I submit, that if this cost, the amount of which is not disclosed, is going to be incurred by the Government in regard to the Pykara Hydro-Electric scheme, there is every possibility of the work itself not proving to be a productive one. Already the first step has been taken in declaring that this work should be placed on the same basis as an irrigation work; and per-

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haps the next step will be—God forbid!—that it would be declared as an unproductive work. Already the overhead charges have been very heavy and the proportion, if worked out, would be found to be beyond the necessities of the case. If now you are again going to introduce a system of accounting which will further add to the overhead charges, then necessarily the profit to be realized from the hydro-electric scheme will be very small. On that ground, Sir, I submit that this scheme should not be introduced. The scheme proposed by the engineer should not be accepted. Apart from that, Sir, if the original system which was intended to be applied to this work is to be given up now, there would be no means for the public to know whether this concern is a commercial concern and whether it is going to yield any profit or not. Therefore, the new scheme should not be applied in the case of a purely commercial concern like this. That is my submission with regard to the first item of my amendment.

“The next item is—

‘that with reference to paragraph 19 on page 13 of the report there has been overbudgeting contrary to the Auditor-General’s repeated warnings in respect of Kallars and under Grant XXVIII—Miscellaneous Departments—Transferred—Non-voted, and that no steps have been taken to surrender in time such heavy savings.’

This relates to a case where a large provision was made in the budget, with the knowledge of the actual state of work at the time. I mean that when the provision was made in respect of Kallars, the Government were already in possession of information that the loans that were outstanding had not been realized and that Government themselves had not taken steps to realize those loans. Knowing that and knowing the difficulties in the way of the realization of the loans from the Kallars, the Government provided a huge sum in the budget. In regard also to the other item, regarding Motor Vehicles Taxation Act, the Government were in possession of full information of the progress of collections and distribution; and they anticipated that there would be a large saving. In spite of that, they provided a very huge sum in the budget, out of which Rs. 22 odd lakhs remained undisposed of. Again, at the time of the revised estimates, the Government were in possession of information; and yet, as stated by the Accountant-General, the amount of Rs. 22.38 lakhs was not surrendered in time. The explanation given to the Public Accounts Committee was not satisfactory. The Government merely excused themselves by saying that by oversight the amount was not surrendered. I admit, Sir, by oversight the amount was not surrendered in time; but yet, when the Government knew that the collection under the Motor Vehicles Taxation Act was rather slow and not up to their expectations, why should they provide for such a huge sum in the budget? Such cases it is that contribute to overbudgeting. Sir, overbudgeting was the common practice some years ago, but now the Hon. the Finance Member should be congratulated, and his Secretary too, for having pruned the practice and used the scissors to see that there was no overbudgeting in expenditure. Still, Sir, we find such items coming up, which show overbudgeting. I appeal to the Government, Sir, to see that when they are

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in possession of information with regard to the gradual progress of the collection and distribution of taxes or the collection of loans, etc., the amounts are surrendered in proper time. Otherwise, instances like these will go far to retard the progress of other works. If these Rs. 25 lakhs for instance had been made available for Part II schemes, a number of them could have been carried out. Such overbudgeting under certain heads make the other heads lose the benefit of the available money. I therefore submit that the present practice, though it obtains only to a very small extent now, should be curtailed in the future.

“The third item of the amendment is—

‘that with reference to paragraph 21 on page 16 of the report, action is called for against the officer or officers responsible for the expenditure on schemes of an experimental nature and of doubtful utility without reference to River Conservancy Works of proved necessity.’

“This is referred to in paragraph 26 at page 51 of the Accountant-General's report which runs thus:—

‘... during the local inspection of a certain division by the Audit office, it was found that the expenditure incurred by that division on River Conservancy Works had increased considerably in 1929-30 and 1930-31, the expenditure in these years being about Rs. 5 lakhs and Rs. 6 lakhs respectively as compared with the expenditure on these works in the previous three years of Rs. 1.6 lakhs, 3 lakhs and 3.5 lakhs, respectively. The rapid rise in expenditure was brought to the special notice of the head of the department, who, after an inspection of the works, observed that there had been a tendency of late to go in for most costly protective works, that there was absolutely no justification for the high expenditure under plantations and miscellaneous works, that expenditure should be confined only to items of proved necessity without embarking on schemes of experimental nature and of doubtful utility and finally that the total annual expenditure on these works should be limited to about Rs. 2.5 lakhs.’

That was the note of the executive head of the department in respect of Rs. 5 or Rs. 6 lakhs which had been spent by the subordinate officers. In the note placed before the Public Accounts Committee, it was explained that this was done under certain circumstances; but all that I am concerned with is that the circumstances as explained to the Committee in justification of this large expenditure, do not leave me convinced. On the other hand, I think that if the officers took the responsibility of spending such huge sums on works of doubtful utility, and on works of no proved necessity, the Government should have taken action against those officers, and particularly when the head of the department had observed that such things ought not to have happened. The Government now explain that they have prescribed a certain limit for future years. Well and good; but the attitude of the Government in regard to the expenditure of these Rs. 5 or Rs. 6 lakhs is not the one that they really should have taken. If the Government are going to rest content with stating that for the future certain limits have been prescribed within which river conservancy works should be undertaken, it would not be a correct attitude on their part; nor would it in any way discourage similar cases in the future. I would therefore urge that action is called for by the Government in this particular instance; the Government note is silent on this point. Such cases do deserve some drastic action, so that they might be held out as examples to those irresponsible officers of the Public Works Department who do

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not even heed to the observations, the remarks and the instructions of the head of their department.

The next item of my amendment is—

‘that with reference to paragraph 22 on pages 16 and 17 of the report, the growth of irrigation under the Cauvery-Mettur Project cannot be adequately speeded up unless the reduction in the water-cess is so made as to take due note of the low level of prices of agricultural produce now prevailing.’

With regard to this item, Sir, the work is nearing completion and there has been a saving of about Rs. 75 lakhs—of course I speak subject to correction. The Government have been warned by the Accountant-General that if they extend the period of bringing the total area contemplated to be served by this project to twelve years, then proportionately, the return from the investment would also be reduced. The percentage of revenue return and the margin of productivity would come down from Rs. 7.49 and Rs. 99.46 lakhs to Rs. 6.75 and Rs. 57.23 lakhs respectively, calculated with reference to the revised revenue forecast. The Accountant-General further remarks that:

‘An increase in the period of growth of new irrigation from eight to twelve years has thus diminished the productivity of the project in spite of the increased annual revenue anticipated. In addition, therefore, to economies in construction and to the realization of the full anticipated revenue at the water-rates prescribed by Government, it is a matter of prime importance that the growth of irrigation is speeded up as much as possible and this will no doubt engage the attention of the Finance Department of the Local Government which is responsible for estimating and watching the revenue receipts of the project.’

All that the Government have proposed to do is to appoint a special officer to enquire into the present condition and also to go about making propaganda for bringing a more extended area under irrigation connected with the Cauvery-Mettur Project. That alone, I submit, Sir, will not be sufficient. Under the conditions now prevailing with regard to the project, they have no doubt saved about 75 lakhs from 5 p.m. the original revised estimate and there will not be any possibility to save any further. I think the economies will come to a dead stop with 75 lakhs or thereabouts. Now, according to the proposal of the Government, as explained by the note of the Public Works Department, they will reduce the present water-rate in proportion to the economies they have been able to make in the original estimate. I contend that that will not be adequate. That will not declare it a really productive and profit-yielding project. On the other hand, if they are not going to take into consideration the question of further reducing the water-rate in view of the present fall of prices, in view of the very large sum that they have invested and in view of the economies that are not going to be made hereafter, the project will have to be declared an unproductive one; and the period within which these three lakhs of acres would be brought under cultivation with the waters of the Cauvery-Mettur Project will have to be extended not to 12 years but even to 15 or 18 years. So, I submit, Sir, that in regard to this project, this reduction of water-rate will be so insufficient and insignificant as not to afford any great incentive to irrigation. The question of reducing the water-cess in consideration of the colossal fall in agricultural prices seems to have escaped the attention of the Government.

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It is not enough if they merely appoint a special officer to go into the question. On the other hand, I feel that this aspect cannot be ignored any further if the project is intended to earn any good profit at all. The present position of the project and the growth of irrigation thereunder, as revealed by the note of the Revenue Department, would call for an immediate examination of the question as to whether the percentage return fixed for productive works in general and for the Mettur project in particular should not be lowered in view of the changed conditions. Now, Sir, they have fixed 6 per cent as the unalterable figure as the yield from every project including the Cauvery-Mettur Project. That percentage was fixed years ago and that is being repeated in the case of every irrigation project, whether it be on a very large scale or a small scale. I consider that this is an old and antiquated system of calculation. Do the present circumstances justify that the rate of interest which is expected to be yielded on any project should be increased? No. The circumstances have so far changed that you cannot expect the 6 per cent return. Then the Government of India and the Secretary of State must be addressed on the question as to why this old system of 6 per cent should not be revised and the percentage reduced. Unless that is going to be done, I do not think the Cauvery-Mettur Project is going to be productive and if it is going to be declared an unproductive system, it will be a great loss to the public and also to the ratepayer and the calculations which were based on a return of 7.49 will not be realized and the large investment that has been made on the project would be declared as not yielding any return at all. I therefore suggest very strongly that the Government of Madras should address the Government of India and the Secretary of State as to why this 6 per cent should not be revised and a lower limit be not fixed, at least in the case of the Cauvery-Mettur Project taking into consideration the present circumstances and the discouraging features of the further growth of irrigation, particularly in view of the fall of prices all over the country.

"Then, Sir, the last item of my amendment refers to the Public Works Department and the relation of the cost of establishment to the total outlay, namely:

'that with reference to paragraph 26 on pages 20 and 21 of the report of the progress of reduction of charges on account of reduction of the Public Works Department establishment made in 1931-32 has not been visible and that the cost of establishment should always be subject to periodical examination with reference to works outlay alone and that the execution of works on the system of contracts by open tenders should be largely resorted to.'

"Sir, in our Province, as hon. Members perhaps know, the proportion of the cost of establishment to the total outlay is still very great. A committee was no doubt appointed to go into the question as to how economies could be effected and that committee is said to have made a report, which was placed at the disposal of the Public Accounts Committee also. Now, the Government in their note sought to justify our ratio on the ground that the ratio of the cost of establishment to the total outlay in the United Provinces, in the Punjab and in Bombay, was about 50 and 60 or 40 and 50. I submit, Sir, that ratio is not a safe guide; and

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how that ratio has been obtained was not made clear to the Public Accounts Committee. Anyhow, the fact that in other provinces the ratio has been higher and that we are keeping within 35 or 40 per cent should not be a consolation or justification. Besides, it was assured by the Government that the result of the recommendation of the Public Works Establishment Committee would be known only in the succeeding years. successive years have elapsed and Government are not in a position to say what exactly was the economy and how it occurred. It would therefore have been better for the Committee to have dealt with the question as to what the result of their recommendations would have been if they had been adopted.

"The Public Works Establishment Committee have admitted that the economic employment of the establishment requires careful examination by the Government. They say in one breath, there is not enough work for the Public Works establishment and if there is enough work they will be able to reduce the ratio of cost of establishment to the total outlay on works. At the same time, they say that the establishment could not be reduced. I have not brought the copy of the report. They say that the present establishment in the Public Works Department is the minimum and that it cannot be reduced. Honourable Members will realize that there is contradiction in terms. If this is the minimum of establishment, then there should be no possibility of any reduction. On the other hand, if there is less work for these officers and the establishment, it means there is some excess in the establishment and more hands have been entertained than are really necessary. If the minimum establishment is capable of spending much more than the amounts placed at their disposal, then it cannot be the real minimum and it must be capable of further reduction. The point as to efficiency is not intelligible either, when it is expected that there is not enough work for the establishment employed, on account of reduced expenditure. Thus, it is evident that the percentage of establishment charges is very high and should be capable of reduction to the absolute minimum.

"Now, Sir, there is one method of reducing the cost of establishment and its ratio to the total expenditure on works and that is commonly known as reducing the work directly done by the Public Works Department and getting all the work done under contract. If the Government would only pursue a policy of resorting in a larger measure to the system of doing every work through contract, there is the possibility of the ratio of cost being reduced. I suggest that the Government do take into consideration this aspect of the question with a view to reduce the cost of establishment. Government should put a stop to the practice of directly dealing with works, even supervision and the employment of coolies by themselves, etc. Unless there is absolute necessity of the work being carried out by the department directly, there should be no recourse to the department itself doing such work. I suggest that the Government should consider this point of view also and see that the cost of establishment is further reduced.

"Further, there is one other point involved in this. The Committee on the recommendation of the Government have accepted to the detriment of the taxpayer and of efficiency of the department itself, and

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to the lack of control by the public and the Legislative Council, the system of not relating the cost of establishment to the total works outlay. I consider that this is a pernicious decision. The very little control or the very little supervision that could be exercised by the person who pays the tax to the Government, is lost by the adoption of such a method. Unless and until we reduce the proportion of the cost of establishment to the actual expenditure on the works, it will not be possible to see whether any work has ended in any benefit to the taxpayer or ended in a loss to him. For instance, if out of Rs. 100 that is going to be invested in a small building, a sum of Rs. 35 or Rs. 40 is to be devoured by the person who supervises the work, it does not add to the benefit of the taxpayer who gets only 60 per cent out of the amount that he has to pay. If, on the other hand, the work could be done with 20 per cent and 80 per cent benefit goes to the taxpayer, it would certainly add to the benefit of the taxpayer and the public treasury. The decision of the majority of the Committee in this respect is not conducive either to the nation or to the interests of the public or even to the general taxpayer. I therefore suggest that the present practice should be continued and should not be given up however inconvenience it might be to the Public Works Department. The only reason I find, why this practice is sought to be given up is, that it is inconvenient to the Public Works Department, and that it comes under criticism very often from the public men and public press. Simply because, it is inconvenient to the Public Works Department and would put the department in an awkward hole, Government should not deny the public as to what exactly is the establishment charges on any scheme of work. I therefore submit that the present practice should not be given up and must be continued."

Mr. K. A. NACHIAPPA GOUNDER:—"I second it, Sir."

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p.m.

* The Hon. Sir HOPETOUN STOKES:—"Sir, the first point raised by my hon. Friend, Mr. Basheer Ahmed Sayeed, relates to the system of accounts maintained for the Pykara scheme. He is afraid that, if we adopt the proposals of the Chief Engineer for a separate system of accounts, we would have to incur additional expenditure. I understand his position is that it will prove very costly and will result in additional overhead charges, rendering the scheme no longer remunerative. Well, Sir, I may explain that, as a matter of fact, the proposals of the Chief Engineer have not been finally adopted. The matter is a very complicated one and is the subject of correspondence between ourselves and the Auditor-General as to how far the Auditor-General can undertake responsibility for anything other than the audit of expenditure. And at the moment we have arrived at a temporary arrangement for one year by which, as a sort of compromise, there is to be an auditor in control. The Accountant-General is to be in general charge and the existing staff is to be continued as a temporary measure until the final form or method of accounting is arrived at. My Friend, Mr. Basheer Ahmed, objected to the system of treating the Pykara scheme on the lines of an irrigation project. The orders passed, I think, have reference only to the period of construction. But the main question as to how we ultimately are going to account for the expenditure and receipts and provide for the calculation of profits, is still under consideration, and I can assure the hon. Member

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that the points that he has pressed on us will not be overlooked when the Government come to arrive at a final decision.

"The second point to which my hon. Friend draws attention is over-budgeting; he first refers in this connexion to the grant for Kallars and secondly to the failure of the Government, as he says, to issue timely orders to enable surrenders to be made in time. As regards the sum of money covered by the first point relating to the outstanding dues from the Kallars, he puts the figure at Rs. 2,63,000 as the allotment made. May I point out to him that the figure Rs. 2,63,000 includes over a lakh of rupees which has nothing to do with the Kallars but represents loans for the acquisition of house-sites for Adi-Dravidas? The actual amount of money which relates to the Kallar Co-operative Societies which is included in the figure of Rs. 2,63,000 is only Rs. 1,40,000. It is quite true that the heavy overdues of the Kallars had been noticed by the Government at least two years before, and special orders were passed to deal with that position. In October 1931, that is after the Budget for 1931-32 had been passed, the Commissioner of Labour was asked to take vigorous steps to collect these arrears and to submit quarterly statements of demand, collection and balance relating to these loans, so that Government might be kept informed of the position. But it was not until March 1932 that the Commissioner of Labour who controlled these loans (and not the Government) issued orders restricting the advances to Kallars in view of the poor collections. In subsequent years the Budget provision for Kallar grants has been considerably reduced owing to the very bad collections, and quite recently Government have called for an annual review of the position by the Commissioner of Labour in addition to the quarterly statements which had been prescribed. It is hoped that by these measures we shall have a more effective check in the matter of budgeting in respect of these loans and that we shall avoid over-budgeting.

"Then, the other point which my Friend, has taken exception to is that the Government did not issue timely orders to enable surrenders to be made in time. I already mentioned that the orders in question were issued by the Commissioner of Labour who controls these loans and not by the Government, and his orders were too late to be effective as regards over-budgeting. On the general question of over-budgeting, as the hon. Member is aware, the Finance Department have been taking special steps in the matter. It is quite true, as he pointed out—and I think I admitted it in one of my Budget speeches, probably for 1931-32—that it had existed and we were taking steps to correct it. The hon. Member, referring to this point, has asked 'Why is it allowed still to go on?' I am rather puzzled by that remark because this matter relates to the Budget of 1931-32 and not to the up-to-date Budget. Therefore he is now criticising the budgeting of a period before steps were taken to check over-budgeting and not the present period. He is entirely right when he says that over-budgeting should be checked in future, and I hope that the efforts that we are making and have made in that direction will have the desired effect.

"The third matter to which he has drawn attention is the expenditure relating to the Godavari conservancy. My Hon. Colleague, the

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Revenue Member will, with your permission, Sir, reply to that point as also to the points covering water-cess.

"That brings me then to the last point which my hon. Friend, dealt with, that is, the Public Works Establishment charges. There is one point in connexion with the Mettur Project to which my hon. Friend, drew attention, and that is the general question as to whether, in view of the falling interest rates, the standard figure of 6 per cent as representing the return from a good productive scheme should not be re-examined. As to that I have only to say that I am quite willing that we should go into that question. But it is not a matter which we can deal with ourselves as we have to address the Government of India about it. The existing rate of 6 per cent was fixed in 1921-22, by the Secretary of State. It was suggested in 1927, when there was a conference of financial representatives that the rate should be reduced to about 5 per cent. But at that time the Government of India intimated that they had examined the question of reducing the existing rate with reference to the trend of the rate of interest at which they themselves could borrow and came to the conclusion that the standard of productivity could not at present be reduced. That is what they said in 1927. The rate of interest on the Government of India's borrowings at the present time, the effective rate, is about $4\frac{1}{4}$ now, as it was in 1927 also, so that it is rather doubtful whether they would reconsider their former decision. But, as I said, I am willing to consider the question on my hon. Friend's suggestion and see whether we are likely to derive any benefit by taking up the matter with them.

"Then, the last point my hon. Friend raised was about the Public Works Establishment charges. He attacked the Public Works Committee with, may I say, considerable effect. The position, as already stated, I think, is that we have in the past three years effected very considerable reductions in the amount of works expenditure. Under the Irrigation Department it has gone down from about Rs. 73 lakhs in 1930-31, to about Rs. 59 lakhs in 1932-33. Under Civil Works, Roads and Buildings, it has gone down from nearly Rs. 87 lakhs to Rs. 51 lakhs during the same period. The result of that is that the establishment charges in the same period under Irrigation have gone down from Rs. 21 lakhs to Rs. 20 lakhs and under Civil Works it has gone down from Rs. 22½ lakhs to roughly Rs. 15½ lakhs. So that, we have made a considerable reduction in the establishment charges. But the point I want to stress is, that it is much easier to reduce works expenditure than it is to reduce establishment charges. If you take the figures for 1932-33, and compare the establishment charges of Rs. 15½ lakhs with the works outlay of Rs. 51 lakhs for the same period, we still have 31 per cent as compared with 29 and 26 in the previous years. There must inevitably be a lag between the rate at which you get rid of your establishment and the rate at which you reduce your expenditure. Another point which I think has to be borne in mind is that there is always a certain irreducible minimum of work to be done for which a certain minimum of establishment is necessary. What exactly that minimum is it is very difficult to say. The Public Works Committee

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thought that the existing establishment was the minimum and they went further and said, I think, that it was scarcely worth while to go into the question at all. On that may I say that there is room for further examination, and I think that was in effect the view of the Public Accounts Committee. In my opinion, although it is not possible to base the staff solely on the outlay, this has to be regarded as an important factor. And when the financial conditions become a bit more stable, that is to say, when we may hope that we shall cease to be compelled to effect these drastic cuts in expenditure, I hope it will be possible to relate more satisfactorily the cost of establishment to the works expenditure. I can assure the hon. Member that we shall not lose sight of the desirability of observing as far as possible a relation of that kind."

* The Hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, the first point with which I have to deal is the question of the expenditure on conservancy works in Godavari. Previous to 1921 there was a special conservancy division in charge of these works. As a measure of retrenchment that division was abolished in 1921, but it was found necessary to revive it again in 1927. Previous to the abolition, the expenditure every year usually exceeded 2 lakhs. In 1920-21 the expenditure was Rs. 2,37,000. After the abolition the annual expenditure fell very materially and was generally a little over a lakh, and in 1924-25 it was as low as Rs. 84,000.

"The result was that the works fell into a bad state of repair. For want of funds no permanent protective works were done but only temporary works during high floods to tide over the margins. Considerable leeway had to be made after the revival of the division in 1927 and during the next four years, 3½, 5 and 6 lakhs respectively were spent. The Chief Engineer inspected the works in December 1931 and then made the remarks quoted by the Accountant-General that the expenditure had gone up considerably. He expressed the view that the total expenditure should not be allowed to exceed 3 lakhs, and that it should be nearer 2½ than 3 lakhs. Taking the ten years 1921 to 1931, I find that the total expenditure in the ten years was 25 lakhs, i.e., just 2½ lakhs a year. The expenditure taken as a whole has therefore not been unduly high even according to the views of the late Chief Engineer. Recently in October last there were floods in Godavari, a considerable quantity of sand was deposited in front of the main sluices in the Godavari Eastern delta so that the river water was completely cut off from the head sluices. The only way in which the local officers were able to divert water to the eastern delta was through the scouring sluices at the eastern end of the anicut. Anyone who has seen the sand shoal would realize what an extremely dangerous situation had resulted from its formation. It would have been a very serious matter if water had been completely cut off, as it nearly was, from the whole of the eastern delta. By the time I went there in January, a small channel had been dug to connect the head-sluices with the main river and steps were being taken to clear a larger channel. That may form some palliative for the time being. Naturally I asked what was the reason for such a thing happening now as it never happened before and the answer was the cause was the neglect of the work of conservancy between the

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Rajahmundry bridge and the Dowleshweram anicut owing to retrenchment. The results of the retrenchment have been very serious as we now see and I feel the engineers were fully justified in taking what measures they could to overcome the unwise economies in the past.

"As regards the rates of water-cess in the Mettur area in Tanjore district the hon. Member seems to think that the Government had not taken into consideration the present low prices. I can assure the hon. Member that we have very carefully considered this point and will also consider it when the question of the permanent reduction in the water-rates owing to reduction in the cost of the Mettur Project is taken into consideration. We have already provided in the rules which have been published for considerable reduction in the water-cess during this year and next year. The rates, generally speaking, are one-third of what we might call the standard rates for Mettur this year. These are subject to the general suspension of $12\frac{1}{2}$ per cent on account of the present economic situation. Up to the end of December 1933 the new area under cultivation amounted to 29,560 acres against the forecast of 32,000 for the first crop. The second crop amounted to 2,000 acres in addition. I think, Sir, it may be said that we have done very well this year considering the low prices and the opposition that was organized against the scheme. As regards the future we have asked the Board of Revenue to submit definite recommendations as to the rates of water-cess which should be charged in the next two faslis and directed that they should give very careful consideration to the prevailing prices. I may mention that I had a conference at Mettur myself last October on this question and it was then very carefully considered with special reference to low prices."

MR. BASEER AHMED SAYEED:—"If it is the wish of the Hon. the Finance Member and the Hon. the Revenue Member and since I think the general belief is that the purpose of this amendment has been served I may not press the amendment."

The amendment was by leave withdrawn.

The Hon. the Finance Member's motion was put and carried.

* The Hon. the PRESIDENT:—"The House will now adjourn and meet again on Friday the 23rd at 11 a.m."

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

^a 1. G.O. No. 400, L. & M., dated 22nd January 1934, extending the term of members of certain panchayats.

^b 2. G.O. No. 33, Development, dated 9th January 1934, recording the Audit Report on the Accounts of the Government Industrial Engineering Workshops, Madras.

^c 3. G.O. No. 61 L., dated 6th January 1934, abandoning the Mellavagu project, Guntur.

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

^a Published in the Fort St. George Gazette.

^b Printed separately.

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

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APPENDIX I.

[Vide answer to question No. 645 asked by A. M. Ahmed Meeran Sahib Bahadur at the meeting of the Legislative Council held on the 21st February 1934, page 13 supra.]

Answer to clauses (a), (b) and (c).

	Cadre of Superintendents.	Cadre of upper division clerks.	Cadre of lower division clerks.
(a) Number of leave vacancies in 1933..	6	19	8
	Y. M. D.	Y. M. D.	Y. M. D.
	(1) 0 3 0	(1) 0 3 14	(1) 0 4 0
	(2) 0 2 1	(2) 0 1 28	(2) 0 6 0
	(3) 0 0 18	(3) 0 0 18	(3) 0 1 21
	(4) 0 1 15	(4) 0 0 15	(4) 0 4 0
	(5) 0 0 13	(5) 0 1 1	(5) 0 1 12
	(6) 0 1 18	(6) 0 4 0	(6) 0 1 0
		(7) 0 0 3	(7) 0 0 24
		(8) 0 0 10	(8) 0 1 4
		(9) 0 1 23	
(b) Duration of the vacancies		(10) 0 0 12	
		(11) 0 1 0	
		(12) 0 1 12	
		(13) 0 0 17	
		(14) 0 1 8	
		(15) 0 0 10	
		(16) 0 4 18	
		(17) 0 2 29	
		(18) 0 0 10	
		(19) 0 0 21	
(c) Number of vacancies in which—			
(i) Upper division clerks were appointed to act as Superintendents.	6		
(ii) Lower division clerks were appointed to act as upper division clerks.	1		(Appointed in a vacancy resulting from the promotion of an upper division clerk as a Superintendent.)
(iii) Outsiders in the list published by the Madras Services Commission were appointed as direct recruits—			
(1) to act as upper division clerks.	Nil.		
(2) to act as lower division clerks.	3		

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APPENDIX II.

[Vide answer to question No. 647 asked by Mr. G. Simhachalam Pantulu at the meeting of the Legislative Council held on the 21st February 1934, page 14 supra,]

Letter from the Executive Engineer, Kistna Western Division, to the Superintending Engineer, Bezwada Circle, dated 20th December 1933, No. 776-S.E.

[Drains—Kistna Western delta—Bapatla taluk—Legislative Council question.]

The area liable to submersion in the taluk of Bapatla (the portion between Bapatla and Tenali) can for the purposes of drainage be divided into two basins, viz. (1) Kollimerla basin and (2) the Appikatlā basin:—

(1) *Kollimerla basin*.—This comprises of the area between Comma-mur canal and the Steels channel on the north and the west, Ramanappa channel and its branches and the Etheru channel on the south, and Srirangapuram channel on the east. The villages affected in this basin are (a) Vallabharaopalem, (b) Upparapalem, (c) Nandur and (d) Bodipalem. This basin covers an extent of about 50 square miles and is flooded by the Kollimerla drain which receives drainage through the Jupudi and Doppalapudi affluents on the left, the Pandrapad affluent, the Dundugalmetta and Chundurupalli drains on the right. During times of abnormally heavy rainfall, the villages of Vallabharaopalem, Upparapalem and Nandur, being low in level, are mostly subject to severe submersion.

(2) *Appikatlā basin*.—This comprises of the area bounded by the new Valicherla channel in the west, Ramanappa channel and its branches, and Ethuru channel on the north, Tungabhadra drain on the east and the Nallamada drain on the south and covers an extent of about 16 square miles. The villages affected are (a) Appikatlā and (b) Nereduballi. This area is submerged in the floods of the Marripudi drain and the Appikatlā drain, the latter served by two minor drains, viz., (1) the Inagarthipad drain and (2) Gopapuram affluent.

The drains in the Kollimerla basin have been functioning satisfactorily except in the lower reach of the Kollimerla drain from 4/5 to 10/6 (at Guntur-Bapatla road crossing) which has a very meandering course. It is proposed to straighten the course in this reach, and necessary plans and estimates have been prepared and submitted to the Superintending Engineer. The execution of this straight cut will afford considerable relief to the lands now affected by submersion. In the years 1931, 1932 and 1933 repairs to an extent of nearly Rs. 3,000 have been annually carried out for removing shoals and easing the curves for free discharge of the drainage in the Kollimerla drain.

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The drains in the Appikatlā basin are in an efficient condition and are functioning satisfactorily. There seem to be no complaints of submersion in this area in years of normal rainfall. Silt clearance, was done in the year 1932 in Appikatlā, Inagarthipad and Marripudi drains for Rs. 1,100, Rs. 700 and Rs. 300, respectively.

A statement showing the remissions granted in these villages during the last three years is appended. The remission granted were greatest in the year 1931, as in this year there were abnormal rains.

General.—These drains fall into the old course of the Nallamada drain below the point of diversion which joins the Tungabhadra drain. There is scope for improving the drainage facilities in this area by removing bends and excavating straight cuts wherever necessary for the Tungabhadra drain below the Railway bridge and below the Allur straight cut. The course below the Allur straight cut up to its infall into the Salt Creek below Nizampatam Lock is further blocked up by Forest growth on either side, and it is essential to remove this obstruction. The Forest Department have permitted us to do the clearing and estimate is under preparation.

Appendix.

Statement showing the remissions of land revenue granted on account of excess or deficiency of water, during the last three years in the portion between Bapatla and Tenali.

Names of villages. (1)	Years and amounts remitted.					
	1930.		1931.		1932.	
	(2)		(3)		(4)	
	RS.	A. P.	RS.	A. P.	RS.	A. P.
Vadlamudi	5	12 0	..	..	..	..
Mannava	23	7 0	..	..	..	..
Vallabharaopalem	844	0 0	1,586	14 0	374	14 0
Upparapalem	22	15 0	261	8 0	11	4 0
Nandur	344	4 0	565	2 0	310	8 0
Bodipalem	53	3 0	91	1 0	112	15 0
Garikipad	..	..	143	11 0	138	2 0
Etheru	..	..	66	9 0	..	..
Neredupalli	..	..	342	12 0	..	..
Appikatlā	..	..	132	5 0	..	..
Gopapuram	..	..	..	..	10	13 0

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APPENDIX III.

[Vide answer to question No. 648 asked by A. M. Ahmed Meeran Sahib Bahadur at the meeting of the Legislative Council held on the 21st February 1934, page 15 supra.]

(1)

Statement showing contribution realized for repairs to minor irrigation works during 1930-31.

District.	Approximate value of work performed on irrigation works by customary labour.	Amount of contribution in lieu of labour levied under section 6 of Act I of 1858.	Voluntary contributions towards repairs to irrigation works executed by the Revenue or the Public Works Department.	
			In labour.	In money.
(1)	(2)	(3)	(4)	(5)
	RS.	RS.	RS.	RS.
Vizagapatam	1,443	..	26	..
Godavari, East	322	..	..	1,234
Godavari, West	525	280	..	..
Kistna	..	175	..	2,137
Guntur	..	2,252	..	..
Nellore	1,586	2,569	..	..
Cuddapah	2,408	1,030	..	..
Anantapur	3,058	2,021	..	1,303
Bellary	..	636	..	..
Kurnool	..	2,856	..	..
Chingleput	23,530	13,316	..	..
Chittoor	31,971	223	2,917	1,532
North Arcot	54,868	7,022	..	..
South Arcot	26,277	9,035	..	3,668
Tanjore	4,47,844	100	586	..
Trichinopoly	7,446	5,051	..	289
Madura	..	9,089	..	..
Ramnad	1,177	..	..	..
Tinnevelly	664	125	..	96
Salem	7,120	4,984	428	..
Coimbatore	..	5,033	..	..

Statement showing contribution realized for repairs to minor irrigation works during 1931-32.

Vizagapatam	1,940	..	..	..
Godavari, East	..	..	..	111
Godavari, West	..	550	..	..
Guntur	..	356	..	..
Nellore	1,079	936	..	..
Cuddapah	2,862	2,578	..	..
Anantapur	2,025	1,620	..	1,711
Bellary	..	89	..	..
Kurnool	..	1,253	..	..
Chingleput	14,138	4,995	..	..
Chittoor	39,688	886	100	2,818
North Arcot	56,853	3,808	2,795	..
South Arcot	22,083	9,386	..	139
Tanjore	38,329	..	..	..
Trichinopoly	5,363	4,610	..	..
Madura	705	6,854	..	..
Ramnad	928	..	..	..
Tinnevelly	4,140	1,297	..	..
Coimbatore	..	7,441	..	..
Salem	2,458	1,848	737	..

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(2)

Statement showing expenditure on minor irrigation works during 1930-31 and 1931-32.

District.	Expenditure on works in		District.	Expenditure on works in	
	1930-31.	1931-32.		1930-31.	1931-32.
	RS.	RS.		RS.	RS.
Ganjam	62,525	66,364	North Arcot	1,09,520	1,90,497
Vizagapatam	54,516	45,571	South Arcot	1,37,861	1,58,771
Godavari, East	63,874	62,887	Tanjore	53,935	41,738
Godavari, West	28,511	29,047	Trichinopoly	71,901	61,816
Kistna	23,702	10,929	Madura	84,055	66,281
Guntur	51,405	55,350	Ramnad	73,999	72,000
Nellore	37,329	46,836	Tinnevelly	91,637	71,122
Cuddapah	72,970	51,792	Coimbatore	10,285	23,551
Anantapur	59,404	53,197	Salem	90,992	61,315
Bellary	16,401	22,839	Malabar	55	55
Kurnool	31,962	18,932			
Madras	2,492	50	Total	13,57,961	14,28,121
Chingleput	86,618	1,44,195			
Chittoor	42,012	72,986			

APPENDIX IV.

[Vide answer to question No. 650 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 21st February 1934, page 18 supra.]

Resolutions passed at the Conference of landholders of South Kanara held at Puttur on 3rd December 1933.

I. "That this Conference expresses its keen regret that at a time when there is such unprecedented economic distress, privation and misery prevailing amongst the agriculturists of this district the Government should, in spite of all representations, be still persisting in introducing resettlement in this district.

"This Conference earnestly appeals to Government to drop all further resettlement operations in the district until the present distress is well-tided over and the principles of Land Revenue and Settlement are put on a statutory basis by the new legislatures which are shortly to come into being."

Proposed by Dr. K. Vittal Shetty, seconded by Mr. Shankernarayana Rao and supported by Mr. K. S. Adiga and Mr. Kasaragod Narasinga Nayak.

The resolution was put to vote and was carried unanimously.

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II. "That the present prices of rice which is the main agricultural produce of this district, are below even the commutation rate at the last settlement whilst the standard and cost of life and taxes in various shapes have gone up very much since the introduction of the last settlement. The whole basis of the settlement has altogether failed in its practical application to the conditions now prevailing with the result that it has become impossible to pay the existing assessment in its entirety. This Conference therefore requests Government to remit at least 25 per cent of the assessment in the district in the current year failing which bankruptcy of the agriculturists is inevitable."

Proposed by Mr. Dharmasthal Manjaya Hegde, seconded by Mr. Mahmud Schammad, M.L.C., supported by Mr. Colkeri Krishna Rao and Mr. Achinadka Nagappaya.

The resolution was put to vote and was carried unanimously.

III. "That whilst most civilized Governments are making herculean efforts to counteract the evil effects of the present depression, particularly amongst the agriculturist classes, by various means such as extension of credit, granting of subsidies, retrenchment in salaries and establishments and fixation of exchange, this Conference is pained and surprised to find that the Indian and the Provincial Governments are making no serious attempts whatever to do any of these things. Their main concern appears to be the collection of revenue at all costs whilst the Government's leech-like policy to the ratio of 1s. 6d. has gravely accentuated the present distress. This Conference, therefore, requests the Governments, Indian and Provincial, to take up the problems seriously and undertake real ameliorative measures and give immediate relief to the agriculturists."

Proposed by Mr. K. R. Achar and seconded by Mr. U. C. S. Bhatt, M.L.C.

The resolution was put to vote and was carried unanimously.

IV. "(a) That this Conference wholeheartedly supports the memorandum recently submitted by the Secretary of the Association to the Hon. the Law Member on the withdrawal of the forest concessions in the district and submits to Government that it is entirely erroneous to call the rights in question 'concessions.' They are really the immemorial rights and privileges of the landholders of this district. The Conference therefore most emphatically submits that any infringement of the said rights will make cultivation in this district practically impossible. Whilst deploring the recent withdrawal of the 'concessions' in some of the reserves and the threatened withdrawal in others this Conference requests Government to cancel the order of withdrawal at once.

"(b) This Conference views with alarm the attempts by the Forest Department to afforest fresh reserves near highly cultivated areas round about the village of Puncheda in the Puttur taluk. The

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Conference requests Government not to create fresh reserves in the district. On the other hand it requests Government to disafforest the coastal reserves and make lands available for cultivation to the increasing population of the coastal parts of the district.

"(c) This Conference desires to bring to the notice of the Government that great hardship is being caused to the ryots residing in the vicinity of the reserve forests of this district by entirely closing the reserves for grazing in case of accidental fires to the reserves for which the ryots are not responsible and by charging rent for channel water flowing from the reserves to lands under cultivation.

"(d) This Conference submits to Government that on account of the increasing density and forest growth in the reserves, the areas available for grazing are becoming less and less. This Conference submits that the cattle in this district, particularly bovine, are small and puny compared with the cattle of the East Coast districts. The grazing fees on the large number of cattle kept by a ryot mostly for purposes of manure or cultivation fall very heavily on the poor ryots. This Conference therefore requests Government to cancel the fees and make grazing totally free or at least to charge nominal fees.

"(e) This Conference views with grave concern the solicitude of Government to preserve wild life in the province which in this district at any rate is causing irreparable hardship, loss and misery to human life, cattle and crops of the cultivators of the district."

Proposed by Mr. J. A. Saldanha, ex-M.L.C., seconded by Reverend Father Siqueira, and supported by Mr. Brahmavar Thimmanachar, Mr. Bellare Narayana Sheka, and Mr. Kilar Ramachandraya.

The resolution was put to vote and was carried unanimously.

V. "(a) This Conference requests the Members of the Legislative Council of the district to introduce a Bill in the Legislative Council to facilitate the easy collection of rents from tenants as the remedy of civil litigation is extremely tardy and ruinous to the landlord and the tenant.

"(b) This Conference requests the Members of the Legislative Council of the district and the President of this Conference to do their best in the matter of the above resolutions."

Proposed by Mr. Kasaragod Narsing Nayak and seconded by Mr. N. S. Krishna Rao.

The resolution was put to vote and was carried unanimously.

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APPENDIX V.

[Vide answer to question No. 656 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 21st February 1934, page 21 supra.]

General Fund (Ordinary).

Name of taluk board.	Opening balance.	Receipts.	Expenditure.	or Surplus deficit.	Amount transferred to Capital Ac- counts.	Closing balance.	
	RS.	RS.	RS.	RS.	RS.	RS.	
Anantapur—							
1 Gooty	18,185	14,540	23,025	—	8,485	1,000	8,700
2 Kalyandrug ..	—	3,209	4,910	—	2,760	..	5,969
3 Dharmavaram ..	—	3,877	4,271	—	6,899	..	3,022
4 Kadiri	—	237	8,723	—	947	..	1,184
5 Hindupur ..	—	1,308	12,032	—	1,180	..	128
6 Madakasira ..	—	1,792	4,422	—	5,504	..	7,296
Arcot, North—							
7 Gudiyattam ..	2,220	12,700	15,690	—	2,990	230	1,000
8 Vellore	—	190	6,170	—	3,920	2,090	6,200
9 Cheyyar	—	2,640	12,830	—	1,130	Nil.	2,120
10 Tirupattur ..	—	1,920	12,190	—	2,530	80	4,530
11 Arni	—	310	5,780	—	4,510	200	5,020
12 Wandiwash ..	2,140	11,720	11,900	—	180	1,250	710
Arcot, South—							
13 Gingee	840	17,660	17,960	—	300	..	540
Bellary—							
14 Adoni	—	300	15,410	—	5,490	..	5,790
15 Alur	—	2,230	13,200	—	1,350	..	880
16 Bellary	—	8,818	11,650	—	1,390	..	10,208
17 Kudligi	—	155	2,270	—	6,665	..	6,820
Chingleput—							
18 Tiruvallur ..	3,000	23,900	25,170	—	1,270	Nil.	1,730
19 Sriperumbudur.	400	13,430	13,440	—	10	Nil.	390
20 Saidapet	—	3,110	19,390	—	2,260	2,200	3,050
Chittoor—							
21 Vayalpad	1,450	15,020	15,780	—	760	..	690
22 Chandragiri ..	19,320	13,430	15,070	—	1,640	3,590	14,090
Coimbatore—							
23 Bhavani	9,819	21,030	27,090	—	6,060	3,100	659
24 Pollachi	8,822	26,190	29,170	—	2,980	200	5,642
25 Udamalpet ..	2,300	11,130	12,510	—	1,380	..	920
26 Kollegal	2,335	14,310	16,170	—	1,860	..	475
Cuddapah—							
27 Jammalamadugu.	5,854	16,710	20,580	—	3,870	1,000	984
28 Rajampet	6,149	9,720	11,690	—	1,970	..	4,179
29 Siddhavattam.	3,217	5,970	7,970	—	2,000	..	1,217
30 Proddatur	6,019	15,605	16,530	—	925	350	4,744
31 Cuddapah	5,085	19,105	22,745	—	3,640	..	1,445
Ganjam—							
32 Goomsur	9,210	11,490	15,190	—	3,700	Nil.	5,510
Godavari, East—							
33 Rajahmundry ..	8,062	27,200	28,180	—	980	3,000	4,082
Godavari, West—							
34 Narasapur	6,768	12,543	23,270	—	10,727	6,256	10,215
Guntur—							
35 Vinukonda	—	535	4,234	—	12,383	—	8,684
36 Gurzala	—	9,123	12,860	—	17,290	—	13,553
37 Narasaraopet ..	—	5,796	19,040	—	18,980	+	6,386
38 Tenali	—	18,655	31,780	—	36,370	—	5,145
39 Repalle	—	19,330	18,570	—	24,600	—	800
Kanara, South—							
40 Kasaragod	—	365	34,360	—	24,650	9,710	335
Kistna—							
41 Bezwada	15,788	34,039	34,676	—	637	6,630	8,521
42 Nandigama	1,165	21,990	22,450	—	460	Nil.	705

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General Fund (Ordinary)—cont.

Name of taluk board.	Opening balance.	Receipts.	Expenditure.	or Surplus deficit.	Amount trans- ferred to Capital Ac- counts.	Closing balance.
	RS.	RS.	RS.	RS.	RS.	RS.
Kurnool—						
43 Pattikonda ..	2,210	10,195	12,020	—	1,825	385
44 Dhone ..	3,870	8,500	10,150	—	1,650	2,220
45 Koilkuntla ..	10,590	15,600	20,530	—	4,930	5,660
46 Sirvel ..	4,850	16,970	17,560	—	596	4,260
47 Markapur ..	— 8,780	9,420	10,460	—	1,040	— 9,820
48 Cumbum ..	— 24,180	7,500	12,560	—	5,060	— 29,240
49 Kurnool ..	6,340	17,390	18,450	—	1,060	4,880
Madura—						
50 Dindigul ..	15,945	42,550	46,900	—	4,350	5,345
51 Madura ..	15,489	39,140	43,120	—	3,980	4,873
52 Periyakulam ..	20,960	35,200	43,580	—	8,380	8,380
53 Tirumangalam.	19,000	34,810	36,900	—	2,090	12,710
Malabar—						
54 Chirakkal ..	5,600	28,460	33,200	—	4,740	40
55 Kottayam ..	2,270	14,520	14,850	—	330	1,840
Nellore—						
56 Darsi ..	2,810	8,070	8,370	—	300	2,510
57 Podili ..	1,720	5,460	7,930	—	2,470	750
58 Kanigiri ..	4,850	8,440	10,060	—	1,620	3,230
59 Kandukur ..	8,283	15,750	15,930	—	180	6,953
60 Udayagiri ..	4,300	5,820	8,950	—	3,130	230
61 Atmakur ..	1,852	13,370	16,860	—	3,490	1,638
62 Nellore ..	4,760	24,330	26,480	—	2,150	1,990
63 Rapur ..	2,000	10,490	9,970	+	520	1,480
64 Venkatagiri ..	2,476	6,790	8,550	—	1,760	716
65 Gudur ..	3,430	13,930	16,740	—	2,810	620
66 Sulerpet ..	2,950	13,740	15,870	—	2,130	820
Ramnad—						
67 Srivilliputtur ..	4,300	32,220	32,230	—	10	2,910
68 Aruppukkottai.	18,850	14,845	19,610	—	4,765	3,895
69 Ramnad ..	20,910	28,054	36,380	—	8,326	1,884
70 Sivaganga ..	19,415	44,250	57,430	—	13,180	2,235
71 Tirupattur ..	17,380	51,470	60,610	—	9,140	6,170
Salem—						
72 Hosur ..	8,634	15,695	20,755	—	5,060	3,574
73 Krishnagiri ..	7,695	17,630	20,700	—	3,070	4,625
74 Dharmapuri ..	2,290	18,520	19,080	—	560	1,730
75 Harur ..	1,345	11,228	12,155	—	927	418
76 Omalur ..	7,780	9,680	15,370	—	5,690	2,090
77 Attur ..	9,530	12,001	15,580	—	3,579	3,451
78 Tiruchengodu ..	7,650	20,790	27,210	—	6,420	1,230
Tanjore—						
79 Papanasam ..	3,490	38,660	39,290	—	630	1,470
80 Nannilam ..	7,260	40,700	43,660	—	2,960	1,800
81 Negapatam ..	9,230	36,480	40,150	—	3,670	4,380
82 Mannargudi ..	7,560	17,840	22,430	—	4,590	1,520
83 Tiruturaipundi.	7,610	15,900	22,320	—	6,420	1,190
84 Pattukkottai ..	16,000	30,260	36,850	—	6,590	8,410
Tinnevely—						
85 Sankarankoyil..	20,559	24,410	27,650	—	3,240	9,219
Trichinopoly—						
86 Karur ..	16,010	26,790	26,850	—	60	1,950
87 Kulittalai ..	17,360	24,150	38,270	—	14,120	1,140
88 Musiri ..	— 960	26,070	30,360	—	4,290	— 5,250
89 Perambalur ..	1,410	12,750	13,350	—	600	810
90 Trichinopoly ..	1,030	24,740	24,960	—	220	810
Vizagapatam—						
91 Vizianagram ..	3,230	24,685	26,914	—	2,229	1,001
92 Palkonda ..	5,040	34,332	38,332	—	4,010	1,030
93 Salur ..	1,960	10,890	16,320	—	5,430	7,390

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II. Elementary Education Fund.

Name of taluk board.	Opening balance.	Receipts.	Charges.	Closing balance.
	RS.	RS.	RS.	RS.
1 Punganur	2,510	27,680	28,530	1,660
2 Rajampet	4,436	24,980	25,940	3,476
3 Kovur	Figures not given.	56,910	59,430	Not known.
4 Palmaner	3,750	17,324	18,380	2,694
5 Puttur (Chittoor district) ..	3,460	18,848	21,150	1,158
6 Tiruttani	3,430	19,736	23,610	444
7 Darsi	380	13,807	15,330	1,143
8 Kavali	455	22,875	23,550	220
9 Kumbakonam	340	44,420	44,740	20
10 Sankarankoil	11,431	43,430	44,300	10,561
11 Markapur	Figures not given.	27,480	28,690	Not known.
12 Chittoor	3,060	58,054	60,520	594
13 Polur	5,090	50,300	52,180	3,210
14 Mannargudi	11,450	33,650	40,630	4,470
15 Kalahasti	6,750	13,470	13,950	6,270
16 Madanapalli	3,360	37,460	38,200	2,620
17 Kurnool	1,570	39,372	39,600	1,342
18 Tanjore	2,850	87,787	89,690	947
19 Chingleput	11,620	44,070	52,290	3,400
20 Shiyali	1,011	19,614	20,366	259
21 Mayavaram	1,241	39,662	40,903	..
22 Tindivanam	630	63,371	63,500	50
23 Palladam	4,263	57,230	61,310	183
24 The Nilgiris District Board.	1,448	25,815	56,260	1,003
25 Udupi	5,680	71,820	77,500	..
26 Kurumbranad	11,160	96,260	1,02,540	4,880
27 Calicut	6,580	79,550	82,590	3,540
28 Kallakurchi	8,000	63,480	67,250	4,230
29 Vayalpad	1,660	32,930	38,700	4,100
30 Perambalur	2,301	54,870	56,250	921
31 Gobichettipalayam	1,646	63,570	64,400	816
32 Chipurupalle	2,008	23,635	32,021	10,394
33 Vizianagram	3,872	43,943	63,705	23,634
34 Hindupur	11,583	31,150	36,170	6,563
35 Bandar	6,700	1,18,730	1,20,100	5,330
36 Gudur	660	16,910	17,380	190
37 Tadepalligudem	1,217	53,760	53,850	1,127
38 Tanuku	31,984	66,400	77,380	21,004
39 Ramachandrapuram	5,567	1,44,370	1,50,920	983
40 Guntur	14,932	55,260	65,500	4,692
41 Venukonda	4,058	21,830	25,448	3,560
42 Tiruppattar	2,200	65,100	66,180	1,120
43 Repalle	40,947	54,100	56,300	38,747
44 Lalgudi	3,440	54,650	56,610	1,480
45 Omalur	..	55,650	61,350	..
46 Bobbili	1,120	29,990	43,880	5,010
47 Salur	1,050	16,350	17,650	2,350
48 Rayadrug	20	7,810	15,920	8,090
49 Chandragiri	8,900	22,410	22,630	8,680
50 Bezwada	15,640	74,120	87,520	2,240

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APPENDIX VI.

[Vide answer to question No. 658 asked by Mr. P. V. Krishnayya Choudari at the meeting of the Legislative Council held on the 21st February 1934, page 23 supra.]

Ordinary toll receipts (gross) for the five years ending 1930-31.

(Figures taken from the General Reviews.)

(1)	Government.	Local boards.	Municipalities.
	(2)	(3)	(4)
	RS.	RS.	RS.
1926-27	82,704	33,59,642	18,25,395
1927-28	92,267	34,68,465	19,20,013
1928-29	3,78,844	37,13,363	19,93,334
1929-30	3,36,683	43,16,148	21,71,518
1930-31	3,02,560	40,37,515	20,51,910

* Information regarding toll receipts in respect of Forest roads in the Presidency is not included and has been called for.

APPENDIX VII.

[Vide answer to question No. 662 asked by S. M. K. Beyabani Sahib Bahadur at the meeting of the Legislative Council held on the 21st February 1934, page 25 supra.]

Statement.

Name of District Educational Council.	* Total number of members.	Hindus.	Christians.	Muslims.	Others.	Seats vacant.
Anantapur	18	11	3	3	1	..
Arcot, North	29	20	6	2	1	..
Arcot, South	21	11	4	1	2	3
Bellary	22	14	1	1	2	4
Chingleput	21	13	5	1	1	1
Chittoor	20	14	1	1	..	4
Coimbatore	29	18	5	3	1	2
Cuddapah	19	13	4	1	1	..
Ganjam	20	12	1	3	..	4
Godavari, East	24	16	4	1	1	2
Godavari, West	21	9	8	1	1	2
Guntur	27	17	6	1	1	2
South Kanara	26	18	3	4	1	..
Kistna	28	12	7	2	1	6
Kurnool	19	12	3	2	1	1
Madras	24	14	6	3	1	..
Madura	28	16	7	1	1	3
Malabar	24	14	3	6	1	..
Nellore	25	17	4	2	1	1
Nilgiris, the	10	1	6	..	1	2
Ramnad	22	13	6	1	1	1
Salem	20	15	3	1	1	..
Tanjore	31	19	6	..	1	5
Tinnevely	24	7	12	3	2	..
Trichinopoly	28	17	5	3	1	2
Viragapatam	26	20	3	..	1	2

*Excluding ex officio members.

[21st February 1934]

APPENDIX VIII.

[Vide item V—Papers laid on the table of the House, at page 102 supra.]

G.O. No. 61 I., dated 6th January 1934.

READ—the following paper :—

*Reference from the Irrigation Development Board, dated
23rd November 1933, No. I.D.B.-375/33-2.*

The Hon'ble Mr. C. A. SOUTER, C.S.I., I.C.S.,
President.

Read—the following :—

(1)

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, through the Irrigation Development Board, dated 11th October 1933, No. 764/32-C-3.

In October 1928, the Government approved the proposals of the Chief Engineer for Irrigation to gauge the Nagaleru stream in the Guntur district to find out whether sufficient water was available for a reservoir across the stream. The necessary establishment and expenditure were also sanctioned. The gaugings of the Nagaleru were taken during the years 1929, 1930 and 1931, and the Superintending Engineer has submitted a report on the results of the gauging observations taken. The gauge readings have been examined, and the discharges worked out for the three years are tabulated below :—

Month.	1929. M. C.FT.	1930. M. C.FT.	1931. M. C.FT.
June	15.22	Not gauged.	41
July	3.15	Nil.	Nil.
August	10.36	10.61	5.08
September	12.83	28.58	309.30
October	162.05	53.99	163.79
November	Nil.	36.68	133.08
December	Nil.	Nil.	Nil.
Total ..	203.61 or 204	129.86 or 130	652.25 or 652

As regards the run-off due to the rainfall in the catchment, the Superintending Engineer states that the catchment is surrounded by a range of hills with a low basin of about 40 square miles at the centre, though the total catchment is 92 square miles. Hence taking the rainfall at Mellavagu (Reddipalem) station alone as representing the rainfall in the catchment, the yield from the catchment has been worked out as follows :—

Year.	Rainfall at Reddipalem.	Catchment 92 square miles average.	Catchment 40 square miles average.	Discharge as gauged.	Remarks.
1930	16.62"	316	138	130	Rainfall observation was not made in 1929.
1931	34.49	1,687	734	652	

The actual gauged discharge nearly tallies with the yield from the effective catchment of 40 square miles.

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As regards the feasibility of the project, the Superintending Engineer reports that, in a year of average rainfall, 200 to 300 millions cubic feet will be available for storage. Taking the storage as 250 millions cubic feet on an average, this storage will irrigate about 1,250 acres. The Executive Engineer has worked out a return of 1.7 per cent at Rs. 5 per acre, for approximate cost of Rs. 3.75 lakhs.

The Superintending Engineer is therefore of the opinion that a scheme for a reservoir of 250 millions cubic feet capacity will be an unpromising one and hence recommends that the scheme may be dropped. I am also against proceeding with schemes which have not got a good source of water-supply. Already there are several instances of projects which have failed to fulfil the original anticipations owing to poor water-supply, and in all such cases, it is also seen that the work is not useful at all as a protection against famine, since it is only in such years of famine, the work also fails badly. The scheme is therefore recommended to be dropped.

(2)

Reference from the Board of Revenue (Land Revenue and Settlement), dated 10th November 1933, Ref. H. No. 6650/33-1.

[Reference from the Irrigation Development Board, dated 25th
October 1933, No. 375/33-1.]

The Board supports the Chief Engineer's proposal that the scheme may be dropped.

M. K. VELLODI,
Joint Secretary.

To the Irrigation Development Board.

Reference—I.D.B. No. 375/33-2, dated 23rd November 1933.

Submitted to the Government.

2. The Irrigation Development Board agrees with the Chief Engineer for Irrigation and the Board of Revenue and recommends that the scheme be dropped.

M. K. VELLODI,
Secretary.

To the Secretary to Government, Public Works and Labour Department.

Order—No. 61 I., dated 6th January 1934.

The Government agree with the Irrigation Development Board that the Mellavagu project, Guntur district, may be abandoned.

(By order of the Governor in Council)

N. GOPALASWAMI,
Secretary to Government.

To the Irrigation Development Board.

,, Chief Engineer for Irrigation.

,, Board of Revenue.

,, Secretary, Legislative Council, with 175 copies of the Government Order (to be placed on the table).

THE LEGISLATIVE COUNCIL OF THE GOVERNOR
OF MADRAS.

Friday, the 23rd February 1934.

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

P R E S E N T :

Usman Sahib Bahadur, K.C.I.E., The Hon. Khan Bahadur Sir Mahomed Krishnan Nayar, <i>Kt.</i> , The Hon. Diwan Bahadur Sir M.	Nanjappa Bahadur, Subadar-Major S. A.
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.	Narasimhaswami, Rao Sahib D. V. Narayanaswami Pillai, Rao Bahadur T. M.
Raja of Bobbili, the Hon. the. Rajan, The Hon. Mr. P. T. Kumaraswami Reddiyar, The Hon. Diwan Bahadur S.	Narayanan Nambiyar, Mr. V. P. Natesa Mudaliyar, Rao Bahadur C. Palat, Mr. R. M.
Abdul Hameed Khan Sahib Bahadur. Ahmed Meeran Sahib Bahadur. Alamelumangathayaramma, Mrs. K. Appadurai Pillai, Diwan Bahadur A. Arasu, Mr. V. T.	Parthasarathi Ayyangar, Mr. C. R. Patro, <i>Kt.</i> , Rao Bahadur Sir A. P. Peddiraju, Mr. P.
Basheer Ahmed Sayeed Sahib Bahadur. Basu Dev, Mr. C. Bayappa Reddi, Mr. P. Davis, Mr. J. A.	Premayya, Mr. G. R. Rajagopala Pillai, Mr. P. V.
Devadasan, Mr. M. Dharmalingam Pillai, Rao Sahib V. Ellappa Chettiyar, Diwan Bahadur S. Foulkes, Mr. R.	Raja of Khallikote. Raja of Parlakimedi.
Gopalaswami Ayyangar, Diwan Bahadur N. Hood, I.C.S., Mr. H. M.	Ramachandra Padayachi, Mr. P. K. Ramakrishna Reddi, Mr. A.
Jagannatha Raju, Rao Bahadur G. Jagannatham, Mr. H. M.	Ramalingam Chettiyar, Rao Bahadur T. A.
Jayaram Nayudu, Rao Sahib C. Kesavaramamurti Nayudu, Mr. K. Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.	Ramamurti, Rao Sahib Pandit Ganala. Raman Menon, Mr. K. P.
Kolanda Reddi, Rai Sahib C. Koti Reddi, Mr. K.	Ramaswami Ayyar, Mr. T. S. Ramaswami Mudaliyar, Mr. V. M.
Krishnayya Choudari, Mr. P. V. Krishnamurti, Rao Bahadur D. Kumararaja of Venkatagiri.	Ranganatha Mudaliyar, Mr. A. Ranganatha Mudaliyar, Mr. G.
Ladden, Mr. W. W. Lakshmana Reddi, Mr. G. Langley, Mr. W. K. M.	Ranganatha Mudaliyar, Mr. M. D. T. Rangaswami Reddi, Mr. M. B.
Madanagopal Nayudu, Mr. R. Mahmud Schammad Sahib Bahadur, Khan Bahadur.	Sahajanandam, Swami A. S. Sami Venkatachalam Chetti, Mr.
Manikkavelu Nayakar, Mr. M. A. Metherell, Mr. J. K.	Sesha Reddi, Mr. B. P. Shetty, Mr. A. B.
Muriswami Pillai, Rao Sahib V. I. Muthiah Chettiyar, Mr. M. A.	Simbachalam Pantulu, Mr. G. Siva Raj, Rao Sahib N.
Nachiyappa Gounder, Mr. K. A.	Smith, C.I.E., I.C.S., Mr. E. Conran Sreshtha, Mr. M. S.
	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.
	Thangal, Mr. P. M. Thorne, C.I.E., I.C.S., Mr. J. A.
	Vasudeva Pillai, Mr. V. G. Venkatachala Reddiyar, Mr. K. C. M.
	Venkatarama Ayyar, Mr. K. R. Venugopal Nayudu, Rao Bahadur R. K.
	Viswanatha Rao, Diwan Bahadur V. N. Yahya Ali Sahib Bahadur, Khan Bahadur.
	Zamindar of Kirlampudi.

[23rd February 1934]

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS**Education**

Reinstatement of school assistants and deputy inspectors retrenched after August 1931.

* 669 Q.—Mr. A. B. SHETTY: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) the number of school assistants and of deputy inspectors retrenched after August 1931; and

(b) whether the Government propose to reinstate the school assistants and deputy inspectors who were in the combined cadre on 15th August 1931 and were subsequently retrenched?

A.—(a) 46.

(b) Ten officers have been re-employed, the others also will be re-employed as vacancies occur.

Public Works

Charts in Urdu containing instructions to be observed in case of fire.

* 670 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that every Government Officer or institution is supplied with charts containing rules to be observed when fire breaks out;

(b) in what languages the above charts are printed; and

(c) whether charts in Urdu are also kept for the benefit of Urdu-knowing persons?

A.—(a) Every public building is supplied with a printed set of the rules.

(b) They are printed in diglott in English-Tamil, English-Telugu, English-Malayalam, English-Kanarese and English-Oriya.

(c) No.

Military

Inscription on the War Memorial erected on the Beach Road, Madras.

* 671 Q.—Subadar-Major S. A. NANJAPPA Bahadur: Will the Hon. the Member for Finance be pleased to state—

(a) what the expenditure incurred by the Government is to build the War Memorial newly constructed between the Fort and the Iron Bridge on the Beach Road, which was unveiled by His Excellency the Governor on the 11th November 1933;

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(b) what the Madras Regiments are that took part in the Great War of 1914–18;

(c) what their strength was and what the number of their casualties in the Great War was; and

(d) why have not the names of all the Madras Regiments that took part in the Great War been inscribed thereon?

A.—(a) The Memorial was erected by the Victory Memorial Committee, Madras, out of subscriptions raised from the public. No expenditure was incurred by the Government on the construction of the Memorial, but the site required for the Memorial was alienated in favour of the Committee free of charge for the occupancy right and free of ground-rent.

(b), (c) & (d) The Government have no information. The hon. Member may address the Honorary Secretary, Victory Memorial Committee, Madras, direct for any information required.

Irrigation

Provision of a roadway or causeway over the Sangam anicut in Nellore district.

* 672 Q.—The KUMARARAJA OF VENKATAGIRI: Will the Hon. the Member for Revenue be pleased to state—

(a) what became of the proposal to put up a roadway or causeway over the Sangam anicut in Nellore district by widening the anicut; and

(b) whether it will be taken up along with the question of putting up falling shutters?

A.—(a) No such proposal is under the consideration of the Government.

(b) The question is one to be raised by the district board, but it can be taken up, if desired, independently of the question of putting up falling shutters.

Land Revenue Administration

Destruction of paddy crops in the Kistna district by floods.

* 673 Q.—Rao Sahib C. KOLANDA REDDI: Will the Hon. the Member for Revenue be pleased to state whether in his recent tour in the Kistna district his attention was drawn to the havoc caused to paddy in about fifty villages of Gudivada, Kaikaluru, and Gannavaram taluks by unprecedented floods in the Budameru?

A.—The Hon. Member for Revenue was informed that damage had been done in certain areas to paddy by floods in the Budameru.

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Reasons for levying a uniform water-rate in Polavaram island.

* 674 Q.—Mr. K. KESAVARAMAMURTI NAYUDU: Will the Hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that in fixing the consolidated rate for wet lands in the main delta, a differential rate is calculated according to the quality and position of the lands and the same is added to the dry rate; and

(b) if so, why a uniform rate of Rs. 10-8-0 is levied in the Polavaram island?

A.—No. The fixing of assessment on lands, wet or dry, is governed by the principles usually followed at settlements. These principles are laid down in Board's Standing Order No. 1 and the Manual of the Madras Revenue Settlement Department. Water-cess on dry lands is levied under the Irrigation Cess Act, and the rate of Rs. 10-8-0 to which the hon. Member refers comes under this category.

Levy of korambu-cess in Namakkal taluk, Salem district.

* 675 Q.—K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that a cess called korambu-cess is collected along with land revenue for lands in the Cauvery irrigated area in the Namakkal taluk of the Salem district;

(b) if so, from which date, for what reasons, and under whose authority such a cess is levied and collected;

(c) whether a copy of the order sanctioning the levy of such a cess will be placed on the table;

(d) what the rate is of such cess originally levied;

(e) whether the rate has been increased subsequently;

(f) if so, by how much, when and under whose order or authority;

(g) whether a copy of such order or authority will be placed on the table;

(h) whether the increase was made temporarily or as a permanent measure;

(i) if it was made temporarily, whether it has been again reduced; and

(j) if so, when and under what orders and, if not, why not?

A.—(a) A cess called the irrigation-cess is being collected.

(b) & (c) The cess has been in force since 1872. It was imposed in lieu of grain fees payable by the ryots as remuneration to the staff employed to look after the channels and

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the customary labour for the repair of the channels which the ryots were liable to contribute.

The channels had been under the control of the Public Works Department but as the officers of that department had not been able to enforce the payment of grain fees large arrears accumulated and the establishments had not received their emoluments regularly. In 1872, the Collector took charge of the channels. The Collector obtained the consent of the ryots for the commutation of the grain fees and customary labour into money payments. For further particulars the attention of the hon. Member is invited to Mr. Longley's report, dated 16th April 1872, printed on pages 476-484 of the Salem District Manual.

(d) The rates of cess originally levied were Rs. 2 for land irrigated directly and Re. 1 for land irrigated by baling.

(e) Yes.

(f) By 50 per cent in 1926, under the orders of the Government.

(g) A copy ^a of G.O. No. 1103, Revenue, dated 5th July 1926, is attached.

(h) & (i) The increase was made in the first instance as a temporary measure for three years. Subsequently the Government ordered that the increased rate should continue until certain conditions were fulfilled—see G.O. No. 478, Revenue, dated 18th March 1930—copy ^a attached.

(j) The conditions required for the restoration of the old rate have not yet been fulfilled.

Prices

Price of paddy in the Ganjam district.

* 676 Q.—Sriman M. G. PATNAIK Mahasaya: Will the Hon. the Member for Revenue be pleased to state—

(a) whether paddy from the feudatory states of Orissa is sold in Ghumsur taluk in Ganjam district;

(b) the price at which paddy is now sold in Ghumsur taluk, in Berhampur and Chatrapur taluks in Ganjam district;

(c) the price of paddy on the basis of which the last settlement of land revenue was made in Ghumsur, Berhampur and Chatrapur taluks of the Ganjam district; and

(d) whether the Government have taken any steps to create a demand for paddy and for the sale of paddy at a higher price?

^a Printed as Appendix I on page 179 infra.

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

(b) The following were the prices per imperial maund during November 1933:—

	Paddy, first sort.	Paddy, second sort.
	RS.	RS.
Russellkonda (Ghumsur) ...	1.73	1.37
Berhampur ...	1.79	1.58
Chatrapur ...	2.08	1.75

The commutation price (average of first and second sorts and average for the three stations) based on the above prices is Rs. 130 per garce.

(c) The commutation price of paddy on which the current re-settlement is actually based is Rs. 95 per garce for Ghumsur taluk and Rs. 101 per garce for Berhampur and Chatrapur taluks.

(d) The Government have not taken steps to create a further demand for paddy in the Ghumsur taluk. As regards improving prices, the attention of the hon. Member is drawn to the answer to question No. 541.

Public Service

Choice on the part of the Telugus and Oriyas as to their continuance in the public service of this Presidency after the formation of the Orissa Province.

* 677 Q.—MR. BASHEER AHMED SAYEED: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the Government have asked Telugus and Oriyas serving in the Ganjam district and Oriyas in service in other districts of this Presidency to state unconditionally and definitely whether they will continue in service in Madras or in the proposed Orissa Province;

(b) the reasons for which the above information is sought;

(c) whether the Government have definite information about the scales of pay and conditions of service (including future prospects) prevailing in the Orissa division or of any definite rules framed for the proposed Orissa Province; and

(d) whether information referred to in clause (c) is furnished to the persons in public service who are asked to state their definite choice?

A.—(a) Yes.

(b) In connexion with the transfer of a portion of the Madras Presidency to the new Orissa Province, the Government want to know the number of persons who may have to be provided for in this Presidency.

(c) & (d) No.

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Administration of Justice

Eliciting public opinion on the Civil Courts Act Amending Bill.

* 678 Q.—MR. BASHEER AHMED SAYEED: Will the Hon. the Law Member be pleased to state—

(a) whether the Madras Advocates' Association has been consulted with regard to the Civil Courts Act Amending Bill, and if so, whether a copy of their opinion will be placed on the table of the House; and

(b) whether any other individuals or associations or bodies have been consulted in regard to the Bill; if so, whether a copy of the opinion of the said individuals or bodies will be placed on the table?

A.—(a) & (b) No associations, bodies or individuals were consulted specifically on the Bill. However, prior to the framing of the Bill, the following bodies were consulted on certain proposals relating to the Court of Small Causes and the City Civil Court in Madras, one of which was the enhancement of the pecuniary jurisdiction of the latter court to Rs. 10,000:—

- (1) The Madras Chamber of Commerce.
- (2) The Southern India Chamber of Commerce.
- (3) The Madras Trades Association.
- (4) The Madras Bar Association.
- (5) The Madras Advocates' Association.
- (6) The Madras Bar Council.

The Southern India Chamber of Commerce was in favour of enhancing the pecuniary jurisdiction of the City Civil Court to Rs. 5,000. The other bodies have not expressed themselves in favour of the proposal to increase the pecuniary jurisdiction to Rs. 10,000. The Government do not consider it necessary to place the correspondence between these bodies and them in connexion with the proposals on the table of the House.

Electricity

Progress of the Electrification Scheme in Salem and Erode.

* 679 Q.—MR. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Law Member be pleased to state—

(a) what the quantity is of electric current consumed in each month in the municipal area of Salem since its introduction;

(b) what the quantity consumed is in each month in the Erode municipal area since its introduction;

(c) whether the progress made in each of these municipal areas is satisfactory; and

(d) if the progress is not rapid, what it is due to?

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A.—(a) & (b) A statement ^a giving the particulars is appended.

(c) The Chief Engineer for Electricity reports that the load for Salem and the South Indian Railway, Erode, is satisfactory but that in Erode town is disappointing.

(d) The unsatisfactory progress in Erode is ascribed by the licensees to a certain amount of local opposition to the popularization of electricity.

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

II.—ELECTION OF MEMBERS TO THE SENATE OF THE MADRAS UNIVERSITY.

* The Hon. the PRESIDENT:—“ I have to announce that the under-mentioned candidates were declared duly elected to the Senate of the University of Madras by the non-Official Members of the Council:—

Mr. V. P. Narayanan Nambiyar.

Mrs. Alamelumangathayaramma.

Mr. M. S. Sreshta.

„ Abdul Hameed Khan.

„ R. Madanagopal Nayudu.

„ T. Sundararao Nayudu.

„ C. Basu Dev.

Rao Sahib P. Subrahmanyam Chetti.

Mr. M. A. Manikkavelu Nayakar.

III.—GENERAL DISCUSSION OF THE BUDGET FOR 1934-35.

* The Hon. the PRESIDENT:—“ The general discussion on the Budget will now commence.”

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—“ Mr. President, Sir, ever since I entered this Council I have been telling the Government that the system of taxation followed here and also the incidence thereof were such that it is the poor that is mainly made to support the Government of this Province and that it was against all canons or principles of taxation. This year, however, in his speech introducing the Budget, the Hon. the Finance Member has, I am glad, expressed the sentiment that the Government have got duties not only to those who pay the taxes but also to those that do not pay any. Well, Sir, now that he has recognized that, he will have to consider the other aspect of the matter, namely, who is to contribute towards the expenses of the administration—expenses which the Hon. Member says that the Government have to meet. This is one of the points on which I have been addressing the Government for the last so many years in this Council.

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“ The second point on which also I have been laying stress in this Council was that relating to over-taxation. Taxation in this Province has never been limited to the needs of the Presidency. It has always been in excess of our requirements. These two points I have been always mentioning in this Council. As a result of this over-taxation, we are committing ourselves to a lot of wasteful expenditure and we were diverting a lot of revenue for capital expenditure. We have also been accumulating surpluses which, when the time comes for a settlement with the Imperial Government, we are deprived of. On this point too I have criticized the Government. But I mention them now together, to avoid misrepresentation of the sort which took place last year when the Hon. the Finance Member replied to my remarks on the assumption that I meant something else.

“ Last year I stated that wasteful expenditure was incurred in several directions. One was the opening and maintenance of costly institutions like the Forest College which no other Province in India has got. The other direction in which wasteful expenditure is incurred lies in having intermediate officers which again in some departments at least other Governments in India do not seem to have. Even in the Government of India the papers do not seem to be noted upon by a series of clerks, superintendents, assistant secretaries, under secretaries and deputy secretaries or secretaries as it is done in our Secretariat. If the Government look into these things, they can effect a lot of retrenchment. Also, Sir, consequent on the existence of these intermediate officers, and a long array of them, work is duplicated and increased enormously. This has been the case in our Province from the very beginning. In cases of this kind, retrenchment is possible to be effected, but these things have not been examined either by the Retrenchment Committee or by anybody else. If a small committee with a person of the experience of Sir Norman Marjoribanks is appointed with one or two non-official members to work on the lines on which the Thomas Committee of Bombay worked, it will be possible to effect improvement in the administration and retrench expenditure. This, I say, ought to be undertaken at once. A lot of money can thus be saved.

“ Sir, the Hon. the Finance Member is never weary of stating that, as we are on the eve of the Reforms, we ought to leave the Reformed Government enough funds to meet any difficult situation. I would appeal to him to consider the other aspect also. You should not leave it to the Reformed Government to examine these matters for which you are responsible. You should not throw on them the responsibility for examining the complicated machinery which you have evolved. Here is the time for you to examine the whole thing and place the machinery on a proper basis. You take time by the forelock and put the administration on a proper basis before the Reforms come. That is my appeal to the Hon. the Finance Member. If this is done it will be possible to reduce expenditure in the Province a good deal. I believe it will be possible to save a sum of two crores of rupees if we

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go into the question of retrenchment with a will and earnestness. I may say, Sir, that this is not an exaggerated estimate, because even between the years 1921 and 1933 the expenditure of the Province has increased by something like 5 crores. It will be possible for the Committee I have suggested to take into consideration the whole state of the expenditure which existed before 1920 and what it is at the present moment. If it does so, it will be possible to effect a saving of about 2 crores. I submit therefore that my estimate is not an exaggerated one. This is a thing which ought to be done and is worthy of being done even from the point of view of the present Government.

"Sir, as I said, the poor man it is that is maintaining the Madras Government: the rich man's contribution towards the expenses of the administration is very little indeed. I am not talking of the central revenues to which of course contributions are made on a different basis. If we analyse the sources of revenue of this Province, we find that they are mainly land revenue and excise. It is well known that the pattadars who pay up to Rs. 10 or 20 are very much more than those who pay larger kists. The latter are, comparatively, few in number and the land in their possession is also not very much. Lands are mostly in the hands of people who cultivate them. Absentee landlords to whom reference was made by the Hon. the Finance Member the other day are only a few. They live mostly in the cities doing money-lending or practising as lawyers. (The Hon. Sir Hopetoun Stokes: 'Hear, hear.') That is why they come prominently to the attention of gentlemen like the Hon. the Finance Member. Their number, however, is few. So, Sir, to say that relief is not wanted by the poor people and that those who live in the cities and who have other incomes also should not be benefited is to bring forward an argument which nobody can seriously accept.

"The Hon. the Finance Member raised two issues the other day, viz., with reference to the resolution of this Council recommending the grant of land revenue remission to the extent of 25 per cent and with reference to the cut in the salary of officers. Now, Sir, with reference to the remission asked for, I believe it is quite possible for the Government to accept the resolution. But leaving that aside, let us take the political issue involved. Here is a resolution passed by the Legislative Council with only one elected representative dissenting. The Hon. the Finance Member is talking about the Reforms and their coming soon and about the responsibility of the people's representatives. But what is the way in which a resolution passed by such a majority in this House has been treated by the Government? The Hon. the Revenue Member said that the Government would adhere to their original resolution and do nothing more. That is the answer he gave to the practically unanimous resolution of the elected Members of the Council.

1-15
a.m.

"Well, Sir, that is the political aspect of this issue. On the financial aspect, the Hon. the Finance Member says that in a full year the commitment would come to about 90 lakhs in addition to the 60 lakhs provided, if the resolution were to be accepted. Sir, altogether the

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total land revenue of this Province comes to about Rs. 600 lakhs including water-cess, and the 25 per cent of that sum, which we ask by way of remission, will come to about Rs. 150 lakhs. If we take the expenditure during the last ten years, we find that much more than Rs. 100 lakhs have been utilized on the average every year out of the revenues either for capital works or to pay back debts connected with capital works. Of course, my guide in saying that is the Budget Memorandum supplied to us by the able Finance Secretary, who has very lucidly explained the position in the Memorandum. He analyses the position of the debt of the Province at page 83 of the Budget Memorandum; and therein he says that we started in 1920 with a debt of Rs. 985 lakhs, and our present debts amount to Rs. 1,638 lakhs, out of which we have advanced to municipal councils and other bodies something like Rs. 376 lakhs, thus leaving a net borrowing, after these 14 years, of Rs. 275 lakhs. This is the net result; and for this, we have to our credit the Mettur Project, which has cost something like Rs. 7 crores and the Hydro-Electric Scheme, which would cost us at the end of the present year Rs. 1½ crores besides numerous other smaller works and improvements. That in short is our position with regard to debt. Of course, besides these two big schemes we have got a large number of schemes executed, for which money has been taken out of the revenues. If during the thirteen years we have been able to get so much out of the revenues, is it too much to say that during this year we ought to be in a position to find a sum of Rs. 150 lakhs for giving effect to the unanimous resolution of this Council? After all it is not the contention of the Hon. the Finance Member that he cannot meet it; for at present we have accumulated surpluses which will last for two years, even if we continue this remission for the next year too. That is the position in which we are at the present time; and yet the Hon. the Finance Member says that financially we ought not to accede to the request for reduction of land revenue.

"Then, Sir, the Hon. the Finance Member says that the benefit accruing from the remissions would be going to the richer people alone and not the poor people, in spite of the tall talk about the poor man by hon. Members of this House; and so he says all that is said on behalf of the poor man is all insincere. Though he does not say so in so many words, that is what it comes to.

"Sir, in this connexion, I should also mention the argument raised by the Hon. the Revenue Member when he spoke of the land revenue remission the other day. He said that the number of surrenders of land has not increased during the last two years in spite of depression; and so he jumps to the conclusion that this remission would not be necessary for the ryot. May I submit to him that he forgets the state of the country when he puts forward that argument? Here, in India, 80 per cent of the population depend on land for their livelihood. Whether they get any profit out of it or not they have perforce to depend on land for their sustenance. For the labour they expend on it they expect only a bare livelihood. If instead of two meals a day,

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they get only one meal, as a result of their cultivation of the land, they have to be satisfied; because they know full well that they have no other profession which they can pursue. So, that does not mean that agriculture is paying. Hence I submit the argument of the Hon. the Revenue Member is not valid. Sir, in England and other occidental countries, if a man finds that agriculture is not paying, he has got the alternative of going to some other work and thus finding a profitable job. But such is not the case in India, and so the argument of the Hon. the Revenue Member is not a fair proposition at all. Sir, when such a huge population as 80 per cent is dependent on land for its very existence it is up to us and up to the Hon. the Revenue Member to see that its position is improved, and not merely argue for argument's sake. Further, Sir, it has been found difficult of late even in Western countries for men to seek any lucrative occupation, and when that is the case in those countries it needs no words from me to say how much more so must be the position in India. Hence I repeat it is quite unfair for the Hon. the Revenue Member to argue in that fashion.

“ One of the suggestions that was made in this Council was a cut in the pay of the salaried officers for the purpose of finding some funds to meet the loss in the land revenue on account of the resolution advocating the 25 per cent remission that was passed the other day. Of course, the Hon. the Finance Member took a lot of pains to argue the point in favour of the officers. It is not a question of one keeping up a contract; it is not a question of one being envious of the lot of others, as he seems to suggest in his speech, with reference to what the salaried officers are getting. But the real question is when everybody is suffering, who is to suffer and how much is he to suffer? When everybody is suffering why should the salaried men be exempt? As a matter of fact, Sir, he is free from any suffering; and so legitimately there is a great deal of complaint in the country about this. Then, Sir, what amount of complaint there was in the country when there was a tendency the other way in the economic state of the world a few years ago, when the price of commodities was ruling high and there was scarcity of materials. At that time much hue and cry was raised that the agriculturist was making huge profits out of the rise in prices and that the salaried man was finding it difficult to make both ends meet. As a result of that allowances were given and the scales of pay were revised. Was there any complaint by the people against that? No, absolutely none. Did we hear a word about the contract in those days? No, Sir. Well, Sir, when the price has gone down and when money has appreciated and when the world's finances have very much depressed, if a proposal, as a temporary measure, is made that the salaried men should forego a fraction of their salary for the purpose of giving relief,—an admittedly necessary relief for the tax-payer,—as he is in a very bad condition, as he is not able to find money for paying the tax and as he is not able even to market his produce,—when in such circumstances a proposal is brought forward, the question of contract is raised. I submit, at this juncture, Government ought not to raise the plea of contract.

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“ The Hon. the Finance Member also said that these salaried officers are also paying taxes. I admit they are paying taxes. But the taxes they pay are different from those the agriculturists are paying. The salaried officers get their salary in money and they have no difficulty in paying the taxes. But in the case of the agriculturists, they are unable to market their produce, and even if they are able to sell the produce, the money value of their commodity has so much depreciated that it is difficult for them to find money to pay taxes. So, Sir, I submit that here is a good case for the agriculturists. It is admitted by the Hon. the Finance Member himself that we do not know when the depression will disappear; and knowing this, it is quite unfortunate that Government do not make a serious effort to help the mass of the people. We are asking the Government to remit 25 per cent of the revenue. Even though that is a small amount, Government are not willing to agree to it. They say they will give a concession of $6\frac{1}{4}$ per cent in some cases and a concession of $9\frac{3}{4}$ per cent in some other cases, and even this is not a remission but is only a postponement of collection. How these things are going to work in practice has yet to be known. The concession meted out is one anna in the rupee in some cases and one anna and a half in the rupee in the other cases; and the ryot is not going to be benefited to any great extent. It may be that the concession may not reach the poor ryot and he may have to pay the amount where collection is ordered to be postponed twice over.

“ I was saying, Sir, a few minutes back, that so far as the reduction in the land revenue is concerned, it was due entirely to the fact of the general depression in the country, which the Hon. the Finance Member himself has admitted in so many words to be very bad. We have been seeing of late, Governments of other countries taking steps towards helping the people to tide over the depression by forming farm boards for giving credit and for marketing produce and the like. But, here, unfortunately nothing is done. Unfortunately, the Government of Madras lay behind even the other provinces in India. In other provinces in India, like the United Provinces steps have been taken to help the agriculturist, and as many as four Bills were passed in the last meeting of the Council to help the ryots with reference to debts and other matters. In Bengal and in the Punjab, officers have been appointed for the purpose of rural upliftment and to devise measures to help the ryot to market his goods, to assist him in his financial and other matters.

“ It is well known in this Province that Government would not move to do anything of the sort. I have been trying my best to bring forward a Bill for debt conciliation. It is now something like nine months since I brought that Bill. The previous publication of the Bill was refused; and at last, last month it was to have come before the Council; but as I had to be away to represent Madras Government elsewhere it was not moved in the Council. I have requested the Government to have it published in the Gazette and allow me to bring the Bill to the Council at least now before this session is over. I am glad the

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Hon. the Revenue Member drew pointed attention to that Bill and said that the introduction of a Debt Conciliation Bill was the proper method"

The Hon. Sir ARCHIBALD CAMPBELL:—"I did not say so. I merely referred to that and said that other methods were being considered by various other people."

Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"At any rate he considered that it was one of the methods."

The Hon. Sir ARCHIBALD CAMPBELL:—"I said that other methods were being considered."

Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"All right 'being considered.' In this case I expect the Government will give me at least as much facility as possible and see that that Bill is passed into law as soon as possible."

"Anyway, Sir, the Central Provinces has already passed a similar law. Bengal has already decided to bring in a similar measure like it and have also appointed a special officer. Only the *Hindu* of yesterday mentions the appointment of the officer and one of the purposes for which he is appointed is to arrange for debt conciliation. I understand that Bombay is drafting a Bill. Still the Madras Government would not move at all. They have not given any facilities for the ryot to get credit and wipe off his indebtedness. That is what it is and still the Hon. the Finance Member wants to say 'we ought to feel our responsibility in this matter.' I will only say that after all their responsibility does not consist in merely keeping the contracts and things of that kind. Do the people exist for the Government or the Government exist for the people? If the Government exist for the people they (the Government) will have to look to the prosperity, the contentment and the well-being of the people. Does the Government consider these things or is it the fact that they do what they like and people have to adjust themselves to whatever they do? It looks as if the Government are thinking only of their officials and their interests in all that they do and they have the least consideration for the welfare of the people. If the Government are talking of Reforms in season and out of season and if they have got certain duties and obligations to fulfil with reference to those Reforms, they will also have to see that they keep the people contented and make them feel that they are satisfied with the existing order of things. The people should feel that Government have been feeling for them and have been looking after their interests. Is the Government doing that? That is the position which I will ask the Hon. the Finance Member and other hon. Members of this House to consider."

* Rao Bahadur T. M. NARAYANASWAMI PILLAI:—"Sir, the previous speaker referred to Bengal and the methods adopted in that Province as well as other provinces to introduce Bills like the Debts Conciliation Bill for removing the evil effects of economic depression and indebtedness. Of course it is no doubt necessary that this Province also should

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introduce methods of that kind. But reference to a province like Bengal brings to my mind what I read in yesterday's paper. It stated that Bengal has a deficit of 2 crores of rupees. Then I thought we were really in a much happier position. Fortunately we are not in that plight now; it is all due to the courage and foresight of the Hon. the Finance Member. A danger of that kind threatened us two years ago and it was the Finance Member who saved the Province from a crisis of that kind. We must all be grateful to him for that assistance; but it does not mean that we all agree with what he has done for us in the present Budget. We feel we cannot agree with him in what he has stated with regard to the reimposition of the cut in salary and the remissions of land revenue. With regard to the introduction of a cut in pay, he has stated it is a solemn pledge which he has given to the Government employees, that it was a cut imposed at a time of extraordinary and exceptional distress—a temporary one—and that it must have been the first claim for being lifted. With regard to this statement, I ask: is this the only pledge which the Government have made, or are there other pledges? What about the pledges which the Government have given to the tax-payer when they enhanced the stamp duty? Why should this pledge alone have preference over the other one? Sir, is this really a matter on which the Government can take this strictly technical attitude? As my previous speaker pointed out, the case of the Government servant's position has to be viewed along with the position of other people. A Government servant is also a citizen. It must be admitted that he is having a better time due to the fall in prices. If so, is it not his duty to come forward and help the State at this time of exceptional distress? That is what we all request the Government employees to do. It is not as if we envy the position of the Government servants. It is the duty of the Government servants themselves to come forward with a voluntary cut and prove to the people that they share with them their distress. It is no answer to say that a 5 per cent cut would give us only 13½ lakhs. If so, let them impose a greater cut so as to secure a saving of 26 lakhs instead of 13½ lakhs. This cut has not been continued only by the Madras Government. What about the Government of India? Did they not also make a pledge? What about other Governments? Is it fair on the part of the Government to say 'Look here, we have been getting on with normal budgets; we have been budgeting for equilibrium; we have been providing for some Part II schemes and also providing for land revenue remissions.' That is what the Hon. the Finance Member is saying on page 8 of his speech. But what is the method by which he has been doing all these things? Is it not by taking from the people more than what they are able to pay? That is the question which ought to have been tackled by him and I find in his Budget speech no answer to this. I submit that the arguments advanced by the Hon. the Finance Member with regard to the reintroduction of a cut in salary are not convincing. Whatever may be the extent of the cut, in fairness to the people, the Government should reimpose the cut.

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“The next point to which he has devoted his attention is about the land revenue concessions. I am afraid this is a topic which has been spoken threadbare in this House. I am not ingenious or clever enough to adduce additional reasons. We have only to repeat our prayers perhaps to the extent of tiring the Government. With regard to the question of land revenue remissions, is the policy adopted by the Government right? According to the Hon. the Finance Member the land revenue remission, if given, is not going to benefit the poorer pattadars, nor is it possible for the Government to do away with the poverty of the Indian peasantry as a whole. Sir, the remission, however little it may be, will be greatly appreciated. There is no use of saying that pattadars paying Rs. 10 will not be benefited and so on. There are other pattadars who are paying a higher percentage of tax to the Government and for them it will be a great relief if 25 per cent reduction is given. I do not think it is right that Government should neglect the interests of the rich pattadars who pay more than Rs. 10. Further he says if there is a remission of 25 per cent, there will be an additional loss of 61 lakhs in 1933-34 and Rs. 90 lakhs in 1934-35 and he goes on to say ‘at the end of 1935-36 our revenue balances would have been swallowed.’ The danger that might threaten with regard to the swallowing up of our balances cannot be a criterion in this respect. The depression is either permanent or temporary. He seems to think it is temporary; and there are signs of the cloud leaving. If it is temporary, let us hope it is temporary, surely there is no harm in utilizing the balances, during exceptional times, to meet an emergency. If it is permanent, then the difficulty arises. No doubt we cannot have balances to meet the contemplated remissions; but the question then is whether the present level of taxation is a thing which the ryot can afford to pay. While analysing the position of the Government, the Hon. the Finance Member says: ‘Look here, the economic depression is world wide; it is not a problem which can be dealt with by me; it must be dealt with international Governments and not by subordinate Governments like the Madras Government.’ What he says is we must assist the ryots by giving them such remissions as we can afford to give them consistently with our duties to the people committed to our charge. Exactly that is also the stand which I wish to take on behalf of the people. Should not the Government ask itself whether the ryot is in a position to pay whatever may be the demand or the interests of the Government? Should it not set before itself this primary criterion, viz., whether the ryot is in a position to pay the present rate of taxation? To that question there is no answer in the Budget speech. That question seems to be shelved. On the other hand there seems to be profuse sympathy for the cause of the ryots and their difficulties. What is this sympathy for? Do the Government say categorically that the ryot is paying what he can afford to pay? I submit that the admission by the Government that the ryot is entitled to a land remission of 12½ per cent clearly proves that the Government feel that the ryot is not in a position to pay to that extent at least.

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“What is the method by which they arrived at this 12½ per cent and why do they say that the ryot is not entitled to 25 per cent? The remission is called for by the low level of prices and the present level of prices really requires a remission of 25 per cent. The demand for a remission of 25 per cent is not an extravagant one. The arguments put forward by the Hon. the Finance Member with regard to the revenue concession are not convincing. He should have taken a more sympathetic attitude and granted a remission of 25 per cent. But there is one thing which pains me. The concession granted this year is less than what was granted last year. I refer to the case of dry lands. Do they mean to say that the position of the ryot is not worse now than what it was last year? Then why withhold the concessions which they granted last year? So far, the Government have put forward arguments to show that a 25 per cent remission would not be possible. If 25 per cent is not possible, what about a remission of 18¾ per cent, a *via media*, a percentage recommended by the Finance Committee? 11-45 a.m.

“Sir, if the depression we are now in, is going to be a permanent feature, we cannot afford to keep the taxation at this high level and we must lose no time in adjusting the taxation to the ability of the ryots to pay. We must not allow things to drift and later on find ourselves in great difficulties. Of course, I am in complete agreement with the sentiment expressed by the Hon. the Finance Member, at the end of his speech, that on the eve of the introduction of new Constitutional Reforms, we should not do anything which would jeopardize the success of the Reforms. But I should like to ask: Are the Government advancing the success of the Reforms by having these surpluses and by having over-taxation? As he himself said—I think it was in the year before last—if our economic resources are such that we cannot maintain our present standard of living, we will have to reduce it. There is no use of saying, ‘Here is an expenditure which is settled for all times, which is unalterable. You will have somehow to find the money to meet it.’ I submit, Sir, that is not the way of looking at taxation proposals. The Government seem to feel that the ryot is not in a position to meet the demand made on him, but still they do not give him the necessary relief, because they have committed themselves to a certain level of expenditure. But that is not the correct attitude which they should take up. We greatly regret that the Government should have taken this position on these two outstanding questions. It would have been better, if they had at least accepted the resolution of the Finance Committee.

“I wish to draw the attention of the Government to one other matter. We are glad to note that the Government have consolidated their loans and tried to secure a lower percentage of interest. In our district, there are a number of land reclamation societies and I myself have something to do with them. They have, I think, written to the Government saying that it is impossible to pay the interest at the rate of 6 per cent. The Government have by an order passed at the time when the societies were formed, directed that an interest of 4 per cent

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might be charged on the loans for a certain period. That period expires by the end of March 1934. I pray that the concession may be extended for two or three years more, as in the present state of economic depression the ryots are very hard hit and they are unable to pay interest at 6 per cent."

Mr. M. A. MANIKKAVELU NAYAKAR:—"Mr. President, Sir, looking merely to the immediate present, I should say that the budget is not only all right, but it is also commendable in every way. But, taking a longer view of the matter, the Budget is extremely defective. The Budget of this year will be judged mainly from two standpoints, namely, the remission of land revenue and the 'pay-cut'; and quite rightly has the Hon. the Finance Member devoted great attention to these two subjects in his Budget speech. With regard to land revenue remission, the Government have clearly admitted both in their Press Communiqué and in the speeches of their spokesmen in the Council that there is a real demand for remission. I would just refer to what is stated in paragraph 2 of the speech of the Hon. the Finance Member:

'The cloud of that depression still rests upon us. Prices have continued at or about the low level to which they had sunk at the beginning of the year and difficulty of obtaining credit still continues.'

"Again at page 11 he says—

'If they have felt obliged to resist the exorbitant demands for land revenue remission that have been pressed upon them, it is not because they do not realize that the fall of prices has caused and is causing hardship to many, but because, in dealing with those demands, they have felt it their duty to take longer views and to consider the near future as well as the immediate present.'

"The very fact that the Government have given a remission, meagre though it is, goes to show that there is a clear case for remission. But what is the difficulty for the Government to give the full amount of remission asked for by the almost unanimous vote of the House? Their main objection is they could not find the money to meet that exorbitant demand. But, let me here state briefly the present condition of the ryot. Everybody knows that he is passing through a very acute economic depression and he is bereft of any initiative to improve his land. He is weighed down by a load of debt which has been increasing for a number of years. Last year, at least, he had some means of paying the kist by selling what little gold he had, but this year even that has gone. More than this, this year, the Collectors are pursuing a very rigorous policy in collecting the kist. I do not know whether the Government have issued any confidential circular to Collectors, otherwise there is no reason why they should be more rigorous this year than last year. I can speak from my own personal knowledge that the Collector of North Arcot has given very strict orders in the matter and the tahsildars and the village munsifs are very severe in collecting the kist. Of course, the Government may say that they have been able to collect the kist without having recourse to land sales. But that does not show that the ryot has had the reserve money to pay the kist. We all know that the Indian ryot has got so much attachment to his

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land that he would somehow find money to pay the kist: he would beg, borrow or steal, in order to pay the kist and prevent attachment of his land.

"Sir, I submit that when the ryot is suffering from the great economic depression, there is not much use in spending vast sums of money on the Agricultural Department in order to improve agriculture in the Presidency. Unless the ryot is enabled to live, what is the good of teaching him improved methods of agriculture? When he is finding it hard to keep his body and soul together, it is no good spending large sums of money on the Agricultural Department.

"The Government have stated that it would be extremely difficult to give a remission of 25 per cent which would amount to a very large sum, but that does not mean that they should not give a little less than 25 per cent. They may give greater relief to pattadars who pay Rs. 10 and less, than to pattadars who pay big sums of money. In some of the neighbouring Indian States and in French India they have given remissions to the extent of 25 per cent. I understand that in Bombay they have given remissions ranging from 25 to 30 per cent. That being so, I do not understand why in this particular province, alone, the Government should not give the necessary relief to the ryots.

"Of course the Government may legitimately ask that non-official members should suggest ways and means to meet the extreme demand for land revenue remission. I think, Sir, that the necessary money could be found in two or three ways. In the first place, just as a year or two ago, the Government made retrenchments in administrative expenditure and saved about a crore of rupees, I believe that there is further scope for making retrenchments to the extent of, at least, another half a crore of rupees, which they can effect, if only they have the will to go into the matter again. With regard to the 'pay-cut', I am afraid, that the Government is very stubborn. The Hon. the Finance Member talked of pledges to Government servants. But what about the pledges Sir George Schuster gave to the Government servants of the All-India Services? Does he treat his pledges as of no value while our Finance Member alone tries to honour them?"

The Hon. Sir HOPETOUN STOKES:—"Better ask him."

Mr. M. A. MANIKKAVELU NAYAKAR:—"I am not in a position to ask him from this place. In this connexion, I should say that the Government of Madras put the Government of India in an embarrassing position by imposing a uniform cut of 10 per cent when the Government of India wanted to introduce a graduated cut. I think I am right in saying that the Government of India have been impressing upon Provincial Governments that a graduated cut would be far better than a flat cut, but still, the Government of Madras wanted to have their own way and imposed a uniform 10 per cent cut. Even, if the Government of Madras impose a 5 per cent cut on the salaries of their

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Provincial and Subordinate services, just as the Government of India have imposed on the salaries of their officers, we could save about Rs. 13½ lakhs. Some amount can be found from the large—I would not say large—from the revenue balances of the Government. But that is only as a last resort, if the Government are not able to meet the demand for land revenue remission with the amount saved by way of retrenchment in administrative expenses and by the 'pay-cut.'

"On page 8 of his budget speech, the Hon. the Finance Member has tried to show that the financial position of the Province has improved and that there is no necessity for a salary cut. But that argument, I submit, is a little fallacious. What he has attempted to show there is that the financial condition of the province is much better now than what it was in 1930-31 and 1931-32 and therefore the Government could well afford to do without a salary cut. But how have the Government been able to reach that sound financial position? It is not by any increase in our revenue, but it is because the Government made drastic retrenchments in expenditure and withheld many part II schemes. Thus their financial position seems to be sound. But the real situation all the same is just as it was before, if not worse. Therefore, there was no justification whatever for having removed the salary cut. In this connexion, I will read a passage from this book which deals with the way in which one of the rising countries of the East frames its budget and spends its money.

12
noon

'Evidence of the importance which the Tokio Government attaches to a "low taxation" policy, as a means of assisting industry and the necessary expansion of trade (upon which a growing population depends for both work and welfare), is shown by the fact that the Minister of Finance is facing a budget in which expenditure exceeds revenue by 70 per cent rather than propose any increase in taxation.

'The revenue for 1933-34 is estimated at 1,341 million yen and expenditure at 2,237 million yen. The deficit, amounting to 896 million yen, is to be met by borrowing in the form of domestic loans issued by the Bank of Japan. To this deficit must be added a few smaller bond issues for expenditure on pensions, earthquake reconstruction, etc., which will bring the total borrowing for the year to 1,100 million yen. In other words, expenditure for the current year will be almost double the revenue.'

"From the fact that expenditure far exceeds the revenue in Japan, one should not think that that country has no correct principles of budgeting. The following will clear that misapprehension.

'In the financial sphere, Japan has shown herself not only a nation which can be trusted wisely to husband her national wealth, but also one which observes all the rules of financial rectitude and orthodoxy.

'That is the state of affairs in a country where the Government is anxious to advance the welfare of the masses of the people and is really interested in looking to the advancement of the country with an idea of a longer view of the situation; the Hon. the Finance Member stated that we must take a longer view of the situation. If he takes a longer view of the situation, the Hon. the Finance Member would have seen his way for giving greater relief to the large number of agriculturists who are now ground down by the acute poverty they are experiencing. Unless their lot is improved, there is no good spending money

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to develop schemes or putting by money for the future Government to be inaugurated. Unless there is a contented and well-fed nation who will be able to launch upon schemes of progress, there is no good putting by large revenue balances to be pounced upon by the Imperial Government as they did in times quite recent."

* Mr. A. B. SHETTY:—"Mr. President, Sir, the Hon. the Finance Member says that Government have now for three years not only balanced their budgets but they have provided for substantial expansion of expenditure as well as for substantial remission of taxation. So, Government do not consider that the existing circumstances justify recourse to the expedient of the re-imposition of the pay cut. The Finance Member does not think that there is any necessity, at least in the interest of the smaller ryots, to give more remission as asked for by this Council. Further he says that, if we give remission to the extent urged to by this Council, disaster will happen; the whole of our revenue balances will be wiped out by 1935-36. It seems to me that the discussion of the Budget this year will centre round these two main questions, viz., the re-imposition of the pay cut and the necessity for larger remissions. Member after Member has, during the debate on the resolution about remission of assessment, advanced arguments and made out a fairly good case for larger remission. I do not wish to traverse the same ground. It is significant, Sir, that even such a friendly critic of the Government, as the *Madras Mail* has not, been satisfied with what the Hon. Finance Member has said regarding the question of the re-imposition of the pay cut. What I wish to urge is that Government should not rest content with merely balancing the Budget and having a safe margin of balances. Their duty does not end with collecting taxes to the last pie possible, maintaining law and order with a firm hand and carrying on the routine administration. The welfare and prosperity of the people committed to their charge ought to be their main concern. What is the condition of the people to-day, Sir? The bulk of the people of this province, as has often been said, depend upon agriculture. Agriculture has to-day ceased to be a paying profession. The state of our industries, cottage industries as well as major industries, is far from satisfactory. The co-operative movement is in a tottering condition in many places. People are steeped in debt. Unless there is a prosperous peasantry, Sir, trade, commerce and industry cannot prosper. The peasantry form the backbone of a nation. As it has been truly said, they are the people who carry us on their backs. What have Government done to improve the condition of the ryot population? Mere retrenchment and remission is not sufficient to meet the needs of the situation. Government ought to take the necessary steps to raise the prices of agricultural produce upon which the prosperity of the ryot depends. The prosperity of this province as well as the prosperity of the Government are closely bound up with the prosperity of the ryot. The Hon. the Finance Member points out that the character and the causes of low price levels and the various problems presented by the depression are none of them the matters with which individual Governments, not even the Governments of great States, can effectively deal, much less a subordinate Government such as ours. So he says

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it is idle to expect the Provincial Government to find remedies for an evil the causes and the cure of which are beyond their competence. It is true, Sir, that the authority for the remedies of the present depression rests to a great extent upon the Central Government which deals with questions of exchange, currency, banking, freight, tariffs, protection, etc., questions which have a great bearing upon the development of trade and industries. Some of the causes of the present depression are not within the purview of even the Central Government. They require international action to tackle them. We recognize the limitations of the Local Government in this matter, but I ask whether the Local Government are doing what they can in matters which lie within their province? I think, Sir, there should be a well-laid out plan of economic development for the whole province. Mere haphazard development in one department alone or in another will not do much good. In most European countries and in Japan the State has accepted it as its duty to follow a policy of a well-planned economic development spread over a series of years. What Russia has been able to achieve as a result of the five-year plan is to-day the envy of the world. A second five-year plan is in operation now in that country. Russia is a country similar to India in many respects. It is a country with vast undeveloped resources and a large rural population. Look at what Japan has been able to do for industrial development by getting foreign experts, starting model factories and so on. Denmark shows what profits can be derived by a well-considered development of agricultural co-operation. There should be an economic survey of the province by experts and this should be followed up by the establishment of an Economic Advisory Council or Economic Bureau for co-ordinating the activities of the several departments dealing with matters economic. It may no doubt be pointed out that the Government of India themselves have set on foot an economic enquiry, an economic survey in the whole of British India. But this province has no excuse for inaction; this province too must take up the question and see what they can do in matters which lie within their province. The Bengal Government have not made the action taken by the Government of India an excuse for inaction. They have set up or they are going to set up a board of economic enquiry. The United Provinces Government established an Economic Board and an Economic Bureau three years ago. The United Provinces Council has passed, and the United Provinces Government have accepted, the resolution moved by Mr. Chintamani in last December in regard to this matter. Now, Sir, look at the future. There is little scope, at least in the near future for expecting increased income from land revenue; and if the prices continue as they are to-day—if there is no increase in the prices—Government will have to make land revenue concessions a permanent feature of their Budget, and this would involve a loss of several lakhs of rupees annually.

“The Hon. the Finance Member has pointed out in the report of the proceedings of the Finance Committee that there is a progressive increase of expenditure to the extent of 10 lakhs annually on account of increments, growth in pensions, Education Taxes Grant and so on. The

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coming Reforms will increase expenditure and if we are to keep up the progressive character of the Government, we shall have to find more money to meet the increasing needs of the nation-building departments. How are the Government going to find money for this increased expenditure? Government should not allow matters to drift; they must follow a well-planned development, a well-planned scheme of economic development; they must see that there is steady improvement in the economic condition of the people. They must concert measures for increasing the prosperity of the province; they must develop the tax-paying capacity of the people. It is only in this way that they can find money necessary for the increasing needs of the future. In this province, Sir, where the area is so wide and the population so large, the revenue of the Government is not at all proportionate to its needs. There is no use in having a hand-to-mouth Budget. If the Hon. the Finance Member and the Government are really anxious—as they seem to be—to start the new Government with their finances in a very favourable position, they must try to improve the economic condition of the people, to find out new sources of revenue which people can easily pay and to obtain more money in years to come for meeting the increasing needs of the administration and the several nation-building departments.”

* Khan Bahadur YAHYA ALI SAHIB Bahadur:—“Mr. President, Sir, I have listened with close attention to the Budget speech of the Hon. the Finance Member. Not satisfied with the first impression, I have read his speech in cold print. I must say at the very outset that it gives a very lucid and vivid picture of the finances of the province not only for the current year and coming years but also of the previous quinquennium. He has told us how he has been able to save us from the state of financial bankruptcy of the year 1930-31 with a deficit of one crore which faced us. We are in a very happy position to-day; we find ourselves faced with a Budget of financial equilibrium, having provided for an expenditure of 25 lakhs of rupees on Part II schemes and with nearly 60 lakhs of rupees of land revenue remission, having had also to face great reductions in revenue under several heads. As an experienced financier, I believe his performance really deserves praise, especially, ¹²⁻¹⁵ Sir, when we see the financial position of the other provinces and also of the Imperial Government. Therefore, I feel, at the outset that this is a matter in which our province has to be grateful to the Hon. the Finance Member for the efficient way in which he has piloted the finances of this province. _{p.m.}

“There is no doubt some room for differences of opinion with regard to one or two items in the Budget. An hon. Member referred to the fact that in the by-gone days, we used to have a regular carnival of forensic display at the time of the general discussions on the Budget. I would, however, on this occasion, limit myself to two important questions which practically formed the pivot of the Hon. the Finance Member's speech, viz., the question of the pay cut and the question of further land

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revenue remission. Arguments on both these questions have been advanced *ad nauseum* on the floor of this House; but probably they have to be repeated once again during the coming three days. Before I take up these questions, I wish to make one or two general observations on the Budget proper.

"Sir, the first thing that a perusal of the Budget strikes me is the change that has been made with regard to the charging of expenditure upon capital works to revenue balances. In framing the previous Budgets, the Government charged such expenditure to current revenues and serious exception was taken to that course. I am glad to observe, Sir, that the Government have in the current year changed that policy, and have charged the expenditure to revenue balances rather than to current revenues. But it seems to me, Sir, that though in normal times that course may be sound, in exceptional times like the present, the procedure may be adopted of meeting expenditure, especially non-recurring expenditure, on capital works, from loan funds rather than from the accumulated balances. Those schemes are calculated to confer advantages on posterity; I feel, Sir, that posterity would have to pay for it. The further advantage that we would get by adopting such a course is that the repayment of the loan would be spread over a considerable number of years, and particularly at the favourable rate of interest at which the Central Government are giving us loans; the charge upon the revenues of our provinces under such heads will be very much less. Of course, Sir, I realize that arguments may be advanced to the effect that, when there are balances on hand, there is absolutely no justification whatsoever for expenditure like that being met from loan funds, and that we need not borrow any money, especially when we can afford to otherwise raise the money. But the question has got to be tackled in its true perspective; when we find that there are other demands on our current revenues and on our balances, which are more imperative and urgent, it seems to me that to deplete the revenue, balances by this means and then go to the country and say that there are no balances and that the balances are likely to be swallowed up within a period of three years, is cutting the argument both ways. During this crisis particularly, I feel that, if this expedient is adopted of charging all capital expenditure to loan funds, our balances would be in a much sounder condition and we shall be able to tide over the present financial crisis for a much longer period.

"Coming now to the question of the pay cut, I really do not wish to say much; for, the many speakers who preceded me have already spoken on that question and have advanced all the arguments that could probably be advanced. One hon. Member referred to the fact that the Government of India also had given a pledge of a similar complexion that the cut would be restored as soon as the finances improved; and I think I heard the Hon. the Finance Member interject that Sir George Schuster might be asked about it. I am quite sure, Sir, that if Sir George Schuster is asked about it in the Assembly, his answer would not be in the same terms as those used by the Hon. the Finance Member at page 8 of his speech, viz:

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'It cannot, I think, in the face of these figures, be said that we are confronted now with a financial crisis such as would justify us in again having recourse to an expedient adopted only by reason of the suddenness and magnitude of our past difficulties.'

"It might be said that the Government of India have not apparently tided over their financial difficulty just as the Madras Government have done. But, on the merits, Sir, I feel that this is only one of the three expedients which have been suggested for the purpose of enabling a larger amount of land revenue concession being made. The Finance Committee suggested that the concessions that they were proposing should be given, and that if necessary, the Part II schemes might be reduced, that if further necessary, the pay cut might be resorted to and thirdly that if absolutely necessary, the accumulated balances might be attacked. I say, Sir, that unless the other two expedients are exhausted, viz., reducing the Part II schemes and taking the money required from the balances, the sanctity of the pledge that was given should, to a large extent, be maintained. Arguments have been advanced that there has been a reduction in the prices of food-grains and that on this basis, the salaries of Government officials are now double their previous worth, that the grain-value of their salaries has increased. I do not believe, Sir, that in the case of all the food-grains, the current prices are in any way appreciably lower than in normal times; and I submit, with great respect, that to attach increased value to the salaries of these officials on this ground, is a great fallacy. The question of utilizing the balances has not, I am afraid, been sufficiently considered. Balances are after all accumulations of a prosperous time, and in times of adversity, there is absolutely no justification for maintaining those balances untouched. The Hon. the Finance Member, though optimistic elsewhere, suddenly grew to be a pessimist when he came to that part of his speech which related to the balances. He has generally taken throughout a very rosy view of things; but when he came to this question, he stated that within three years all our balances would be completely wiped out. I beg to differ from him. I feel, Sir, that that argument proceeds on the footing that this particular crisis is going to last for ever, and that the concession that is being asked on behalf of the ryot is something in the nature of a permanent concession. I think that the country, and I believe, this House, will be the very first to come forward, when prices have come to the normal pitch, to see that the concessions that are now sought, are withdrawn. It is not the policy of this Council to unnecessarily help the landed aristocracy, the land-owning classes, when there is no justification therefor. When they can afford to pay, certainly it is not anybody's intention that they should continue to get the concessions. I trust, Sir, however that very soon the equilibrium will be restored and that there will be no necessity for taking such a gloomy view of the future as the Hon. the Finance Member has taken in that part of his speech.

"Then, Sir, as regards the land revenue remissions, I have only one submission to make. The Finance Committee recommended a

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certain proposal; and I remember during the discussions on this question on the last occasion, the Hon. the Finance Member gave out that the concessions proposed by the Finance Committee would cost about Rs. 75 lakhs. The loss of revenue on account of the concessions granted by the Government during the current year, amounts, I take it, to about 62 lakhs. The difference between the two is only less than Rs. 14 lakhs; and surely it cannot be insuperable to meet this small additional amount from some head or other. Although the Hon. the Finance Member dealt with this question elaborately in his Budget speech, he has not chosen to tell us how the figures would work if the Finance Committee's recommendations had been accepted. The House may perhaps remember that speakers, on this side on the motion regarding the remission of land revenue, made it perfectly clear that this side was voting for the reduction because there was no other alternative proposal before it; and also stated at the same time that if the Finance Committee's recommendations were accepted by the Government, they would also agree. I adhere to that position even to-day. I feel, Sir, that the Government should show some imagination in the matter and carry out the recommendations of the Finance Committee, for whom, I am gratified to see, the Hon. the Finance Member has nothing but appreciation. If those recommendations are accepted, they will be a substantial concession shown to the ryots, while such acceptance will also mean that some consideration has been shown to this House."

12-30
p.m.

* Rao Bahadur C. NATESA MUDALIYAR:—"Mr. President, Sir, I cannot but thank the Hon. the Finance Member for having balanced the Budget, between an ill-conceived and miscalculated top-heavy administration on the one side and the relief and the nation-building necessities on the other side. I quite understand the strain which he would have undergone in struggling through. Really, I am extremely thankful to him. I would have been very glad if he had accepted at least 18½ per cent revenue remission. Sir, he is very solicitous and sympathetic towards the officials in not reimposing the cut in their salaries. May I ask, Sir, what about the heartless retrenchment that he and the Retrenchment Committee made in the various departments? What about those people who after putting in five and ten years of service were left helpless in the streets of the City, as a result of the retrenchment? They were sent away, without the least care being taken of wherefrom they were to get their maintenance for themselves and their dependents, without a thought being bestowed on, that they had entered Government service, not caring for other services and because they thought that there was stability in Government service. What is their fate now? After five or ten years of service they have become over-aged and therefore cannot be taken into any other service. In these years they might have developed a family with five or six children. Did the Government think of their plight? Are they prepared to think of it to-day at least? What is the use of being solicitous to the present clerks in the service, especially those who are escaping the rigours of the present distress because things are now selling so

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cheap? I ask the Hon. the Finance Member what answer he is going to give to this question. What about the unemployment in the City and in the mufassal? Of course, we wanted appointments being made according to the Communal Government Order. That was only with a view to satisfy in a way the claims of the various communities and to create a spirit of love, trust and regard among them towards one another. I am, of course, extremely thankful to the British Government that now at least we are thinking of the communities which were not thought of, for centuries together, some of these at least having been neglected for over 2,000 years.

"Now, Sir, what about the unemployed? In the City of Madras alone, there are about 485 educated unemployed degree-holders and these men possess Foreign, British and Indian, Medical, Legal and Arts and other degrees. What are we doing for these people? Will you now at least wake up and see what can be done to satisfy these 485 educated unemployed degree-holders, in addition to the 2,024 unemployed S.S.L.C. certificate-holders, sitting quiet at home and doing no work, in the very metropolis of the British Government. I may tell you, Sir, that this kind of injustice is not being done anywhere in this world. In England, no person should starve and that is the way in which the unemployed are being taken care of, there. Now, we Indians are under the protection of the British Government. Why don't they transfer at least something of the sympathy that they have for their countrymen to the people of this country? I therefore ask the Hon. the Finance Member what the Government are going to do for these educated unemployed.

"Now, as regards the mufassal, the same thing happens there. There are about 479 degreed people without any employment, and there are besides not less than 1,985 passed S.S.L.C. candidates, doing no work. Should we not do something for these people? Are not other civilized countries doing something for such people and why should India alone—the land of the Bagavath Githa which preaches that the whole world is a single human family—be subjected to this miserable condition. Here, I may inform the House what Germany is doing for her unemployed? All the unemployed are treated as poor and given assistance and the word 'pauper' is not found in the dictionary of the German people and no pauper should exist in Germany. 'The relief of the poor is one of the statutory obligations imposed on the authorities by imperial legislation supplemented by State statute.' That is the condition in Germany and what are we doing for our own unemployed? Now, let us see who are considered, as poor in Germany. The poor relief authority of Berlin regards as needing assistance, any person, not being work-shy, or of drunken or immoral habits, who in consequence of lack or diminution of work or of the loss of the breadwinner is unable by his (her) own work or resources to provide for himself (herself) and his (her) family, the necessary food, clothing, shelter, household utensils, etc. All these things are supplied by the

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German Government to those people who are without work or who are not earning enough. In fact, there is a Poor Inspector, who goes out and finds out whether the bread-winner is earning enough for his maintenance and that of the family and if he reports that the bread-winner is not able to support himself and his family, then the Corporation or the Government goes to his rescue. That is the way in which they regard their people. And the whole world is doing similar things whereas, we are not caring for our brethren who are suffering. I am speaking of the educated unemployed. Now, what about the uneducated unemployed forming the labouring classes who, I believe, are at least ten times as many as the educated ones.

"Again, Sir, in the Survey Office, people, who have put in a service of 25 years or so, are sent home without any pension or gratuity. Why should not Government give them at least gratuity or pension in view of their long service. Even in Government service, if a person serves for 25 years and on the eve of his retirement if he dies, what do the Government do for him. Nothing whatever. In such cases, in view of the length of his service, should they not at least give some pension to his family. That is the right thing that should be done. Is not such a thing being done in Mysore and in the Nizam's State. What is it that our Government do for such men? Again, Sir, the English social worker will 'seek in vain in the German Poor Law vocabulary for any term corresponding to the ugly word "pauper".' (Mr. P. V. Krishnayya Choudari: May I know from what book he is reading?) From the book entitled 'Municipal Life and Government in Germany.'"

Mr. U. C. SUBRAHMANYA BHATT:—"On a point of order, Mr. President, whether this sort of conversation across the table can take place?"

* The Hon. the PRESIDENT:—"I do not think there is any conversation across the table going on at all. Mr. Natesa Mudaliyar may continue."

* Rao Bahadur C. NATESA MUDALIYAR:—"And then, Sir, 'the idea underlying German poor relief is that the poor man who temporarily loses his foothold in crossing the treacherous sandbanks of social life does not for that reason forfeit the respect and consideration due to him as a citizen.' Let us now see, who are the people that form the poor relief committee. There 'the administration of poor relief falls to a council consisting of twenty members, viz., the mayor, the medical officer of health, and persons nominated by the town council for five years, these including women and working-men.' In Germany, it will be found therefore that the State is taking so much care of the people that highly placed men are on the committee for giving poor relief. If we consider the character of assistance given to the poor, it is stated 'In most towns out-door relief is granted on the principle of ascertaining what may be regarded as the "minimum subsistence incomes"

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necessary for individuals and for families of different sizes living at home, having regard to the principal factors in the cost of living, and such grants are made as are needed in order to bring the receipts of the applicants from other sources (if any) up to these amounts. The allowances naturally differ greatly in various towns. Assuming the absence of independent sources of income, the grants for a man or woman living alone range in the larger towns from 15s. to 37s. 6d. a month, though most rates fall between 20s. and 24s.; the usual rates for a family consisting of parents and three children range from 45s. to 55s. a month. Grants towards the payment of rent are also common.' It is therefore the duty of the Government to see that all the unemployed are given some maintenance or other. We do not care whether it is Brahman or Non-Brahman, Malayalee or non-Malayalee, they are all children of the State. They are the potential resources of the country and the Government should use their intelligence in such a way that they will improve the intellectual capacity of the country. In this respect, our South India can compare favourably or even much better than any other country in the world. These educated young men are now wasting their time and intelligence in waiting upon influential authorities. What the Government can do is that they can employ such men on research work, if the candidate is inclined to research by paying them maintenance allowance. So far as finding work for them, there is enough scope for the improvement of the country. If only the requirements are supplied to them. I am sure many people would come forward to take up such work. I will here quote what they do in Germany. I appeal to the young legislators to take up the legacy from us old people who may cease to exist in a few years and see that before their lifetime it is finished. We do not regard our unemployed as human beings even. So, there are many things in this book to which I would like to draw the attention of hon. Members. Most probably this book is in the Legislative Council, but I got it from the Madras Corporation."

* The Hon. the PRESIDENT:—"The hon. Member has exceeded his time-limit."

* Rao Bahadur C. NATESA MUDALIYAR:—"Thank you, Sir, I shall finish soon. Sir, the other day when replying to the various observations made by hon. Members in connexion with the debate on the Services Commission Report, the Hon. the Minister for Education characterized me as a 'hostile critic.' The word 'hostile' should not be used in this Council. Observations and criticisms from members of the Opposition even, ought to be welcomed. I am sure the Treasury Bench and in particular the Hon. the Finance Member will be glad to welcome healthy observations from the members of the Opposition and would not consider such observations and criticisms as hostile. When I was defending the Government against its critics, one Hon. Gentleman on the Government Bench said that I was hostile to the Services Commission. Now, if I support the Government, as I am

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bound to do as a party man, most probably he will request the hon. the Leader of the Opposition to suppress me. I do not want to take objection to the attitude he has taken, but I would only say that the word 'hostile' should not be used in this Council. (Mr. P. V. Krishnayya Choudari: Particularly to a party man.) Nothing of the sort. It should not be used even in respect of any member of this Council. With these few observations I shall sit down and speak on education at the time when the respective demands are taken up."

Mr. U. C. SUBRAHMANYA BHATT:—"Mr. President, Sir, the Budget which has been presented to us by the Hon. the Finance Member, I am constrained to say, is from the popular point of view a most unsympathetic one and which any Government could have presented, though from the point of view of the Government and their own officials, it is an apparently good one. I say 'apparently' because, in the long run they would themselves realize that they too will not be a gainer from the policy which they have been pursuing of late. Mr. President, Sir, the one thing which has been exercising the minds of public men, especially of men from the popular point of view, is where are we drifting to. With the administrative expenditure of the Government increasing from day to day, with the salary of the Government officers increasing from day to day and with the taxation—not only land-tax but every other kind of tax also—increasing, what is to become of the poor tax-payer and what is to become of the future administration of the country? That is the thing which has been exercising the mind of all public men. I am sure that that was felt to be also the weak point by the Hon. the Finance Member and that is the reason why—of course my own experience tells me, for I am a lawyer, and whenever my opposite side lawyer hints at a defence even before the defence is raised, I have been always thinking that that was the weak point in the argument of the opposite side; and here also it is true,—and that is the reason why the Hon. the Finance Member must have hinted to it in his speech to the two points. And that is the weak point. Now, Sir, the prosperity of every country depends upon the middle class people, the wealthy middle class. A flourishing middle class is the backbone of every country and of every country. In India, the agricultural class forms the major portion of the population and on the healthy and flourishing middle class, the prosperity of the Government must rest. If such is the case, what has to become of the Government in the long run if the agricultural middle class is to be impoverished and famine-stricken.

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"The important reason adduced by the Government for not giving the desired remission of 25 per cent to the agricultural ryot, is that they do not want to leave an impoverished treasury to the future Government. I ask the Hon. the Finance Member whether he is handing over a surplus to the future Government by leaving an impoverished middle class. In fact, there will be no middle class at all, and after wiping the middle class out of existence in this

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country, will any future Government stand to benefit by this surplus? Will it not be the primary task of any Government to foster and improve the middle class people who are the proper persons on whom any Government would rest?

"Then, Sir, there is the question of the pay cut. The Hon. the Finance Member said that it was only a national crisis which would justify a pay cut and the continuance of the pay cut should also rest on a national crisis. I ask the Hon. the Finance Member as to whether there can be any greater national crisis than the present one with a prospect of the wiping out of the middle class, the backbone of the country, on which the fabric of the Government and society is to be based. Well, Sir, if that very backbone is to be broken, is not the prospect of such a danger the gravest national crisis that will justify not only the pay cut but a drastic retrenchment all round. My submission, Sir, is that, apart from other things, that itself should justify a pay cut. That is a national crisis of the greatest magnitude. I am a student of history and I have read that about the 16th or 17th century what was threatening Great Britain was the wiping out of the middle class and the Government in England tried its best to prevent that, and that was the cause of the economic revolution in Great Britain. Well, Sir, are we not on the verge of another economic revolution which will destroy the social fabric of the whole of India if such a policy were to be continued. Now, Sir, if at all socialistic ideas have not so far prevailed in India, it is because the agricultural population of this country were against such ideas. With the social fabric falling, with agriculture as a non-paying occupation, will not these conditions tend to facilitate the introduction of new socialistic ideas in the country, and will not these things in their turn bring in their train much sorrow and suffering into this land? In this connexion I may say that this economic depression is not a new thing for India alone, but it is a thing which is prevalent everywhere else. At this time other Governments have come to the rescue of the people. They have tried to improve the economic condition of the people, to assist agriculture, to see that the prices of the produces are kept at a high level and in several other ways help them in this crisis. For instance, the United States, England herself, France and other countries have tried to keep up the financial stability of their respective countries, and also the prosperity of their population. But what have we done here? On the other hand, we are every day trying—I speak not only of the Government of India but even this Government—to impoverish the people further and further and add greater misery to the people. I am not here going to describe the condition of the ryot. We have heard it often not only here but also from the Press, and from the resolutions and motions passed by several agricultural associations. And it is also admitted by the Government themselves that the plight of the agriculturist is very bad. That being the case, I appeal to the Government to realize the seriousness of the situation and give the necessary relief which will be adequate to meet the necessities of the situation

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and save the middle class for the nation. The greatest disservice I should think which this Government is doing to any future Government, is impoverishing the people by taking more money from them than they could afford to pay with a view to hand it over to that future Government; but the real service will be to keep strong and prosperous the middle class which will at any time be able to give any amount of money if only it is helped by this Government. The policy of getting money and keeping a reserve somehow or other by destroying the middle class ryot is the policy of the man in the fable who cut the goose that laid the golden eggs, I may admit that the proverb applies in a way though not exactly. The policy of the Government is like that and nothing else.

"Then, Sir, coming to some of the specific grievances of my district without ventilating which I do not like to resume my seat, in the first place, we have got our forest grievances. Our ryot is suffering from the recent withdrawal of the privileges which had been enjoyed in South Kanara . . ."

* The Hon. the PRESIDENT:—"The hon. Member has already exceeded his time limit."

Mr. U. C. SUBRAHMANYA BHATT:—"Just two minutes, Sir. In a great measure this grievance is due to the fact that there is no co-ordination between the Revenue Department and the Forest Department. The Revenue Department thinks that it is not its concern to interfere in forest matters. All that the Revenue Department is concerned with is to get its revenue. But I must say, Sir, that the Government as a whole must view this question. The forest grievances of the people directly affect their economic capacity and their agriculture on which ultimately their prosperity and their capacity to pay the taxes depend. Times without number from platform after platform the ryots and the public of South Kanara have been agitating and pressing upon the Government the need to be considerate and to give these privileges which the ryots of South Kanara had been enjoying from time immemorial. Then again, Sir, we in this Council have been trying our best to press upon the Government this question on the Government but the Government does not seem to have done anything in the matter. It seems to be adamant. No doubt lately we had an assurance from the Hon. the Law Member that he would reconsider the matter and that he sent the representations to the local authorities for their report and opinion. In this connexion, I would appeal to the Hon. the Law Member to see his way to reinstate the old order and give the concessions which he has lately withdrawn as this withdrawal has affected the agriculturist adversely.

"Then again, Sir, South Kanara is a land where forests have been grown up, where fresh reserve forests are being added going right up to the coast, so much so that wild animals have been molesting the people not only destroying the crops but also proving a menace to

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domestic animals and human beings. We have been very often hearing of how wild animals like tigers and panthers are lifting away the cattle and also molesting the inhabitants. This year we find that the Collector of South Kanara has been following a policy of even cancelling the few licences which had been given to the people. I was told on enquiry that because the licence-holders did not purchase any fresh gun-powder, shots, bullets or other things, the licences have been withdrawn. Because it was thought by the Collector that in the case of persons having these things which were not used in India, licences should not be renewed. This attitude does not take note of the fact that there might have been powder, bullets and other materials which had been purchased in the previous year. It also does not take note of the fact that in some cases the powder purchased is also made locally. These two things have not been taken note of in the policy of refusing licences to those people who have purchased these things in the current year. Such being the case, the policy which has been adopted is thoroughly wrong and is to be revised. I appeal to the Hon. the Home Member to see that these licences which have been withheld for no cause except this, are given back to the people. (A voice: 'You say you are non-violent.') Quite so. In this connexion I would also say that the Government has formed a society for the protection of wild life. I may say, Sir, that in our district if licences are not renewed we will shortly have to start a society for the protection of human beings against these wild animals."

* Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. President, Sir, to-day the ryot's condition is becoming much worse than it was last year. Now I am not anxious even to demand land revenue remission in case the Government comes forward with other relief to the ryot. We are not anxious that the paltry sum of 12½ per cent or 9½ should be sanctioned. If it is given to the ryot he will not be in any way materially much benefited, because we are not anxious to make any agitation either outside the Council or inside the Council on some pretext or other for vote-catching purposes. I wish that the Hon. Members on the Reserved Benches should not think that we are making agitation for agitation's sake. But the agitation is partly due to the actions of the Treasury Bench itself. Two or three months back I brought to the notice of the Hon. the Minister in charge of Industries that foreign rice is being imported into our province; but he has not taken any action and said that the Government of India should be addressed to see that tariff walls are raised against fresh imports of rice into this province. Yesterday we saw in the columns of the Press that 21,000 bags of rice is being imported from Siam. The Hon. the Minister said that as only 50 tons were imported from Burma it would not require any protection. At that time it might not have required any protection, but now 21,000 bags are imported and the province certainly requires protection.

"Similarly, about the export of rice to the Nizam's Dominions, etc., when I brought the matter to the notice of this House, another

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Minister said he addressed a reference to the Nizam's Government and added that it involved the revision of treaties and so on. When I again asked after some time why that Minister had not taken action, he said 'Want of notice' or something like that. On account of such evasive replies of the Hon. Members on the Treasury Bench we have to ask repeated questions and raise the matter by motions. If Members on this side are making any agitation, it is merely because the Members in charge have not taken any steps to improve the condition of the ryot. Last year in the course of the Budget discussions, they said that they appointed a marketing officer to facilitate marketing of rice and paddy. But what is the net result? An officer was sent to Tanjore district to investigate into the matter. There are several districts producing rice in this Presidency, but no action has been taken by this marketing officer to arrange for any facilities for them. Even with regard to railway concessions, etc., they have not taken any steps in that direction also so far as the Madras and Southern Mahratta Railway is concerned. Simply because they have arranged for facilities from Tanjore on the South Indian Railway that won't help others on the Madras and Southern Mahratta Railway line."

* The Hon. the PRESIDENT:—"The hon. Member will continue his speech after lunch."

The House will now adjourn and reassemble at 3 p.m.

After Lunch—(3 p.m.)

* Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. President, Sir, what I want to impress upon the Government Members is that they should improve the marketing facilities more for the benefit of the ryots. Then, I do not think any ryot will demand any remission. As a matter of fact, if the Government were to utilize the 60 lakhs that they have granted by way of remission to relieve the difficulty of the ryots of the Madras Presidency by way of bounties, I think that would be a considerable help. If the Government had restricted the crops in the permanent wet land areas in the Presidency and if after investigation they had suggested that the ryots could grow any other crop in their wet land or if they had grown other crops such as maize, barley, or any other oil-seeds which are exportable to other countries, they would be given some remuneration, then it would have been a different thing. Last year, the Finance Member in his speech has said that they had given some relief to the ryot population by way of toll-gates. Again this year another Member is introducing tolls probably within a fortnight. This is another taxation on the ryots. I am glad the Hon. the Finance Member is very sympathetic about the non-agriculturist ryots. But the toll system will hit the non-agricultural ryots also because there are several labourers who are carting for hire and living on that. If the tolls are going to be reimposed, it will hit them besides the agriculturists. Already, the ryot is feeling for the low prices. The price of paddy at the present day is Rs. 1-14-0

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per bag in my district. But that is due partly to God's wish also because we had unseasonal rains. On account of that, several ryots are suffering. Government must improve the marketing facilities. If this is done, I do not think any ryot will be anxious to fight for remission. Another thing to which I want to refer is that our Presidency produces about 63 and odd lakhs of tons of rice which is very large. In the whole of India, Bengal produces 75 lakhs of tons and Madras coming next produces much more than any other part of India. In these circumstances it is desirable that an association of paddy growers on the lines of Tea Growers' Association, which has been organized and which has statutory powers, is formed, and is approved and given some subsidies by Government. I think we may then be in a position to improve the marketing facilities and give practical suggestions on behalf of the paddy-growers to the Government of Madras. If they are reasonable, the Government can adopt them. If they will do this, I do not think any ryot will ask for any remission. In the absence of these things, the ryot is compelled to ask for remission because he has no other go. Any small benefit to the ryot is better than nothing. On one side the Government is increasing more irrigation projects. Already we have got more paddy growing all over the Presidency. In this case, the business of the Government is to see that they exclude the paddy crop in the new projects, and introduce other crops for the benefit of the ryots because there is no use increasing the production of the same paddy as the price will go down and the Government will have to give more remissions. Out of the 30 lakhs of ayacut that we have under the paddy crop, if the Government would give some benefit to the ryot, who may try new crops by offering some remuneration, certainly the production of paddy will decrease and its price will also increase. He will also be supplying other necessary materials in the country. We have got many indirect taxations on the ryots. We have the system of detective police officers. Suppose the same people are employed to conduct enquiries about the subordinate officers of Government, there will be some sort of relief. The Frontier Government has appointed a committee to investigate into the corruption in public services by people who are abusing their powers. There are many indirect taxes which have to be paid by way of supplies and if the Government will employ a special staff to enquire into this matter in respect of the various departments, it will be a great help to the ryot. Government are having their own informants to give information to them on political matters. Similarly, every officer in the Presidency can be enabled to give some information and this may be placed before the Services Commission. For example, in a particular village because the people have not given the *mamul* of Rs. 400 to the Public Works department they let more water into the channels and thereby the water which was in the fields was not allowed to go out into the canals. This is all indirect taxation. To avoid all these indirect taxations, it is better that we have some informants as this will be more helpful in the interests of the ryots."

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* The Hon. the PRESIDENT:—"The hon. Member's time is up."

* Mr. P. V. KRISHNAYYA CHODARI:—"Two minutes more, Sir. I want to suggest one thing about the Medical department. In the cadre of district health officers people with very good qualifications are appointed. They are prohibited from having any private practice. They have to depend upon their salaries, and I do not see why the civil surgeons who are getting better pay are allowed to have their private practice. On account of such private practice, there is a lot of scope to abuse powers in various manners. Why the civil surgeons should be allowed to continue to practise, I am not able to understand. If you want to maintain efficient administration, I think it is desirable that you should not permit all the civil surgeons, leave alone the subordinate servants, but civil surgeons in the General Hospital and elsewhere to have private practice. That does not mean that we are not going to have efficient men. The district health officers are very highly qualified people with foreign degrees. So I request the Government to consider this matter. About the salaries cut, what I wanted to say is that as the Hon. the Finance Member suggested that there is no other way by which Government could give relief, I suggested that the salary cut should be resorted to. In every other province, they were having recourse to this, and that is the very reason why I wanted the Madras Government should also adopt it. When I moved that motion that does not mean I was in favour of remission. If these things are done, the ryot will be helped much more than by remission."

3-15 p.m. * Mr. ABDUL HAMEED KHAN:—"Sir, we have had a succession of speakers on this year's Budget who referred to the two very important questions now agitating the minds of not only the hon. Members of this House but also of the people at large. Before I make a detailed criticism of the Budget, I should like to say this that this Budget can be characterized as a very conservative Budget. The Hon. the Finance Member, as his predecessors, has been following a certain routine and this Government have not stopped to ascertain if, in cases of emergency, when the ordinary sources of revenue fail, new sources of revenue exist. The Finance Member had these items of revenue all these years and he has this year found certain figures in his own way to fill up the blanks. I thought the British people had the reputation of being always prepared for far-reaching changes in times of emergency. Whether that is so or not, when they come to this country, on questions of finance, they acquire the reputation of conservatives and tend to become more conservative than Indians who are said to be conservatives. Instead of, as I said, seeking to find new sources of revenue which will not affect the people directly in the matter of taxes, they have laid the burden much more heavily on the same people over and over again. Take for instance the case of the agriculturists. These people are made to pay any number of other taxes in addition to land-tax. On the other hand, there are many people who do not contribute anything to the State except income-tax. Sir, this is not

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distributing the burden of taxation evenly. The proper thing to do would be to distribute the levy of taxes on all people equitably. The present system under which we are working with its limitations on the non-officials in the matter of financial questions makes us think that no good purpose will be served by our getting up from our seats and making remarks year after year. We have no responsibility given to us. On the other hand, Hon. Members of the Government have got the power to do as they like with the finances of this province. We can, of course, move cut motions and make criticisms at this stage. But our view will not be accepted in matters relating to the reduction or the increase of the items of taxes as long as we are in this condition. Therefore it is that I say that no useful purpose will be served by our making remarks on the Budget. However, as it has been customary to offer these remarks, and in the hope that the Hon. Members of Government would take note of our suggestions and revise their opinions on matters vitally affecting the people, we are making these remarks.

"My hon. Friend, Mr. Shetty, referred in his speech to the indifference of the Government towards improving the economic condition of the people. Of course, he will be told that ours being a subordinate Government, it can only control the finances of the province in order to meet the expenditure to which it has committed itself and that large policies of tariff and other things are not our concern. In spite of these limitations, it seems to me, Sir, that even a Provincial Government can devise ways and means for improving the economic condition of the people committed to its charge.

"We are having the Industries department for a very long time and this Government has been spending large sums of money on it. We have also got the State Aid to Industries Act on paper. I daresay that it has been there only to persuade the people to believe that the Government are anxious and sincerely desire to improve the industries of this province. During all these years, it has done nothing to justify its existence. It will satisfy none who makes a survey of the industrial position of our province to see the improvements that have been effected in our industries during the last 10 or 12 years since the subject was transferred to responsible Ministers or since the passing of the State Aid to Industries Act. The department has done nothing to enable our industries to compete successfully with the Japanese products or the British products or the German products which have been flooding our markets and ruining our industries.

"My hon. Friend, Mr. Natesa Mudaliyar, referred in detail to the question of unemployment. Not only skilled labour that is unemployed, but educated young men in hundreds are unemployed. The Government of this province has not moved its little finger to tackle this vital problem which has become very acute. The disastrous effects of long unemployment have been acutely felt in other provinces and it is really providential that our province has not been affected in the same way.

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If any disaster results from this unsolved problem of ever-increasing unemployment, nobody except the Government would be responsible therefor. They have done nothing and they have taken no steps to find ways and means for opening works where the unemployed can be provided with work.

"On the question of excise, I see that the Government have not fulfilled the promise made by the Ministers in charge of this portfolio to bring about total prohibition within a certain number of years. I see in the Budget, no sign of the Minister making attempts to meet the shortage in excise revenue consequent on the steps taken to bring about total prohibition. He is, therefore, taking no such step towards fulfilling his promise.

"The Hon. the Finance Member referred in detail about 14 or 15 times in the course of his speech to the land revenue concession which the Government have granted to the agriculturists. He has made, I think, a little too much of the concession the Government has given. I think that was his strong point to meet any possible cut motion that may be brought forward and strongly supported in this House. But, Sir, I am afraid he is mistaken if he thinks that he has succeeded in making hon. Members representing the districts refrain from agitating this question over and over again. This question is one which affects a very large class of people in this province.

"The other question that looms large on the horizon this year and to which the Hon. the Finance Member devoted a good portion of his speech relates to the cut in the salaries. Sir, he has stated that there was no possibility of the Government considering any imposition of cut in salaries this year, on account of the fact that the Government find that the finances of the province have reached a state when it would be quite wrong to re-impose the cut. Sir, my view is that our Government have become very conservative and that is the reason why they do not want to make any change to meet extraordinary situations.

"They want to maintain the *status quo* with regard to financial Budget, and they do not want to meet the extraordinary situation by extraordinary methods. We know, although the Hon. the Finance Member can show to us, that he has been able to balance the Budget, I am afraid he has been able to do so only at the cost of the really useful nation-building departments, by putting off Part II Schemes of vital and urgent importance. Sir, that is not the correct way of balancing the Budget. I am afraid it is a very artificial way of doing it, as it does not help the people, for whose benefit it exists.

"The two or three ways by which the Government could have met the present situation are by a re-imposition of the salary cut in a graded scale and by resorting to real and substantial retrenchment, i.e., by removing unnecessary officers, of whom there are several in the departments of the Government.

"In conclusion, I would say this: it is the democratic institutions of the future reformed Government that are going to cost us much

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more than the present system, and so unless the Government of to-day is in a position to devise ways and means of its revenue by other means that at present exist, as has been anticipated by the Hon. the Finance Member, I am afraid the future Government would not be able to carry on administration smoothly and to the interests of the governed."

Rao Sahib Pandit GANALA RAMAMURTI spoke in Telugu, and the following is the English rendering of the same. 3-30 p.m.

"Mr. President, Sir, I congratulate the Hon. Sir H. G. Stokes, the Finance Member, for presenting a balanced Budget this year also. It is praiseworthy to note that, while all other Provincial Governments and the Central Government are facing deficit Budgets, the Madras Government, due to the credit of our Finance Member, have the unique privilege of presenting a balanced Budget without fresh taxation in these days of world-wide depression. I submit, Sir, that it is a matter of immense satisfaction that, ever since he took charge of the Finance portfolio, he has been able to present to this House surplus Budgets only.

"In accordance with the idea contained in the following stanza in Raghu Vamsam of the famous poet Kalidasa: 'ప్రజానామైవ ధర్మార్థం సహ తాభ్యః బలిమగ్రహీత్, సహస్రగుణముక్తుష్టం ఆదరణీయసంరథం' and taking advantage of the general discussion of the Budget, I should like to suggest a few points for the consideration of the Government, with regard to the welfare of the Viswabrahmana community of this Presidency. Sir, I submit that the Local Government may, by notification in the *Fort St. George Gazette* under section 2 (3) (b) of the Indian Factories Act, declare to be factories, all private petty workshops in this Presidency where work is also carried on in iron, steel, brass, bronze, bell-metal, copper, zinc, tin, aluminium, timber, ivory, stone-carving, engineering, mounting of precious stones, silver, gold and other metals, and in which not less than ten persons are simultaneously employed in any one day in a year, as seasonal factories, e.g., using no power but employing substantial number of workers. I urge that the provisions of the Indian Trade Unions Act, Trade Disputes Act and Workmen's Compensation Act should also be made applicable to these workshops. It is needless for me to say that, unless the Local Government be pleased to recommend to the Government of India that sections of the Indian Penal Code, viz., breach of trust and contract be made inoperative in so far as they apply to these artisan's workshops, the present condition of the home industries will not become prosperous. In reply to the motion of my hon. Friend, Mr. H. M. Jagannatham, that the Artisan's Bill be referred to a Select Committee, the Hon. the Home Member was pleased to say on 31st October 1932 that the Government would consider the question of bringing these workshops under the rules of the Indian Factories Act. But I am sorry to say that nothing has been done till now in this direction. I beg to bring to the notice of the Government that legislation may be immediately introduced with the object of providing adequate representation to the members of my community in the local boards, municipalities and village panchayats within the scope of 'reservation of

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seats.' The Government may also be pleased to ascertain the extent of tyranny caused by the existing system of cast headmen, how the community is put to hardships thereby and to take steps to stop the continuance thereof by legislation, if necessary.

"The next item to which I have the honour to refer is about the question of preferential treatment to Viswabrahmans in respect of certain concessions. A resolution to that effect was drafted and balloted and included in the Agenda for 1st February 1934 in the name of my hon. Friend, Ahmed Miran Sahib Bahadur. The text of the said resolution reads thus that—

'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—

- (1) in respect of direct recruitment to appointments in public services;
 - (2) 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 services till the age of 30 years;
 - (3) in respect of educational facilities, such as award of scholarships for technical studies through the Industrial department;
 - (4) in respect of grant of waste lands and house-sites on ordinary darkhast rules; and
 - (5) 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.'

"But, as the proposer of the aforesaid resolution did not move the same, there was no chance for the various grievances of the members of my community being brought for the kind consideration of this House. Sir, the resolution requires a little explanation. The main object of the said motion is to raise the age limit of the candidates belonging to the community who appear for the Services Commission examinations and who join public services and to provide them with facilities for direct recruitment for higher cadres in services and to accord them preferential treatment in regard to appointments and promotions. It also seeks the help of the Government in respect of grant of waste lands and house-sites to the members of the community on ordinary darkhast rules. It urges the Government to afford to them educational concessions and arrange for ameliorative work for them through the Labour department, which privileges are now being enjoyed by the Depressed Classes. After all, this is a permissive resolution. The hon. Members of the House are aware that I had made reference to the subject-matter of the present resolution by way of cut motions to Demand X in the Budget for 1932-33 on the 15th March 1932 and to Demands VIII and X in the Budget for 1933-34 on the 16th March 1933. But as the House is equally aware that the Hon. the Revenue Member did not make any favourable statement in answer to my request, I was compelled to bring in the subject in the form of the said resolution with a view to get some concessions to my community.

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"Then, Sir, as regards the classification of communities under the Depressed Classes and backward communities, a list of which was laid on the table by the Hon. the Revenue Member on the 24th February 1932, I would like to invite the attention of the House to the fact that many 'savarna' communities among the Hindus, find a place in the list of the Depressed Classes along with Harijans who are also called 'Avarnas.' For instance, *Savarna* communities like Kallan, Koravan, Marati and Padayachi are included in the Depressed Classes. Dudekula, Labbi, Mali, Togita communities are included along with my community in backward communities under 'castes other than the Depressed Classes.' Though Ganika and Kalavantula is one and the same community I wonder why both should be mentioned as though they are different communities. There are many such errors and this is only by the way, Sir, and this is also evident by the remark of my hon. Friend, Mr. M. Devadasan, that 'it includes not only the untouchables but hundreds of other castes also who claim to be suffering under the same disabilities as the Depressed Classes' in connexion with the debate on the report on the Madras Services Commission for 1931-32 on the 25th January 1933.

"In the proposals on Constitutional Reforms, contained in the 'White Paper' Kadar, Lohar, etc., in Bengal, Hill-Dom or Shilpkar, etc., in the United Provinces, the Khatic, etc., in the Punjab, the Sutradhar, etc., in Assam, were included under the scheduled castes (hitherto known as the Depressed Classes) other than classes as per its Appendix VIII. Thus it would be seen that the criterion with which different communities are classed under the Depressed Classes is not untouchability, as has been adopted by the Indian Franchise Committee, but it is the political and social backwardness of a community.

"The following extracts will speak for themselves that the above-mentioned communities in the 'White Paper' form part and parcel of the Viswabrahmans and I may be allowed to read them for the information of the House.

"The Tribes and Castes of Bengal, by H. R. Risley, Volume II, contains the following at page 22:—

'Lohar:—The blacksmith caste of Behar, Chota Nagpur and Western Bengal. They regard Viswa-Karma as their legendary ancestor and worship him as their tutelary deity for their craft.'

"And again at page 287—

'Sutradhar:—Chpater, the carpenter caste of Bengal, Sutradhars claim descent from Viswa-Karma.'

"Hindu Tribes and Castes as found in Benares by Rev. M. A. Sherring, M.A., LL.B. (Lond.) (1872), has at page 314 the following:—

'Kharadi:—The Kharadi is a turner. The Hindustani word for the turn (by the lathe) is Kharadha.'

"The Tribes and Castes of the North-western Provinces and Oudh by W. Crook, B.A. (1886), Volume III, contains the following at page 372:—

'Lohars trace their origin to Viswa-karma.'

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“Census of India, 1891, General Report by T. A. Baines, F.S.S., reads thus at page 190:

‘The original carpenter caste was the Sutar or Sutradhar but the Barhai from Vardh “to cut” is equally Sanskrit as is Khati. Khatik from either Khatti timber, or Khati—a wooden bed-stand, etc.’

“Census of India, 1911, Baroda, by Rao Bahadur Govinda Bhai H. Desai, B.A., LL.B., Volume XVI, contains the following in its Report, Part I, at page 316:—

‘Sutar:—Carpenters from the Sanskrit word Sutradhar (Sutra, i.e., the thread with which the course of the saw is marked).’

“So much for the inclusion of castes other than untouchables under the Depressed Classes. But the Local Government’s definition of the term ‘Depressed Classes’ as given in answer to my question No. 489 (469) on 28th February 1931 is different from that given in answer to question No. 70 (880) of Mr. P. V. Krishnayya Choudari on 17th March 1933. So the original resolution which had been given notice of previously had been considerably modified into the said resolution.

“Now, Sir, turning to the subject, namely, to urge the Government for the same privileges to the members of the Viswabrahmana community independently, like the so-called Depressed Classes, though the hon. Members of the House are fully aware of the political and social backwardness of my community, I would like to place before them a few facts. Though roughly speaking the Viswabrahmans are twelve lakhs out of a population of four crores in the Madras Presidency according to the census of 1921, they have never been returned in elections to the popular representative bodies even including the local Legislative Council, the Legislative Assembly and the Council of State, what little representation they may be enjoying being only due to the good will of the Government in nominating them to such bodies. Its backwardness in education and representation in services need not be spoken of as only very few members thereof who can be counted on one’s fingers’ ends have been in services, those rising to higher ranks having been limited to not more than half a dozen from the beginning of the benign British Rule in India till now. They fall far short of the representation enjoyed by the so-called untouchables both in representative bodies and services. The social disabilities which my community has been subjected to, are many and varied. When the Hindus were reconverted from Buddhism to Hinduism, my community being the last to reconvert, was made a left-hand caste, while others including the so-called ‘Anthyajas’ were called the right-hand classes. The social ostracism exercised by the latter against the former was so great that the members of my community were denied the right of going in palanquins on marriage occasions and were not allowed to whitewash their houses, these two being the most prominent among several such restrictions. The reason for this may be their claiming greater privileges over other higher classes. But the fact remains that this community has been suppressed and down-trodden by other communities in the Hindu fold.

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The social persecution had done to such an extent as would make it almost a community outside the Hindus. The extracts given below bear out the statements made above whether or not I agree with all that is said in them. With your permission, Sir, I beg to read the same.

“The tribes and castes of the Central Provinces of India, by R. V. Russel (1913), Volume IV, contains the following in its glossary at page 517:—

‘Sonar bridegrooms were not allowed to use the State umbrella or to ride in palanquin and had to be married at night and in secluded places being subject to restrictions and annoyances from which even Mahars were free. Their *raison-detre* may possibly be found in the fact that the Brahmans all-powerful in the State were jealous of the pretensions of the Sunars and devised those rules as a means of suppressing them.’

“Almost the same state of affairs prevailed in the Madras Presidency also.

“Hindu Law by J. H. Nelson, M.A., has at page 100 the following:—

‘It seems to be tolerably certain that the Panchala (Goldsmiths and other artisans) not only are not orthodox Hindus but from the very earliest times have stood aloof from the general population and managed their own affairs in a strange fashion upon esoteric principles of their own derived from the sacred writings known only to their own Gurus. These principles of Panchala may or may not have been communicated to the other castes that go to make up the “left-hand.” Probably they have not the “right-hand” which is generally supposed to consist of strictly orthodox Sudras. As a matter of fact, its leading members would seem to be Linga worshippers who openly deride Brahmans and the Vedas.’

“Colebrooke says—

‘That the Karma-kara or Blacksmith is classed in the Puranas as one of the polluted tribes.’

“Census of India, 1901, Volume XV, Madras, Part I, Report, contains the following at page 159:—

‘Kammalan—There can be no doubt that the Kammalan’s claim is of comparatively recent origin. The inscriptions of 1030 A.D., referred to in paragraph 464 of the 1891 Census Report show that at that time they had to live outside the villages in hamlets of their own like Perriyans and other low castes and at a later one since translated (South Indian Inscriptions, Volume III, Part 1, page 47) gives an order of one of the Chola Kings that they should be permitted to blow conches and beat drums at their weddings and funerals, to wear sandals and to plaster their houses and shows by implication that these luxuries were previously denied to them.’

“Madras District Gazetteers, Salem, Volume I, reads thus at page 202:—

‘Pariahs look down upon Malas, Holeyas, Madigas and Chucklers and will not dine with them. Being the right-hand faction they appear to bear a special antipathy against Kammalars.’

“Trichinopoly, Volume I, contains the following at page 130:—

‘The Paraiyans and Pallans each treat the other with much scorn. The former will not, however, accept separate meal from Kammalars.’

“In addition to the foregoing, I may be permitted to say that my community has been grouped with Oddes, a Depressed Class, in the Anantapur District Gazetteer at page 32. In an appeal issued by Messrs. V. Ramadoss Pantulu, S. Srinivasa Ayyangar, S. Satyamurti,

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L. A. Govindaraghava Ayyar, A. Rangaswami Ayyangar as Directors and Mr. V. Venkateswara Sastri as Trustee on behalf of the National Fund and Industrial Association, Madras (established in 1906) the artisan classes of which my community is one were grouped among the Depressed Classes.

"Further, the Local Government have included my community under backward classes in the Educational Rules, but have included it among non-Brahmans for purposes of appointments as per their memorandum No. 1314-7, Public (Services), dated the 27th April 1931. The village blacksmith, the carpenter and the shroff who are a part and parcel of my community are classified as village menials in section 3 (4) of the Madras Hereditary Village Officers Act III of 1895. M.R.Ry. Rao Bahadur Pokala Govinda Rao Nayudu Garu, B.A., B.L., Chairman of the Rajahmundry Municipality, suggested to the Government in 1931, that the name of the Viswabrahmana community may be added to the list of the Depressed Classes in connexion with the Local Bodies Amending Bills.

"Then again, Sir, as regards the economic status of my community, I need not say much, for the hon. Members know that it is an industrial community scattered throughout the country, hardly making a living even during the prosperous days of the country. Nothing need be said about its sufferings during times of famine and trade depression. The condition of the bulk of the community which follows goldsmithy, is deplorable in times like the present when gold worth crores of rupees is exported to foreign countries as a result of the exchange policy of the Government. 'The true epic of our times is not arms and the man, but tools and the man' says Carlyle. So the prosperity of the country depends upon the development of its industries both cottage and others. In the words of Count Leo Tolstoy 'Science and Art are as closely bound together as the lungs and the heart so that if one is vitiated the other cannot act rightly.'

"Now, Sir, the following may be read with interest. Census of India, 1931, Volume XXVIII, Travancore, Part I, Report by Mr. Kunjan Pillai, contains the following at page 365. Under the heading 'Classifying population by occupation' the learned author observed that—

'they know that the Census Report is the record on which Government bases its future policy of social and political development and in such a record they meant the strength and position of each caste which forms a social unit to be correctly recorded. Castes following the same occupation are found in different stages of advancement. Some are educationally very backward and have not had their due share of representation in Government service and democratic institutions. If they are classed with the more advanced castes who occupy a position of vantage simply on the ground of their following the same occupation, their interests will surely suffer and in the struggle for existence they may even be stamped out of existence. Such an apprehension does exist in the minds of the backward and depressed classes. It will vanish only when the people as a whole have been sufficiently educated to be able to forget their caste feelings and subordinate individual and communal interests to national welfare. Such a happy time has not yet come. Caste feelings are still rampant in spite of the stray streaks of social reform visible in some sections of society.'

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"So, Sir, the Government would do well to see that such a community as mine, the backbone of the country, does not go into extinction, by means of granting to the members thereof, waste lands and house-sites on ordinary darkhast rules, providing educational facilities and extending the ameliorative work to them through the Labour Department. After all, this is a moderate and a reasonable request. If this be not done by Government, cottage industries will not thrive. It is also necessary for the amendment of the rule relating to the minimum general educational qualifications for Brahmans and non-Brahman Hindus and a lower standard of qualification for candidates belonging to other communities as stated in the Report of the Madras Services Commission for the year 1932-33, page 7 (a) and to bestow the same privileges upon the Viswa-Brahmana community independently, like the so-called depressed classes. For this reason the leaders of my community are carrying on an agitation to urge the Government for all the concessions adumbrated in the said resolution there being no alternative left to the community to receive the aid of the Government.

"The seventeenth session of the Andhra Provincial Viswa-Brahmana Conference which was convened under the auspices of the All-India Viswa-Karman Liberal Federation at Tenali, Guntur district, on 21st and 22nd October 1933 under the distinguished presidency of Brahma Sri Andhra Vidya Vachaspati Satavadhani Kommuru Sangameshwara Kavi Garu, Editor of 'Sri Viswa-Karma' of Rajam, Vizagapatam district, to consider specially this question, whole-heartedly endorsed the said resolution. It would thus be clear that my community stands by the said resolution.

"Before I conclude my speech, I would like to clear one point, that is, that I would never be a party to claim for my community any privileges, concessions and funds granted to and set apart for the Depressed Classes. But all that I want is that similar privileges may be accorded by the Government to my community. I would therefore request the Hon. the Member for Revenue to grant these concessions and help my community which is a loyal and law-abiding one in its struggle for existence, with a view to do justice to every community.

"Lastly, I would appeal to the Hon. Members of the Treasury Bench to be pleased to show grace and thus save my ancient and important industrial community in its hour of trial.

"With these words, Sir, I beg to resume my seat."

* Mr. P. PEDDI RAJU:—"Mr. President, Sir, of course, I must 3-45 thank the Hon. the Finance Member for the lucid way in which he has P.M. presented the Budget. But I cannot congratulate him or the Government for the way in which they have treated the public in general. The Budget is intended to show how the taxes can be levied and how the money is to be spent. I think the duty of the Government is always to look after the interests of the public, i.e., generally the masses. Government ought to know first whether the people would be able to pay the taxes before they levy them. The main principle of taxation is one

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of capacity of the people to pay and not one where the Government can realize money as much as possible. I am sorry to observe that the whole Budget looks as if the purpose of Government is one of tax-gathering only and not one of administering to the needs of the subjects. The policy of the Government has led to economic decay and depression in the country. I think it is political considerations that have prevailed more in framing the Budget rather than the economic needs of the Province. The Hon. the Finance Member has clothed the Budget with these thoughts, and naturally it has given rise to a feeling of disappointment in the minds of the population of this Province. For instance, referring to the remarks made by some hon. Members of this House in regard to the land revenue remission at page 9 of his speech he says thus:

'Sir, I am afraid, rhetorical exuberance of this sort is not going to get us very far, nor is it very helpful to the Government in discharging its duties in these difficult times.'

I think, Sir, the very same expression applies to the Government. It is really rhetorical exuberance that is exhibited in the Budget, and not the real interests of the people. For instance, it is trotted out always that we are on the eve of Reforms and that Provincial Autonomy, is coming and so we must see that the future Ministers are not hampered by want of funds. The question at present is not one of revenue resources of the Government of the future, but one, whether the people of the Province can bear the burden of taxation at the present stage. Whatever Provincial Autonomy may bring, I think the contentment and the prosperity of the people should be the concern of the future Government, and so the subject, whether Provincial Autonomy comes, or when it comes, is not the matter that is occupying the attention of the people at large to-day.

"Sir, to-day, it is admitted by the Government, the Members of this House and, in short, by everybody that the economic condition of the ryot is very distressing, and so in order to relieve this distress, I want to know what steps the Government have taken. From the Budget, it appears that does not seem to be the concern of the Government.

"In paragraph 25, the Hon. the Finance Member says—

'And leaving the agricultural voter, what shall be said of the masses of the poor, whose needs are so pressing and so obvious—the landless labourer, the small shop-keeper and the rest?'

I do not know whether Government have realized that in this Province most of the population is rural population, and that even according to Government statistics, 75 per cent of the population live by agriculture, that is, they pay taxes to Government; and we also find from the Budget that nearly half the revenue of the Government comes from land-tax. So the real question is, are you going to take care of the 70 per cent of the population or the landless labourer, the small shop-keeper and the rest? And what has the Government done even for the landless labourer, the small shop-keeper and the rest? I don't find anything in the Budget even for them. If you improve the condition of the ryot you will be automatically improving the condition of the landless labourer, the

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small shop-keeper and the rest. I think the ryot is the mainstay of the Government as well as the mainstay of all other professions. And so the solicitude of Government in saying that they have a soft corner in their heart for the landless labourer, the small shop-keeper and the rest seems to be beside the point.

"In another portion, the Hon. the Finance Member has stated that the ordinary poor ryot realizes that remission does not give him much benefit but that he has begun to realize the advantage in having more village roads, water-supply and things of that sort. I am sorry to find in the Budget that the Government have not made any headway even with regard to these items. So far as the needs of the rural population are concerned, they have not been looked after. More than that, provision for water-supply has been cut short considerably. I find from the papers supplied to-day that while the proposal of the department concerned was for an allotment of 5 to 7 lakhs of rupees, the Government were able to give only 1½ lakhs. The same is the case with regard to education and village roads. The usual grants have been cut down. I do not know what the Government have done in the matter of improvement of any of these amenities so far as villages are concerned. I find that Government have got more solicitude for the welfare of the urban population. They spend more money on Part I and Part II Schemes for the urban population and not for the rural population. Of course sentiments have been expressed in paragraph 25 on page 10 of the Budget speech. They are very laudable but I find they are not translated into action.

"The other point is that a remission of 12½ or 18¾ per cent will not go much to benefit the poor ryot. I think the Hon. the Finance Member does not realize the actual benefit that the poor ryot will get by a saving of annas 2 rather than a rich man will get by a saving of Rs. 200. The Hon. the Finance Member, while arguing this case, said that he cannot think of reducing the salaries of the highly paid officials. If the Government servants cannot go on working with a cut of 5 per cent or 10 per cent in their salaries, I do not know how the poor ryot who is not able to get more than Rs. 10 will be satisfied with a reduction of Rs. 1-8-0 or so in their taxes. I hope the Hon. the Finance Member will realize the justice of my argument. Supposing his peon who is paid about Rs. 10 or so is paid annas 2 as baksheesh, he will be immensely pleased, and he will go on working contentedly, whereas if an official is paid even Rs. 10 more he will not be satisfied. In like manner, if the poor ryot is given even a small reduction, he will really be pleased because it will give him food for four days in the year. I submit that that argument of the Hon. the Finance Member is not correct.

"The other portion of the arguments of the Hon. the Finance Member in paragraph 24 refers to the action of the Government in looking after Irrigation Works. He says—
and not a great deal more can be done without crippling the administration.'

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I put it to the Hon. the Finance Member as well as the Hon. the Revenue Member if anything has been done to improve the existing irrigation works. They are more concerned with productive irrigation works. They have not spent a pie for protective irrigation works. I will quote one instance. Take the West Godavari district. In the western delta of the Godavari district, the ryots have been complaining for the last 25 years about the lack of improvement of drains. The usual answer was that they improved the Yenamadurru drain at a cost of 15 lakhs from 1909 onwards. They are concerned only with one drain and that drain has been classified as productive drainage work. I ask the Hon. the Revenue Member if, in spite of the many representations that have been made during the last 25 years, at least one lakh has been spent for the improvement of other drains. I ask the Hon. the Revenue Member whether during his recent visit, representations were not made complaining about the non-improvement of other drains. There is a drain called Nakkala drain in Narasapur taluk and it has devastated the crops to the extent of 3 lakhs of rupees. As a matter of fact, full remission was granted for about 8,000 acres this year. I have got other drains in the delta which require improvement such as the Gouteru drain and Bhaggeswaram drain. These are matters which have been talked over and over in this Council and not a pie has been spent over these drains. I find no provision is made in the Budget, except Rs. 1,000 or Rs. 2,000 here and there for this purpose. So you will find that portion of the argument of the Hon. the Finance Member is not sound. Of course, Government may say that they are going to take up new schemes and such schemes will be beneficial to the people. My question is whether you want to benefit the man who is paying the tax or somebody else? My submission is that the arguments of the Hon. the Finance Member with regard to land revenue concessions are not sound and do not appeal to the ryots concerned. Of course, the Government realize that prices have fallen and the ryot is unable to pay. While such being the case, I do not know how the Government want to collect more taxes and then pay their top-heavy administration. I appeal to the Government to see whether they want a contented and prosperous ryot or a discontented ryot. His argument that the concessions will not go much to benefit the ryots is not at all convincing. If the Government take it into their head to do something for the ryots, it will be a great relief for them. So the Hon. the Finance Member's speech, so far as land revenue concessions are concerned, does not go to meet the wishes of this House. He has made a speech and made it impressive by clothing it with policies. I want the Members of this House to understand that this will not serve the purpose for which it is intended. The Hon. the Finance Member has referred to the depletion of provincial balances, but if you will refer to the Budget Memorandum you will find that the depletion is not due to present expenditure but it is due to the undertaking of several other capital works. Instead of borrowing the money for these capital works they have utilized from their revenue balances. For instance the Cauvery-Mettur Project was being financed from loan funds. From last

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year what they are doing is they are utilizing the funds from provincial balances and their reason is that they will get 5 per cent instead of 4 per cent which they would get if they invested their balances with the Government of India. So practically it is no depletion of provincial balances. You will find from the Budget Memorandum presented to us that a good deal of money has been spent on several other capital works other than Cauvery-Mettur Project and the conditions of this Province are very much better off than they were previously. On page 75 of the Budget Memorandum it is stated that the net liability of the Madras Government on the 31st March 1935 is expected to be 1,151.50 lakhs. It is arrived at by showing that the amount owed by this Government to the Provincial Loans Fund is Rs. 1,638.30 lakhs and the amount owed to this Government by local bodies and others is Rs. 486.80 and therefore the net liability is Rs. 1,151.50 lakhs. Against this liability Rs. 890.77 lakhs cannot be discharged because it is a debt incurred for irrigation works other than the Cauvery-Mettur Project. After all, Sir, you have got so many capital works to our credit, viz., the Hydro-Electric works and the Cauvery-Mettur Project which was constructed at a cost of more than 7 crores of rupees. The real debt, taking into account that 890.77 lakhs spent on irrigation projects in pre-reform days, is only 2 crores of rupees. So the financial condition of this Province is very much better off to-day than it was previously and there is really no harm in giving relief to the ryot if you really want a contented peasantry.

"Then the other argument was that if the prices were reduced the taxes need not necessarily be reduced, because at the time of resettlement or settlement the Government took into consideration the fluctuation in prices and other things. I ask this Council and the Hon. the Finance Member to consider this aspect of the matter. When prices had risen the Government came forward before this Council and asked it to vote for higher salaries. So, is it not a pledge on the part of the Government to see that the salaries are reduced when prices have fallen? It is on account of emergency that stamp duties, court-fees and registration fees were all increased in 1922-23? Now that the Government are having balanced budgets, I ask why they should not reduce those duties? So far as the reduction of salary is concerned, I think the Government are wrong in refusing to effect a cut in salaries. For instance, take the other case: the new scale of salaries will satisfy new entrants to the services. Should not the existing incumbents be satisfied even if their salaries are cut to a certain extent? I do not mean to say that their salaries should be permanently curtailed. If the economic condition of the people is so very bad and if the Government servants do not come to their rescue by taking lesser salaries, I do not know what other thing the Government can do for them. Take the case of other Provinces. They have got a warm corner for the general public even when they have got a deficit Budget. But in a Province like ours where the prices of staple food crops have fallen considerably and where we have not got any industrial crops, the Government do not take care of the ryots. In

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other Provinces such as Bombay where there is cotton for which the Government of India got some advantages by their recent agreement, that Government has been so very solicitous of the peasant as to reduce the taxation. I would appeal to this Government also not to be conservative but to be liberal."

* The Hon. the DEPUTY PRESIDENT:—"The Hon. Member has exceeded the time limit."

* Mr. P. PEDDI RAJU:—"Only one minute more, Sir. My hon. Friend, Mr. Ramalingam Chettiar has referred to rural reconstruction and conciliation of debts. So far as these two matters are concerned, the Government have not taken any steps and it is high time that Government either by the appointment of conciliation boards or other methods, take steps to see that rural indebtedness is cleared off. When the other Governments have taken the necessary steps in this connexion, our Government also should realize the gravity of the situation and come to the relief of the ryots."

"Apart from the general observations I have just now made, I want to make a few remarks concerning my own district. I would address those remarks to the Hon. the Revenue Member. I want to draw his attention to the fact that there is a minor irrigation tank in Makimavarugudem for which an estimate was prepared and the necessary allotment of money made even in 1923. That work has been going on for the last eleven years and this year again we find some provision for it. I think the whole fault lies with the department. So far as the Godavari Delta System is concerned, under Irrigation demand 13-B maintenance and repairs, we were able to get some repairs done last year for the branch channels. But I find from the Budget Memorandum this year the usual amounts are reduced. It was Rs. 7,38,000 last year, but it is only Rs. 6,20,000 for the next year. In collecting 25 per cent nazarana some years ago, the Government promised that all channels would be remodelled. But from the Budget Memorandum I find that no provision is made for the remodelling of channels. The Government have also prepared an estimate for lifting shutters for the Godavari anicut amounting to Rs. 1,24,000. About Rs. 2,000 has already been spent last year. I do not find much provision made for the completion of the work. The Revised Budget estimate provides only Rs. 18,000 in the current year and I do not find any provision for the next year. Do the Government want to waste this Rs. 20,000 and not have the shutters at all? I do not know whether they want to give up the work once for all."

"There is one other point which I want to bring to the notice of the Hon. the Revenue Member. I have just now received a letter saying that the Government have published certain draft rules concerning irrigation in the Godavari Western Delta and invited objections from the people concerned. The rules were published in the District Gazette on the 6th instant, but the Gazette has been actually received by the people only yesterday. The letter says that the rules are in English and they

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cover over 100 pages of the Gazette. But the objections are called for before the end of this month. I think it is but right that the Government should give some more time for people to read the rules, understand them and send their objections."

"There is one other matter with regard to my district. Some years ago, the Government promised to build a headquarter hospital and a site also was actually acquired for the purpose. But no hospital has been constructed, nor is sought to be constructed in the near future. I refer to the Ellore headquarter hospital. Also, Sir, I should like to bring to the notice of the Government that the drainage schemes for Ellore and Palacole municipalities have been pending for a long time."

"Before I close, with your permission, Mr. Deputy President, I want to refer for a minute to a few important things about certain service rules. There is some agitation about making permanent the temporary servants of the Revenue Department. Some rules were issued by the Government some time back to the effect that in taking new entrants and confirming the existing people, a unit must be taken as one. I understand that the Government have now changed everything and have been passing inconsistent orders from time to time. At one time they say that the temporary hands in the Settlement department should be given preference and at another time they say that the officiating hands in the Revenue Department should be given preference. The temporary men in the Settlement department have entered the department as temporary men knowing full well that they have no chances of being made permanent and that they could be ousted at any time. Therefore the men who have joined the Revenue Department and served there for a number of years should be given preference over these temporary men. Also, I understand that in most cases, the men appointed in the Collectorate are graduates while the men employed in the Settlement department are unqualified men or only S.S.L.Cs. The Board of Revenue is interested in the Settlement department establishment and they have a soft corner for them in their hearts. Therefore they want to confirm the men who have been transferred from the Settlement department to the Revenue Department."

"Finally, Sir, I appeal to the Government again to view the question of relief to the agriculturists with sympathy. As our Province is mainly agricultural, its prosperity depends on the prosperity of the ryot and the Government should come to his rescue. Of course, I know that the Hon. the Finance Member has said that it is impossible to grant a remission of 25 per cent. But he should see his way to give effect to the recommendations of the Finance Committee as he himself has been a party to it. The Government cannot turn down that recommendation. Although the Government would not give the full remission of 25 per cent, half a loaf is better than no bread, and the people will be grateful to the Government if they will accept the recommendations of the Finance Committee."

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* Diwan Bahadur S. ELLAPPA CHETTIYAR:—“ Mr. Deputy President, Sir, I have great pleasure in congratulating the Hon. the Finance Member on the Budget which he has presented. It is gratifying to find that, in spite of the slight fall in revenue in a few directions, particularly under Excise, Stamps, Registration, Forest, etc., and the land revenue remission, the Budget is a balanced one, although the general balances have been slightly reduced. It is equally gratifying to note that the Budget as framed does not contemplate any cut in the salaries of services and I am sure that this feature must be most welcome to one and all.

“ From the point of view of a president, district board, it is usual on such occasions to complain that the provisions made in the Budget for grants to be awarded to district boards are not adequate. But this year I have to complain another way, namely, that the scope for utilizing the grants in full, particularly in village communications and well works appears to be very limited hereafter. Under the rules in force, no amount can be spent by a district board on any works until the site has been got vested in the board. The tedious process involve in getting the lands vested in or acquired or alienated in favour of the district boards takes away much of the time in the year and there is hardly any time left for executing the works. There is at the same time, the constant fear that a good portion of the grants might lapse, and that the chances of obtaining adequate grants in the future years will be narrowed down. So there is always an inevitable tendency to proceed with the execution of the work in anticipation of the sites being vested in or alienated in favour of the district board. Sometimes, the process of alienation takes a tedious circuitous course and the payments made in these works are kept pending in the objection statements. On account of the undue delay involved, it often happens that the village roads opened at considerable cost are allowed to become irreparably damaged, as incurring further expenditure on maintenance will only swell the audit objections. The difficulties experienced in opening and maintaining village roads are equally felt while sinking drinking water wells. Unless the Government take early steps to modify the procedure in respect of alienation and acquisition of lands required for local fund purposes it may not be possible to utilize in full the grants for the future years. At any rate, this is the plight of the Salem District Board, and I am afraid conditions are not more favourable in other districts. I request the Government to take steps to remove this difficulty.

“ Such being the case, I do not quarrel with the Government for having reduced the provisions for village communication and water-supply for the next year to just one half of the allotment that was made for the current year, because in view of the unfavourable circumstances prevailing in the matter of getting the lands vested or acquired or alienated, it may not be possible for the district boards to make much headway in this direction. But what I would urge upon the Government is that the provision made for second-class roads being just what it was last year, is quite inadequate. The maintenance of second-class roads is a huge drain on

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the slender resources of the district board. As against a fixed subsidy of Rs. 45,000 given to the Salem District Board, the Board has to spend well nigh 1.5 lakhs on these roads. The inadequacy of the grant has been brought to the notice of the Government on several occasions. Recently the Government announced that the question of revising the policy of granting subsidies for second-class roads was engaging their attention. But from the allotment made in the Budget, it is seen that the Government have not come to a decision in the matter. If this matter is not to be placed on a satisfactory basis even next year, I am at a loss to know when Government propose to come to the rescue of the district boards.

“ Another equally important matter in which the local bodies are hard hit is the grant of subsidies for the maintenance of secondary schools. The system of fixed teaching grants to local bodies decided upon by Government some time ago works as a great hardship on the local bodies as they have to open fresh schools and raise the status of the existing schools according to the growing popular demand, all out of their pocket without looking up to Government for a proportionate increase in the subsidy. This grievance has been represented to Government on several occasions but without any apparent effect. The provisions of eight lakhs for next year which is practically the same as for this year does not encourage one to hope that the policy will be revised next year at least. I wish the Government give this matter adequate consideration.

“ I also wish that Government view sympathetically the demands of the agriculturists of the Salem district, who contribute the lion's share of the revenue. The irrigation tanks are all in a state of disrepair and call for immediate restoration, if the poor ryots are to be kept out of poverty. I further request that the benefit of land revenue remission may be extended to the Salem district also. The rates of fees levied for grazing cattle in village forests have gone up by leaps and bounds, from annas four a head some years ago to annas nine now. In the present economic depression which is experienced mostly by the agriculturists, the reduction of the fees by nearly fifty per cent is an imperative necessity. I trust that the Government will hasten to alleviate the sufferings of the ryots in this direction.

“ The last and the most important matter to which the people of the Salem district have been very anxiously and eagerly looking forward is the supply of water from the Mettur Reservoir to Salem. From the very time the Mettur Project was thought of, up to now, representations have been incessantly made in this Council and also to the various Members of Government who visited Salem and Mettur to the effect that early steps might be taken to take the scheme on hand. And so far, there has been no lack of sympathy on this very vital question. But the so-called sympathetic consideration has not taken shape as I do not find any provision for it in the Budget. In reply to my question in the Council some time ago, the Hon. the Chief Minister stated that the matter was under correspondence with the Municipal Council. I wonder when the correspondence stage will end. I request that Government should try to settle

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this question and start preliminary work during the next year at least so that the work may be taken up in 1935-36 without fail. I once again request Government not to consider this as an unimportant matter as they seem to have been thinking so long."

4-15
p.m.

* Rao Sahib V. I. MUNISWAMI PILLAI:—" Mr. President, Sir, the stability of the finances of the State is the prosperity of the people. One would like to know whether the Budget as presented to this House is one which contributes to the happiness of the people of this Presidency. Of course, there have been very many reasons, not under the control of human beings, that have brought on this Province serious troubles which were responsible for the depletion of the finances of the Province. But taking it as it is, we find that the Budget closes with a surplus balance of Rs. 4.46 lakhs. It goes to show that the equilibrium of the finances of this Province is safe. Reading through the receipts and expenditure and the way in which the various departmental finances have been adjusted, the House can well congratulate the Hon. the Finance Member on the able way in which he has adjusted the finances. As a matter of fact, I know that very many Part II schemes had to be disallowed for want of finance; but one point strikes me most, and that is that the Labour Department has suffered very much. Sir, two years back when the Retrenchment Committee sat, it was found necessary that the head of that department should be retrenched and that a Member of the Board of Revenue should be given the additional charge of looking after the Labour Department. We were told then in this House that this arrangement would be a temporary one and that a regular Labour Commissioner would be appointed after two years. I think, Sir, with the 1st of December 1933 the term mentioned by the Government expired; and yet, going through the Budget, I find that no provision has been made for the re-entertainment of a full-time Labour Commissioner. It is a matter of great disappointment to me and those Members who represent the Depressed Classes, that a department should be worked without a head. If you take into account the various departments that work under the Government, I do not think that such a drastic retrenchment has been made. Moreover, Sir, in former years Rs. 2,25,000 used to be set aside for the purpose of amelioration of the Depressed Classes, such as water-works, sanitation, etc., but to the astonishment of us all, we find that Rs. 1,79,800 only has been provided for this very important work. As you know, Sir, in the country there is a great agitation for the elevation of the Depressed Classes. Yet, we see that necessary provision has not been made to meet the wishes of the public.

" There are three things, Sir, which in the interests of the Depressed Classes have to be referred to. First and foremost, comes Education. I find that the policy pursued by the Hon. the Minister for Education is not conducive to the progress of the Depressed Classes. Taking Primary Education, I find that a new scheme known as the Champion scheme, is being worked, and the Deputy Director of Public Instruction has been sent round to find out the views of the public as to whether the concentration and centralizing of schools as adumbrated in Mr. Champion's report

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can be taken on hand and proceeded with. Without knowing the public view on the matter, the Government have already instructed the Deputy Inspectors of Schools to work the scheme. This is a matter, Sir, which requires to be seriously considered by the Government. During the time when my Hon. Friend Dr. Subbarayan occupied the Treasury Bench, he thought it advisable to have a fusion, in education, of the Depressed Classes with the other communities and that such a step would be in the right direction; but latterly, we find it is not so. Such a step was taken then only as an experimental measure. On serious consideration, we are of opinion that the time for such merging has not come and that education among the Depressed Classes has not advanced so far as to have a scheme as drawn up by Mr. Champion. I know in many districts this scheme will not work, because it is a step in the wrong direction.

" Coming to secondary education, the apathy of the Government in accepting the recommendations of several district boards to give free education to the students of the Depressed Classes is really surprising. When the local boards rise to the occasion and are willing to do something for the Depressed Classes, I do not think it is right or proper for the Government to turn down their proposals. I think it was the Director of Public Instruction who was responsible for such a move. I am sure the Hon. the Minister for Education will kindly see that this grievance is remedied early. In regard to collegiate education, from the quinquennial report that has been circulated to us, it is seen that the advance made is so poor that it will take years for us to produce a number of graduates who would be in a position to take greater part in the administration of the land; and it is up to the Government to see that proper adjustments are made in the finances in order to give better facilities for our students.

" Going through the Labour Department Budget, Sir, I find that the amount set apart for the Paddison's Hostel has been reduced by Rs. 2,000. In the absence of details, I do not know whether it is with a view to observe economy or to reduce the number of students in the hostel that this reduction has been made. During the time when late Mr. Gray was the Labour Commissioner, he rightly thought it advisable to have a separate Home for the Depressed Class students in the metropolis; and he suggested that there should be a separate building for the Paddison Hostel in the Spur Tank grounds. I do not know, Sir, why this scheme has been turned down.

" Turning to the excise policy, Sir, I think there has been a shortage in receipts. The Government in previous years have given us to understand that they would see that something was done by way of getting some whole districts included in the prohibition area, but even the partial prohibition in some districts that obtains already is not given sufficient facilities, so that it could be extended. During the time, when Sir Patro occupied the Treasury Bench, he was kind enough to include the Nilgiris in the partial prohibition area; but now I understand there is a move on the part of the Government to remove that partial

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prohibition. I think it is the most unwise thing that the Government can do. As one coming from the Nilgiris district, I know how there has been improvement among the Hill tribes. Now, if the Government will revert to the old things, greater demoralization among the people will be the result, apart from the fact that the receipts may be less. I appeal to the Government to bestow some consideration on this point and do something.

"Taking the transferred departments, some of the local bodies, especially the Salem Municipality, passed certain resolutions with a view to give facilities for the Depressed Classes in public hotels. I find that the Government have turned down the recommendations of the Municipality. It is a very wrong policy for the Government to turn down such a good proposal made by a local body which resolved to give such facilities, after very careful consideration. The Government must do something, Sir, to elevate the social status of the Depressed Classes in a matter like this."

4-30
p.m.

* Rao Sahib C. KOLANDA REDDI:—"Mr. Deputy President, Sir, it gladdens my heart to see that in the course of the general discussion on the Budget, the ryot and his present intolerable lot is not lost sight of; in fact it has been more or less the burden of the song throughout the speeches made, and as in the case of my Friend Mr. Peddi Raju, and some, it has been the very pivot of the discussion. Of course, it is as it ought to be; because this Province being purely agricultural, the ryot forms the basis, nay the very foundation as it were, of the Government of the Province. Moreover, I think it will be a great consolation to the poor ryot who has been looking forward to this discussion on the floor of this House if he knows that there is going to be some tangible relief to him from our obstinate Government. Sir, coming as I do from the ryots, I must contribute my own quota, however humble it might be, to this discussion. Of course, I know rather too well that I am not going to say anything new or fresh. It may be, as the proverb goes, as stale as a twice-told tale; but still, I must have my say all the same.

"I must at the outset thank the Hon. the Finance Member for the lucidity of his statement, and the clarity of his views. But I regret, Sir, I cannot bring myself to congratulate him on his so-called prosperity Budget, for the simple reason that it is based upon the adversity Budget of the ryot. Sir, while it had been easy for the Hon. the Finance Member to balance his Budget, the poor ryot finds it impossible to make ends meet. Now, it is admitted and has been admitted on all hands that there has been a steep fall, phenomenally steep fall, in the prices of paddy and other commodities. In fact, it has gone down to one-fourth of the old price level. For instance, in the Kistna district, the best paddy sells only at Rs. 25 per candy and in the lower reaches of the delta where the quality deteriorates, they are selling it even at the rate of Rs. 20 per candy. Now, you can fancy the lot of the ryot under such conditions. I may tell you, Sir, that the biggest ryot in the Kistna district—I am sorry that the Hon. the Revenue Member is not here and he knows him

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too—before the depression set in, was selling his paddy at Rs. 96,000. He has been cultivating about a thousand acres and selling the outturn at Rs. 96,000. And, after paying the kist of about Rs. 16,000 he netted a balance of Rs. 80,000 with which he attended to his cultivation expenses and other domestic things. Now, Sir, after the setting in of this depression he has sold almost the same outturn, which is yielded by almost the same area for Rs. 20,000 and after paying Rs. 16,000 for kist, he had the grand balance of Rs. 4,000! You can fancy how he could meet his expenses of cultivation and other things.

"Then, Sir, the Hon. the Finance Member at the end of his speech introducing the Budget wanted to draw a sort of invidious distinction, a line of invidious demarcation as it were, between the small farmer and the big farmer. In the light of the tale I have told, you can see whether the big farmer or the small farmer is not sailing in the same boat and whether the line of demarcation between the two can be any good. Well, Sir, from the outturn, from the sale-proceeds of the grain, he will have first to pay the kist and after paying it, he has almost nil balance at present. While such is the state of affairs, there is the old creditor who will have to be satisfied; otherwise he will be dragging him to court; and he (the ryot) is being dunned, by even the co-operative societies. They do not consider the miserable plight in which he is placed by the present depression. The ryot has absolutely no credit in the market. Nobody advances any money on the land, either the bank or the sowcar. Of course, the Gurjarati is nowhere in the Kistna district; I do not know what became of him. Now, having no creditor in the market and unable to meet the current expenses, he will have to sell all his trinkets—all of them have gone the way to England straight, as many hon. Members are aware. So, that is the present plight of the ryot. He is faced, as it were by all round ruin. As we go from village to village, we can see blank despair writ large in the faces of the ryots who, before the depression set in, were rolling in wealth. As far as my personal experience goes, I think it goes a long way so far as the ryot is concerned, when I visit villages, I do not find money anywhere, either in the shape of coin or paper. Absolutely nothing. What can they do I wonder. That is the real plight of the ryot at present. Now, Sir, my constituents come and tell me pathetically. 'Sir, you are not pleading on the floor of the House properly; if only you Members, the accredited representatives of the people, bring home to the heart of the Government the real plight, the miserable position in which the ryot is placed at present by that monster, the depression, Oh, the Government will be prepared to grant us adequate remission.' Poor deluded souls! Well, Sir, on the floor of this House, from all sides of the House, almost all members whether they belong to the Justice Party, or the Independent Party or the Democratic Party, irrespective of party or race—there is my friend to my left, a member of the British interests—pleaded most eloquently for the cause of the ryots. What good! Has the Government a heart! It is unfortunately an abstract entity and there is nothing

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concrete about it. The Hon. the Finance Member says the Government is not prepared; the Revenue Member says the same thing; the Law Member says the same thing; the Home Member also says the same thing; and which is the Government, I want to know, pray? Whom are we to address? It is such an intangible, unpalpable, abstract entity; it is elusive even for touch; and how can that entity have any heart to appeal to? That is the miserable condition we are in. It is rather very sad. We, of course, as the accredited representatives of the people, have come here; and do you think that all of us are lying, for the sake of what? Is it for catching votes—now that the term has been extended there is no point in it. Why should there be this House at all if the whole House is not believed by the Government?

“ I find, Sir, going through the statement prepared by the Hon. the Finance Member and listening very carefully to his valuable speech in introducing the Budget, it is all very clear and we cannot be too thankful to him for that, but the beauty of the whole thing is marred by lack of practical sympathy for the ryot. Sir, he is rather all kindness towards the services, he does not want to touch them at all even for a few rupees cut of their salaries. Now, I think, he is aware of one thing. What people were getting for one rupee before the depression, they are now getting it for four annas. I challenge anybody to deny this. Then, strictly speaking, there can be a cut of something like 50 or 75 per cent. Be it as it may. Can't you have a cut of 10 per cent at least which would go to the relief of the ryot? There is a proverb in Hindustani which says that the dog in the house is superior to the lion in the jungle. So, the ryot being far away, nobody cares for him. The Hon. the Finance Member has lost touch with the ryot ever since his translation to the Treasury Bench. If only he were in touch with the people, as he was when he was a Collector, certainly the lot of the ryot would have been better than it is now. Of course, he said in his speech that this is only a subordinate Government and it is not possible for him to do grand things like, perhaps, President Roosevelt of United States or Il Duce of Italy. I do realise his difficulties. Of course, he has got the power to alter the exchange policy, or the currency policy with its inflations, deflations and devaluations, and so forth, but why should he not do at least as much as the other provinces have done for the ryot, as has been pointed out so vividly by all the previous speakers, and I do not want to cover the same ground. To me it appears, Sir, that one panacea for all these financial ills will be to revert to the old barter system and to pay the Government in kind. If that is done, there will be an end of the whole trouble and the ryots will not be made victims of the sleight of hand tricks of exchange policy or currency or other policies. If that is not possible, at least this Government, Provincial as it is, can do as much or as little as the Native States in our own Presidency. For instance, take the so-called backward state of Hyderabad. I think it is more forward than our Presidency in all respects. So, it is a misnomer to call it a backward state. Now, Sir, what was the remission that was granted there? It is not less than 25 per cent. Take also the case of

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the model state of Mysore, as also the educated state of Travancore or Cochin and even Pudukkottah for the matter of that. Is there any one of these states which is behind this benighted Presidency, so far as the sympathy of the Government with regard to the ryot is concerned. Well, Sir, even in the newly formed Frontier Province, besides giving relief to the ryot, they are enacting laws with regard to mortgages, usurious interests, loans, etc., and they are to be published in their Government Gazette, as stated in the papers. Now, what is this Government doing? It won't give us remission by saying, what is the good of remission, it is only a relief of 1½ or 2 rupees for small farmers paying Rs. 10 kist as if anybody prevented it from remitting more.

“ For the matter of that, with regard to paddy prices, they wanted to appoint an officer. They have been thinking, thinking and thinking ⁴⁻⁴⁵ for months together. But even now it has not become a *fait accompli*. Meanwhile, Sir, other countries are taking time by the forelock. They have been dumping lots of rice in the Madras harbour for the last six months, and, as pointed out by my hon. Friend, Mr. Choudari, even last week there was an unloading of over 20,000 bags of rice. These bags are sold, Sir, at one rupee less than the local price per bag. That being so, who would go in for our own rice, I wonder. Cannot the Government do at least this small thing? Cannot they address the Government of India and raise the tariff to all? They have done absolutely nothing. And as for the Government of India, the Hon. Sir, Joseph Bhore was saying, as he did not know the actual state of affairs in spite of Mr. Ramaswami Mudaliyar pointing it out to him, that it was only a little that was imported. But Madras market is being flooded all the same with foreign rice and although it is the easiest thing for you to stop its import, you have done precious nothing.

“ As for the Hon. the Revenue Member, Sir, he has been touring and touring all through the Presidency and knowing as I do Sir Archibald Campbell so well, I thought he would get into the skin of the ryot and feel his pulse and find out the real state of affairs in spite of Collectors' reports and things of that sort. But I waited and waited. He cogitated and cogitated, and after all, like the proverbial mountain in labour, produced that silly thing of the suspension of 12½ per cent. It is a matter for disillusionment. I do not know why it is so, Sir, but perhaps it is the effect of the Treasury Bench. As a Collector he was so very sympathetic. It seems all that sympathy dried up after he was translated to the Treasury Bench. We have been asking for remission, and remission, for a tangible remission, and instead of granting that, he issued a long winded and learned communiqué on the history of taxation, how taxes are levied, how they are enhanced, how accurately commutation rates are calculated and so on and so forth. Well, Sir, we asked him for bread and he has given us stone in the shape of this long communiqué. Now, I am so sorry that the real state of affairs, the utterly miserable position in which the ryot is at present placed, has not been realized even in the least by the Government. That is the most

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unkindest cut of all. Now, Sir, when the Hon. the Revenue Member was asked about it, he said that he called for reports from the Collectors. I do not want to disparage the Collectors and their august position. Although those reports might have been received, they have not been placed on the table. Nevertheless, I dare say they would be something like His Master's own voice. Now, time was when there were civilians who fought for the cause of the ryot, fought hard, and fought to the last ditch, and I know, as a matter of fact, they suffered the consequences for the courage of their conviction. But times have changed. Now perhaps it may be owing to the political atmosphere that prevails or some other reasons, they have become more or less lukewarm. Well, Sir, if there be any solitary."

* The Hon. the DEPUTY PRESIDENT:—"The hon. Member has exceeded his time-limit."

* Rao Sahib C. KOLANDA REDDI:—"Please allow me just a few minutes. If there be any solitary civilian who, unable to suppress the qualms of his conscience, blurts out in his report that a remission was necessary, at once that old dame, the Revenue Board, would fall foul of the poor Collector and rebuke him with the remarks 'Oh! You are creating famines where there is none and recommending remissions where there is no need.' That poor civilian for all his pains would be shunted to an out of the way, backward district like Anantapur (A Voice:—No, no. Anantapur is not backward.) Probably it is coming forward now. He will be transferred to some poor backward district, Sir, to do penance there for the folly of making a report like that. With regard to Indian civilians, of course, with honourable exceptions that are promoted from the ranks, much need not be said. They are very eager to support the Government. They are anxious to show to the Government that they are fit for district charge."

* The Hon. the DEPUTY PRESIDENT:—"The hon. Member has far exceeded his time-limit."

* Rai Sahib C. KOLANDA REDDI:—"I am finishing, Sir. So much so these Indian officers are more eager than the Government themselves to support them, or in other words, they are more royalist than the King himself. So we may leave them alone. Now, Sir, unfortunately, the transferred half, I am sorry to say, do not seem to be exerting themselves in the least. I wonder, Sir, coming as they do from the electorates and being as they are our representatives, the people's representatives, why they should not enter an emphatic protest against the obstinacy and obduracy of the reserved half passes comprehension. They do not seem to have raised their little finger. If candour is a virtue, I may say, that the transferred half is, at this critical juncture for the ryot, presided over by a zamindar in whose estate rack-renting seems to have been developed into a fine art! We receive reports published in the papers and as a result of enquiries made by so many zamindari ryots' associations that, while the Hon. the Revenue Member charges only Rs. 10 or Rs. 13 per acre, there for an acre of paddy-growing field the tax ranges even from Rs. 30 to Rs. 40."

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* The Hon. the DEPUTY PRESIDENT:—"The hon. Member will just wind up his speech. This is the third time I remind him."

* Rai Sahib C. KOLANDA REDDI:—"My final prayer is this, Sir. I may submit most solemnly that the ryot upon whom almost the whole burden of this Government rests is crashing with the burden, and if you who constitute the Government do not come to his rescue at present and grant some adequate relief, he is sure to crash completely and along with him the system of Government that is based upon him must crash equally. Is it statesmanship to allow matters to drift to such a pass! So I request the Government to do something tangible, something real, and not be satisfied with that Shylockic gesture of 12½ per cent suspension which is neither fish, nor flesh, nor good red herring in the present circumstances and rise to the occasion and be pleased to grant at least 25 per cent remission. With this prayer I resume my seat."

* Mr. M. DEVADASAN:—"Mr. Deputy President, Sir, I want in the first place, to congratulate the Hon. the Finance Member for his ability in presenting a surplus Budget for the ensuing year which may not have been possible for any other gentleman under the existing conditions of financial stress and strain. As a member representing the depressed classes, I want to make a few observations on the Budget that has been presented by the Hon. the Finance Member. In the first place, I must say that, so far as depressed classes are concerned, the Budget as presented is much better than that of the last year. Some little more provision has been made under Demand Nos. 27 and 28 than in previous years, though there was no provision, as my hon. Friend, Mr. Muniswami Pillai pointed out, for the appointment of a separate Labour Commissioner for the ensuing year. Although we clamoured for it last year and the year before, no Labour Commissioner was appointed as we expected. Our thanks are also due to the Hon. the Home Member for having restored the labour schools in those districts in which the operation of the Labour department was suspended two years ago. We expected that more schools would be opened but only a few were opened, the reason being the absence of a separate Labour Commissioner to discharge these duties. I submit that what has been done by the Government has touched only the fringe of the problem of what ought to have been done in the matter of the elevation of the depressed classes."

"I must also say something both to the credit and discredit of the Hon. the Chief Minister. To his credit must be set down the amendments to the Local Boards Act and the District Municipalities Act advocating that all works of public utility such as wells, roads, etc., should be open to all classes and creeds. But he was not able to do the same thing when the resolutions of the municipalities such as those of Salem, Virudunagar, etc., advocated that all hotels and clubs should be open to all classes of people. At the time when the Poona Pact was entered into—which ought to be set down to the credit of Mahatma Gandhi—people in several places held inter-caste dinners as an earnest of what they were going to do in justice and fairness of the claims of the

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depressed classes and several people in the mufassal were ready to receive the depressed classes with open arms and treat them as their brothers and sisters. But the attitude of our Government in negativing the resolutions passed by several municipalities has very much upset the minds of the people and caused great disappointment to the members representing the depressed classes in this House. The Government, under the cloak of preserving peace and order want to justify their order and try to enforce it against them. My appeal to the Hon. the Chief Minister and other Members of the Government is that the Government should relax their attitude and treat the claims of the depressed classes in a more sympathetic manner.

“ Then I want to refer to some other subject which has also been dealt with in the past, and that is, the way in which the Public Services Commission are administering their duties in this Presidency. It is a new department, and to some of us it might appear that it is one that is doing incalculable good to the country. But, on the other hand, I should say that it does not do any good to the people especially the minorities. I have examined the lists of candidates who have been chosen by the Public Services Commission for appointments under the Government; and to my great surprise I found, that the claims of the depressed classes as also the claims of the Christian Depressed Classes have been treated in a spirit of indifference and negligence. It may be argued that there is no depressed class among Christians, but I submit that there are such people and that the Christian Depressed Classes suffer from the same disabilities and disadvantages and degradations as their Hindu brethren, if not more. That being the case, their claims must be considered in a spirit of sympathy and kindness.”

* The Hon. the DEPUTY PRESIDENT :—“ Is the hon. Member likely to finish his speech in one or two minutes? ”

Mr. M. DEVADASAN :—“ No, Sir, I shall continue tomorrow.”

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

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

^a G.O. No. 71, Finance, dated 2nd February 1934, regarding the election of Mr. J. K. Metherell vice Mr. W. O. Wright resigned.

^b G.O. No. 92, Finance, dated 15th February 1934, regarding the renomination of Khan Bahadur Yahya Ali Sahib Bahadur as a Member of the Finance Committee.

^c Proceedings of the Finance Committee, dated 8th, 9th, 10th and 11th January 1934.

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

^a Printed as Appendix III on page 181 infra.

^b Printed as Appendix IV on pages 181-182 infra.

^c Printed separately.

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APPENDIX I.

[Vide answer to question No. 675 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 23rd February 1934, page 121 supra.]

(1)

G.O. No. 1103, Revenue, dated 5th July 1926.

READ—the following paper :—

From the Board of Revenue, L.R.B., No. 847, dated the 15th April 1926.

Order—No. 1103, Revenue, dated 5th July 1926.

The Government approve the proposals of the Board of Revenue for increasing the rates of cess levied on lands under the Irrigation Cess Fund channels in the Salem district by 50 per cent for three years.

(By order of the Governor in Council)

J. F. HALL,
Secretary to Government.

To the Board of Revenue, L.R.B.

(2)

G.O. No. 478, Revenue, dated 18th March 1930.

The Government accept the proposal of the Board of Revenue that the increased rates of cess on lands under the Irrigation Cess Fund channels in the Salem district, sanctioned temporarily in G.O. No. 1103, Revenue, dated 5th July 1926, should continue to be in force subject to the following conditions :—

- (1) The original rates should be restored if in any year the surplus reaches Rs. 30,000 and should be in force as long as the fund continues solvent on these reduced rates, and
- (2) the enhanced rates should again be levied if and when the fund ceases to be self-supporting on the reduced rates.

2. The Collector is authorized to publish the annual statement of receipts and charges in the District Gazette and to send a copy of it to the President of the Ryots' Association.

(By order of the Governor in Council)

H. R. PATE,
Secretary to Government.

To the Board of Revenue (Land Revenue and Settlement).

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APPENDIX II.

[Vide answer to question No. 679 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 23rd February 1934, page 124 supra.]

Statement showing the consumption of current by Salem-Erode Distribution Company at Salem and Erode.

Months.	Salem units.	Erode units.
18th to 29th—		
February 1932	970	..
March „	3,597	..
April „	8,185	..
May „	15,241	2,952
June „	19,031	3,460
July „	15,763	3,215
August „	15,627	2,130
September „	17,478	1,925
October „	23,163	2,289
November „ {	1,077	2,807
	22,719	
December „	26,579	2,854
January 1933	24,675	2,848
February „	23,592	2,542
March „	28,118	2,723
April „	34,025	3,095
May „ {	20,375	3,305
	15,120	
June „	37,210	5,545
July „	39,005	3,116
August „	39,150	3,453
September „	39,665	3,729
October „	42,790	3,983
November „	50,980	6,465
December „	52,830	6,904

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APPENDIX III.

[Vite item IV—Papers laid on the table of House at page 178 supra.]
G.O. No. 71, Finance dated 2nd February 1934.

READ—the following papers:—

(1)

G.O. No. 320, Finance, dated the 1st May 1933.

ABSTRACT.—Committee—Public Accounts and Finance—Constitution of—1933-34.

(2)

G.O. No. 817, Finance, dated the 20th December 1933.

ABSTRACT.—Finance Committee—Wright, M.L.C., Mr. W. O.—Resignation of membership—Accepted.

Order—No. 71, Finance, dated 2nd February 1934.

Mr. J. K. Metherell, M.L.C., has been elected as a Member of the Standing Finance Committee by the non-official Members of the Legislative Council in the vacancy caused by the resignation of Mr. W. O. Wright.

(By order of the Governor in Council)

S. A. VENKATARAMAN,
Deputy Secretary to Government.

To J. K. Metherell, Esq., M.L.C.
„ all Departments of the Secretariat.
„ the Accountant-General.
„ all Secretaries to Government.
„ all Members of the Finance Committee.
„ the Secretary, Legislative Council (for communication to the Members of the Legislative Council).

APPENDIX IV.

[Vide item IV—Papers laid on the table of the House at page 178 supra.]

G.O. No. 92, Finance, dated 16th February 1934.

READ—the following paper:—

G.O. No. 33, Law (Legislative), dated 29th January 1934.

ABSTRACT.—Bye-election—Legislative Council—East Coast Muhammadan Rural Constituency—Result notified.

Order—No. 92, Finance, dated 16th February 1934.

Under section 80 B of the Government of India Act, Khan Bahadur Muhammad Yahya Ali Sahib Bahadur ceased to be a member of the Madras Legislative Council, and consequently of the Finance Committee, on his reappointment as Government Pleader and Public Prosecutor, Nellore.

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Under rule 14 (9) of the Madras Electoral Rules, it has been notified that he has been re-elected as a member of the Legislative Council.

2. His Excellency the Governor is now pleased to re-nominate him as a member of the Finance Committee.

(By order of the Governor in Council)

S. A. VENKATARAMAN,
Deputy Secretary to Government.

To Khan Bahadur Muhammad Yahya Ali Sahib Bahadur, M.L.C.
,, the Secretary to the Madras Legislative Council (for communication to the Members of the Legislative Council).
,, all Departments of the Secretariat.
,, all Secretaries to Government.
,, all Members of the Finance Committee.
,, the Accountant-General, Madras.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Saturday, the 24th February 1934.

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

P R E S E N T :

Usman Sahib Bahadur, K.C.I.E., The Hon. Khan Bahadur Sir Mahomed.
Krishnan Nayar, Kt., The Hon. Diwan Bahadur Sir M.
Campbell, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., The Hon. Sir Archibald.
Stokes, 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 Meeran Sahib Bahadur.
Alagannan Chettiyar, Rao Sahib A. S.
Alamelumangathayaramma, Mrs. K.
Annamalai Chettiar, Mr. S. A. A.
Appadurai Pillai, Diwan Bahadur A.
Arasu, Mr. V. T.
Basheer Ahmed Sayeed, Mr.
Basu Dev, Mr. C.
Bayappa Reddi, Mr. P.
Davis, Mr. J. A.
Devadasan, Mr. M.
Dharmalingam Pillai, Rao Sahib V.
Ellappa Chettiyar, Diwan Bahadur S.
Foulkes, Mr. R.
Gopalaswami Ayyangar, Diwan Bahadur N.
Hood, I.C.S., Mr. H. M.
Jagannatha Raju, Rao Bahadur G.
Jagannatham, H. M.
Jayaram Nayudu, Rao Sahib C.
Kesavaramamurti Nayudu, Mr. K.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.
Koti Reddi, Mr. K.
Krishnappa Choudari, Mr. P. V.
Krishnamurti, Rao Bahadur D.
Kumararaja of Venkatagiri.
Lakshmana Reddi, Mr. G.
Langley, Mr. W. K. M.
Madanagopal Nayudu, Mr. R.
Mahmud Schamnad Sahib Bahadur, Khan Bahadur.
Manikkavelu Nayakar, Mr. M. A.
Metherell, Mr. J. K.
Muniswami Pillai, Rao Sahib V. I.
Muthiah Chettiyar, Mr. M. A.

Nachiyappa Gounder, Mr. K. A.
Nadimuthu Pillai, Mr. A. Pl. N. V.
Nanjappa Bahadur, Subadar-Major S. A.
Narasimhaswami, Rao Sahib, D. V.
Narayanan Nambiyar, Mr. V. P.
Natesa Mudaliyar, Rao Bahadur C.
Palat, Mr. R. M.
Pannirselvam, Rao Bahadur A. T.
Patnaik Mahasayo, Sriman M. G.
Patro, Kt., Rao Bahadur Sir A. P.
Peddi Raju, Mr. P.
Pocker Sahib Bahadur, B.
Premayya, Mr. G. R.
Rajagopala Pillai, Mr. P. V.
Raja of Khallikote.
Raja of Parlakimedi.
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. M. D. T.
Rangaswami Reddi, Mr. M. B.
Sahajanandam, Swami A. S.
Sami Venkatachalam Chetti, Mr.
Sesha Reddi, Mr. B. P.
Shetty, Mr. A. B.
Simhachalam Pantulu, Mr. G.
Singam Ayyangar, Mr. K.
Siva Raj, Rao Sahib N.
Smith, C.I.E., I.C.S., Mr. E. Conran.
Sreshta, Mr. M. S.
Srinivasa Ayyangar, Mr. T. C.
Srinivasan, Rao Bahadur R.
Sriramulu, Mr. G.
Subbarayan, Dr. P.
Subrahmanya Chetti, Rao Sahib P.
Sundara Rao Nayudu, Mr. T.
Thangal, Mr. P. M.
Thorne, C.I.E., I.C.S., Mr. J. A.
Vasudeva Pillai, Mr. V. G.
Venkatachala Reddiyar, Mr. K. C. M.
Venkatarama Ayyar, Mr. K. R.
Viswanatha Rao, Diwan Bahadur V. N.
Zamindar of Kirlampudi.
Zamindar of Mirzapuram.

[24th February 1934]

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

General

Relief measures in Chatram Pachari, Kilaviraraghavapuram village, Tinnevelly taluk, for damage sustained by fire.

* 680 Q.—Mr. M. DEVADASAN: Will the Hon. the Member for Revenue be pleased to state—

(a) whether Chatram Pachari in the village of Kilaviraraghavapuram, Tinnevelly taluk, was burnt down to ashes, by fire, in 1931;

(b) how many houses were destroyed; and

(c) whether those afflicted by fire applied for relief to the Revenue authorities concerned; and if so, what relief was afforded to them; if not, why not?

A.—(a) to (c) A report has been called for.

Mr. M. DEVADASAN:—“ Will the Hon. the Member for Revenue be pleased to place the report on the table of the House as soon as it is available? ”

The Hon. Sir ARCHIBALD CAMPBELL:—“ The question will be considered on receipt of the report.”

Relief measures in Vannam Pachari, Aruvankulam village, Tinnevelly taluk, for damage sustained by fire.

* 681 Q.—Mr. M. DEVADASAN: Will the Hon. the Member for Revenue be pleased to state—

(a) whether Vannam Pachari in Aruvankulam village in the taluk of Tinnevelly was destroyed by fire in the year 1932;

(b) how many houses were destroyed therein; and

(c) whether any relief was offered to the inmates of the village by the Government, and if not, why not?

A.—(a) to (c) A report has been called for.

Mr. M. DEVADASAN:—“ May I repeat the same request? ”

The Hon. Sir ARCHIBALD CAMPBELL:—“ The hon. Member's request will be considered on receipt of the report.”

Land Revenue Administration

Petitions for the remission of land revenue in the Anantapur district.

* 682 Q.—Mr. G. LAKSHMANA REDDI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the Government have received petitions and copies of resolutions and proceedings of the ryots' conferences held at Anantapur, Hindupur, Madakasira, Gooty and other places in the district of Anantapur urging remission of land revenue in the current fasli owing to poor yield of crops due to want of timely rains; and

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CORRIGENDUM.

Proceedings of the Legislative Council of the Governor of Madras, dated, Saturday the 24th February 1934.

Vol. LXX, No. 3, page 185.

Last line of the answer to clause (b) of question No. 683—

Delete the words ‘no alteration in the kistbandi of the Ganjam district was.’

Substitute the words ‘necessary, no action was taken on the requests.’

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

CORRIGENDUM.

Proceedings of the Legislative Council of the Governor of Madras, dated Saturday, the 24th February 1934.

Volume LXX, No. 3.

Page 185.

Last line of answer to Question No. 683—

Delete the words “no alteration in the kistbandi of the Ganjam district was.”

Read “necessary, no action was taken on the requests.”

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

have been received by the Government from South Kanara to postpone the resettlement and not to enhance the rates of assessment; and

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

A.—(a) Copies of resolutions passed on the subject at certain public meetings and by some of the local bodies in the district have been received by the Government.

(b) The attention of the hon. Member is invited to G.O. No. 2254, Revenue, dated 15th December 1933, and G.O. No. 72, Revenue, dated 10th January 1934, which have been made available to the Press. In addition to these concessions the ryots will receive those admissible under Board's Standing Order No. 13.

Alteration of the kistbandi in the Ganjam district.

* 683 Q.—MR. BASHEER AHMED SAYEED: Will the Hon. the Member for Revenue be pleased to state—

(a) the average prices of paddy according to reports received by the Government prevailing in the district of Ganjam in each of the years 1930, 1931, 1932 and 1933 from 1st January to 30th June per garce; and

(b) whether the Government have considered the prayers of the People's Association, Ganjam, and the Association of Ryotwari Landholders of Ghumsur Division to change the dates of kistbandi from December to March?

A.—(a) The prices of paddy (second sort) in the Ganjam district (Littoral, i.e., areas other than Agency) were as follows:—

				PER GARCE.
				RS.
1st January to 30th June 1930	...	...	...	246.9
" " 1931	...	...	...	185.5
" " 1932	...	...	...	161.3
" " 1933	...	...	...	152.2

(b) The attention of the hon. Member is invited to the answers given to question No. 749 on 23rd March 1933 and question No. 603 on 2nd February 1934. The requests referred to were that the kistbandi should be so revised that the first kist might begin in February instead of in December. As the Government decided in June 1932 that no alteration in the kistbandi of the Ganjam district was no alteration in the kistbandi of the Ganjam district was

Representations from South Kanara for the postponement of the resettlement operations.

* 684 Q.—KHAN BAHADUR MAHMUD SCHAMNAD SAHIB Bahadur: Will the Hon. the Member for Revenue be pleased to state—

(a) how many representations and proceedings of public meetings have been received by the Government from South Kanara to postpone the resettlement and not to enhance the rates of assessment; and

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(b) whether the Government have taken any action on them?

A.—(a) A number of representations on the subject have been received. The Government cannot easily state the exact number.

(b) The request contained in the representations referred to will be borne in mind when the scheme report for the resettlement of the South Kanara district is taken up for consideration.

Assignment of land on dharkast to members of the Depressed Classes in Tinnevely during the year 1933.

* 685 Q.—Mr. M. DEVADASAN: Will the Hon. the Member for Revenue be pleased to state—

(a) how many applications were addressed to the Revenue authorities by the Depressed Classes for the assignment of lands on dharkast in the year 1933 in the district of Tinnevely;

(b) how many of them were disposed of and how many are kept still pending;

(c) how many of the applications have been allowed;

(d) what the total extent of land assigned to the depressed classes in the year 1933 is;

(e) in how many cases Depressed Class applicants have been asked to pay value for the lands assigned; and

(f) whether it is true that the Depressed Classes have been asked to pay valuable consideration for the lands assigned in the village of Maranthai long after the assignment and occupation; if so, why?

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

Mr. M. DEVADASAN:—“ Will the Hon. the Member for Revenue be pleased to place the report on the table of the House as soon as it is received? ”

The Hon. Sir ARCHIBALD CAMPBELL:—“ The hon. Member's request will be considered on receipt of the report.”

Alienation by Government of land in Melapalayam for the location of a market.

* 686 Q.—Rao Sahib N. SIVA RAJ: Will the Hon. the Member for Revenue be pleased to state—

(a) whether any piece of land was alienated by the Government in Melapalayam within the municipal limits of Palamcottah for the location of a market;

(b) if so, when it was done; and

(c) whether any market was located as proposed by the municipality of Palamcottah?

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

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Public Service

Representation of the Andhras in the Government offices in the Madras City.

* 687 Q.—Mr. G. SIMHACHALAM PANTULU: Will the Hon. the Member for Revenue be pleased to state the number of Andhras in service in respect of the following offices:—

	Superintendents' posts, sanctioned cadre.	Number of Andhras.	Upper and Lower division clerks sanctioned.	Number of Andhras.
1 Board of Revenue ..	..	..	..	..
2 Chief Engineer, Public Works Department ..	..	..	..	..
3 Inspector of Local Boards ..	..	..	..	..
4 Inspector-General of Police ..	..	..	..	..
5 Government Secretariats ..	..	..	..	..

A.—A statement^a is laid on the table.

Mr. G. R. PREMAYYA:—“ Sir, although the Andhra districts are half of the Province, here we see in the answer that the Andhras in the Board of Revenue are nil; in the Chief Engineer's office the same thing and in the Inspector of Local Boards office the same thing and so also in other offices. Will the Hon. the Revenue Member be pleased to take people from other communities also? ”

The Hon. Sir ARCHIBALD CAMPBELL:—“ I am afraid I cannot give any such undertaking. I have explained on a former occasion that the number of Andhra candidates applying for the Secretariat is very small indeed. I am not sure whether the same is true of other offices in Madras City but probably it is.”

Mr. G. R. PREMAYYA:—“ May I know, Sir, if the question will be considered if more applications come? ”

The Hon. Sir ARCHIBALD CAMPBELL:—“ The question of securing better representation of Andhras in future is under consideration.”

Mr. G. R. PREMAYYA:—“ May I know, Sir, if persons already in Madras will be continued without break of service? ”

The Hon. Sir ARCHIBALD CAMPBELL:—“ The rules will apply to them.”

Railways

Proposal for linking Salem and Namakkal by a railway.

* 688 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Member for Finance be pleased to state—

(a) whether there is any proposal to link up Salem and Namakkal by means of railway;

^a Printed as Appendix I on page 248 infra.

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- (b) if so, at what stage it is; and
 (c) at which place it is to touch the Villupuram-Trichinopoly chord line?

A.—(a) Yes, as a link in the project known as the Salem-Namakkal-Trichinopoly railway.

(b) The project is not among the lines sanctioned by the Railway Board for construction nor, in the present financial position, is there any likelihood of its being taken up in the near future.

(c) At Trichinopoly.

Local Self-Government

Budget of the Peddapur Municipality for 1934-35.

* 689 Q.—Mr. C. INDRAIYA: Will the Hon. the Minister for Local Self-Government be pleased to state whether the Government have received a copy of the budget of the Peddapur Municipality for 1934-35?

A.—Yes.

Direct recruitment of District Board Engineers to the prejudice of the Assistant Engineers in service.

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

(a) whether it is a fact that the posts of District Board Engineers are filled up by direct recruitment;

(b) if so, how many such appointments were made since 1st January 1933;

(c) whether it is a fact that persons who were already employed as Assistant Engineers under local boards were not allowed to put in applications for those appointments to try their chances along with others;

(d) whether the persons selected by direct recruitment possess more qualifications than any of the Assistant Engineers who are already in the employ of local boards; and

(e) what the reasons and principles involved are in making such direct recruitments and in not giving chances to the experienced and duly qualified persons in the employ of local boards?

A.—(a) Yes. Admission to the service is by direct recruitment, provided that every alternate vacancy is filled by recruitment from Local Fund Assistant Engineers, so far as qualified and suitable persons of that rank are available.

(b) Three, of whom one has since reverted to his permanent appointment as Local Fund Assistant Engineer, Anantapur.

(c) The fact is not as stated by the hon. Member.

(d) & (e) With reference to the answer to clause (a), the questions do not arise.

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Continuation of the additional Petrol Duty imposed in 1929.

* 691 Q.—Mr. M. A. MANIKKAVELU NAYAKAR: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government of India have asked the opinion of the Local Government with regard to the extension of the additional petrol duty imposed in 1929;

(b) whether the Local Government consulted public opinion in the matter;

(c) whether they propose to recommend for continuation of the additional petrol duty or for its abolition at the end of five years expiring in March 1934; and

(d) if they propose for continuation of the duty, their reasons for the same.

A.—(a) Yes.

(b) No.

(c) This Government have already agreed to the proposals of the Government of India for the continuance beyond 31st March 1934 of the Central Road Development Fund formed by the levy of the duty.

(d) The need for funds for expenditure on road development.

Mr. M. A. MANIKKAVELU NAYAKAR:—“As the price of petrol is exorbitant on account of the duty and as it has a bearing on a number of motor vehicles going off the road, will the Government be pleased to reconsider the question?”

The Hon. the RAJA OF BOBBILI:—“I do not quite follow the supplementary question of the hon. Member. Does he mean that the petrol duty should be repealed?”

Mr. M. A. MANIKKAVELU NAYAKAR:—“The two annas duty going now for the general road development may be reduced?”

The Hon. the RAJA OF BOBBILI:—“It is a matter for the Government of India. Moreover, money is required for roads and bridges for the Local Governments. I do not think the Government of India will consider the question nor will the Local Government be prepared to make such recommendations.”

Mr. M. A. MANIKKAVELU NAYAKAR:—“Has the Local Government power to say, No?”

The Hon. the RAJA OF BOBBILI:—“If they say ‘no,’ it means that they won’t get any such subvention.”

Mr. P. V. KRISHNAYYA CHODARI:—“Are the Government aware, Sir, that on account of the petrol duty, small cars are now being purchased and thereby the revenue duty is lowered?”

The Hon. the RAJA OF BOBBILI:—“I do not think it is a fact, Sir.”

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UNSTARRED QUESTIONS**Industries**

Survey, if any, of the potentialities of the manufacture of sugar from the palm juice and the palm jaggery.

692 Q.—Mr. DANIEL THOMAS: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether his attention has been drawn to resolution No. XVII of the Tinnevely District Conference, dated 21st January 1934, asking for researches and demonstrations to be made at the cost of the Government for small-scale manufacture of white sugar from palm jaggery and palm juice;

(b) what action, if any, has been taken so far in regard to this matter;

(c) what further action the Government propose to take in regard to it;

(d) whether the Government have investigated the question of sugar manufacture from palm jaggery and palm juice in the Presidency and made any survey of the potentialities of the same; and

(e) whether the Government have any policy and, if so, what, in regard to the full development of the potentialities of sugar manufacture from palmyra juice and jaggery?

A.—(a) Yes.

(b) The resolution has been forwarded to the Director of Industries for necessary action.

(c) None.

(d) Yes.

(e) The question of the better utilization of palm juice has been considered, but the difficulty of securing tappers presents an almost insuperable obstacle to the extension of this industry. Available supplies of palmyra jaggery are reported to be hardly sufficient for the requirements of local consumption and existing factories in the palmyra tracts. There appears to be little scope for extending the manufacture of sugar from palmyra, but the Agricultural department has undertaken a tentative experiment on sugar making from palmyra juice from which definite results have not been obtained as yet.

Resolution of the Tinnevely District Conference, dated 21st January 1934, regarding the establishment of a paper factory at Papanasam.

693 Q.—Mr. DANIEL THOMAS: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether his attention has been drawn to resolution No. XI of the Tinnevely District Conference about the investigation of a proposal to start a paper factory at Papanasam;

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(b) the annual import into the Presidency of paper and pulp in terms of quantity and value and the annual production in the Presidency of the same in similar terms;

(c) the value of the annual consumption of paper in the Madras Presidency;

(d) whether any manner of survey of the potentialities of the Presidency including Papanasam, in the matter of paper and pulp manufacture has been made by the Government so far, and, if so, what the result of the same is; and

(e) whether the Government have got any policy or programme for the development of paper manufacture in the Presidency?

A.—(a) Yes.

(b) The annual import of paper and pulp by sea is as follows:—

Year.	Paper.		Pulp.	
	Quantity.	Value.	Quantity.	Value.
	TONS.	RS.	TONS.	RS.
1931-32	17,671	27,51,015	49	9,509
1932-33	19,938	39,86,403	26	6,310
1933-34 (Ten months, April 1933 to January 1934).	18,159	32,39,713	67	11,223

The annual production of paper is as follows:—

Year.	Quantity.		Value.	
	TONS.	RS.	TONS.	RS.
1930	300	1,50,000		
1931	100	50,000		
1932	Nil.	Nil.		

Information regarding annual production of pulp is not available.

(c) Information is not available.

(d) A survey of the potentialities of the Papanasam forests and the Rekapalli Reserve in the Upper Godavari Division was made. It is reported that sufficient raw materials are available in these areas. But the establishment of a paper factory at Papanasam depends for its success on a hydro-electric scheme on the Papanasam river for the supply of electricity to the mill.

(e) The Government are prepared to assist private enterprise.

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

II.—GENERAL DISCUSSION OF THE BUDGET FOR 1934-35.

* The Hon. the PRESIDENT:—"The general discussion on the Budget will continue and the hon. Member, Mr. M. Devadasan, will continue his speech."

* Mr. M. DEVADASAN:—"In continuing my speech, I say that the Anglo-Indians and Europeans are Christians. I beg pardon of the Members of the group representing them. Yet they are treated better

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than the Depressed Class Christians whose condition is a hundred times worse than theirs. Time after time, Members of the Indian Christian community as well as myself urged on the Government the necessity of taking into their favourable consideration, the claims of the Christians and still nothing has been done in that direction. Therefore, the Depressed Classes themselves have sent memorials to the Local Government, the Central Government and the Joint Parliamentary Committee requesting them to take a liberal view of the case of the Depressed Christians in the matter of appointments as well as in other matters. But nothing has been done to the people; I have to say that they are no less loyal and faithful to the Government than any other class of people. Yet, their claims have been treated with scant consideration. The words of Shakespeare that innocence and piety are not always successful are strikingly applicable to them. I must request the Hon. Members of the Government to take a liberal view of the case of the Depressed Class Christians in the matter of appointments and in other matters.

"Coming to the subject of assignment of lands, on the whole, I find there has been some slackness on the part of the Revenue subordinates. It takes several years for the Revenue subordinates to assign lands in favour of the Depressed Classes and they have to wait indefinitely for these small grants. Often the assignments involve very heavy expenditure to them and in some cases they have been asked to pay some valuable consideration for the lands assigned long after occupation. The conditions of the people in the mufassal are not taken into proper consideration by the Revenue authorities.

"As regards the Police and other departments, I may state that sufficient members from the Depressed Classes are not taken in service although Government gave an assurance to us that circulars would be issued to the district officials enjoining them to treat the claims of the Depressed Classes in a liberal spirit.

"Before I finish my speech, I should refer to the two points spoken on by my friends yesterday. I feel it my duty to say a few words about them. Referring to the question of land revenue remission, I must say that something has been done by the Government for which we should feel thankful. A sum of 155 lakhs of rupees that was remitted has been distributed for three faslis, 1342 to 1344. 3.20 lakhs have been allotted towards the relief of people suffering from cyclone and floods. So, the Government have been considerate to such an extent as has been possible for them to do. I am one of those who voted for the resolution, advocating a reduction of land revenue to the extent of 25 per cent. After perusing the Budget Memorandum and the Budget Estimate, I gather that the Government have found it difficult to make a much larger reduction than it has been possible for them to do. However, I would request the Government to follow what has been done by the Bombay Government in the matter of offering concessions in land revenue to the ryots of that Province. The Bombay Government have given a much larger reduction, though they were also faced with the same difficulty as the Government of Madras.

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"With regard to the pay cut, I have to say that time will come when it will be imperatively necessary to introduce the pay cut. I find that the condition of the people is getting worse from day to day. Paddy which was selling in Tinnevely at Rs. 8 per kota last year is now selling at Rs. 6 or less than that. I say that if this state of affairs continues for some time more the conditions of the ryot will be worsened. The Hon. Finance Member has stated that the contingency for the re-introduction of the pay cut has not arisen, but I am one of those who think otherwise. The financial depression has not left us altogether. The conditions of the people are in the same old position as they were once and I apprehend that they will become really worse than in the past. So, it is absolutely necessary that Government will have to introduce pay cut in the case of Government servants and the Government servants also would not grudge to bear a cut when the ryots upon whom the welfare of the State rests suffer a great deal.

"Coming as I do from Tinnevely, I want to say a few words before concluding my speech about my district. I find in the Budget Estimates that much has been provided for the needs of other districts. So far as Tinnevely is concerned, only for a few minor items, money has been provided. People have been crying for years for provision being made for repairing tanks, channels, and other irrigation sources which have been left unattended to in the past. In the central districts and northern districts much money has been spent to improve the condition of the ryots as well as other people. So far as Tinnevely is concerned, enough money has not been provided for. This, I think, is deeply regrettable. Crores of rupees are proposed to be spent on the Tungabhadra, Bhavani and other projects; but the consideration that is thus extended to the central and northern districts has not been extended to the Tinnevely district also. I request the Members of the Government to take these facts into consideration and allot money, whenever possible, for the needs of the Tinnevely district."

11-15 a.m.

Mr. BASHEER AHMED SAYEED:—"Mr. President, I have always felt that it does not serve any useful purpose to discuss, in a general fashion, the Budget Estimates presented by the Hon. the Finance Member."

* The Hon. the PRESIDENT:—"I would like to intervene for a second to inform the House that there are very many hon. Members anxious to speak and I hope that the time-limit will be more strictly adhered to than before."

Mr. BASHEER AHMED SAYEED:—"Sir, I had occasion to observe on the floor of this House that the Leader of the House and the Governor in Council would do well to consider whether it is at all necessary that we should have three days allotted for the discussion of the Budget in this general manner. (The Hon. Sir Hopetoun Stokes: 'Hear, hear.') I think, Sir, it will serve a more useful purpose if we have, in addition to the 11 days now allotted, these three days also for the discussion of the Budget items in detail. That, according to me, will serve a more useful purpose than this general

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desultory discussion that we are having since yesterday. If these 11 days are to be increased to 14 days for the detailed discussion and voting of the grants, we would be able to bring to the notice of the Government several important grievances which we are not able to bring to their notice in the general discussion, within the limited scope of ten minutes. I will therefore once again suggest to the Hon. the Leader of the House that he do take into consideration the question of increasing the number of days allotted for the detailed voting of demands by the inclusion of these days to the 11 or 12 days allotted for the purpose in future years.

"Sir, coming to the Budget itself I should say that it is a straight Budget that has been presented by the Hon. the Finance Member. Our congratulations are certainly due to him for having balanced the Budget; and not merely that, but also Sir, for having shown a surplus of 4 and odd lakhs. It is indeed a good Budget; but, Sir, the question remains to be seen as to how the surplus has been arrived at. This surplus has been arrived at by stinting various departments, of work to which there is a great clamour for increased allotment. It is true that nearly 60 and odd lakhs have been taken away by revenue remissions; but then, if we go through the Budget we see that in many directions the revenues have fallen and under many items the revenues have remained stationary. It would have been very good and very well for the Hon. the Finance Member to have inquired into the reasons, apart from the general economic depression, as to why exactly the revenues have remained stationary under certain heads and why they have fallen under other heads. For instance, I find those heads of account which ought to yield greater and greater income to the Government, namely, Stamps, Forests, Excise and so on, have not shown any improvement. The one great reason for the fall in Stamp and Court-fee is the prevalence in the country—the Hon. the Finance Member is not unaware of it—of the high incidence of taxation on the litigant public. If only the Government would see their way to so amend the Court Fees Act, as was suggested on previous occasions on the floor of this House, as also by the Taxation Enquiry Committee, as to lower the rate of court-fee levied in courts and help to increase the number of people who go to seek remedy in courts, they will find a fruitful source of income. The recent enhancement of fees for the institution of suits in the High Court has had a very deleterious effect on the finances of the Government. The filing of suits has fallen to a very large extent both here and in the mufassal. The sale of stamps has fallen on account of the stamp duty being very heavy. We know that hundreds and thousands of documents are not stamped, much less are they registered, on account of the poverty of the people who cannot afford to pay the heavy charge. If these stamps are not purchased and the documents are not registered, it is because of the inability of the parties concerned to go in for what they think to be a luxury. I would therefore suggest that the whole system of stamp duty and also the court-fees now levied on should be revised. Various ways and means have been suggested for increasing the income of the Government and if only the Government

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would consider the utility of these ways and means and revise or amend the Court Fees Act which was amended in 1921-22 as a temporary measure, there is every hope of their income being enhanced.

"The Hon. the Finance Member has admitted that the excise revenue has fallen and that there is no immediate prospect of its rising. That is an admission that the power of the people to spend money in the luxury of drink has been much crippled. But what is it that has been proposed now in the Budget to enhance the purchasing power or increase the capacity of the people to go in for more and more luxuries. I find nothing. It would have been better if measures had been advocated in the budget which would relieve the people from their present distressed condition and would have increased their purchasing power by enhancing the level of prices.

"No doubt, the Hon. the Finance Member has referred in his speech to remission of land revenue. But what is the extent of the remission? It is only 12½ per cent. I would only invite his attention to what has been done in the Presidency of Bombay where remission ranging from 12½ per cent to 33½ per cent has been granted. If the Government take note of that, they will realize that it is not a very high rate of remission that they have granted in this Presidency. Does it give adequate relief to the cultivator? No. Two annas in the rupee does not go much to relieve him, though relief it is to a small extent. Sir, if the Government had made up their minds to accept the Council's resolution to remit 25 per cent of the land tax, I would still say that it would not be adequate because the demand all over the Presidency is for 50 per cent remission and the situation of the ryots, though not of the administration, does justify a remission of 50 per cent. We have at the same time to remember that a 50 per cent reduction will reduce the finances of the Province to a great extent and the administration could not be carried on. But what is the position of the administration to-day? I find that the amount budgeted for pay of establishment and the cost of the administration in all the departments has been on the increase. Every head of account shows increase under expenses on establishment and other recurring charges. There is not a single department which has budgeted for a decrease under establishments. I consider that the administration is growing more and more top-heavy in spite of the revised scales of salary. The effect of the revised scales is not seen and would not be seen for some years to come. The administration therefore still continues to be top-heavy. Will the Hon. the Finance Member reconsider the situation once again and see how he could make administration less costly? There are very high salaries still persisting. Those posts would show a decent saving if they are retrenched. But sufficient retrenchment does not seem to have been effected in these cases. By way of retrenchment something only has been done here and there and that is why retrenchment has not resulted in much saving to the Government. I would therefore ask the Government and the Hon. the Finance Member to take once again the whole system of expenditure including pay of establishment, scales of salaries

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and so on and see whether there could not be any further retrenchment. There are still very many departments where there is a lot of wastage going on. I have in mind the Public Works Department particularly where much can be done to save money. I do not wish to dilate on this point any further.

“There is one other point which I would like to touch upon on this occasion. The Government have always been saying, in fact they have been obsessed with this idea, viz., that once remission is granted, it will be a recurring factor and that it will not be possible for them later to keep out of it. They seem to say that year after year 12½ per cent remission will be asked for by the representatives of the ryots and that these representatives will insist on the Government granting it. This indeed shows a certain amount of obsession. I ask, why the Government should not assume for purposes of budgeting that their income has permanently come down to 15 crores from 17 or 18 crores? Let them prepare the Budget on the basis of 15 crores income. Let them give up the balance of 2 crores permanently and then on this basis of 15 crores, if they frame the Budget, they will be able to give the full 25 per cent relief to the suffering tax-payer.

“Now, Sir, there is one other source of income which the Government have not so far thought of. I would suggest for their consideration that they should apply to the Government of India for all the confiscations that are now being made within the Presidency of Madras by the Government of India through their Land Customs Department. The people of this Presidency have been in the past three years and more are losing a lot on account of the smuggling of contraband goods from Pondicherry, Karaikal and Mahé. Sir, the amount of silver, saccarine, gold lace, sugar and other contraband articles brought into the Presidency by smuggling is increasing day by day. The loss is suffered by the people of this Presidency, by reason of the confiscation of the goods found in the possession of our people. I would earnestly ask and suggest to the Hon. the Finance Member that the value of the goods thus confiscated from year to year must be credited to the Madras Government, and not to the Government of India, for the benefit of the people of Madras. That will bring in 10 to 15 lakhs of rupees to the Provincial exchequer. It should be made a provincial source of revenue. No doubt, in the matter of opium and other drugs the Government of India is getting a good deal of the confiscated property and Madras gets a portion of it. But my point is that the value of silver and other things confiscated should also be given back to Madras instead of being credited to the Government of India.

“One other point, Sir, and I am done. I wish to say a few words on Education. I find that the Education Department has been starved. Instead of that department growing by fast strides, it is remaining stationary though luckily it is not lagging behind. There are very many aspects of education which deserve careful attention from the Transferred Half. It is the primary duty of the Government to educate

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the people and to progress the interests of those who are in charge of it. I would suggest for the consideration of the Government, Sir, as to whether the time has not come when they should go back upon all the old theories of education being filtered down from top to bottom, and instead concentrate all their energy and all their funds on elementary education in the first instance and then on secondary education and for the betterment of the teaching population. I suggest that the Government should review the position and have a consistent policy with regard to education and see how best to improve it. It does not matter what additional source of expenditure it might give rise to.”

* The RAJA OF PARLAKIMEDI:—“Sir, I rise to compliment and congratulate the Hon. the Finance Member for balancing the Budget so successfully, irrespective of the fact that we are now confronted with a time of most appalling financial breakdown, not only in this Province and in India, but also affecting the whole world. 11-30 a.m.

“On the point of remission to the cultivators, Sir, I have a word or two to lay before this House. Agriculture from my school days is a hobby for me and I am never tired to conduct or supervise the different operations from the preparation of seedbeds up till the winnowing of grains, or preparation of refined gur, to penning of sheep, before a plot of land is ready to have sets of sugarcane planted in thoroughly water-soaked trenches, and therefore I can very well say that I possess a pretty good knowledge of the hardships an Indian cultivator has to face to excite my sympathies, when especially he has nothing better than to throw in his lot with the caprice of God Indra, however much faithful Indra, may be not to let down his mortal dependents. I am for compensating the tenants, but from practical knowledge I have no hesitation to say, that it is almost impossible to make the agencies of distribution really watertight compartments to prevent leakages and percolation before the remitted amount reaches the ryots. Even granting that such things are unheard of or abominable to think of in Government service, even in the lowest strata, and the demanded 25 per cent of remission will fully reach the pockets of individual ryots of the affected ryotwari areas, I think it requires very little thought or persuasion to believe that a remission of 12½ per cent only can ever really mean an appreciable measure of relief to the tenant.

“I entirely agree with the Finance Member that to make up for this extraordinary contingency, as a set off, no further retrenchment in pay or men in different services should be effected. Nor should the annual progress of Part II schemes be hampered any further. The Department responsible for the maintenance of Law and Order is very much retrenched as it is, and I know of concrete instances where even to carry out their daily routine duties there are not enough men. In mufassal cities containing not less than 20,000 people, however enthusiastic the heads of departments may be, find it quite impracticable to have fixed or moving beats to regulate traffic; the result is on and while in transit, through carelessness on the part of pedestrians and rash driving on the part of taxis and buses, taxis and

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buses cause fatal injury to human life, and in border areas it is becoming an impossibility these days to have European Assistant Superintendents of Police, even in stations, where to meet the peculiar situation European Assistant Superintendents of Police used to be stationed to hold the scales even in an unbiassed manner between two communities and assure peace among the public. Even to-day I strongly feel their existence in such areas is indispensable. To accord this almost ineffectual relief to the tenants in ryotwari areas why lower the standard of efficiency of administration by retrenchment, which must mean shattering considerably the reputation of the British administration built upon a sound foundation of centuries experience? On the other hand, why cannot a protective tariff be levied to keep out all unhealthy competition from outside with Indian agricultural produce? When we cannot in these days grow paddy or any other grain in India with profit, why allow Siamese paddy to be dumped down by tons to further lower the prices? If only the present prevailing prices are manipulated to yield an anna or two more per each ton of rice, it will be a much more appreciable relief to the cultivators. This sort of regulating of prices is successfully practised in certain Indian States and when it is possible there, I think it should also be quite possible to bring it to force in this province. We have co-operative societies in our Province, which unfortunately are nothing but money-lending institutions and which again, owing to, I take it, lack of man-power to carry out effective supervision, are allowed to drift into most chaotic and undesirable conditions. In Western countries and in Great Britain, I know, each community, craft and art, have, their own co-operative society to protect and safeguard their own interests. If that system is too much to adopt in these parts, let us follow at least the system successfully put to practice in Bombay and in the Punjab to help the agriculturists in those parts. For instance, sugar manufacture at present is passing brightest of times and our co-operative societies should, I think, be made to co-operate with the cultivators and come to their rescue in securing the required quantity of cane-seeds for each taluka, if local required quantity is below the demand. Loans should be made available at a very much lower rate of interest and the period of recovery should be spread over larger number of years to afford greater convenience to the poor cultivators, so that a cultivator with these facilities will be able to well afford to face the present world-wide financial depression.

"In fine, with the given solutions, my suggestion to the Government and this House is not to apply further, scissors of retrenchment and diminish the pay and staff in different departments of executive and civil service."

* MR. J. K. METHERELL:—"Mr. President, Sir, I should like to congratulate the Hon. the Finance Member for having presented to us a surplus budget at the end of the financial year. I hope that he will find that the revenue estimated to be realized from Excise and from Stamps will in fact be realized. Although there are signs of the cloud depression and financial difficulties lifting, it is doubtful whether the

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effects of any improvement can make themselves felt during the course of the next 12 months. It will probably take some time beyond that before we see the real effects of any improvement in economic conditions generally.

"It seems to me that the question of having a surplus budget does not end with the satisfaction of having a surplus. Some of us may be inclined to ask ourselves how that surplus is arrived at and there is always the thought that possibly the achievement of the surplus itself might have clouded other issues. It might have been achieved at the expense of development and of schemes which might in due course be remunerative to Government. Also we cannot overlook the fact that it is possible for a Government to make some definite contribution towards recovery by stimulating employment and also by stimulating projects for development which should assist us on the road towards recovery. I only offer these suggestions in passing because there is definitely the danger everywhere of a surplus being considered an end in itself.

"With regard to the reimposition of the cut in the salaries of Provincial and Subordinate Government servants, I cannot see how we can justify any reimposition of the cut. You cannot play fast and loose with their terms of service. The cut was restored last year and there seems to be no new circumstance which has arisen since last year that could justify a reimposition of the cut. It may be some point in saying that the cut should not have been restored in full last April and that it might have been better to have followed the example of the Government of India in a wider sphere and restored a portion of the cut. I think hon. Members have underestimated the savings which will be effected by the lower scale of pay which has been introduced for the new entrants in Government service and that these savings will probably materialise much earlier than has been indicated in one or two speeches.

"There is however one point in the Hon. the Finance Member's speech with which I do not find myself in agreement. There seems to be still an idea prevailing in the minds of Government servants that those who are employed in business occupations make large fortunes. Surely after all these weary years of depression, it should not be necessary to reject that large fortunes are not made in business as a general rule. There may be a few cases where the emoluments of people employed in business occupations may be high, but they will be commensurate with the position they occupy just as in the case of higher Government officials.

"But we are discussing the pay of the Provincial and Subordinate Government servants who are mainly, as the Hon. the Finance Member says in his own words, on low pay. Is it suggested that these men sacrifice a fortune by being altruistic and entering Government service.

"But I really do feel that the argument that a man who enters Government service sacrifices a 'fortune round the corner' should not any longer be used to justify security of service as the pay of the

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services. There is indeed every reason to agree that the certainty of employment and the certainty of a pension are a vital necessity to all Government servants in order to secure their efficiency and loyalty, but it should not be forgotten that the salaries themselves are quite attractive as is shown by the fact that for any one vacancy in Government service there is a vast number of applicants. As for the sacrifice that a man makes of other activities in life, Sir, they seem to me to be very few. I cannot think of many sacrifices, other than possibly those of attendance at political meetings and possibly the advantage and honour of being able to stand for election to this and other Houses of Legislatures. Actually Government service offers privileges which to many of us outside are denied. Therefore I would like to suggest this line of argument should be discarded once for all. The merits of the case are sufficient in themselves. There is no justification to be obtained from the financial position of the Presidency as shown by the Budget figures for reimposing the cut.

“With regard to the revenue balances, I agree they should not be lightly dissipated. With regard to the coming Reforms which have been so constantly mentioned (Mr. Abdul Hameed Khan: Hear, hear), there is also a danger that if we show too large an amount on the credit side, we may find it difficult to obtain our fair share in due course of, let us say, the income-tax when it comes to be allotted on a percentage basis to all Provinces. I do not know whether there is actually any danger of this, but I suggest it as a possibility.

“In conclusion, I should like once again to emphasise that we are grateful to the Finance Member for presenting us with a Budget that seems to be sound, is at any rate one which shows that this Province has by hook or by crook weathered a storm which many great countries have failed to weather.”

* Diwan Bahadur A. APPADURAI PILLAI:—“Mr. President, Sir, I wish to associate myself with the hon. Members who have spoken before me in heartily congratulating the Hon. the Finance Member on the admirable budget he has presented to the House. The preparation of a proper Budget calls forth ingenuity and forethought. The Hon. the Finance Member whose efforts have been admirably seconded by his able lieutenants has been able to place before the House a surplus Budget. It is no secret that the Hon. the Finance Member has with commendable vigilance and industry explored all possible avenues of retrenchment at a time when this Province has been threatened with a financial crisis. With what result his industry and labour have been rewarded, we now see in the Budget before us. A deficit of Rs. 105 lakhs in 1930-31 has been converted into a surplus of Rs. 77.21 lakhs in 1932-33. It is also very gratifying to note that hon. Members have unanimously poured encomiums on the Hon. the Finance Member and his able lieutenants for the tremendous work that they have done. This result has been obtained, it must be remembered, after providing for land revenue remission to the extent of Rs. 10.71 lakhs in 1932-33, Rs. 72.15

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lakhs in 1933-34 and Rs. 61.85 lakhs in 1934-35. Now funds are forthcoming for increased expenditure under Education, Medical and Public Health, Agriculture, Industries and other heads.

“Most of the speakers have referred to two important aspects of the present Budget and it will not be fair on my part to refrain from saying a few words on those two matters. First with regard to the grant of land revenue remission. Land revenue remission is not regulated by statutory provision: it rests entirely on the discretion of the Government. Remissions are granted with reference to excess or deficit of water-supply which ultimately depends on the rainfall. In the present instance, however, owing to unprecedented economic depression and fall in prices, land revenue remission has had to be granted. We know, Sir, that various District officers have sent their reports to Government after a detailed examination of the actual conditions in the districts and the Government on a consideration of these reports have declared that a remission of 12½ per cent on wet lands and 6¼ per cent on dry lands would be granted for the current year. That remission would amount to Rs. 72.15 lakhs during the current year. They have also unasked provided for a remission of Rs. 61.85 lakhs in the ensuing year. After all, this is not an arbitrary figure. No doubt one would be glad if, instead of As. 2 in the rupee, either As. 3 or As. 4 in the rupee had been remitted. But we should remember that the Government have not been actuated by any sordid motives to keep back what is actually due to the ryot. They have taken care to husband their resources in such a manner as to be able to grant the necessary relief taking care at the same time that they do not impair the efficiency of the administration. They are not unaware of the fact that in other Provinces higher rates of remission have been granted. If any body knows it, it is the Government. It does not prevent Government, if they come to see that the remission already granted is not adequate, from granting further remissions. I dare say that the Government would not hesitate to do so, if such a contingency arises. After all, Sir, the Government are the custodians of public finance, and I am sure that the welfare of the ryot is as much a concern of the Government as that of the ryots themselves.

“I wish to say a few words about the salary cut which has been dealt with at considerable length by Hon. Members. Under the direction of the Government of India, the 5 per cent cut in the pay of All-India officers has been retained, while the cut in the pay of the Provincial and Subordinate officers has been removed. There has been an incessant demand that this cut should be reimposed. The Hon. the Finance Member in his exposition of the Budget scheme has clearly stated, for reasons mentioned by him, that it was not possible to reimpose the pay-cut. He has stated that the cut was imposed as an emergency measure under peculiar circumstances and that it should not be resorted to save in exceptional circumstances. After all, Sir, Government servants are servants of the public. Their time is entirely at the disposal of the public. Their acts are in the public eye. If there is a

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disturbance or a riot to be quelled, it is the public servant who first throws himself forward. If there is an epidemic to be fought, it is the public servant who goes to the forefront. The public servant is ever anxious to serve the public in the best manner possible. Is it not desirable therefore, Sir, that the public servant should also feel that his interests are safe in the hands of the public? To keep him contented and to make him feel sure that his interests are always the concern of the public is to ensure his efficiency in a very large measure. In his speech, the Hon. the Finance Member has distinctly stated that the reimposition of the cut would be resorted to, if circumstances necessitated such a course. I do not think, Sir, that I need dwell further on this point. After all, personally I cannot see any real connexion between the salary-cut and the land revenue remission. Somehow or other the discussion has drifted in that direction so as to make the land revenue remission dependent on the salary cut. Personally I do not think that there is any real connexion between the two. May I ask, Sir, if the resources of the Government are so crippled as to force them to look for revenue remission only by cutting the salaries of the officers? Have the Government really come to the end of their tether, so that they can grant revenue remission only by cutting the pay of their subordinates and officers? I do not think so, Sir. If the Government are convinced that there is need for further remission, I dare say they would find other resources to comply with the legitimate demands of the people without resorting to a salary cut. I would therefore earnestly appeal to Hon. Members of this House to dissociate the salary cut from land revenue remission. They are not interdependent. Coming to the Budget itself . . .

* The Hon. the PRESIDENT:—"The Hon. Member has already taken 12 minutes."

* Diwan Bahadur A. APPADURAI PILLAI:—"I shall not take more than two minutes more. Coming to the Budget itself, I find that there is a large scope for improvement in the matter of Industries. I find that the Budget for 1934-35 automatically repeats the provision made in the previous years under this head.

12 noon. "There is no indication of any progress. The Department of Industries is topheavy. There are a number of officers doing the same or similar work.

"There is the Kerala Soap Institute which has served its purpose. It is not the duty of the Government to maintain commercial institutions. When once an experiment reaches commercial possibility, it is necessary on the part of the Government to throw the industry open to the public and confine themselves to the conduct of fresh experiments and training of apprentices. I wish the Government would bear this suggestion in mind and see that the Kerala Soap Institute for which a provision of over Rs. 2 lakhs is made every year is done away with and that the activities of the Institute is confined to the conduct of experiments in oils which are yet to be developed in this country.

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"Similarly as regards the Co-operative department, I have to say a few words; I shall reserve them for a future occasion. There is a great deal of dues pending collection. The department is topheavy. With 25 deputy registrars, 42 sub-deputy registrars and 500 senior and junior inspectors the department has become really unmanageable. Dues are filing up and now stand at the alarming figure of Rs. 400 lakhs. It behoves Government to pay attention to the reform of this department so as to make it possible for the collection of dues without much delay."

* Mr. SAMI VENKATACHALAM CHETTI:—"Mr. President, Sir, I rise to represent my view of the Budget. In doing so, I consider it that I should be insincere if I compliment the Hon. the Finance Member on the presentation of this Budget. Sir, many speakers have referred to the great achievement the Hon. the Finance Member has performed by presenting what is called a surplus Budget, except my hon. Friend, Mr. Metherell, who, by complimenting the Hon. the Finance Member on the production of a surplus Budget, yet doubted in entirety the wisdom of surplus Budgets always. If I may make that doubt a little more clear, I should consider that a surplus Budget as such is not an achievement of which any Finance Member should feel himself proud. A surplus Budget will become an achievement when one is able to show a surplus after discharging all the compelling obligations which the Government have to fulfil. Under the present constitution of the Government, neither the Members of the Reserved Half nor the Ministers of the Transferred Half feel that they have a sense of responsibility to the country for the performance of any particular programme of work. As a matter of fact the tranquillity in the country on which the Hon. the Finance Member justly takes pleasure and with which I desire to join also, has become of such a character that far from its being a matter for complacency and satisfaction, it has been a source of creation of irresponsiveness on the part of the Government. If I can illustrate my point, as the agitation declined, there has been less of expenditure on nation-building departments. I shall make my point clear. As the agitation was increasing, whatever may be the nature of the manifestations of that agitation, there was a growing increase of expenditure on nation-building departments, on Education, Medicine, Agriculture and Industries and on Public Health. From the year 1930-31 when there has been a decline in the agitation, there has also been decline in the amounts allotted for these nation-building departments. Am I therefore to conclude that, unless there is that healthy corrective, of public opinion by way of agitation, on the Government, there is no just chance of the Government themselves being responsive to public opinion? No stronger evidence is necessary to prove this point than the memorandum of the Finance Secretary with regard to expenditure on the nation-building departments. Taking the year 1925-26 to be the year in which the agitation started, you will find that under irrigation there has been a growing increase in expenditure—87 lakhs in that year, then 97 lakhs, 99 lakhs, 104 lakhs, 114 lakhs and 111 lakhs in the year 1930-31. In the year 1930-31 the Government were no

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doubt able to suppress public opinion and demoralize public opinion by striking terror in the minds of the public not to agitate for the redress of legitimate grievances. The result is, while the discontent is submerged, the Government have also reduced their expenditure on the nation-building departments. You will find that the expenditure has been reduced from 114 lakhs to 95 lakhs in the next year. The same is the case with regard to Agriculture and Industries. It began with 49 lakhs, rose up to 73 lakhs in the year 1930-31. There has been decline from that year to 59 and 51 lakhs. The greatest decrease you will find in Education. It began with 188 lakhs, reached up the pitch of 304 lakhs in the year 1930-31. From that year it dwindled to 245 lakhs for the present year. So also with regard to Medical and Public Health. It began with 97 lakhs and reached 150 lakhs in the year 1930-31. Then it came down to 130 lakhs and it is kept up at the same level. It may be argued that this is not due to want of regard for public opinion but on account of decrease in income which the Government had from that year. If that be so, that decrease ought to be reflected not only in the Transferred departments but also in the Reserved departments. In this connexion the chart prepared by the Finance Secretary is very helpful. There are three channels of expenditure: one is entirely Transferred department; the other is entirely Reserved department and the third is both Reserved and Transferred departments combined. You will see from the chart that in the combined Reserved and Transferred departments there has been a decrease of $8\frac{1}{2}$ per cent—roughly speaking—in the expenditure. In the Reserved departments also there has been a decrease of 8 per cent—roughly speaking. But in the Transferred department the decrease has been 20 per cent. Therefore all that the Government might have saved on account of decrease in revenue has been made to be felt by the Transferred department while keeping up the level of expenditure on the Reserved departments at the old level. While one should certainly be pleased at the so-called peace that is prevailing in the country, one cannot help feeling that it is taken to mean by the Government erroneously that the people agree with the policy of the Government and the Government think they can afford to disregard public opinion. If the Government really feel that public tranquillity is now prevailing, there is no justification to keep up the high level of expenditure on Police. Either the Government are thinking that the present peace or tranquillity is only temporary and that it is likely to burst out any time on account of the continued neglect of public opinion; or they must be convinced that there is perfect tranquillity. If the former were the case, the Government cannot have the satisfaction that they have been able to bring about tranquillity in the country; if the latter were the case, the Government must see to the reduction of the expenditure on Police by at least half a crore.

“The Hon. the Finance Member has shed profuse tears on behalf of his over-worked, inadequately paid and self-sacrificing body of Government servants . . .”

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The Hon. Sir HOPETOUN STOKES:—“I never used any such epithets; they are those of the hon. Member himself.”

Mr. SAMI VENKATACHALAM CHETTI:—“He wants us to think that they are over-worked and inadequately paid. Where is the justification to keep up that level of salary they were paid when the level of prices was so high as 173, the index price of the year 1923? Taking 100 to be the price level in the year 1930, in the year 1923 it was 173. In the month of December 1933 it was only 89. The pay that is given to Government servants is at least two times of what they are entitled to. Why should they be paid on the level of prices reigning in the year 1923? There is absolutely no justification for such high scales of pay being maintained. There is no doubt the question of contract with regard to Government servants. But I should consider that the Government servant would not be so ungrateful as to stick to his scale of pay even in spite of the inconvenience and bad plight of the persons who have been feeding him all these years. It is surprising that persons of the rank of Mr. Appadurai Pillai who have eaten the salt of the land revenue assessee all these years, should say ‘I am entitled to my pound of flesh whatever may be your distress.’ In firms or private families, we can never come across a servant insisting upon his usual wages when his master is going to rack and ruin. Here is an instance. While the country is breaking down under financial crisis, there is the Government servant who says that he shall have his contract amount. I should like to see how long he will be in that very same position. I am sure that one time or another will come when he would be compelled to the necessity of reducing his salary.”

“The circumstances in which our country is situated now, require that our Budget should be rehabilitated. As my Friend, Mr. Bashier Ahmed, asked ‘what is the justification to take the revenue of this Province at such a high figure as 17 or 18 crores.’ You must cut down your expenditure on the basis that your revenue will be 15 crores. Then we will be satisfied with the result.”

“Much sympathy is shown to the future Government, and on behalf of those who may have to run the future Government. Let alone that Government; it will take care of itself. (Interruption by Mr. C. Basu Dev.) I did not purposely refer to the views of Mr. Basu Dev, because he talks insincerely . . .”

Rao Bahadur A. T. PANNIRSELVAM:—“Can the hon. Member say that another hon. Member is insincere in what he says?”

Mr. SAMI VENKATACHALAM CHETTI:—“It is the duty of the hon. Member to say that he is sincere.”

* The Hon. the PRESIDENT:—“It is left to every hon. Member to say that he is not insincere and to defend himself.”

Mr. SAMI VENKATACHALAM CHETTI:—“Sir, I am very sorry that the Hon. the Finance Member did not think it possible to give a larger reduction of assessment in the land revenue. Well, Sir, the case for the ryotwari tenant cannot be put more strongly than what has been

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done in this House often. You may call it an exuberance of eloquence, you may call it a howl from the hon. Members on the Opposition or from those who represent the constituencies, or you may say these are all tricks of the trade which have been adopted with a view to placate the constituencies—but whatever be the bad name that is given the demand is there. I think it is not only we who have said it; I think the Hon. the Revenue Member has admitted that there is considerable distress amongst the peasantry. Unless it is the intention of this Government to uproot the peasantry, there is no excuse for adhering to that decision which they have taken, to give a partial reduction of 12½ per cent for wet lands and 6¼ per cent for dry lands.

"I have only one or two general remarks, Sir, to make. The first is the small provision made for Assembly elections. I do not know whether the Government desire that this Council should continue longer. I agree that from the point of view of the convenience to the Government, this Council perhaps is the best Council they have ever had; but the convenience of the Government ought not to be so much regarded as against the public opinion. It is desirable, Sir, that Provincial elections should be held at least this year and that we should know when the Government are prepared to run the elections. The chances of getting a Reformed Government are getting farther and farther, and it will be stifling representation of real public opinion in the country if the elections should be postponed *sine die*."

* The Hon. the PRESIDENT:—"I think the hon. Member may take other opportunities to deal with other matters."

* Mr. J. A. DAVIS:—"Mr. President, Sir, I represent the Anglo-Indian point of view of the Budget. I was one of those who voted for a reduction of 25 per cent of the land assessment. After going fully into the details of the Budget I have modified my views. I think the Government in meeting us half way have treated the ryots generously. I have framed small Budgets and can appreciate the difficulties under which the Finance Member has framed his balanced Budget. I however appeal to him to render us all assistance in the matter of raising existing prices. The tea-planter has voluntarily submitted to restriction in the matter of tea production, and for the present extricated himself from a very critical position. I cannot see why the Madras Government does not take firm action in the matter of the restriction of the importation of Japanese and Siamese rice as well as the large quantities of foreign potatoes and apples that are flooding the market to the detriment of the agriculturists in this country. If the tea-planter without much difficulty can raise the price of India-produced tea, surely similar action in the matter of rice ought not to be beyond the reach of Government."

"Yesterday my hon. Friend, Mr. Bhatt, said that the Budget policy of the Madras Government was resulting in the wiping out of the middle classes, the agricultural classes. I maintain that there are circumstances that are calculated to wipe out a whole community—the Anglo-Indian community."

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"Mr. Natesa Mudaliyar pictured hundreds of graduates and thousands of S.S.L.Cs. walking the streets of Madras unemployed."

"How much more is this the case with the Anglo-Indian, taking into consideration the proportion of the community to the population. With much stinting and suffering and undergoing many hardships Anglo-Indian parents educate their children only to find that all the avenues of employment in which the community heretofore specialized are closed to them."

"Even when a few Anglo-Indians are able to work themselves up to the top and possess all the necessary qualifications, the Madras Government is slow in giving them their due."

"I am compelled to refer to the post of Inspector-General of Registration where the community's representations are met with the answer 'wait and see'."

"Again, Sir, when the question of the vacancy in the post of the Director of the Public Health came before this House a few years ago, the Ex-Minister for Education assured the House that Col. Webb was being put in to fill the post for a definite number of years in order that Major Hesterlow's claims would not be overlooked. The opportunity is now occurring, as Col. Webb is leaving this Presidency, and we are most anxious to see that an Anglo-Indian, who has all the qualifications and who has acted twice, is selected, as promised on the floor of this House."

"Sir, it is my proud privilege to-day to thank the Governor-designate on the great help he has extended to the Anglo-Indian community in the matter of free education to poor Anglo-Indian girls, for notwithstanding the times of stress we have passed through he has had a sum of Rs. 40,000 budgeted for this purpose. I am thankful to him for this, but I regret to find that on the Nilgiris both the Brecks and the Hebron schools have been badly hit with the curtailment of their grants—so badly hit that they may not survive unless their grants are restored."

"There is another direction in which the Anglo-Indian is not coming in for his dues. I refer to the military services. The Anglo-Indian has played a great part in the Military defence of the country. The Finance Member himself promised to represent our claims to the Government of India when the Madras Regiments were being disbanded. Now that Indian Brigades are being formed, I regret to find that Anglo-Indian claims are being altogether ignored. The Anglo-Indian forms the backbone of the Auxiliary Forces and his presence in India enables the Government to greatly reduce the number of British regiments that would be required for the defence of this country. His mere presence—to say nothing of military training—for a long period of years has saved the Government crores of rupees and yet he is not given a share in the paid defence forces of the country. I therefore once again appeal to the Madras Government to represent the cause of the Madras Anglo-Indian to the Government of India."

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"One other direction in which relief can be afforded to local bodies just now is by suspending the operations of the Motor Vehicle Taxation Act for a period of ten years. This Act ought never to have been passed. The proposed alleviative measures of taxing non-motor vehicles will be a failure and will hardly pay the expenses of collection.

"Yesterday Mr. Bhatt pictured the wiping out of the agricultural population. It seems that with a stroke of the pen our Excise Minister is going to wipe out 40,000 of these people on the Nilgiris. I refer to the partial prohibition that has been given to the Hill Tribes on the Nilgiris. From personal knowledge I can say that during the past ten years this measure has proved the salvation of the Badagas. They voluntarily gave up their legal rights and accepted that liquor shops should not serve them direct with liquor and as a community they have reaped the benefit.

"Now I learn that both the Collector and the Commissioner of Excise have informed the Minister that, unless possession of liquor by these people is made penal, the scheme cannot be worked. I warn the Minister of the consequences of allowing these people to have unrestricted drink. They are a people that cannot resist the temptation. Just because there are those who secure some drink surreptitiously the whole community ought not to be exposed to the dangers such a course will result in. Further if the Minister with the backing of a huge department cannot work this small temperance scheme, there will have to be a declaration that all attempts by the Madras Government in this direction throughout the Presidency are at an end."

* Mr. K. P. RAMAN MENON:—"Sir, in accordance with the convention, I congratulate the Hon. the Finance Member on the lucid Budget that he has introduced. It contains very forceful reasons in support of the position taken by him; but it is unsatisfactory from the point of view of the ordinary tax-payer. I wish to concentrate my attention on one question which is of importance, i.e., the question of land-tax remissions. The Hon. the Finance Member has made no earnest attempt to tackle that question. It cannot be said that prices are going to improve within the next ten or fifteen years. Looking to past events, one must predict that prices are not going to improve early. It is plain arithmetic to say that, if a man was getting Rs. 50 for his produce, say, ten years ago, now when prices have fallen by 50 per cent, he would be getting only Rs. 25. When that is so, to demand that the amount of tax which he has been paying hitherto should be paid now, is certainly iniquitous. If the prices have fallen by 50 per cent, where is the justification for reducing the tax only by 12½ per cent? The demand has not been to reduce the tax by 50 per cent which is the ratio of the fall in prices, but it was only to reduce it by 25 per cent. Even that has not been done. I do not want to criticise the Finance Member for trying to justify his position with reference to pay-cut or with reference to the demands for Part II schemes and such other matters; but I want to say that if an earnest attempt had been made to explore every other source of revenue for covering

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the amount of land-tax to be sacrificed, certainly the Hon. the Finance Member would have been in a position to find out remedies to satisfy the public feeling. Has he done that? The Budget, as far as I can see, is a time-marking Budget. That is plain from the last portion of the Finance Member's speech where he says that Provincial Autonomy is coming; 'let us see that we are not handicapping our successors.' That gives the index of the Hon. the Finance Member's mind with reference to the Budget. That amounts simply to following the usual manul. There are various sources of income pointed out by his predecessors, and those sources are to be continued; and there are also the expenses that are usually incurred; and they again find a place in this Budget. There is the end of the Budget and nothing more.

"Here again, may I take the liberty of putting forward some suggestions for finding out other sources of income and for supplementing the income of the Government. I would say, first of all, introduce, if possible, a duty upon agricultural incomes of say about Rs. 50,000 and more. So far as the income-tax is concerned, there is super-tax on inflated incomes. Why should not that principle be applied in the case of agricultural incomes also. The Hon. the Finance Member says that he is considering that, and so far as the poor pattadar is concerned, his income will not be materially affected by any remissions. This has been shown to be wrong by various hon. Members. I mention Rs. 50,000 as only a tentative figure. The Government is in a much better position to explore this matter by an inquiry and to find out what is the proper figure at which they can tap additional income; and if the Government do actually find out what exactly would be the figure that can be arrived at, they can tax such additional incomes and by that means large sums of money will come to the coffers of the Government. Here again, I anticipate the difficulty of taking incomes in rupees, annas and pies. I would suggest that returns to the income-tax officer be made in quantities of grain. There would be no difficulty in commuting this into money; because the income-tax officer has the assistance of his officers who can pick up the annual prices from the gazettes. Thus it can be easily found out which person has an income of more than Rs. 50,000 or less.

"Then again, Sir, I would suggest the total abolition of the Settlement Department. What purpose does this Settlement Department now serve? I believe, the department was instituted, as I can gather, for two purposes. First of all, to have a complete list of the pattadars in the whole Presidency, so that the Government may be sure as to who are the persons that should pay revenue and the extent of the contribution that they have to make, secondly, to devise a scheme by which revenues will have to be increased as occasions arise. With reference to the first aspect of it, there is a complete record of all the pattadars in almost every district; and almost every district has now been settled. So, there is no further reason for retaining that department for this purpose also. With reference to the other purpose, that is the increase of revenue, that is based on a resolution of this Council,

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the local bodies autonomous in regard to both taxation and expenditure within their area, instead of their being asked to look to Government now and then for grants. They should be given facilities to raise taxes and Government may allow a larger amount of cess being raised by local bodies. The deletion of the condition fixing a maximum rate of taxation may be thought of, though that will mean unpopularity to the local bodies. It will however teach them to be responsible for taxation. Government should certainly give them more sources of taxation. A greater portion of the land revenue may be allotted to the local bodies than the allotment of one anna or so that is now given. I said, the Government has played for safety for itself and for the local bodies under it. Government has also, I note, gone in for the safety of their servants.

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"The House when it accepted the adoption of a cut in the pay of salaries it did certainly mean that such a cut should be considered only as an emergency measure. No House which holds itself out as a responsible public body with whom other people enter to contracts can say that the sanctity of contracts need not be observed. But the question is, has the emergency which arose two or three years ago passed? On that question there seems to be a difference of opinion. The official version is that the emergency has passed in view of the fact that there is a surplus budget and there is also money provided for Part II schemes. But in arguing on a position like this, mere figures cannot give us much help. As the Budget provides for a surplus, certainly we can say the emergency has passed. But if it is considered that the protection needed for the agriculturists must be greater, then the emergency should be considered to exist. But there is one feature which is to be observed in a matter like this."

* The Hon. the PRESIDENT:—"The hon. the Member has exceeded his time."

* Mr. T. S. RAMASWAMI AYYAR:—"I won't take more than two or three minutes more, Sir. The Government having once removed the cut, it will be difficult for them again to impose it. I therefore feel that a case has not been made for a cut in salaries. Now, going into the question of the safety given to the tax-payer, has the tax-payer been given protection? Certainly to some extent he has been given relief and as I said on that point, again the difference between the official and the non-official opinion is that the protection afforded is not enough. If Government had only accepted the Finance Committee's recommendation, I feel confident that the House would not have pressed on Government the need for a larger remission. I would even now appeal to the Government to consider whether it will not be possible for them to give effect to the recommendations of the Finance Committee with regard to remission. The agriculturist could also be given help in other directions, for example, in the matter of irrigation and drainage facilities. I am glad the Hon. the Revenue Member has given effect to certain recommendations of the Cauvery Committee, but there are

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other recommendations also which are awaiting orders, and I feel confident that it will be possible in the coming years for the Government to give effect to such recommendations.

"I also request the Government to look to the Tank Restoration Scheme. The Tank Restoration Scheme has been given up for some time. But now that we feel that the agriculturists need relief, the Government should start the Tank Restoration Scheme again. For one thing, it will bring in more revenue and for another, it will relieve unemployment, and again it will also help the agriculturist to raise better crops. And I would also request the Government to expedite the Tungabhadra Scheme.

"One other point to which I desire to refer during this discussion is that the rules regarding the administration of the famine relief fund should be changed. When there were floods in 1924 the Indian Famine Relief Trust was asked for help, the first construction that was put by the trustees of the Famine Relief Trust at Delhi was that the amounts from the famine relief fund could not be given to give relief when there was distress caused by floods. But later on when the construction was suggested that the Trust could give relief when the effect of the floods was to cause famine conditions, the Famine Relief Trust gave a lakh and a quarter for relief in 1924. When that is so, Sir, I do not see what reason there is to prevent the Madras Famine Relief Fund being utilized when there is a cyclone or when there are floods, as happened in South Arcot, Tanjore and Godavari districts.

"Then again, Sir, as regards the change of crops that may be helpful to the agriculturists, I think sugarcane can be tried, but I am sorry to note that it is classified as a dufassal crop and instead of making the agriculturist take to sugarcane as a change we find that the Government is really hampering it because it is now classed as a dufassal crop and the charges are higher when a person raises sugarcane than when he raises paddy.

"As regards marketing facilities, I am glad to note that the Government intends appointing a marketing committee with an officer to help it. There are also other ways of helping the agriculturists but as time is short I am not able to refer to them now. Only one word before I sit down. The Government should find out how far we are getting our money's worth for the money spent on Elementary Education."

* Mr. W. K. M. LANGLEY:—"Sir, I want just to make a few observations on the Budget that has been presented by the Hon. the Finance Member. I think my congratulations are first due to the taxpayer who has made this excellent Budget possible. Then again, I should like to offer my congratulations to the Finance Department for the exceedingly lucid statements which they have prepared and which are found in the Budget Memorandum which has made everything exceedingly clear to a layman like myself.

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"Now, Sir, looking through the figures relating to revenue in the first place, it seems to me that the revenue of this Province is singularly inelastic, and it also seems to me that there is very little prospect of increasing that revenue in any respect. If one looks through this Budget Memorandum, one must notice that the receipts under practically all heads of revenue have been exceedingly steady for the last ten years, with the exception of excise which has been rising and falling, and if Members on this side are to have their way, we cannot expect excise to rise much in the future. Consequently, it seems to me that any Finance Member must be faced with considerable difficulties in framing any policy for the future by the fact that the revenue of this Province is so inelastic. It therefore seems to me that one must look rather on the expenditure side and see what can be saved from what seems to be in many cases unnecessary expenditure, to provide interest and other charges on such expenditure as is in my opinion absolutely necessary in order to carry out the policy which the Hon. the Revenue Member has in view of assisting agriculture and agriculturists in every way possible, to improve markets and improve prices of produce. It is on that improvement in prices depends entirely the continuance of the ryots' position and the strength of the land revenue itself.

"Now, Sir, one hears a lot about the nation-building departments. These departments are used as a stalking horse on both sides of the House and arguments of every kind are based thereon. I confess I should like to know more clearly exactly what these nation-building departments are that it is considered so essential to preserve and increase. I grant that education is one such department, though it is a matter for investigation whether one is getting full value for the money it costs at present. I also grant that services like public health come under its scope. But there are some other departments which seem to be growing which, it seems to me, far from being nation-building may not be of any value whatever. I do not know if Government attach any importance to the Fisheries Department. It seems to me that the Fisheries Department might be swept away to-morrow without anybody being the worse for it. In the same way, on going through the administration report of the Department of Industries—I suppose that is a nation-building department—I confess I do not see that it builds a nation or anything else. It seems to me that that also might be swept away without loss to anybody. Minor items like pumping and boring establishments, etc., might be transferred to some other department.

"The Agricultural Department is not, I feel, giving us value for the money spent upon it. I do not know if Government attach any particular importance to the Agricultural Department? I observe they make no answer to this question. The Director of Agriculture spent several months of last year not on his legitimate work but on simply registering a silent vote in the Assembly on behalf of the Madras Government. (An hon. Member:—"It was not the Director of Agriculture.") I am glad to be told that it was not the Director of

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Agriculture who was doing that, and that he is looking after his department exceedingly well. I apologise for my mistake. Nevertheless, I do feel that having regard to the policy of the Hon. the Revenue Member of improving in every possible way the condition of the agriculturist, it is of great importance to increase the efficiency of the Agricultural Department. Yet I notice in the details of the Agricultural Department's expenditure only a lakh or so is spent on the livestock department. From this one is almost led to think that Government cannot be serious in their intentions of improving agriculture, because it is notorious at the present moment, that the only way to improve agriculture is not to depend only on the main crops which have been yielding less and less, but on the other hand to grow more and more of other crops in order to make the country self-supporting and to encourage the agriculturist in developing other lines of a really useful nature. In most countries the utmost importance is attached to livestock and to the products which attaches to that particular branch of agricultural industry. It seems to me that spending only one lakh on that particular department and incidentally keeping it under the Department of Agriculture is altogether wrong. Surely that department should be put under the Veterinary Department and not under the Department of Agriculture which is more concerned with crops than with the improvement of livestock which must at this stage any way in this country be the concern of the expert veterinary man.

"Now, coming to the speech of the Hon. the Finance Member, I confess I was rather disappointed that he has given us such little lead on the question of how general improvement is to be effected which would make the maintenance of land revenue possible. He said in his speech that people look to Government to a very large extent in almost every form of human endeavour in this country. Well, Sir, that unfortunately is the case and we therefore are looking to him to indicate in what way we can get over the extremely serious situation which has been created by the general state of depression.

"Even on the question of depression and the possibility of improvement, I find some difficulty in following the Hon. the Finance Member; because in paragraph 2 he talks more or less in optimistic terms. But his optimism seems to be based mostly on the improvement in the tea industry. But the fact is if there is any improvement in tea it is due to the industry itself and not to Government. He also refers to the possible improvement in the rubber industry. For similar reasons, the possible improvement comes about in the rubber industry, it will be due if any improvement comes about in the rubber industry, it will be due to the industry itself. He also remarked that the recent negotiations to the industry itself. He also remarked that the recent negotiations with Japan would improve the prospects of the cotton industry. I am very much afraid that unless the Madras Government takes a strong line with the Government of India, the improvement so far as this Presidency is concerned will be illusory. It is admitted that the agreement with Japan affects mainly the weaving mills in Ahmedabad and Bombay and elsewhere, whereas most of the mills in this Presidency,

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turn out only yarn and not piecegoods. I would remind the House that the mills in Southern India supply the essential needs of the handloom weaver yet these mills under this convention with Japan seem to have been left entirely out of consideration. It is therefore of the utmost importance that the Madras Government should see that whatever arrangements the Government of India effect with Japan, in the interests of the cotton industry, the interests of the spinning mills in the Madras Presidency should not be overlooked. Well, in this paragraph, the Hon. the Finance Member is almost optimistic. But when we come later to paragraph 23 on the question of land revenue, he seems to have decided that no one can possibly say whether the depression will lift or not. That seems to me rather a deplorable attitude, if I may say so, with the utmost respect, as it seems to me that the Hon. the Finance Member is the first man in this Presidency to whom we should look to give us a lead in order to assist us out of this serious depression. I do not know whether his intention is to sit tight and do nothing. I quite agree with him in his remark that when the existing balances are used up, we will be reduced to a state of stagnation. But even if we sit tight and do nothing, we are already in a state of semi-stagnation. It is therefore necessary to try and improve the situation if even the present yield of land revenue is to be preserved. And in this connexion I should like to make my position quite plain. I see that the Hon. the Finance Member says in paragraph 24 of his speech: 'It is obvious that no remission of taxation which this Government can contemplate will afford a remedy for the low prices of which we complain.' I absolutely agree with that statement. I admit that I spoke last year on behalf of the remission of the land revenue and I have done the same thing in the current year. But I recognize as clearly as the Hon. the Finance Member does and as clearly as most Members of this House no doubt do, that these remissions are entirely palliatives. It is like giving some temporary relief to a patient suffering from some extremely serious organic disease. It is not sufficient to relieve the pain temporarily, and you must discover the root cause of disease and how it can be remedied. In this respect, we have got the assurance of the Hon. the Revenue Member the other day when he said that he will do his utmost to improve the marketing of agricultural products. How is it to be done? It seems to me that an extremely bold policy is required. Although this Province seems to be in a happy position of being largely self-contained, I do not suggest that we should blindly follow Mr. Roosevelt. But if Mr. Roosevelt were sitting in the place of the Finance Member at present, I think that some very considerable steps would be taken. The only means of improving the condition of this Province is the improvement of the condition of agriculture. It seems to me, apart from such suggestions as I have already mentioned, such as the improvement of livestock and other improvements to agriculture, the main means of improving communications by which produce, more particularly rice, improving communications by which produce, more particularly rice, can be carried cheaply from market to market. I maintain, Sir,

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that a very bold policy of public works and mainly of the improvement of communications in all parts will do more to assist agriculture in this Province than probably any other means which are likely to commend themselves to the Hon. Members on the Benches opposite. Take the simple case of a section of my own constituency, which is on the borders of Travancore. It has been urging for a long time the improvement of the Kambam road which forms the main important connexion between Travancore and this Presidency. Enormous quantities of produce go or would go up and down that. Now, if that road is improved and kept in proper order, the interests of this Province will be increased. Peermede imports from the West Coast large quantities of rice. They can very well obtain their rice from the other side and if they have proper communications they will naturally do so. I claim therefore that we can very well afford a really bold policy in this Province, and that we ought to take the risk of spending the whole of the accumulated balances and, if necessary, borrow two crores more, if need be, towards putting the communications of this Province into absolutely perfect condition. If that were done, I feel convinced nothing would so much contribute towards the benefit of the agriculturist in this Province. It is all very well for the Hon. the Finance Member to say that we may be getting self-government shortly and that he wishes to hand over to his heir a large balance of accumulated cash. I believe that the general experience is that, when the heir comes into possession of his property and at the same time finds a very very large sum of accumulated cash, he usually plays ducks and drakes with the cash, and very soon mortgages the property. (Laughter.) It seems to me that the Hon. the Finance Member is adopting what may be an unkind attitude towards his heir. It will be very much more to his benefit if he were to hand over the inheritance in due course, not with a large sum of accumulated cash but an estate in a condition of perfect order." (Hear! Hear!)

* Mr. K. KESAVARAMAMURTI NAYUDU:—Sir, the Hon. the Finance Member deserves the congratulations of the House for the able, clear and balanced Budget he has presented. It is said that the Provincial balances would be swallowed up if land revenue remissions to the extent of 25 per cent are given for a period of three more years. The depletion, as has been observed by some of the previous speakers, is largely due to the fact that investments on Remunerative Capital works which ought to have been met by loans, are met from the reserve balances and the Government will however recover the amount with interest in course of time. Everyone has expected that the Government would accept the recommendations of the Finance Committee and grant to the ryots of the districts resettled after 1919 a remission of 18½ per cent, as boom prices went into the calculation of commutative rates. The produce market is stagnant at a low level and paddy is now selling at Rs. 2-6-0 per bag of 166 lb. in East Godavari district. The ryot is not able to meet even the cultivation expenses and his indebtedness is growing year after year. The Government say that, though they are entitled to 50

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per cent of the net yield, what they collect from the ryots by way of kist, falls much short of it. That might have been the case when a bag of paddy was selling at Rs. 6-8-0. What the Government are now collecting amounts to more than cent per cent of the net yield. When extraordinary conditions have arisen, the Government have to resort to extraordinary measures to alleviate the distress of the agriculturist. The present economic depression may be temporary and may pass off shortly. Till then the Government ought to reimpose at least 5 per cent salary cut which will not materially affect the assured competence of the Government servants, on account of the great fall in the price of foodstuffs and other necessities of life and the consequent rise in the purchasing power of money. What will accrue by means of cut in the salaries will in a way compensate the loss the Government may sustain, if they give 18½ per cent remission in the recently resettled districts.

"Coming to my district of East Godavari, the floods of last year caused great havoc to the crops. The water remained stationary for about twenty days or more on the lands. Some of the lankas were eroded and in some sand was deposited rendering cultivation impossible. All the lanka crops, like chillies, cholam, varagu and tobacco, suffered greatly and pests came in to complete the work of destruction begun by the floods. The tobacco is very poor in quality and yield, and the tobacco market has gone down by 50 per cent. The plantain crops also have suffered badly. I request the Hon. the Revenue Member to consider the case of the lanka ryots with utmost sympathy this year and grant full remissions in cases where the crops were completely destroyed and 50 per cent remission in cases where there was a partial damage and collect the remaining portion of the kist in four instalments as they have requested in their petitions.

"On account of these floods, the lands of Neelapalle, Tallarevu, and Coringa will be submerged almost every year and the crops will be destroyed. The ryots of these villages have held conferences and passed resolutions urging upon the Government the necessity of bunding up at the Ganam bridge till a lock is constructed, the Coringa canal which inundates all the surrounding lands. The Government will have to correspond with the French Government and arrive at some kind of solution regarding this matter in the interests of the ryots owning lands in that area. The Hon. the Revenue Member said last year that the idea of Coringa Island project had not been dropped and that the Government were investigating into the question. I learn that the estimates were also prepared and I do not know where the matter now stands. The ryots of the Polavaram Island also are subject to the same disabilities during the time of floods. I hope that the Government would see that the protective flood bank would be completed this year so that the lands would not get submerged as has been the case till last year. The highest yield per acre in Polavaram Island is about six bags whereas the average yield does not exceed four bags. This yield per

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acre, at the price now prevailing, fetches about Rs. 10 and the water-rate is Rs. 10-8-0 per acre. The ryots are being put to heavy loss on account of floods and high rate of assessment and unless the Government reduces the rate till the produce market shows improvement, the ryots are likely to abandon cultivation operations altogether in the island."

* Mr. K. KOTI REDDI:—"Mr. President, during my fairly long experience in this Council, it has never fallen to my lot to congratulate any Finance Member. It has almost become second nature with me, and for very good reasons, to hate Finance Members. They are very cautious and always look to the interests of the future generations to the neglect of the interests of the present generation. I believe their attitude will become worse if congratulations are showered on them in plenty. There is nothing in this year's Budget to make me depart from my usual practice.

"Sir, if there is a time when the imagination and the foresight of the Finance Member should find scope for useful activities for improving the conditions in this Province, it is now. We are passing through very bad times. There is everywhere depression affecting most severely the one class of people on whose prosperity the whole machinery of the Government depends, and that is the ryots. Though I am not ungrateful for what little the Government have been able to do to the ryot in the way of a small concession in land revenue, I must say that the conditions call for a much more generous measure of relief. We heard the Hon. Member saying that the concession, if granted, was likely to benefit the rich pattadars, but not the small poor pattadars. When we last discussed about this question, I threw out a suggestion to the Government anticipating this argument, that no ryot who pays more than Rs. 50 land revenue need be shown any concession, provided the Government are prepared to remit the entire revenue due from small pattadars or at least give remission to a very large extent in their case. If what the Hon. the Finance Member says is true, he could have ventured to take that step of giving larger measure of support to the smaller pattadars. He has not done so. Therefore, to say that the small pattadar would not be benefited by the remission is only an excuse for not doing anything to anybody. As the time at my disposal is short, I do not want to dwell on this at greater length on this occasion.

"Sir, the practice of utilizing the current revenues for remunerative capital works is highly objectionable and this has, again and again on previous occasions, been brought to the notice of the Hon. the Finance Member. This practice only means depriving the present generation of the benefits of their moneys for the sake of future generations. It is equally wrong to start remunerative capital works with revenue balances. Remunerative enterprises should not be met either from current revenues or from the revenue balance which are after all, revenues accumulated from year to year, but should be provided for from loan funds. Hydro or other electric schemes, irrigation works and so on which are considered to be remunerative should, as a rule, be met

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from loan funds. In the case of residential buildings for officers for which rent is charged also, though they are not exactly on the same level as remunerative schemes referred to above, it is objectionable to utilize current revenues. In their case too, the present ought not to be made to suffer for the future. In the case of buildings necessary for the officers of Government, I do not see why the funds necessary for the purpose should not be spread over a series of years though met from revenues. I do not see why the present should be made to meet the entire burden. In these directions I hope the Government will change their policy of spending from current revenues and revenue balances.

"I agree with my hon. Friend, Mr. Matherell, that the Government have shown no imagination at a time when it is required in a very large measure. In this period of unexampled depression, labour and materials are cheap and rate of interest is low. It is at this time that the Government ought to embark on large schemes of expenditure on capital works. With abundance of labour including skilled labour available at low rates, when the cost of material is cheap and borrowing is advantageous, it is the duty of the Government to embark on big schemes of electricity development, irrigation works and so on. Most of our elementary schools are not housed decently. At a time like this, the Government ought to launch a scheme for the construction of school buildings for elementary schools. On this and similar unremunerative capital schemes our accumulated balances can be usefully spent. You are not doing any of these things, but by utilizing revenue balances on capital remunerative works, you are sacrificing the present for the sake of the future, while there is so much need for the present.

"Sir, there is one point on which I may be considered a bit hard. Sir, there was a time when this Government came forward with proposals for increasing the salaries of Government officials. In view of the fact that the price of foodstuffs and other necessities of life was high, we agreed to the increase without any demur. In those days officials with fixed salaries found it hard compared to non-officials. I remember the circumstance when a certain high-placed official expressed he could not afford a car like the one I had. Now it is different. The tables are turned. The fall in prices, has, though it has ruined the masses, enabled the official to live comfortably and some of them luxuriously. Sir, the price of necessities of life has gone down very much. Ghee, to take one instance, which was selling at about Rs. 3 or more per viss, is now available for one rupee or a little more. So with regard to rice, etc. When the necessities of life are so cheap, I am surprised at the Hon. the Finance Member coming forward and saying that in the interests of efficiency and honesty, no reduction should be made in the salaries of Government servants. Sir, is it not wrong on his part not to agree to a cut in the salaries of Government servants at a time like this, seeing that this Council was once generous in granting increased salaries to them when they needed it without regard to the scale of pay when they entered service. The Government should, if the economic conditions do not improve, be willing even to reduce permanently

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the salaries of its servants. I once suggested that the pay of Government officials ought not to be a fixed one, but that it ought to be on a sliding scale based on the prices of necessities of life."

* The Hon. the PRESIDENT:—"The hon. Member may resume his seat."

"The House will now adjourn and meet again at 2-30 p.m."

After Lunch (2-35 p.m.)

Mr. K. KOTI REDDI:—"Can I continue my speech, Sir?"

* The Hon. the PRESIDENT:—"The hon. Member cannot continue his speech."

Mr. K. KOTI REDDI:—"This is the disadvantage of not being a leader of any party . . ."

* The Hon. the PRESIDENT:—"I am yet to learn that the hon. Member belongs to any party."

* Mr. R. M. PALAT:—"I want first of all to impress upon the Government the unwisdom of utilizing revenue balances for capital expenditure. It will be remembered that the balances are the result of accumulation of huge surpluses in 1927-28 and the two succeeding years, to the tune of one crore and odd. That indicates to what extraordinary degree the policy of overbudgeting for expenditure was systematically practised in those years. That yearly surplus is a definite measure of the overtaxation to which the people of this Presidency have been put and to which they submitted themselves under stress of post-war diminution of revenue leading to extra taxation under Registration, Stamp, Court-fees, and above all the high land revenues reaching its height in the last resettlement. These revenue balances in the first place ought not to have been accumulated at the cost of superfluous and unnecessary taxation and in the second place ought not to be frittered away except for current expenditure purposes. The policy of meeting capital expenditure from current revenues is extremely vicious and this, at a time when interest rates have touched rock-bottom and investment money is going a begging, is surely unpardonable. The Hon. the Finance Member in doing so is committing a double sin, first by accumulating unnecessary surpluses by resorting to unnecessary taxation and then spending the money realized therefrom on productive capital works which should be rightly met from borrowed funds. The greater is the pity when you consider that the Hon. the Finance Member will not only spend 89 lakhs during 1934-35 besides considerable sums in current and previous years but also congratulates himself on the policy of not using borrowed money until he sees the last of these inconvenient balances. The Hon. the Finance Member has, moreover, shown great dexterity in converting deficits into surpluses by the simple device of transferring to their proper place items of productive capital expenditure which he had last year so comfortably and so conscientiously placed in the Revenue accounts."

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"Another important point to which the Hon. the Finance Member has not given sufficient attention is the need for further reduction in land revenue. In his Budget Speech he has stated that it is inadvisable to have further cuts in salaries, or putting it another way, further income-tax on salaries. I will now point out how the incidence of taxation falls on the agricultural classes and those who derive money from non-agricultural resources. A person who gets just below Rs. 2,000 a year or roughly Rs. 165 per month or Rs. 1,980 per year, pays an income-tax of Rs. 3-7-0 a month or Rs. 41-4-0 per annum. Sir, to get Rs. 1,980 a year as net income from land in Malabar, there should be the minimum net income of 3,960 paras of paddy, if one takes the price of paddy at Rs. 2 per para, and on this land according to the settlement, the landholder pays an assessment of Rs. 400 per year, whereas a person who gets this income from non-agricultural sources pays only Rs. 41-4-0. Therefore the incidence of taxation on agriculture is very nearly ten times more than that on the non-agricultural income. Persons who get below Rs. 2,000 a year do not pay super-tax. Now I will take the case of a person getting more than Rs. 2,000 per annum. Supposing a person who gets Rs. 2,000 per mensem submits himself to a 5 per cent cut, he gets Rs. 22,800 per annum and he pays a tax, including super-tax, of only Rs. 2,820 per annum. To produce the same income from paddy land in Malabar, a man has to pay an assessment of Rs. 7,000 (seven thousand). That is to get a net income of Rs. 22,800 per annum from land, he should get 45,600 paras of paddy net, again taking 2 paras per rupee which is above the current market rate. Land yielding 45,600 paras of paddy will roughly have to pay at least Rs. 7,000 in assessment. As you go higher, the incidence of taxation on the non-agricultural incomes and agricultural income approximate. So in these circumstances, it would not be fair to add any more burden to the landowner by way of taxation, considering that people in this country deriving their income from non-agricultural sources do not pay anything like their share of contribution to the State, or conversely the agriculturist is overtaxed, particularly the small-income man, when compared to the non-agriculturist.

"Sir, the Hon. the Revenue Member wanted suggestions as to how the prices of produce could be controlled. The other day I read that in Japan the State has fixed the price for the paddy and that it has agreed to purchase paddy at that rate from the producer. Again, Sir, in some European countries—I believe it is in Denmark—the State, instead of reducing the assessment, gives temporary loans or remissions to agriculturists, which is in effect a decrease in the assessment without technically reducing the assessment. Our Province should also investigate what the rice-producing countries and other countries mainly living on agriculture do, to meet the present fall in prices either by purchasing the agricultural produce at a fixed rate and then trying to sell it or setting up commissions to find out how to utilize it, as they do in Japan, or giving back the assessment in the shape of grants or by other means. They could do something of that sort here. Some remedy may be found.

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"Sir, I will speak more on the agricultural income when we reach the Agricultural Demand."

* Sriman M. G. PATNAIK Mahasayo:—"Mr. President, Sir, both 2-45 p.m.
the speech of the Hon. the Finance Member and the Budget itself show that the principle on which the Budget is based is that the people exist for the Government and not the Government for the people. That is the fundamental defect of the Budget. The Hon. the Finance Member says: 'Unless this amount is found somehow, I will not be able to carry on the Government.' But he never addressed himself to the question whether the people are capable of paying the taxes demanded of them. But anyone whose concern it is to look to the interests of the people should ask oneself this question first. That, as I said, is the first fundamental defect with the Budget before us.

"The second defect is this. The Hon. the Finance Member in his speech says that the clouds of economic depression are lifting. But he does not explain how. He only refers to some improvement in the tea trade and in the sugar industry. But not a word is to be found about the staple crop—paddy. He must show how the clouds are lifting so far as this important staple crop is concerned. For, unless this happens, how is he going to realize the land revenue? If the ryots cannot get a market for their paddy in South India, the Government cannot get any money from them. Of course, if tea fetches a higher price, the planters will profit by it; if the sugar industry thrives, the people engaged in that industry will be benefited. But what about paddy? That is the question and that has never been dealt with. Therefore from the point of view of this important question, the Budget is most unsatisfactory. Neither the Budget nor the speech introducing it, deals with this question at all. When there is no prospect of the people being able to get better prices for their paddy, how can the Government expect them to pay their revenue? The assessments were based on certain data which showed that the people could pay the assessment at that time; but how can they pay it now? The question is by how much the assessment should be reduced. The Hon. the Finance Member never considers that question. Only a moderate demand is made to reduce the assessment, that is, by 25 per cent, but the Government grant only 12½ per cent remission which is quite inadequate. But the Raja of Parlakimedi says that it is a blunder to grant even that remission. I do not agree with him at all. He is under a misapprehension. Of course, when remissions are granted with reference to failure of crops, officers in the lower grade might play some mischief. They might report that there was only an one-anna crop or a two-anna crop and recommend remissions and share the remitted amount with the ryots. But here there is no such possibility. As the conditions affect the whole Presidency and are well known to everybody, no enquiry is necessary. Therefore, there is no fear of any remission granted by Government not reaching the ryot himself. The Raja of Parlakimedi is entirely wrong in thinking that it is a blunder to give this remission.

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"The Hon. the Finance Member has also observed in his speech that the remission would not benefit the small pattadar so much as the big pattadar. The Government try to create a distinction between the big pattadar and the small pattadar. The big pattadars are carrying on this agitation and the Hon. the Finance Member has tried to show that they carry on this agitation more for their own benefit than for the benefit of the small pattadars. The actual amount remitted in the case of the small pattadar may not be much, but all the same, they will be benefited to some extent. Probably the big pattadars may get a larger amount. The Hon. the Finance Member has said that if remission is granted, the small pattadar will suffer in the matter of schools for his children, repairs to his irrigation channels and so on. Well, Sir, I ask: How can the small pattadar send his son to school when he cannot live in the first instance? What is the use of education, if a man cannot live? What is the good of saying to the ryot: I shall educate your children; you pay the full amount of land revenue. The Government want half the net produce. If so, let them take half the paddy and relieve the ryot. He will be very glad. On the other hand they ask him to pay in cash. The ryot goes to the sowcar, but the sowcar would not lend him money on the security of his land because the price of land has fallen. In this way, the lot of the ryot is very miserable.

"If conditions are so bad as I have described in the ryotwari tracts, they are worse in the zamindari areas. It is very unfortunate that the Hon. the Revenue Member should not have introduced a Bill till now for giving relief to the ryots in the zamindari areas. Even though the representatives of the zamindars and the tenants agreed upon a certain formula as to reductions in rent in proportion to the fall in prices, it is rather unfortunate that the Hon. the Revenue Member has not given effect to the agreement. He has not tried to follow his illustrious predecessor, Mr. G. S. Forbes, even at a distance.

"The fall in revenue under Stamps and Registration goes to show that the ryots are not able to lend or borrow money. All these transactions have been reduced. Even the sowcar does not care to sue on his mortgage bonds, for, even if he files suits, he cannot get anything more than the ryot's land and that too after a great deal of delay and expense. So what he does is this: he induces the debtor to give up his land and gives him some more money. Naturally, if things go on as they do at present, there will be a further fall in such transactions as they contribute to incomes under Stamp and Registration. Registration is a commercial department and people now go to the registration office mainly for the adjustment of old transactions. There are very few new transactions, because there is no money either to lend or to borrow. I submit, Sir, that the Hon. the Finance Member should have addressed himself to this aspect of the question. As it is, there is no meaning in so many hon. Members congratulating the Hon. the Finance Member in the customary and conventional manner on having produced a balanced Budget. Why, anybody can balance the Budget if he is allowed to

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have his own way without any regard to the condition of the ryots and regard is had only for the officials.

"With regard to the pay cut, I really cannot understand why there should be no cut now. The salaries were raised after the war when there was a big rise in prices. I do not see any reason why they should not be reduced to the pre-war level. That question has not been answered by the Hon. the Finance Member. When there has been a fall in the price of foodstuffs, and in the cost of living, I do not see why the salaries should not be reduced, especially in the case of people in receipt of bigger salaries. The Hon. the Finance Member merely says that the Government gave a pledge to their servants. That is, of course, the question of prestige, bureaucratic prestige. It is mere prestige that governs the speech of the Hon. the Finance Member and not any sound principle of economics. He does not consider whether the Government can afford to pay the high salaries fixed at a time of high prices when the country was in a prosperous condition.

"Before I close, I want to say a word or two about the Ganjam district and the Oriyas. I must, of course, refer to Ghumsur also. I represented to the Hon. the Revenue Member several times that his own principle should be adopted in the matter of collecting the kist, namely, that it should be collected after the harvest. Apparently he is satisfied with the report from the Collector to the effect that kist is being collected without difficulty and that no such relief need be given. Well, the Collector does not understand that Oriyas are not the people who can carry on any agitation. Indirectly the Collector and the Hon. the Revenue Member are forcing the Oriya people to carry on an agitation, so that they can give sufficient work to the Police in the district. For that is what it comes to. Till now, somehow or other, by selling their jewels—for the price of gold is high—or by some other means they have been able to pay the kist. But hereafter they will not be able to pay even if they wish to. I have pointed out several times that paddy will be ready for the market only towards the end of January. But now they have to sell their paddy in advance: they have to enter into an agreement even in December to sell their paddy, in which case, they get much less than what they would get if they could sell their paddy in February. They can save a few rupees by this postponement, but this is not allowed to them, because the Collector is satisfied with the collections and does not want to give the people any relief.

"The second difficulty of the people there is this. A lot of paddy is dumped into Ghumsur from the Feudatory States of Orissa round about. This causes a heavy fall in the price of paddy in Ghumsur. But no enquiry is made, nobody cares to make any enquiry, because the Government realize their assessment.

"I have drawn the attention of the Government a number of times that, although they passed several orders to give preference to Oriyas in certain departments, they have had no effect. After the establishment of the Madras Services Commission, the Government Orders have been honoured more in the breach than in the observance. I put certain

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questions also and the Government replied that the matter was under consideration. But till now nothing has been done. They seem to say that we are going away to a new Province and as such are not to be considered as subjects of the Madras Government. Until the new Province is formed—I do not know when it will be formed—we have a right to be treated as subjects of the Madras Government. As such, we must have the benefit of all the Government Orders passed previously. In this connexion I want to refer to an incident. An Oriya gentleman applied for the post of a District Munsif. One of the senior Andhra High Court Judges said to him: Oh, you are going to run away from us; we are not going to take you; you are already taking so much from the Andhra Province; therefore you should not be selected for the post of Munsif here. I submit, Sir, that it is not just."

3 p.m. Mr. M. B. RANGASWAMI REDDI addressed the House in Tamil as follows.

"அக்கிராசனாதிபதி அவர்களே ! பாலன்ஸ் சரிகட்டினதைப்பற்றி யெல்லோரும் சந்தோஷப்படுகிறார்களே தவிர குடிகள் குறையை நிவர்த்தி செய்யாததை பற்றி ஜெரோப்பிய மெம்பர்கள் உள்பட யெல்லாரும் வருத்தம் தெரிவித்திருக்கிறார்கள். குடியானவர்கள் எல்லா நகைகளையும் விற்று கிஸ்து கட்டிவிட்டார்கள். இவ்வருஷ கிஸ்துக்கு இந்துக்களுக்கு முக்கியமான தாலி முதலியவைகள் விற்று கிஸ்து கட்டுகிறார்கள். சென்னை மாகாணத்தைப்போல் பெரிய மாகாணமாகிய பம்பாய் கவர்ன்மெண்டார்கூட தாராளமாய் வரி வஜா செய்திருக்கிறார்கள். கனம் நிதி மெம்பர் சொல்லும் சமாதானம் அங்கீகரிக்கத் தக்கதல்ல. ரோடு கிணறுகள், கல்வி முதலியவைகளுக்கு அதிக பணம் ஒதுக்கிவைக்கப்படவில்லை. செட்டில்மெண்டில் வரி உயர்த்தும் கொள்கை சரியல்ல என்றும் இச்சபை சொல்லியிருந்தும் அதில் வரியை எதிர்பார்ப்பது சரியல்ல. ஷேயிங்கனில் கைடிகளுக்கு மோர் கொடுப்பதாகவும் யோசனை செய்வதாகவும் சொல்லி கடைதியில் கொடுபடாது வருந்தத்தக்க விஷயம். எருந்தலை, கால்நடை மேய்கால் வரி குறைக்கும் விஷயமாய் அதை வருஷங்களாய் இச்சபை குறிப்பிட்டிருந்தும் குறைக்கப்படவில்லை. மேலும் கவர்ன்மெண்டுக்கு சவல்ப வட்டிக்குப் பணம் கிடைக்கும். குறைந்த வட்டிக்கு குடியானவர்களுக்கு கவர்ன்மெண்டிலிருந்து உதவவேண்டும். பொதுவாக இச்சபையினர்க்கு பேசும் உரிமை தவிர வேறு உரிமை கிடையாது. மெம்பர்கள் பேச்சுக்கு மதிப்பே கிடையாது. இதைவிட பட்ஜெட் தபாலில் அனுப்பிவிட்டால் மெம்பர்கள் கையெழுத்துசெய்து அனுப்பி விடுவார்கள். பாதகமான அபிப்பிராயம் கொடுத்தாலும், கவர்ன்மெண்டார் சாங்ஷன் செய்துகொள்ளலாம். கவர்ன்மெண்டுக்கு பணம் பிச்சமாரும், மெம்பர்கள் சொந்த வேலையையாவது பார்ப்பார்கள். கவர்ன்மெண்டார் செய்யும் காரியம் கொஞ்சம்கூட பொறுத்தமாலையையல்ல. கனம் நிதி மெம்பர் மழை சரியாய் ராஜதானியில் காலாகாலத்தில் பெயர்ந்துவிட்டதாக சொன்னார். கவர்ன்மெண்டார் கணக்கில் மறைக்கணக்கில் வட ஆற்காட், தென் ஆற்காட், சித்தூர், செங்கல்பட்டு ஜில்லாக்களில் காலாகாலத்தில் மழை குறைவென்றும் பேய் வில்லையென்றும் தெரியவருகிறது. இது விஷயம் அவர் சொல்வதானது பொருத்தமாயில்லை. சம்பளம் பிடித்தம் விஷயத்தில் சில அதிகாரிகள் தங்கள் சம்பளம் போனாலும், குடிகளுக்கு தீர்வை குறைத்தால் போதுமென்று சொல்லுகிறார்கள். ஆகையால் இனியாவது, அதாவது மாநகர மாதத்திற்குள் 100க்கு 25 பெர்சன்ட் வரியை குறைத்து குடிகளுக்கு அனுசூலம் செய்யக் கேட்டுக் கொள்கிறேன்."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur :—" Sir, from the point of view of the Finance Department, the Budget presented by the Hon. the Finance Member is an admirable one; it is a successful Budget as it is a surplus Budget. I have to congratulate the Hon. the Finance

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Member on this successful production. It is indeed an achievement especially as it is at a time, when the general economic depression is still overhanging. But is this all that is required of a popular Government? Certainly not. It has been pointed several times before that Governments exist for the people. When such is the case, the first duty of the Government should be to find out the capacity of the people to pay and fix the revenue that can be collected from the people. Then they should cut the coat according to the cloth, viz., it is only then that the Government should fix the figures of expenditure that can be made out of the revenue; and not first fix the expenditure and then find out the money that is required, as has become the fashion lately in this Province.

"There is no doubt that there is overtaxation in this Province. Therefore it is that we find surpluses accumulating year after year. If the Government had not demanded more than what was actually necessary, there would not have been surpluses accumulating every year as now. Indian people are notorious for hoarding, and our Madras Government is essentially Indian in this respect. Like the proverbial father who accumulated money and allowed his son to pass away without earthing the wealth and utilizing it for giving efficient medical help, just so, the Madras Government is storing money and allowing the people to starve without doing anything to save them. What is the sanctity about these Provincial balances? What is it for, if it is not to be made use of in times like this, times of emergencies? The Hon. the Finance Member fears that the surplus will be swallowed up by the year 1935-36. It is not contended that remission on this basis were continued. Even if the balances are wiped out, remission should be continued for ever. Even if the balances are wiped out, when the emergency ceases to exist, these concessions may be withdrawn and revenue surpluses may be allowed to accumulate again. Even this year according to the Hon. the Finance Member's own showing there is a surplus of 4.46 lakhs. Without drawing from the provincial balances and without materially restricting nation-building activities and useful enterprises, it will be possible to give the required land revenue remission by further retrenchment and restricting some less important expenditure. The lines on which retrenchment can be carried out has been pointed out by Mr. Langley, and by other hon. Members. I can give a small instance which will show how restrictions on expenditure can be effected. On the expenditure side there is a provision for 1.22 lakhs for voyage, inauguration and equipment expenses of the new Governor. About the voyage and inauguration expenses of the new Governor. The expenditure on these items may be I don't say anything against. The expenditure on these items may be necessary. I think equipment alone will cost about half a lakh. If it is for adding new furniture, such as carpets, etc., in the Government House and if they are so added every 5 years, there will be no room at all left in the Government House. If it is meant to replace old furniture, we are not told what is being done with the old furniture which are replaced every 5 years, whether they are written off or whether they are disposed of and their proceeds credited and if so to which account. All that I have said do not apply to the Finance Member alone,

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3-15 p.m. but to the Government as a whole. I had the honour of working with the Hon. the Finance Member on the Retrenchment Committee; I found him always anxious to apply the pruning knife to every possible item. But, Sir, there were some items which he could not touch, nor could the Committee do anything in those matters. For instance, there were several proposals before the Committee such as the reduction of the number of Executive Councillors, etc. It is, therefore, a matter for the Government as a whole to consider in what way they should move. The Budget Statement presented to us is a lucid one, of course. In spite of that and in spite of the jugglery of figures by the financial experts, I firmly believe that 25 per cent remission could have been given by further retrenchments and restriction of expenditure. The Government do not seem to realize the real difficulties of the people. If the Government feel any responsibility, I think they should have given effect to the resolution passed almost unanimously by the elected Members of this Council. The Government seem to think that the Council is not competent to advise or perhaps that the Council is not fully equipped with the required data to advise them. Well, Sir, who is responsible for this? The Government do not give full facilities to the Members to study the questions sufficiently and rise to the occasion. If the Government will only do that, I am sure they will find that the Council is fully equipped and qualified to advise them in every detail.

"According to the current year's Budget, the revised estimates for the travelling allowance of Members is Rs. 1,10,000. If, instead of that, the Government were to pay monthly salaries to the Members, it would not be much more than this amount. And it would also enable the Members to study the questions and be fully equipped to advise the Government.

"Another point I would like to touch upon is this: it has been pointed out several times this year as well as in previous years, that remunerative enterprises should not be financed from either the current revenues or the revenue balances. Instead of that, it has been the policy. We are not able to see the wisdom of it—to finance capital expenditure from the balances. The explanation given last year was not at all satisfactory or convincing to some of us at least. I hope we will have a satisfactory explanation this time at least for financing remunerative and productive enterprises from out of the current revenues and opening balances."

Swami A. S. SAHAJANANDAM then spoke in Tamil.

* Rao Bahadur R. SRINIVASAN:—"Mr. President, Sir, this is the first time in the history of the presentation of our Budgets that the Hon. the Finance Member has referred to the landless labourers. I think the Hon. the Finance Member fully realizes the pitiable state of these landless labourers under present conditions when some land-owners are not well off. The land-owners go under various names such as jamedars, landlords, land-owners, pattadars, and again ryots. Sir, the big landholders who own very large areas of land are not able to

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3-30 p.m. cultivate all their lands and in fact, they do not want to cultivate them. Whenever, these poor labourers apply for any land, they generally say, that is intended for grazing purposes or that it is intended as cattle grazing and so on. And, if there are really some places, which they cannot very well prohibit, they plant a stone there and say that the land is reserved for a temple of Kali, the Goddess. In every way, they try their utmost not to give lands to these poor labourers. I hope the Government will look to these things. Of course, certain lands have been allotted by Government for the Depressed Classes, but these lands, I am sorry to say, are not worth cultivating at all.

"Now as regards remission, I think there are landholders, some of them are very wealthy, some holding high positions in Government or practising as vakils and besides their income from land, they have other resources also. In the case of these people, I do not think why any remission should be granted to them. In fact, whoever holds large acres of land, they should be doubly taxed.

"As for the salary cut, there are officers, from clerks upwards—many of them are land-owning classes—having means and resources. They enter Government service in order to hold a status and authority. But there are other classes of people who spend lots of money on their education and who are consequently poor. They also get into service, but as their pay is gradually increased, their families also increase. When they retire, of course, with a large family, in a very short time after their retirement, they die leaving no provision for their families. It is for the Government to find out those who have other sources of income and deal with them accordingly. I do not know if that is possible.

"I am now coming to the Depressed Classes education. Now, the Government, or the Educational Department or the Director of Public Instruction, seem to have the idea that when these Depressed Class children and untouchables go to common schools, their untouchability will, in course of time, disappear and that at the same time, it would be less expensive to Government. But our experience during the last 12 years proves to the contrary, because in the common schools in the villages, caste people do not admit Depressed Class children. Of course, Government say that in schools where Depressed Class children are not admitted, Government grants would be refused. If a Depressed Class child goes to a school, he is indirectly prohibited from entering it either by the employer or by the parents of the other children in the school."

(At this stage Rao Bahadur G. Jagannatha Raju, Deputy President, occupied the Chair.)

"So, Sir, there is, therefore, no chance of these Depressed Classes pupils being educated. Unless the Government start separate schools for these Depressed Classes, there is no chance of these classes getting required education. Let Government give education to these classes. The untouchability will go by itself in course of time but to wait till

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untouchability is removed, is to keep these poor children without education. We have got the experience of the missionary schools. They never objected to anybody coming into their schools. From our experience of these mission schools, it will be seen that the Christian community is far advanced in education than any other community. Similarly, if separate schools are provided, at least up to the higher elementary standard, the Government can ameliorate the condition of these Depressed Classes. In India, different communities have different ways, manners and customs. It is quite essential to provide separate schools for these people.

"Now, coming to the Labour Department, there is the Commissioner of Labour. The department was started after about 40 years of hard struggle on the part of the Depressed Class leaders. At that time, it was so arranged that a senior member of the Indian Civil Service should be appointed to the post and that the officers, belonging to the Deputy Collectors cadre, should be appointed as District Labour Officers. But there came a time—I mean at the time of the trouble in the mill area—when the Justice Party was against the Personal Assistant of the Labour Department. In order to get rid of him, they said that an officer of Deputy Collector's grade should not be there and only men of the Deputy Tahsildar's cadre should be appointed to that post. Not only that, as my previous speaker, Mr. Swami Sahajanandam, mentioned, at the start, we were getting 15 lakhs, but now we get only about 7 lakhs. The allotment has been gradually reduced. In so many other ways also, that department has been made very unworkable.

"At one time the Government had decided to have separate schools for the children of the Depressed Classes. Again they said, that these schools would be transferred to local bodies. What we are anxious about is that these people should not be tossed about from post to pillar, but there must be some steady policy in regard to this matter. Unless special arrangement is made for the amelioration of the condition of these people, it is impossible to improve them. It will be only a waste of money. Now, the duties of the Labour Commissioner is being done by a Member of the Revenue Board. We find, in practice, that the Member of the Revenue Board has too many irons in the fire and he has scarcely time to attend to the Labour Department work. All the work is done practically by his Personal Assistant, an officer of the Deputy Collector's grade and whatever, this officer places before the Revenue Board Member, is simply signed, as he has no time to look through the files. Thus the department suffers a great deal. Something tangible ought to be done and a Labour Commissioner should be appointed immediately and be put in charge of the work, so that the work may be carried out quite satisfactorily. I can deal with many other things relating to the Depressed Classes, but the time at my disposal being short, I shall finish with this."

B. POCKER SAHIB Bahadur:—"Mr. President, Sir, I am very sorry that I have not been in a position to persuade myself to congratulate the Hon. the Finance Member, though I am trying to do so. I have always

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been thinking that the Hon. the Finance Member is the boldest Member in the Cabinet and whenever he is convinced of the necessity of a bold action in any particular direction, he will never hesitate to do so. In fact, I was persuaded to believe so by his own attitude on other occasions, but it is very unfortunate that in the matter of this Budget, I am constrained to say that it is a very unsympathetic one and very disappointing too. The reasoning of his speech on the Budget is very unconvincing and is fallacious. I would only refer to some parts of his speech. The question that has been troubling the minds of the people throughout the land and to which, I am afraid, the Government seems to be rather indifferent, is the question of the remission of land revenue. The Hon. the Finance Member himself admits that the financial state of the country is really much depressed and though he says he is unable to consider the various causes for this state of depression and to find out a solution for the present state of affairs, I am afraid, he has not made sufficient attempt, so far as it lies in his power to meet the present bad condition. Neither the Government nor anybody can deny the fact that this country is mainly an agricultural country and the Government also admits that the land revenue is the main source of income. On account of the lowering of prices for the agricultural products of the land, the people are not in a position to find money for their products and pay the land revenue. It was suggested to Government that the people may be permitted to pay their land revenue in kind, but they were told that it was impossible. Now what the Government tells the people is, whether you are able to find prices for your products or not, you pay down whatever we want in cash. Where are these people to go for that? It is true that they are liable for this land revenue, which is being met somehow or other, but it is rather pitiable that the Government do not go deeper into the matter and find out the real situation as to what extent the people feel distressed and to what amount of misery they are put in this matter. The real pity of it is that the Government look upon this matter also with the same attitude, with which they look upon the demands, say of political agitators. They always proceed with a prejudice against any demand made on political matters by the political agitators. But they entirely forget the fact that the people who are pressing the Government to have some sympathy in this matter are not people of that character at all. The most loyal people, the ultra loyalists, are the persons who are foremost in pressing this demand. Unless they are pressed by sheer necessity, they will be the last persons to bring pressure on the Government in a matter like this. What I would request the Government to do is to make a distinction between this demand as regards the remission of land revenue and other kinds of political demands. They should not treat this demand on the part of the people in the same way, they treat the political demands of the people. What the people want is only a right to live, only a chance to exist, a bare subsistence. That is all that they want and if the matter is seriously and deeply gone into, I am absolutely certain that the Government itself will find that what the people require is only

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to be allowed to have bare subsistence. That is what they are not having now. The Hon. the Finance Member in his speech stated that it is only some of the small ryots that will be benefited by any such concession. But he concedes that they will be benefited. Now, Sir, having said that it is these small ryots that will be benefited by the concession, I say that it is not at all difficult of you if you reason further to see that, by the concessions to the persons who pay larger revenue also, even the smaller people will be ultimately benefited. The burden of the revenue that is collected, falls ultimately on the persons who cultivate the land, whether you collect in small sums from small landholders or whether you collect in large sums from large landholders. So, ultimately the incidence of taxation falls on the actual cultivator. There is no doubt about it. And if the large landowners do not get any remission, the only result is they will exact it, in whatever way it is possible for them from the small cultivators who cultivate lands under them. So, that reasoning I say is very fallacious. It is, not merely the small landholders that will be benefited by the remission, but all classes will be benefited. In fact, if the remission is not given to the large landowners, it is the cultivators, that will actually and ultimately feel it. So, that argument of the Hon. the Finance Member is really fallacious.

"Then, Sir, another argument that I find in his speech is this. He asks: 'And leaving the agricultural voter, what shall be said of the masses of the poor whose needs are so pressing and so obvious—the landless labourer, the small shopkeeper and the rest?' Now I just want him to realize that in this country as it is situated, the prosperity of the agriculturist is the prosperity of all classes of people. It is the capacity of the agriculturist that determines the prosperity of the shopkeeper or the landless labourer and other classes of people that the Hon. the Finance Member refers to. If the actual cultivator, the agriculturist, has not got anything with him, then certainly he will have to starve and there will be no purchasing capacity in him. And the commercial man who deals in other articles, and who perhaps is not a cultivator, is benefited, if the cultivator has got purchasing power or capacity. If the cultivator is destitute and has nothing to purchase with, the merchant and the trader are also adversely affected by it. In short, if this question is gone into in this way fully, it will be found that the misery of the agriculturists in this land leads to the misery of every other class in this country. That is an economic proposition which cannot be denied and which can be established without any difficulty if the matter is gone into.

"Now, Sir, there is another aspect also of the same matter which is to be considered. What the Hon. the Finance Member says, is that the remission of revenue to the ryots on these agricultural lands will be at the cost of persons other than agriculturists; and so Government will be acting against the interests of those non-agricultural classes, and it will be unfair to those classes. I think I have understood his speech correctly. I am rather surprised that the Hon. the Finance

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Member should take his gratuitous brief on behalf of persons or classes of persons who have never made any such statement or who have never protested against this remission of land revenue. Non-agricultural classes are fully aware that the remission of land revenue is to their benefit as well and that is the reason why they have refrained from protesting against the remission of land revenue which is perhaps immediately benefiting the agriculturist but will ultimately benefit all classes of people. We know, as a matter of fact, that, when we have got good harvests and the agriculturists are prosperous, every shopkeeper also is jubilant. He has very good business and every one makes his profits in those seasons. But when the season is bad every one suffers thereby. And that is the reason why they have not made any protests and I think I can state without any fear of contradiction that absolutely nothing has appeared either in the press or anywhere else to the effect that persons other than agricultural classes are against any policy of granting remission of land revenue."

* The Hon. the DEPUTY PRESIDENT:—"The hon. Member has exceeded his time limit."

B. POCKER SAHIB Bahadur:—"Only two minutes more, Sir. I want just to make reference to two other topics which concern the Hon. the Education Minister before I sit down, as I have no time at my disposal. One is with reference to the attitude of the Government as regards what is called the Champion scheme. Protests after protests have been appearing everyday from all parts of the country against the enforcement of this scheme. And I am surprised to find from the attitude of the Hon. the Education Minister in the answer that he gave to some question the other day that the Government wants to enforce this scheme. Without going into the merits of that question, I would just like to point out that, whatever may be the decision of the Government or the decision of the non-Muslims, so far as Muslims are concerned, it is practically their unanimous opinion that this scheme should not be enforced. I have myself received copies of ever so many resolutions passed by public bodies and at public meetings in Malabar and communicated to the Government. The same attitude, I find, is being taken up by the Christians as well as Depressed Classes. So, Sir, the Government should consider twice before taking up the attitude they have done in the teeth of the opposition of these communities.

"There is only one other point to which I would at present just draw the attention of the Hon. the Education Minister, before I resume my seat and that is this. The Government has been really kind and has really appreciated the view-point of the Muslims in the matter of the necessity to provide religious instruction for Mussalmans. And it was certainly very good of them. That is one the very few good acts that the Government can boast of, for perhaps so many decades. Anyhow it is really very surprising to find that the Government having

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come to such a decision, has hesitated to give effect to it, by providing for such religious instruction in the present year. In fact, it I am not mistaken, the Hon. the Education Minister has even made the promise to make a provision in this year's budget itself. But it is really very disappointing that such a provision has not been made and I may assure the Hon. the Education Minister that that is a subject on which the Mussalmans will never keep quiet, unless it is given effect to, for it is a matter vitally affecting them and their future education and progress and I would just impress upon the Hon. the Education Minister that any tactics by evading this issue by just directing that such of the Mussalman teachers that are working in the existing institutions may be allowed to teach religion also at some hour or other. That seems to be the tactics that is sought to be adopted in a matter like this. Well, Sir, I say that certainly will not answer the purpose and we are not going to take such things lying down. We are very serious about it and I would impress upon the Hon. the Education Minister that he should take the earliest opportunity of giving effect to this Government Order. I would also just touch upon another aspect of it also. I have always thought that the Government is very jealous of its prestige. I do not know whether this prestige disappears now in this connexion. The Government deliberately considered the question and have passed orders on it and a Government Order has been issued and I do not see why they should not give effect to it. At any rate for the question of their prestige also they must consider this matter."

* Mr. G. R. PREMAYYA:—"Mr. Deputy President, Sir, in the speech of the Hon. the Finance Member I find a word which has proved a great consolation to the poor and if he wants to translate the word into deed, I would appeal to him to start poor houses wherein the poor can live and work for the benefit of the ryots in the whole country. If he does not do so, Sir, the statement he made, would amount only to lip sympathy."

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"In the whole of his speech, I do not find a word which is sympathetic towards the ryots of the country who are the backbone and supporters of the Government. Much has been said, Sir, about the salaries of Government servants. He does not want to cut them as the Government of India did. Sir, my hon. Friend, Mr. Koti Reddi and some other gentlemen also said that some time ago, perhaps soon after the World War, the prices went up high and the Government servants could not balance their family budgets. So, the Government came forward and asked this Council to grant a little sum to those Government servants. I was here, Sir, when that discussion took place. Not even a single Member raised his voice against it. Even in the country, no ryot had said anything against it. One Hon. Member here said that there should not be any connexion between the cut of the salaries and the land-cess assessment. Sir, if there is no difference and if there should not be any connexion, may I ask, you,

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Sir, why the ryots kept quiet when the Council allowed a certain sum to be granted to Government servants? When they ungrudgingly granted this sum to the servants of the Government, the Government or the Government servants should not raise any objection for our asking our remission. At that time, prices went up high and Government servants could not balance their family budgets. Now, the prices having gone low, the ryots cannot balance their budgets and now they come forward for the help of the Government. When it is possible for the Government to give help to the Government servants, it must be possible to help the ryots also. This state of affairs may be compared to a ship sailing in the sea. When the ship sails in the sea, all passengers, first, second or third class proceed together. If it is torpedoed in the mid-ocean, all of them sink together. When finance of Government is torpedoed, whether it is Government servant or it is the ryot, or the landlord, or the landless labourer, all should sink or swim jointly. So, I think it is worth while for the Government to come forward and say that 25 per cent remission is necessary for the ryots. Sir, some time ago there was scarcity of sugar in Europe and a certain gentleman in Germany found one root crop in which sugar was found in abundance and then he developed it and the Agricultural Department of Germany took it up and developed it and now a greater amount of sugar consumed in Germany is extracted from that root crop. The Agricultural Department of Germany saved the situation of Europe at that time and some more examples, I would like to tell. Some time ago, Indian mangoes and African mangoes were being exported to America, and when they found that they could not purchase those mangoes, they went to Florida, cleared the forests and planted mangoes. Similarly, in the case of oranges, when they found that the prices were high, they cleared the forests of California and planted oranges. Why not Government teach the ryots here to grow better crops to get better money? Some hon. Members told us that sugarcane is best suited for paddy fields. I think, Sir, in the paddy fields there are two types of soil—sweet soil and the other the alkaline soil. You cannot grow sugarcane on alkaline soil. So, when the ryots are working under these conditions, I think it is the duty of the Agricultural Department to go to their rescue and teach which crops they could grow profitably. Sir, when the Government is not going to help the ryot in this way, where could they go to? Government are the purse-holders and they should look after the comforts of the ryots. As long as the Government are not going to help the ryots, I think it is the Government that will lose heavily. With these few remarks, Sir, I request Government to give 25 per cent remission and also to use the Agricultural Department to teach best means to these ryots to grow better crops."

* Mr. G. SIMHACHALAM PANTULU:—"Mr. President, Sir, I am glad after all I have had an opportunity to give vent to my feelings. In connexion with the Budget speech of the Hon. the Finance Member, I feel I am compelled to make some observations. First of all, let

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me congratulate the Hon. the Finance Member for the intelligent way in which he has presented the Budget for the consideration of the Council. I am very much pained to remark that he has nothing but a bald speech which does not satisfy any section of the public in this Province. Many kind sentiments were no doubt expressed in the first two paragraphs of his speech. I am not at all offended, when the Finance Member is audacious to say that this is all vote-catching business on the part of the Members, and the Members are merely raising a hue and cry for the time being. I think he will not be offended equally when we say that it is a common place argument for him to say that there are no funds available. About the remission of land revenue, Sir, he has given, as an experienced officer having studied men and things in this Province, he knows more of these ryots really more than any one of us here. But where there is a will, there is a way. It is a special misfortune that there is no public opinion in this Province which could direct the mind of the Treasury Bench to a particular side. This is really a misfortune. I am very sorry to notice that the Ministers who are our leaders, have not been assertive in spite of such support behind them. It is for our people who are our leaders to say what exactly we want and eliminate all the items that we can eliminate. We are passing through a critical stage. People are in penury. It is for them to guide the Government and say we want this particular thing and we do not want this particular thing. As far as the demands go, I have very carefully gone through the Budget, that many of the items on expenditure side are merely of a superfluous nature. For instance, I will give you one item, namely, museum and its extension. It is not one of the expenditures that one would like to have at this moment. Is it necessary for the administration of this Province at a time like this? A number of buildings are going on for residential quarters to officers. Would it not be possible to postpone the so many time-scales that are going to be given? Could they not find the way to put a stop to this for some time? All these things do happen because the Ministers have not been assertive and the leaders have not been forcible. They have not taken into their heads to fight out the issue. That is why the Hon. the Finance Member was compelled, having studied men and things in the Province, and was obliged to present a Budget in the way in which he has done. The reasons he has given for withholding or rejecting the verdict of the Council are neither cogent nor logical. If you were to say it is logical, I may unhesitatingly say that it is not logical but it is merely a crude logic, if I could say so. The Hon. the Finance Member was able to say that we talk of the poor ryot and says: 'And, leaving the agricultural voter, what shall be said of the masses of the poor whose needs are so pressing and so obvious—the landless labourer, the small shopkeeper and the rest? These gain nothing by the land revenue remission, but stand wholly to lose by a measure which can only cripple the power of the Government to aid them. Does this House owe no duty to them?' I wish to know and I demand an explanation from the Hon. the Finance Member, what is it that the Finance Member has provided for them

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in this big volume of Budget that has been presented to us. Probably he may say that some huge schemes were taken up and the labourers were employed. We know how new schemes are taken up by Government and how, in the end, they will say it is a failure. Take for instance, the Medical buildings in Guntur. After spending 3 lakhs they have said 'it is not fit for medical school.' Another school is opened. That building is either going to be sold away to missionaries or other Government offices are going to be located there. These are the kind of schemes that the Public Works Departments suggest and these are the schemes that Government are generously spending for the good of the people and this is how they say they are helping the labourers. After all, what is it that a labourer gets? So, it is a regrettable feature that in Part II schemes very little was provided and the most important schemes were not cared for. On the other hand, every time I see in the publication that scheme is turned down and these three sentences have a very peculiar feature. The Chief Engineer condemns the scheme; the department considers it unworkable and the Government accepts the proposal. Time and again, schemes contemplated for years together were condemned and condemned for unjustifiable reasons. So, Sir, this is the kind of Budget with which we are faced. I appeal to the Treasury Bench to see where the evil really lies. No opportunities are given to the Members to go to details. On the other hand, this is merely a mutual admiration society. The Hon. the Finance Member says 'let me express to the Members of the Public Accounts and Finance Committees my sense of the obligation under which they have laid not only the Finance Member but also the department and the Government by the helpful care they have exercised in performing the functions with which the House entrusted them.' I do not agree with him at all. On the other hand, it is the Hon. the Finance Member that has with admirable care prepared the Budget and not the Finance Committee. If the Finance Committee had exercised its functions very properly, I do not think the Budget would have been presented to-day in this fashion. It would not have been done. So, I respectfully appeal to the Treasury Bench to allow us to explain matters more clearly when the cut motions are coming and see whether anything could be done for the good of the Province—whether it is for catching vote or whether it is for higher salaries, there should not be any quarrel about it. I hope our requests which are legitimate and reasonable will receive the consideration they deserve. With these few words, I resume my seat."

*Subadar-Major S. A. NANJAPPA BAHADUR:—"Mr. Deputy President, Sir, I rise to congratulate the Hon. the Finance Member and his staff for the lucid and clear exposition of the finances of this Province for the coming year and for presenting a balanced Budget. When we are in the midst of world-wide depression, it is indeed satisfactory to note that he has given a remission of 12½ per cent to the ryots. But, Sir, considering the very low prices of the agricultural commodities, the poor ryot is entitled to a little more remission which, I have no doubt,

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the hon. Member will consider in due course. The Finance Committee recommended a remission to the extent of 18½ per cent, but the budgetary position, as it revealed itself, made it possible for him to give only 12½ per cent. Sir, even now the prices are very low and since Siam and other places are dumping their rice into Madras, the prices are bound to go down further. Unless we take steps to check this dumping, I am afraid, our agriculturists would not be able to pay the kist.

“Sir, the Hon. the Finance Member rightly said that we must not give a blank check to the new Council. He is right there; but the right way to do it is to cut down our expenses properly. Unless we retrench expenditure, I do not think we can leave anything for the coming Council. Of course, we must not forget that the Retrenchment Committee has taken a lot of trouble to survey the whole field of expenditure and to cut down expenditure in this and that department, but side by side with this, proposals for increased establishments are coming up. We must nip such proposals in the bud or they would grow into enormous proportions.

“We heard many hon. Members speaking of educated men in the streets of Madras seeking employment. This is true. Government should also remember the case of the ex-service men who are without jobs. It must be remembered that it is the Madras Army which helped the Britishers, when they arrived in India and that it is on account of them that the Union Jack is flying over India to-day. These men have been mercilessly swept away and the names of the old Madras Army have been wiped out from the Indian Army List. These men who worked faithfully throughout, have been swept away on account of the economic depression in the country. It is true that these people add to the number of unemployed. Further, instances have come to the notice of the Government that these people are not treated properly and are not given suitable civil employment when they leave the army. You will see, Sir, there is now no Madras in any regiment except in the ranks of the Sappers and Miners. So, Sir, our young men, desiring to have a military career, are denied it because there is no army here and as they are Madrasis, they are not taken by the other Provinces. Their cases have been referred to the Government for employment in the Civil departments as peons, etc. To help them in getting these jobs, there are many Government Orders and yet the Civil authorities do not carefully consider their cases.

“Sir, there is a Government Order directing the grant of lands on darkhast to these people, but their applications for lands are not favourably considered by the Civil subordinates and village officials. If at all lands are given to them, those lands are such that they are of no use to them. When they apply for better lands available, various excuses are given to refuse their requests. I hope the Government will consider this and do the needful.

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“Sir, coming from Salem district, I must submit that drinking water is badly needed there. We have been agitating for it in this Council for the last so many years and we have been always told that the Government are considering the question and that the matter is under correspondence. I do not know what sort of communication or consideration it is. The river Cauvery runs on the border of Salem and the Government have spent a lot of money for the dam. But when we ask for water for irrigation purposes, the Government say it is impossible to give. Salem, you know, is a dry district. Of course, there is the Panamarathupatti tank, but the water is not enough for our purpose at all. For the last several years, the tank has been dry and we have been suffering for want of water. And all the time, the Government have been saying that the matter is under consideration. I hope they will consider this very favourably and do something to satisfy the people of this dry district. With these few words, I take my seat.”

* Mr. K. A. NACHIYAPPA GOUNDER:—“Mr. President, Sir, at the outset, I must say that I cannot feel happy to look into this year's Budget because it does not help the ryot population in any considerable measure though it has been satisfactorily balanced, of course, by squeezing the ryots. Speaker after speaker dwelt at great length on the question of the remission of land revenue to help the ryots at this critical juncture. The Government, too, say that they understand the situation, but the pity is that they do not rise up to the occasion. So far, the Government have agreed in their Press Communiqué to give a suspension of 12½ per cent to places which have been re-settled in or after 1918-19 only on wet assessment, etc., but only a niggardly sum of 6½ per cent on dry assessment in all the places. This sort of announcement cannot be taken as a sign of the Government, having known the real plight in which the ryots are placed to-day. I am really surprised to see my friends all along saying that the Government have granted 12½ per cent remission. So far as I know, I cannot find any such thing in black and white, and it is a real misfortune to this Presidency. The present distressed condition of the ryots has been graphically described by many a hon. Member and actual facts placed before the Hon. the Finance Member and the Government at sufficient length and in a realistic manner and now it is needless for me to reiterate those things again. I would, therefore, only add my appeal to the Government at least to make an announcement now that the ryots will get further relief.

“But I cannot be content without making a few observations explaining the special features of my district. In the Budget speech of the Hon. the Finance Member, he said that the monsoon has been on the whole kind to us. But, as far as my district is concerned, I can say from a practical knowledge that it was only too kind in some places with the result that proper produce was not realized and not at all kind in other places. Only in some of the places in the southern parts, we have had more than the required quantity of rainfall. As the district is mostly

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a dry area, the dry crops, in consequence of too much rain, were considerably damaged.* With all that oweful plight, and the unprecedented fall in prices to boot, this district, too, is to get the ridiculous grant of 6½ per cent suspension, as it is mostly a dry area. I have my own doubts, Sir, whether even this small concession, if at all I may call it so, is really felt by the people, if sufficient safeguards are not taken to inform them in advance, as to the kist to which this suspension relates and what amount they have to pay in each kist. If the ryots are not apprised of these facts in time, and the actual amount they have to pay, it is no use giving them now this suspension or remission. If proper steps are not taken in this direction, it will really be an additional burden to them because they will unknowingly pay the whole amount and would not get back the refund actually in their hands and if this suspension is not made absolute, they will have to pay it a second time. It is quite essential, therefore, that immediate steps should be taken to make the fact of the suspension or remission, whatever it may be, widely known in the villages. When the people are ground down by the severe hands of poverty and feel destitute, it is really heart-rending to know that another burden is to be placed on them in the shape of tolls on carts, etc. Sir, the hon. Member from Tanjore representing the Indian Christian Constituency of that area said in emphatic terms on the other day, in speaking on the Local Boards Bill about this tolls question and paid highest tributes to the ex-Chief Minister for the abolition of tolls. I am surprised now why the party in which he is one of the stalwart members, is bringing in a measure to reintroduce tolls. It is a sad irony of fate that the good brought about to agriculturist is proposed to be marred in so short a period. Sir, even with the exemption of tolls now, the conditions of the poor agriculturists are very bad and we, their representatives, are repeatedly pleading for some relief to them. In such a situation, it is a very wrong policy to think of imposing additional taxation on the ryots by means of tolls. It may be said to those who cannot analyse the question deeply that it is not the ryot alone that will be affected. But it must be remembered that ultimately all these taxes, in whatever form they may be, have to be borne by the ryots. So, Sir, I desire to bring home to the Government about the unwise policy they propose to embark upon soon and advise them the sooner they drop it, the better.

4-30
p.m.

" Sir, I beg to point out that though my district is to pay almost the entire revenue, she is not getting proper treatment by appreciable benefit. Having adequate grants under Part II schemes for her area, many a vital necessity has not been provided for. It has been repeatedly dealt with on the floor of this House, by means of speeches and questions about the pressing necessity of drinking water-supply for the Salem town from Mettur Reservoir, but to no effect so far. I do not find any trace of it in the Budget that is before us now. Another year is also to pass during which there will be only transmission of files from place to place and there is no likelihood of tangible benefit to the people. This sort of attitude on the part of the Government

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has to be resented to. I make mention of this again with the hope that the Government will now at least see their way to look into and hurry up their proposals regarding this matter. It may be said, Sir, that they have allotted a sum of about Rs. 1,96,000 for Thokur-Mettur Trunk road, which passes in my district. But I may point out that this does not benefit the district in any way. It seems to me that, by making this expenditure, you are doing much inconvenience to the public of my district. If Thokur-Mettur road is finished and opened for traffic, our present trunk road will not get sufficient grants and that the advantage of a great length of good road passing through many an important places in the district is lost. If that road is constructed, it may be an advantage to the tourists and through travellers, but it will be a detriment to the interest of our people. Having thus dealt with the matter of the ryots, and the case of my district, I now pass on to the present-day problem that is engaging the attention of many a people to the amending Bill on Local Boards Act. The present Bill that has been introduced by the hon. the Chief Minister contains a drastic measure, making unemployment problem still more acute. My hon. Friend, Mr. Natesa Mudaliyar dealt at great length yesterday about the unemployment problem and furnished statistics in the matter with regard to the City of Madras. If this Bill is passed into law, I am sorry that about 1,000 more people will be turned out into the streets to swell the ranks of unemployed. So, it is really very hard to think of the unfortunate position of these class of servants and it will be a great sin, if their lot is not properly considered and suitable remedy is brought about. So, I request the Government to find out ways and means to employ these men who are to be ousted from service on the abolition of the taluk boards. They have almost sacrificed their whole life in these taluk boards and they are not now fit for any other walks of life except quill driving. Hence I may say that it is most incumbent on the part of the Government to see that these employees are not put to starvation.

" Then Sir, I want to say a few words with regard to education. Some hon. Members who had preceded me have dealt with the 'Champion Scheme.' I must also express my humble opinion that it is not a thing which is workable in rural parts. Knowing as I do, in rural parts the conditions obtaining are different than what strikes the imagination of the authorities. The teachers take a lot of troubles to bring the pupils to the schools and thus make them attend the schools in course of time and this scheme will be practicable, only if the schools in full form are located in each village. The Champion Scheme may be thought of, only when compulsory education is to be introduced and I do not think we will be able to see universal compulsory education in our province in this generation. So, we should continue the present method of having school in each village with all its classes, and there is no use of hovering in the sky, when we are not able to walk. In the consideration of giving effect to the Champion Scheme, the Government have to be very cautious, and think many a time, before embarking on this scheme.

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They must study this question from all its aspects and take into consideration the conditions prevailing in rural areas and then only they must take any bold step in this direction. I will be failing in my duty, if I omit to say now a few words about the poor lots of teachers under local bodies and private institutions. They have no proper treatment. They have no adequate emoluments. And they have not even the security of tenure. In the Budget speech, the Hon. the Finance Member has spoken at great length with the regard to the tenure of Government service and I fail to note why the Government should not place these poor teachers on a better position. Of course, the Government have passed some orders in recent times to improve the position of local board employees, but I must say that it is not sufficient. The Government must take steps to see that the teachers employed under local bodies and under aided agencies enjoy the same privileges, as teachers employed in Government institutions. Nothing has been done so far and their condition is so woeful that immediate improvement of their lot is necessary. The Government are giving grants to aided schools, and they may make their power felt on them in all these matters. Unless the position of the teachers is stabilized, the lot of the teaching profession improved, it does not augur well of the educational problem in our province. I hope and wish the Government will look into it sufficiently deeper at least now. The time is up and I, with these few words, once again request the Government that they will be pleased to consider about the remission of land revenue, etc., as recommended by the Council, and before the Budget Session is over, come forward to make a positive and favourable announcement."

* Mr. H. M. JAGANNATHAM:—"Mr. Deputy President, Sir, I rise to offer my very sincere congratulations to the Hon. the Finance Member and I may add, on behalf of the community which I represent in this Council, on the surplus budget he has presented this year. It is not an enviable task to be a Finance Minister of any country during this period, when the whole world is experiencing unprecedented economic depression. Much more so is in the case of an Indian Finance Member of a subordinate Government like ours. Sir, those who have some foresight, will appreciate the desire of the Finance Member to see that he does not hand over an empty exchequer to his successor. If the Hon. the Finance Member wanted to be a bit selfish, and wanted to make himself more popular, he could have acceded to the demands of the agriculturists, made in season and out of season. I entirely sympathize with the lot of the agriculturists, but how far, and to what extent, it is possible for a Government to accede to the wishes of the agriculturists, is the question that all practical people will have to consider. I have, no doubt, in my mind that the Finance Member has earned the gratitude of his successors in maintaining the Budget, though not on a large surplus, at least on a small surplus, so as to prevent the breakdown of the future Government. During the period the Hon. the Finance Member occupied the Treasury Bench, he brought to bear tact, ability and sympathetic understanding on the onerous duties of Finance Minister. He has been the

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most popular of Finance Members. Seldom, Sir, has any one felt that the Hon. the Finance Member was either unreasonable or indifferent to any representations made to him, for he has always to understand things in their proper perspective and help, as far as it lay in his power.

"Sir, with regard to the salary cut, the Hon. the Finance Member has shown a real insight into the problem and understood most sympathetically the very difficult life of men who are in Government service. Members of different services of Government will be eternally grateful to the Hon. the Finance Member for championing their cause.

"Now, Sir, I wish to submit to the Hon. the Finance Member that he has got to consider that there are certain communities which are called the Depressed Classes which we represent in this Council. These communities labour under very serious and severe handicaps. I need not repeat, Sir, the various difficulties to which we are subjected. You have been told in this Council, of those difficulties year after year, by representatives of my community. Naturally, Sir, in this connexion, my mind goes back to those days, when that indomitable champion of my community, Mr. R. Virayyan, was raising his voice against the inequities to which we were subjected. His voice, alas, was a voice in the wilderness. I refer to this matter just to show that the Government are not unaware of our pathetic condition. Government have been trying to do their best and Mahatma Gandhi is doing propaganda by collecting funds for Harijan work; but we, Sir, remain where we were. Neither the Government's work nor Mahatma Gandhi's have improved our lot much. On the other hand, our position is becoming worse, owing to the fact that high-class Hindus are trying to consolidate their position very much, and at the same time place as many barriers as possible in our way. We do not want entry into temples; we do not want to be called 'Harijans' or 'Harajans'; we do not want 'Yegnopavitas, we do not want Vedas; but what we do want is a treatment that is generally accorded to human beings. We want to be considered as men; and that can be done only if we are politically elevated. By political elevation, I mean, Sir, giving us education. To give us education, you have got to spend more money, and it is that, Sir, I pray for from this place. I will not be content with mere education, Sir, but I want the Government to give us appointments; make a Depressed Class man a Deputy Collector or Superintendent of Police or a Deputy Superintendent, and see whether he does not get all equality? Entry into temples will come unasked. Why not, Sir, make one of our members a Member of the Cabinet? Are not there competent men? If the Government were to say, that there are no men, who could fill the place in the Cabinet with ability, integrity and tact, I can only say, Sir, that either the Government wilfully desire to insult our community as other caste communities do, or, they do not want to understand our feelings. I suspect, Sir, that the mentality of the Government is identical with that of orthodox Hindu mentality. The orthodox community treats a member of our community, however intelligent he may be, with contempt. Even in those good old days,

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Nandanar and Rohi Doss were treated, in spite of their high intellectual attainments and philosophical wisdom, worse than animals. I do not want to go further into the *Puranic* stories. Taking day-to-day life, I find that many high-class Hindus honestly feel that a Depressed Class member can have no power of thinking, can have no feelings of self-respect. These things, I place before this Government with feelings of sorrow, but not with bitterness.

"Mr. Deputy President, Sir, will you allow me to request the Finance Member to make provision in the Budget, not for a part-time Labour Commissioner, but for a whole-time officer? There is ample work, Sir, for the Depressed Class Protector who will have to look into our various grievances; for instance, take the question of darkhast. It is the policy of the Government to grant land to our people on darkhast; whenever members of my community get lands from the Government, they are taken away by some means or other by caste Hindus. In this open robbery, I am told, Sir, on reliable authority, that the Revenue officials are the abettors, because most of these officials themselves happen to be Hindus who could not, but sympathize with their brethren.

"Therefore there is an absolute need for an officer who could look to our interests with the carefulness of a father. These are only small mercies we ask of the Government. We hope that the Hon. the Finance Member will consider favourably the points raised and do the needful for the welfare of the Depressed Classes."

4-45
p.m.

* Mrs. ALAMELUMANGATHAYARAMMA addressed the House in Tamil and the following is the English rendering of the same:—

"Mr. President, Sir, most of the hon. Members, who have spoken on the Hon. the Finance Member's statement of Income and Expenditure dwelt on the need for reducing land revenue by 25 per cent and expressed gratification at the cancelling of arrears in the assessment collection. I am also grateful for the small relief which the Government have given to the ryots.

"Though the need for education is still as great as ever, one regrets to find that the sum allotted for this purpose this year shows no increase over past years. The need for spending money on secondary and elementary education is greater than for higher education. Hon. the Members like Dr. C. Natesa Mudaliyar have shown how these educated persons, after leaving College, are unable to find employment for their talents. It is unnecessary for me to enlarge on this subject. It should be the endeavour of Government not merely to give employment to them but also to utilize the services of the many M.A.'s, B.A.'s, Intermediates and S.S.L.Cs., turned out of schools and colleges. If the Government will, with the assistance of specialists, give special technical instruction, the way will open for employing these men usefully and for the good of the people. We are all glad that schools and colleges have been started for imparting education to young men and women; but, the duty of

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Government does not end there. They should also devise ways and means to provide employment for all these people who come out of the colleges.

"Among agricultural products, cotton is one of the most important. There are very few schools or institutes conducted by Government for teaching the spinning of cotton and the manufacture of fine yarn for making fine cloth, both for internal use and for export to foreign countries. The demand for cotton has also fallen. Cultivators are unwilling to sell their cotton for low prices and are keeping it on hand waiting for better prices. They are financially depressed, and it is desirable that they should be helped out of this depression.

"I observe that the Government have started an experimental station for the manufacture of sugar. Since the soil is in many places favourable for sugarcane cultivation, it should be the endeavour of Government to improve the sugar industry and to make it a success commercially.

"One of the most important aids to agriculture is cattle. Cattle afford occupation for a good many people. Milk, ghee and curd, which are essential for the health of the people, are the gifts of cows. Cattle also supply manure to the soil and help to increase the fertility. The number of persons who make their livelihood by keeping cattle and selling its products is increasing in cities and in villages their number has always been large. It is satisfactory to note that there are places like Ongole, Nellore, Kangayam and Alambadi, which are favourable for the cattle-breeding. But there are one or two places like Hosur, where Government are carrying on cattle-breeding. The Government should do more to improve the breed of cattle in this Presidency so that they may be even exported to places outside the Presidency. Another means of livelihood is the rearing of poultry. Some people rear poultry for their own consumption; but, the poorer people in the villages rear fowls as a means of livelihood. If the people could be encouraged to rear poultry on a large scale, as is done in countries like United States and Japan, it would provide occupation to the unemployed and increase income to the villagers and be an important item in rural reconstruction. But after all, whether the people are engaged in agriculture, trade or industries, it is necessary that they should have a modicum of knowledge. I would therefore urge upon the Government the need for increased provision in the Budget for elementary education. It is necessary to start schools for agriculturists and industrialists and for providing employment to the people in general. Then only will the poverty of the country be relieved. The Hon. the Finance Member has observed that educated persons may well go to rural areas and start schools which will not only give them employment but also improve the condition of the villagers. But, when the villagers are suffering from want of sufficient food for themselves and their children, how can they be persuaded to send their children to schools or pay for their education? Food in the first consideration and everything else comes after. The brain will not

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work when the stomach is pinching. You require a clean wall to paint on: so you require physical strength for all other kinds of improvement. I would therefore urge improving the economic condition of the people first and foremost.

"As the result of a continued demand for schools not only for boys but also for girls, Government have started separate elementary and secondary schools for girls, and even colleges for the higher education of women. All this is a matter for satisfaction. It has also been acknowledged that the teaching staff of girls' schools and women's colleges should consist of women only. This is the case mostly in elementary and secondary schools. It is also necessary that this should become the case in women's colleges. In view of this, it does not seem right to appoint in place of a woman lecturer who has gone on leave to appoint a man when a woman could easily be found capable of carrying on the work efficiently. This was done without due advertisement. It should be remembered that now there are enough capable women to do work in women's colleges as there are capable men to do work in men's colleges. Examination results show that women are by no means behind men in education. Some women even excel men candidates. At the public anniversary and prize distribution held yesterday in Lady Willingdon Medical School, under the presidentship of Her Excellency Lady Stanley, the report mentioned how these women headed the list of passed candidates. I request that hereafter at least the claims of women lecturers in women's colleges should not be overlooked.

"I would call attention to the urgent need of a hostel for the students of Lady Willingdon Medical School near the Caste and Gosha Hospital where these students have to come every day in a bus from their quarters more than a mile away. The Surgeon-General acknowledged the necessity and even the site has been fixed. It only remains for the Government to begin the erection of the hostel even before the building of the school is begun.

"There are various other matters to which I would like to invite the attention, but there is little or no time for them. I would conclude by mentioning what I saw this morning on my way to the Council. Near the bus stand on the Esplanade, there were a number of thatched sheds in which homeless coolies took shelter under the open sky. These so-called huts were burnt away that morning, and these people were under the trees near the Fort station and when I asked them what the matter was, they said that they had come away, with men, women and children from the neighbouring districts for want of work to earn their livelihood and had no places to rest. Is it not advisable for Government to build choultries and other rest-houses for poor people who cannot afford to pay rent? It is all very well to have town extensions for the rich, but what about the poor who have no places to rest their heads?"

The House adjourned to meet again at 11 a.m. on Monday, the 26th February 1934.

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

* 1. G.O. No. 43 I., dated 5th January 1934, abandoning the Kandaluru scheme, Guntur.

^b 2. Communication from the Revenue Department with reference to the answers given to the supplementary question No. 563 at the meeting of the Legislative Council held on 31st January 1934.

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

^a Printed as Appendix II on pages 248-257 infra.

^b Printed as Appendix III on page 258 infra.

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APPENDIX I.

[Vide answer to question No. 687 asked by Mr. G. Simhachalam Pantulu at the meeting of the Legislative Council held on the 24th February 1934, page 187 supra.]

Statement showing the number of Andhras in service in the Secretariat and certain offices referred to in Legislative Council question No. 687.

	Superintend- ents' posts sanctioned cadre.	Number of Andhras.	Upper and lower divi- sion clerks sanctioned.	Number of Andhras.
1 Board of Revenue	13	Nil.	95	4
2 Chief Engineer, Public Works Depart- ment	10	Nil.	59	3
3 Inspector of Local Boards	1	Nil.	28	8
4 Inspector-General of Police	8	Nil.	48	6
5 Government Secretariats	50	2	225	15

APPENDIX II.

[Vide item III—Papers laid on the table of the House at page 247 supra.]

G.O. No. 43 I., 5th January 1934.

READ—the following papers:—

I

G.O. No. 1036 I., dated 26th March 1929.

II

*Reference from the Irrigation Development Board, No. I.D.B.
418/33-1, dated 30th November 1933.*

The Hon'ble Mr. C. A. SOUTER, C.S.I., I.C.S.,
President.

Read—the following:—

*Reference from the Board of Revenue (Land Revenue and Settlement),
No. H. 6641/33-1, dated 13th November 1933.*

J. F. HALL, Esq., C.I.E., O.B.E., I.C.S.,
Commissioner of Land Revenue and Settlement.

Read—the following:—

(i)

G.O. No. 1523 I., dated the 12th July 1933.

(ii)

Letter from M.R.Ry. Diwan Bahadur N. SWAMINATHA AYYAR Avargal,
B.A., B.E., Chief Engineer for Irrigation, Madras, dated the 16th
October 1933, No. 2030/33-C-1.

The scheme is to build an anicut across the Kandaleru River in
Virukonda taluk, Guntur district, to augment supply to the Dondapad,
Nadigedda and Koppukonda tanks through the Hanamala cheruvu for

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bringing under cultivation about 1,500 acres. Gaugings of the river
were ordered to be taken for three years from 1929 to 1931 in G.O. No.
1036 I., dated 26th March 1929, in order to examine the quantity of
supply available. Gaugings and also certain velocity observations with
soundings of the river were taken and proposals were formulated. The
Executive Engineer's report discusses the several proposals and Superin-
tending Engineer's observations thereon are contained in his letter No.
447 I., dated 31st August 1933 (copies enclosed).

2. As regards the formation of a storage reservoir, the Superintending
Engineer is of opinion that since the greater part of the run-off occurs
only after September, it is not advantageous to have a reservoir, as the
ryots do not cultivate paddy, if the storage is received so late in the
season. Various other alternative schemes have also been considered
but have to be given up, as they further necessitate taking channels in
very deep cutting.

3. It is reported that the only feasible scheme is for a small channel
taking off from an anicut at Gutlapalli in Pedda Kandaleru for irrigating
300 acres.

4. From the reports received, it is clear that no reservoir scheme will
be feasible for the main reason that the ryots are not in favour of growing
paddy after September. I agree with the Superintending Engineer in
considering that the small direct supply scheme referred to in para-
graph 3 above is the only one that can be investigated further. But as
the scope of such a scheme will be very limited, I consider it not worth-
while pursuing it at all. In the circumstances I consider that all
further investigations of the schemes considered in this connexion should
be dropped.

ENCLOSURE.

Letter from M.R.Ry. Rao Bahadur R. NARASIMHA AYYANGAR Avargal,
Superintending Engineer, Bezwada Circle, to the Chief Engineer
for Irrigation, dated Bezwada, the 31st August 1933, No. 447 I.

[Projects—Guntur—Kandaleru Project—Gauging observations
for 1929, 1930 and 1931—Report on the —.]

In continuation of this office No. 201 I., dated 26th May 1932, I
submit herewith a register showing the gauge observations for the Kanda-
leru, the rainfall of the temporary gauge fixed at the site of the gauging
observations and cross sections of the stream at the gauging site (G. No.
126/32).

2. During the 1931 observations the overseer in charge had taken at
intervals certain velocity observations with surface floats and he had
also taken at the same time soundings of the stream. Thus we have got
a record of velocity observations for the year 1931 for various stages of
flow in the stream at the gauging site near Palukur. I consider that
with this information available for us, it would be better to depend upon
the figures of discharges as calculated from these than upon figures of.

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discharges as calculated from the sections of the stream at the sites of the gauges and the surface fall obtaining these. If we had no information about the velocities in the stream and the depths during periods of observation we would have had to depend only on the discharges as worked out from the readings on the gauges at the sites of the cross sections. Even then there would have been the difficulty of applying a suitable value for "N" in Kutter's formula. From the cross sections taken at the end of the season in 1931 (G. No. 126/32), it will be seen that even when with little or no flow there are considerable areas below the water level and where the stream divides off into two small branches owing to an intervening shoal the level in one branch is different from the water level in the other branch. These as well as the longitudinal section of the stream given in C. No. 65/33 would indicate that there are some rapids and pools in the stream which would vitiate our calculations of discharges from the areas of the sections and observed falls between gauges. For these reasons I have not attempted to work out the calculations on the basis of the falls observed with the gauges; but from the actual velocity observations a diagram has been drawn giving the discharges at various depths on the centre gauge at Palukur gauging site. From this discharge curve and the actual readings observed from day to day at the centre gauge the discharges in the stream have been worked out and the quantity available for storage.

3. This curve of discharge has been adopted for the observations made of the gauge readings during the years 1929 and 1930 also and fresh statements of discharges have also been prepared for these years.

4. It must be pointed out as in the case of the Mellavagu discharges that for a reading of 0.0 the discharge is only about 15 cusecs and for lower readings on the centre gauge the discharge is very small being practically negligible. In the original register of gauge readings such readings as give a discharge of about 15 cusecs have been noted as 0.0 whereas when the water level fell below and the discharge was practically nil, an entry 'Nil' has been made against the centre gauge.

5. The total quantity available for storage during the years 1929, 1930 and 1931 would come to about 238, 1,128 and 709 millions of cubic feet, respectively. The year 1929 was a year of bad rainfall. The year 1930 may be taken to be one of average rainfall and though the year 1931 was a year of more than average rainfall at other stations, such as Macherla, Narasaraopet, etc., the rainfall at Palukur from June to December was only 24.95 inches during the year 1931 as against 24.30 inches during the year 1930. However owing to the very heavy rainfall that obtained in October 1930, the total run-off during the year 1930 is much greater than the total run-off during the year 1931.

6. I enclose herewith a copy of letter No. 158-S.E., dated 9th May 1931, from the Executive Engineer, Guntur Division, Mr. K. V. Sankara Ayyar, together with a note written by him at that time on the prospects of the Kandaleru Project together with his recommendations. I have

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inspected the locality and agree in the main with the Executive Engineer's views that the rainfall within the basin of the Kandaleru is likely to be scantier than outside this area. In this connexion the Government of India contour map may also be referred to.

7. The report is admittedly only a preliminary one discussing the feasibility of various alignments and the estimates and designs have not therefore been scrutinized in detail, except for checking the correctness of arithmetical calculations. The Executive Engineer makes out a case for an anicut and supply channel from the Kandaleru to the Dondapad tank to be treated mainly as an unproductive or protective work. In a locality like this with very little irrigation the question of adequate return from a financial point of view should not stand in the way.

8. I agree with the Executive Engineer, in considering that the Kandaleru scheme will not affect the Gundlacamma Project to any extent. Even for the direct channel scheme the maximum discharge tapped will be about 50 cusecs when the river is in flood and this is negligible. Further the Dondapad and other tanks through which the supply channel will run eventually drain into the Gundlacamma valley. Hence even a storage scheme will simply tend to store a portion of the water that the Gundlacamma scheme can amply spare, and to give out a share of this as subsoil flow from the ayacut under it later on.

9. The Executive Engineer's report was written in 1931 before the observations of that year were started. But the gaugings of 1931 only confirm the views already expressed by the Executive Engineer in his report.

10. The catchment of the Kandaleru below the junction of the China and Peda Kandaleru is about 190 square miles. But it will be seen that the total run-off during the year 1931 with a slightly higher rainfall than the average comes to only 709 millions of cubic feet. From the fact that a greater part of the run-off occurs only after September it does not appear advantageous to have a storage reservoir, as in the district, the ryots do not grow a paddy crop if the storage occurs late in the year. If the storage is realized before the end of August they go in for paddy cultivation otherwise they would rather leave the lands waste than grow a late paddy crop. From this point of view, it would appear that the proposal for a reservoir will have to be given up without taking the trouble of examining whether there is suitable site for the formation of a reservoir, either a masonry one or an earthen one with a central masonry dam at the river crossing. A reservoir if it is to be formed should be formed below the junction of the Chinakandaleru and the Pedakandaleru near Palukur and even then if the main idea is to supply the Dondapad tank valley from here a considerable portion of the storage is not likely to be utilized on account of the high level of the ridge through which a cutting will have to be effected near H-3—vide tracing G. No. 44/31. There is also the difficulty about submerging Agraharam lands referred to by the Executive Engineer in his report though it is a minor one.

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11. There is also the other alternative of simply forming a reservoir on the Kandaleru and irrigating lands below the reservoir. With a 700 millions of cubic feet of available storage the maximum area irrigable would come to about 3,500 acres with the prospect of failure in one out of three years or so. We can no doubt find the 3,500 acres in the Kandaleru valley itself on its left side before it joins the Gundlacamma River but whether it will be a paying proposition and whether the ryots will be prepared to cultivate with paddy provided water is supplied from September onwards is very doubtful.

12. On the whole, the small direct supply scheme suggested by the Executive Engineer is the only thing that, I think, can be investigated further. If an anicut is built near Guntlapalli we can, if necessary, divert the waters of the Chinakandaleru also into this by means of an anicut across the Chinakandaleru somewhere above V—vide tracing G. No. 44/31 and a channel taken right across from that point to G. This is however a matter for later consideration, if we want to augment the supply received from the Pedakandaleru itself. As pointed out by the Executive Engineer, it is out of the question in this difficult country with the very unsteady flow in the Kandaleru coming down in floods only on five or six occasions during the monsoon season, to have a large capacity supply channel for taking water from the Kandaleru to the Koppukonda tank and thence to the Dondapad tank.

13. A gauge has been read on the Pedakandaleru also at the site shown in G. No. 65/33, and on the survey plan No. 3 of the river Kandaleru and the readings on this are noted in the combined gauge register for the three years. From the occasional velocity observations taken at this site during 1931, a discharge curve has been drawn and the quantities available for storage from the flow in the Pedakandaleru alone have also been worked out and noted in the discharge registers.

Sub-enclosure.

Kandaleru Project.

As water was seen flowing throughout the cultivation season in the Kandaleru the proposal to feed the Dondapad tank from it suggested itself. Except for stray small extents of lift irrigation, no irrigation under the Kandaleru is seen down to its junction with the Gundlacamma. The river-bed from Gutlapalli down to Ganesapalem consists of pebbles and sand with outcrops of rock. The flow is a series of pools and bars. Under pools, irrigation of garden crops from Sultan wells about 20 feet deep is being carried on near village-site by mhote.

2. There is a continuous range of hills H, H-1, H-2, H-3, H-4 and H-5 running north to south nearly parallel to the river about 3 miles from it. It is watershed dividing the Kandaleru and the basins to the east of it. The basin next east is that of the Koppukonda tank and next to this lies the Dondapad tank. The watershed K-1, K-2 between Koppukonda and Dondapad tank basins is another continuous range of hills

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running north to south. The eastern boundary D-1, D-2 of the Dondapad basin is also a continuous hill range, which eventually ends at the Kistna north of Chintapalli (160' 45' and 800 10').

3. The river margin near Ganesapalem is nearly at the F.T.L. of the Dondapad tank. So from here upstream several lines for a channel to the Dondapad tank were tried.

4. Now taking the Ganesapalem line W.H.-1 (G. No. 44/31) which is the most direct (please see also the L.S.G. No. 47/31). This has to cross the main watershed at the saddle H-1 (G. No. 44/31) or II on the L.S., a mile east of the Koppukonda village. The lowest point here is 73.20 and this cutting for nearly 2 miles is unavoidable, because near Ganesapalem the bed of the Kandaleru is 18-40 and the surplus weir of the Dondapad tank is 25.00. Besides this cutting, we have the spur No. 1 (vide L.S.G. No. 47/31) which is also a rocky barren waste, with only brush grass. This, however, can be avoided or minimized by skirting it to the south on contour. At III is the valley forming the ayacut under the Koppukonda tank. Crossing this in embankment will be prohibitive in cost, and with a level crossing the channel will become too low to enter the bed of the Dondapad tank. It can, at the most, supply only the sluice channel L.S.T. So, this line can be used only for a continuous flow channel. It has moreover to cross nearly five valleys on the way which contain minor tanks with irrigation under them. This means that the water will be abstracted by these tanks leaving very little to reach Dondapad. The formation of a reservoir at any site above Ganesapalem is precluded by the fact that the villages on the right side of the river are all Agraharams. So, this line may be left out of consideration.

5. Next comes the open country on the left of the Kandaleru between the Koppukonda and Bollapalli reserves from which any channel has perforce to cross the main ridge. The lowest saddle in this watershed line is H-3 near Kanumala cheruvu. Three lines of levels were taken towards H-3 as marked on the map (G. No. 44/31) from suitable points J.P.R. on the Kandaleru.

J from the junction of Pedda and China Kandaleru.

P from Palukur.

R round Ramapuram.

All these three have only one outlet to the east, viz., the Kanumala cheruvu saddle H-3. The highest point in this saddle is 123.00 near the junction of the reserve lines.

6. The line R H-3 skirting the south of the low spur H-4 Y is very low and is 30 to 40 feet lower than the unavoidable saddle H-3. This was the line suggested by the Executive Engineer, Mr. K. Srinivasa Ayyangar, during his inspection, dated 18th August 1929—No. 444-G., dated 23rd August 1929. Obviously this line cannot be cheaper and may be left out of account.

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7. As our object should be to minimize the cutting at H-3, the channel above it should be taken at as high a level as possible to suit the saddle crossing. So the line P H-3 may also be left out. Though more direct and shorter, it has more ups and downs and runs through dry fields, the acquisition of which will be costlier than the upper line J H-3 which skirts the reserved forest.

8. Thus the problem reduces to taking a contour channel from H-3 towards the junction of the streams China Kandaluru and Pedda Kandaluru. Here the low rocky spur H-4 M.N.J., called the 'Malabodu' reaches down to the very margin of the Kandaluru. The bed of the river at the junction is at 78.00 and the country on the left at about 100.00. These levels will still necessitate deep cutting through H-3. Any means of raising the water level at the junction will submerge Agraharam lands. So, we have to give up the direct line J H-3.

9. Proceeding further up, we meet with a natural rocky barrier across the river-bed opposite to Gutlapalli (Government village). The bed of the river here is about 113.00, i.e., only about 10 feet lower than the saddle H-3. Levels were also taken for a shorter direct line from Gutlapalli over a saddle M in the Malabodu on towards H-3 but the level at this saddle crossing (M) was found too high and the soil being rock, this line too was abandoned. The only feasible line of channel is therefore (G N H-3) from Gutlapalli to the south, rounding the nose N of the Malabodu opposite J and taken thence on a contour towards H-3.

10. Below the saddle H-3 the channel enters the tank Kanumalachervu at its right flank. The surplus and field drainage from this tank finds its way to the Koppukonda tank. This tank has a masonry weir at its left flank. From below this weir, an attempt to take a portion of the surplus by a contour channel to the Dondapad tank is seen to have been made in the past. The bank of the channel lies for about a mile from the weir in the reserve forest and it is breached in places and neglected. This channel has to be revived, if water is to be taken to the Dondapad tank. Levels permit of this.

11. I inspected this final line G N H-3 along which levels had been taken (please see L.S.G. No. 47/31). The cuttings marked I and II being close to the river are unavoidable. At III (N on the map) the line of levels runs straight over the Malabodu spur. The alignment here can be swerved to the west so as to skirt the spur and avoid the deep rocky cutting III seen on the L.S.

The cuttings at IV, VI, VII and VIII can also be avoided by a slight shifting of the line, to the south as the country has a gentle fall, in that direction. The valley V is that of the Palukur tank. Here the channel can be taken by letting it into the tank and strengthening and raising the tank-bund or by taking it along its foreshore.

The cutting IX (H-3 on the map) for a distance of about one mile is inevitable. The soil here is rocky. A rough estimate on the assumption that contour channel modified as above is chosen, is enclosed. The cost works out to Rs. 58,000.

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12. Now the line for the channel being thus fixed up, the next question is whether it is to take off from an anicut or a reservoir. A reservoir is left out of account as it will submerge villages and cultivated land which lie close to the river margin. Moreover, a tank, by bunding up the Pedda Kandaluru or China Kandaluru will be costly and may after all prove only another Dondapad Tank Project. I mean that the cost will, as explained below, be too prohibitive for the storage that can be got from the catchment.

13. As has been observed (Irrigation Chief Engineer's Memorandum No. 718/28-C-3, dated 9th July 1928, sent with Superintending Engineer's No. 1448-E., dated 17th July 1928), the basin of the Dondapad tank is surrounded on all sides by hills and therefore gets very little rain during either of the monsoons. The catchment of the Kandaluru too is, as the map will show, in the same loat as the Dondapad basin and perhaps worse. The several ranges of hills on both sides of the river all run north to south and thus serve to cut out the free ingress of the monsoon clouds, especially in the north-east monsoon season which gives a better rainfall in this district. The south-west monsoon clouds from the Kurnool district rarely pass beyond Markapur or Thokapalli. It is a fact that the Kandaluru, the Santhamagalur vagu and the Ogeru whose catchments lie to the east of the range of hills running from Vinukonda towards Ipur, Nekarikal, Bellamkonda and Chintapalli have a larger and more reliable and continued flow than the Pasupaleru, which is the valley of the Dondapad tank. The difference can be markedly seen by one travelling on the road from Guntur to Vinukonda and Tangirala. The actual irrigation (part of this only irrigated dry crop) for the Dondapad catchment of 56 square miles is about 250 acres, i.e., about 5 acres per square mile, though the tank has surplussed only once since its construction. For the Koppukonda tank which is in the valley next west of the Dondapad tank with a total catchment of 21.3 square miles, the ayacut is only about 94 acres. This is also less than 5 acres per square mile. The Nadigedda tank lower down this valley has a total catchment of 29.6 square miles and ayacut of 97 acres, i.e., about 3 acres per square mile. It is therefore too much to expect 8,750 acres to be irrigated by the catchment of 190 square miles of the Kandaluru below the junction J (please see the note of Mr. N. Govindaraja Ayyangar, dated 24th July 1928—681 S.E./29th August 1928).

Thus the idea of forming a reservoir across the Pedda or China Kandaluru may be dropped, at least for the present.

14. Another alternative will be a flood supply channel to fill the Dondapad tank during floods in the Kandaluru. This will have to be very large in section as the available number of flood days will be very few (less than ten days on the whole) in a year. It will run through rugged country, cut up by ravines and forests. The risks are great of the waterway of such a channel, with intermittent flow, getting suddenly blocked up or restricted by sand and stones brought down by cross drainages and by trees or branches falling across its waterway. It will be too much to expect proper maintenance by prompt kudimaramat of

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such a channel in working order by the present day ryots, especially seeing that the nearer end of the channel will be about 8 miles from the ayacut villages, and all this distance will have to be walked through along forest tracks, as there is no road or obstacle-free cart-track here. So, a small channel to carry the available long continued low flow is the Kandaleru taken off from an anicut, near Gutlapalli seems to be the only feasible proposition.

15. This channel will run on contour between Palukur and Kanumala cheruvu. Being small, it can be easily watched by the ryots. There is of course the probability of the flow in it being tapped for irrigation under the small tanks or cultivate lands on the way, in the open tract round Palukur and Ramapuram villages. Besides this, the Kanumala cheruvu and Koppukonda tanks also through which this water has to pass may use up the water for increasing their ayacuts. Though the water from the Kandaleru may not finally reach the Dondapad tank, it will at least improve existing minor tanks and develop irrigation on the way. The scheme can therefore be looked upon as a method of utilizing the available supply in the Kandaleru for irrigation, leaving aside the idea of augmenting the supply to the Dondapad tank. Of course, an alternative of giving loans to the riverside ryots of the Kandaleru to enable them to make a fuller use of the water by more extensive life operations, suggests itself for consideration.

16. The diagram of water readings (G. No. 48/31) shows that a continuous spring flow will be available throughout the irrigation season. What the exact quantity will be, that will become available in the proper season for use of crops, it is not possible to exactly say now, without further actual experience. Much depends upon the soil and the efforts of the people in looking after the channel and using the water without waste. The soil and subsoil along the line of channel are soft disintegrated fissured rock. As the fissures get staunched in course of time, the supply by the channel will increase. A channel like this will not apparently affect the prospective Gundlacamma Reservoir Project and so the scheme need not wait for the result of this project (paragraph 4 of Irrigation Chief Engineer's Memorandum No. 718, dated 9th July 1928). When this channel eventually proves a success, an additional supply to it can be given by another channel V.G. (see L.S.G. No. 47/31), diverted from the China Kandaleru by an anicut at V near the place called Tallagatla crossing opposite Rentapalli where the vague has a rocky bed.

Reference—No. II. 6641/33-1, dated 13th November 1933.

Submitted to the Government through the Irrigation Development Board.

2. The Board agrees with the Chief Engineer for Irrigation that the further investigation of the scheme may be dropped.

M. K. VELLODI,
Joint Secretary.

To the Secretary to Government, Public Works and Labour Department, through the Irrigation Development Board.

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Reference—No. I.D.B. 418/33-1, dated 30th November 1933.

Submitted to the Government.

2. The Irrigation Development Board supports the proposal to drop the scheme.

M. K. VELLODI,
Secretary.

To the Secretary to Government, Public Works and Labour Department.

Order—No. 43 I., dated 5th January 1934.

In the circumstances stated by the Chief Engineer for Irrigation, the Government accept the proposal that the further investigation of the Kandaleru scheme, Guntur district, be dropped.

(By order of the Governor in Council)

N. GOPALASWAMI,
Secretary to Government.

To the Chief Engineer for Irrigation.
.. Board of Revenue.
.. Irrigation Development Board.
.. Secretary, Legislative Council, with 175 copies.

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APPENDIX III.

[Vide item III—Papers laid on the table of the House at page 247 supra.]

REVENUE DEPARTMENT.

COMMUNICATION TO THE COUNCIL.

With reference to the answer given to the supplementary question to question No. 563 at the meeting of the Legislative Council held on 31st January 1934 the following statement is laid on the table :—

Legislative Council Question No. 563 answered on 31st January 1934.—The statement below gives the information asked for in clauses (a) to (c) of the question :—

South Kanara district.

Names of taluks.	Number of cases of arrears of land revenue in each of the taluks during the last fasli.	Number of cases in which arrears were realized by the sale of		Number of cases in which arrears are still to be realized.
		Movable property.	Immovable property.	
(1)	(2)	(3)	(4)	(5)
Mangalore	336	112	129	..
Kasaragod	5,747	200	277	37
Pattur	717	109	50	3
Udipi	231	69	33	..
Coondapoor	962	34	18	2
Karkal	1,686	42	50	129 *
Total	9,679	566	557	171

REMARKS.—The difference between column (2) and columns (3), (4) and (5) is due to the realization of the arrears either before the processes were actually issued or before the property was notified for sale.

* One hundred and fourteen cases amounting to Rs. 91-3-0 due from members of depressed classes. This will be written off.

J. A. THORNE—19-2 34.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Monday, the 26th 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. 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 Meeran Sahib Bahadur. Alagannan Chettiyar, Rao Sahib A. S. 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. Devadasan, Mr. M. Dharmalingam Pillai, Rao Sahib V. Ellappa Chettiyar, Diwan Bahadur S. Gopalaswami Mudaliyar, Diwan Bahadur M. Gopalaswami Ayyangar, Diwan Bahadur N. 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. Kolanda Reddi, Rai Sahib C. Koti Reddi, Mr. K. Krishnayya Choudari, Mr. P. V. Krishnamurti, Rao Bahadur D. Krishnaswami Ayyar, Kt., Diwan Bahadur Sir Alladi. Kumararaja of Venkatagiri. Ladden, Mr. W. W. Lakshmana Reddi, Mr. G. Madanagopal Nayudu, Mr. R. Mahmud Sehamnad Sahib Bahadur. Khan Bahadur. Manikkavelu Nayakar, Mr. M. A. Metherell, Mr. J. K. Moses, Mr. P. C. 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. Natesa Mudaliyar, Rao Bahadur C. Pannirselvam, Rao Bahadur A. T. Parthasarathi Ayyangar, Mr. C. R. Patnaik Mahasayo, Sriman M. G. Patro, Kt., Rao Bahadur Sir A. P. Peddi Raju, Mr. P. Pocker Sahib Bahadur, B. Premayya, Mr. G. R. Rajagopala Pillai, Mr. P. V. Raja of Pariakimedi. Ramakrishna Reddi, Mr. A. Ramalingam Chettiyar, Rao Bahadur T. A. Ramamurti, Rao Sahib Pandit Ganala. Raman Menon, Mr. K. P. Ramaswami Ayyar, Mr. T. S. Ramaswami Mudaliyar, Mr. V. M. Ranganatha Mudaliyar, Mr. A. Ranganatha Mudaliyar, Mr. M. D. T. Rangaswami Reddi, Mr. M. B. Ratnasabhupati Mudaliyar, Diwan Bahadur C. S. Sahajanandam, Swami A. S. Sami Venkatachalam Chetti, Mr. Sesha Reddi, Mr. B. P. Shetty, Mr. A. B. Simbachalam Pantulu, Mr. G. Singam Ayyangar, Mr. K. Siva Raj, Rao Sahib N. Smith, C.I.E., I.C.S., Mr. E. Conran. Sreshta, Mr. M. S. Srinivasa Ayyangar, Mr. T. C. Srinivasan, Rao Bahadur R. Sriramulu, Mr. G. Subbarayan, Dr. P. Subrahmanya Chetti, Rao Sahib P. Subrahmanya Bhatt, Mr. U. C. Sundara Rao Nayudu, Mr. T. Syed Tajuddin Sahib Bahadur, Khan Sahib. Thangal, Mr. P. M. Thomas, Mr. Daniel. Thorne, C.I.E., I.C.S., Mr. J. A. Vasudeva Pillai, Mr. V. G. Vedachala Mudaliyar, Mr. M. Venkatachala Reddiyar, Mr. K. C. M. Venugopal Nayudu, Rao Bahadur R. K. Viswanatha Rao, Diwan Bahadur V. N. Zamindar of Kirlampudi. Zamindar of Mirzapuram.

[26th February 1934]

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Education

Appropriation of a percentage of the games-fund for the award of prizes in inter-class sports of schools.

* 694 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 games-funds have been separately constituted in each secondary school under games committees;

(b) whether it is a fact that the Government have directed that no part of the games-fund should be utilized for awarding prizes in inter-class sports of the schools; and

(c) what the reasons are for the Government prohibiting games-committees to contribute a small percentage to the school sports committees for awarding prizes to competitors?

A.—(a) Every secondary school is required to constitute a games-fund.

(b) Instructions have been issued by the Director of Public Instruction to the effect that while expenditure on the award of prizes to individual members in inter-class sports should not be met from the games-fund, there is no objection to debiting to the fund (a) the cost of providing a challenge shield or cup to the winning class or team in inter-class sports or (b) a small contribution made towards an inter-school sports fund when such fund is recognized by the District Educational Officer or the Inspectress concerned.

(c) It was considered necessary to prohibit the grant of prizes to individual competitors from the fund because the fund in most cases is inadequate even to fulfil its main purpose, viz., the promotion of physical training facilities for the whole school.

Mr. P. V. KRISHNAYYA CHOUDARI:—“ May I know whether it is not an anomaly for not having provision for spending for prizes within one's own school when one has got power to spend money for sports outside their school, for inter-school sports? ”

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ No, Sir; the Government do not see any anomaly there.”

Co-operation

Opening of Land Mortgage Banks in Salem district.

* 695 Q.—Mr. K. A. NACHIYAPPA GOUNDER: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the investigations for starting Land Mortgage Banks at Dharmapuri and Tiruchengode in Salem district have been completed;

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(b) if so, what the results are of the investigations;

(c) if the investigations have not been completed, at what stage they are and when they are likely to be completed;

(d) whether there is any proposal to start Land Mortgage Banks in other centres than Tiruchengode and Dharmapuri in the Salem district; and

(e) if so, what those centres are?

A.—(a) & (b) The investigations have not yet been completed.

(c) Detailed inquiries are yet to be conducted as to the prospects of success of these banks in the areas concerned. It is expected that enquiries will be completed by the end of February in Tiruchengode and by the end of March in Dharmapuri.

(d) No.

(e) Does not arise.

Mr. BASHEER AHMED SAYEED:—“ May I ask why these two particular taluks have been singled out for this investigation and why investigation should not be made in the whole district of Salem? ”

The Hon. Mr. P. T. RAJAN:—“ These two taluks might have sent applications for having land mortgage banks.”

Mr. BASHEER AHMED SAYEED:—“ May I ask whether the Government will consider the question of further investigations being made in the other taluks of the district, if application is received from the inhabitants of those taluks? ”

The Hon. Mr. P. T. RAJAN:—“ Even assuming that conditions are favourable in these taluks, it may not be possible to open banks.”

Mr. BASHEER AHMED SAYEED:—“ May I know if the Government think that it would be enough if we had these banks only in these two taluks of the Salem district? ”

The Hon. Mr. P. T. RAJAN:—“ The Government do not think that the starting of banks in these two places alone would be enough; immediately we cannot start any more banks.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I ask what reasons can be assigned for not having a large number of land mortgage banks in the various districts? ”

The Hon. Mr. P. T. RAJAN:—“ Unless the Central Institution is in a position to give necessary funds, there is no use having more land mortgage banks.”

Mr. K. P. RAMAN MENON:—“ Will the Hon. the Minister be pleased to state the number of such banks in other districts? ”

The Hon. Mr. P. T. RAJAN:—“ I cannot say off-hand; there are a number of land mortgage banks.”

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Local Self-Government*Appointment of a Commissioner for the Peddapur Municipality.*

* 696 Q.—Mr. C. INDRAIYA: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that a commissioner has been appointed for the Peddapur Municipality;

(b) what the grounds are for appointing a commissioner;

(c) what the income is of the municipality and what its population; and

(d) what the pay is of the commissioner?

A.—(a) Yes.

(b) The appointment was made in conformity with the provisions of the Madras District Municipalities Act, as amended by the Legislative Council.

(c) The ordinary receipts in the current year were estimated at Rs. 46,780. The population is 17,338.

(d) The pay of the commissioner is Rs. 125 per mensem.

Mr. M. A. MANIKKAVELU NAYAKAR:—“ Apart from the municipalities mentioned in the schedule for which executive officers have been appointed, may I know the names of the other municipalities for which commissioners have been appointed? ”

The Hon. the RAJA OF BOBBILI:—“ I am afraid I cannot give the figures off-hand. That question has been answered twice in the Council recently.”

Mr. BASHEER AHMED SAYEED:—“ Will the Hon. the Minister be pleased to say whether any notice is given to council or chairman of the municipality before orders with regard to the appointment of a commissioner are issued? ”

The Hon. the RAJA OF BOBBILI:—“ Before the commissioner is posted, we intimate it to the chairman of the municipality.”

Mr. BASHEER AHMED SAYEED:—“ Do the Government think it worth while to communicate beforehand to the chairman of the municipality or the municipal council before they issue orders of appointment? ”

The Hon. the RAJA OF BOBBILI:—“ No Sir; the Government do not propose to give any previous notice.”

Mr. ABDUL HAMEED KHAN:—“ Will the Hon. the Minister be pleased to state the test and the reasons for appointing commissioners for municipalities other than those mentioned in the Act? ”

The Hon. the RAJA OF BOBBILI:—“ The appointments are made in pursuance of the legislation passed by this house. The test is the interest of the administration.”

Mr. ABDUL HAMEED KHAN:—“ May I know whether the municipality concerned is consulted beforehand and is taken into confidence with regard to the appointment of the commissioner? ”

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The Hon. the RAJA OF BOBBILI:—“ That is not being done; the Government do not think any useful purpose will be served by so doing.”

Mr. BASHEER AHMED SAYEED:—“ May I ask by what time the Government propose to complete these appointments for all the municipalities in the Presidency? ”

The Hon. the RAJA OF BOBBILI:—“ We cannot fix a definite time.

As soon as competent men are available, more municipalities will be brought under the provisions of the Act.”

Mr. G. SIMHACHALAM PANTULU:—“ Will the Hon. the Minister be pleased to state whether the Cocanada Municipality did not protest that it was not previously consulted? ”

The Hon. the RAJA OF BOBBILI:—“ I am not aware of it; but there have been protests from certain municipalities.”

Protest by the Peddapur Municipality against the appointment of a Commissioner.

* 697 Q.—Mr. C. INDRAIYA: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government have issued any order to the Peddapur Municipality to show cause why a Commissioner should not be appointed;

(b) whether the municipal council protested against the appointment of the commissioner; and

(c) whether the Government will be pleased to place on the table of the House the correspondence, if any, that passed between the Government and the Municipal Council?

A.—(a) No.

(b) A representation was received after orders appointing a commissioner were issued.

(c) No. The Government consider that no useful purpose will be served by placing the correspondence on the table of the House.

Road Development schemes.

* 698 Q.—Mr. W. W. LADDEN: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government have yet reached a decision with regard to taking advantage of the favourable offer made by the hon. Member for Finance of the Government of India at the Road-Rail Conference in April last for the financing of road development schemes by means of loans;

(b) if so, what road development schemes are in contemplation;

(c) what stage has consideration of the subject of co-ordination of the means of communication in the Presidency reached;

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(d) whether the Government have yet reached a decision with regard to establishing a Provincial Board of Communications and to pressing for the establishing of a Central Board of Communications; and

(e) whether there is any prospect of the Government considering the co-ordination of the various taxes on road transport into one Provincial tax in the near future?

A.—(a) & (b) No.

(c) The matter is still under consideration.

(d) No.

(e) No.

Mr. ABDUL HAMEED KHAN:—" With reference to answer (c) may I know when the Government began to consider this question? "

The Hon. the RAJA OF BOBBILI:—" After the rail-road conference in May."

Mr. ABDUL HAMEED KHAN:—" When will it be possible for the Government to come to a conclusion on this very important question? "

The Hon. the RAJA OF BOBBILI:—" A number of questions are involved; the Government have not come to a conclusion on them."

Mr. M. S. SRESHTA:—" May I know whether any attempt has been made to find out the state of the roads in each district so as to find out which districts require support and in what proportion? "

The Hon. the RAJA OF BOBBILI:—" It is the duty of the local boards to bring it to the notice of the Government."

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I ask whether the Government have drawn up any considered scheme of road development? "

The Hon. the RAJA OF BOBBILI:—" We have got a waiting list of roads and bridges which require urgent repairs; we have not got a definite scheme of road development covering the whole Province."

Mr. BASHEER AHMED SAYEED:—" With regard to answer (c), may I know the exact points that are still under consideration? "

The Hon. the RAJA OF BOBBILI:—" The question whether road construction should be financed from loans and other connected points."

Mr. M. S. SRESHTA:—" When was the list of urgent works prepared? "

The Hon. the RAJA OF BOBBILI:—" The list was prepared about seven or eight years ago; it is revised every year on reports and applications received from local bodies."

Mr. M. S. SRESHTA:—" May I ask whether the Hon. Minister will table the list of works that has already been prepared? "

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The Hon. the RAJA OF BOBBILI:—" I do not understand what the hon. Member means by tabling."

Mr. V. M. RAMASWAMI MUDALIYAR:—" Will the Hon. Minister be pleased to place on the table of the House the list of urgent works which he just now referred to? "

The Hon. the RAJA OF BOBBILI:—" I have no objection to do so."

Mr. BASHEER AHMED SAYEED:—" With reference to answer (e), may I know whether the Government have considered the question and whether they have come to any decision about the possibility of co-ordinating the various taxes? "

The Hon. the RAJA OF BOBBILI:—" The Government of India have dropped this question in view of the financial position of the provinces."

Resolutions of district boards for the exemption of Depressed Class students from payment of fees in board secondary schools.

* 699 Q.—Rao Sahib V. DHARMALINGAM PILLAI: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether several district boards in Andhra Desa and some district boards in the Tamil Nad have passed resolutions recommending exemption from payment of fees to Depressed Class students reading in board secondary schools;

(b) whether the Government have sanctioned such exemptions in all those districts; and

(c) if not, why not?

A.—The attention of the hon. Member is invited to the answer given to question No. 413 at the meeting held on the 8th November 1933. The matter is still under consideration.

Mr. G. R. PREMAYYA:—" When the matter is finally considered and orders passed, may I know whether the orders will be communicated to the persons affected? "

The Hon. the RAJA OF BOBBILI:—" The decision of the Government will be published for the information of the public."

Mr. A. B. SHETTY:—" May I ask what the difficulty of the Government is in sanctioning such exemptions and what points are under consideration? "

The Hon. the RAJA OF BOBBILI:—" As far as the Government are concerned, there is no difficulty at all; nor is it a question of want of sympathy for the Depressed Classes. There is no objection to local boards giving these concessions within reasonable limits. What Government feel is, that in the interest of the Depressed Classes themselves, it is necessary and desirable to what communities such concessions should be given; local bodies have been addressed on this point; replies have been received from some local bodies, while some of them have dropped the question."

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Mr. G. R. PREMAYYA:—"How long will this point be under consideration?"

The Hon. the RAJA OF BOBBILI:—"We have addressed the local bodies; replies have only recently been received."

Mr. A. B. SHETTY:—"Will the Hon. Minister be pleased to state whether the Government do not have a list in which the various communities coming under the Depressed Classes are included?"

The Hon. the RAJA OF BOBBILI:—"When the local bodies pass resolutions, some local bodies say that concessions should be given to depressed classes, some say Harijans, some say backward communities; so we want definite information."

Progress of the work connected with the diversion of the Madras-Calicut Trunk Road from Thoppur to Bhavani via Mettur.

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

- (a) at what stage the work of diversion of the Madras-Calicut Trunk Road from Thoppur to Bhavani via Mettur is;
- (b) when it is likely to be completed and opened for traffic; and
- (c) what the capital expenditure to be incurred is in making this new diversion?

A.—The proposal to divert the Madras-Calicut Trunk Road from Thoppur to Bhavani via Mettur has been dropped.

Mr. BASHEER AHMED SAYEED:—"May I ask whether there are any special reasons—apart from financial stringency—for dropping the proposal?"

The Hon. the RAJA OF BOBBILI:—"I do not think it is mainly financial. I think the reasons given for making a change are not convincing; the existing route has been found to be quite satisfactory."

Mr. BASHEER AHMED SAYEED:—"Is it not a fact that this proposal came from responsible authorities before it was considered by the Government?"

The Hon. the RAJA OF BOBBILI:—"It makes no difference, Sir, from what authority it first came."

Medical Administration

Appointment of medical practitioners with L.M.P. qualifications, as honorary assistant surgeons.

* 701 Q.—Mr. G. SIMHACHALAM PANTULU: Will the Hon. the Minister for Local Self-Government be pleased to state whether any L.M.P. practitioner was appointed as an honorary assistant surgeon straight, and whether any honorary clinical assistants of L.M.P. qualifications have been made honorary assistant surgeons so far?

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A.—No candidate with L.M.P. qualification has been appointed direct as honorary assistant surgeon or assistant physician. One honorary clinical assistant (sub-assistant surgeon according to the old designation) has been appointed honorary assistant surgeon, as he has put in the minimum period of service as clinical assistant, prescribed in the rules relating to the appointment of honorary medical officers.

Mr. G. SIMHACHALAM PANTULU:—"May I ask whether any rules have been framed by the Government with regard to the appointment of these honorary surgeons?"

The Hon. the RAJA OF BOBBILI:—"Yes; there are rules."

Mr. ABDUL HAMEED KHAN:—"May I know whether this gentleman who has been appointed was in Government service, or whether he is a retired official?"

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

Religious and Charitable Endowments

Extension of the Mussalman Wakf Act XLII of 1923 to the Madras Presidency.

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

- (a) whether the Mussalman Wakf Act XLII of 1923 has been extended to this Presidency;
- (b) if so, from what date;
- (c) how many mutavallis (or managers of wakf properties) have filed statements under sub-sections (1) and (3) of section 3 and how many mutavallis have submitted statements of accounts prescribed by section 5 of the Act;
- (d) whether the Government have prosecuted, as required by section 10, the mutavallis who have failed to file the above statements;
- (e) if not, why not;
- (f) whether the Government have framed rules as required by section 11 of the Act; and
- (g) if not, when they propose to do so?

A.—(a) Yes.

(b) From 1st January 1932.

(c) The Government have no information.

(d) No.

(e) No cases have been brought to the notice of the Government.

(f) Yes.

(g) The question does not arise.

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Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"With reference to answer (c), in view of the fact that the funds of these endowments are misappropriated, will the Government be pleased to get information as to how many of these managers have filed statements as required by section 3 of the Act and how many of them have filed accounts as required by section 5 of the Act?"

The Hon. the RAJA OF BOBBILI:—"The question has been answered more than once. Under the Act these returns have to be submitted to the courts and not to the Government."

Mr. ABDUL HAMEED KHAN:—"Evidently the Act is a dead letter. Will the Hon. Minister kindly see that the Act is put into proper effect?"

The Hon. the RAJA OF BOBBILI:—"A private Member has given notice of a Bill; I think it will come before the Council shortly."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"Will the Government be pleased to prosecute the managers who have failed to file the accounts?"

The Hon. the RAJA OF BOBBILI:—"It is the business of the person who is interested to apply to the court and it is not the duty of the Government."

Rao Bahadur A. T. PANNIRSELVAM:—"Will the Hon. the Minister be pleased to state if a regular prosecution is at all contemplated by the Act, or if it be only the imposition of fines by the district courts which have exclusive jurisdiction in the matter?"

Irrigation

Conference between the Madras and Mysore Governments regarding the diminution of water-supply to the ryots in the adjoining British area.

* 703 Q.—Mr. G. LAKSHMANA REDDI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that representatives of the Madras and Mysore Governments recently met at a conference to consider the grievances of the ryots of the British area adjoining the Mysore territory as regards alleged diminution of water-supply; and

(b) if so, whether the Government will be pleased to state the result of the conference?

A.—(a) Yes.

(b) An agreement was entered into between the two Governments, a copy* of which is placed on the table.

* Printed as Appendix I on pages 333-335 infra.

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Mr. V. M. RAMASWAMI MUDALIYAR:—"With reference to the appendix, may I ask what progress has been made in the matter of getting the information wanted?"

The Hon. Sir ARCHIBALD CAMPBELL:—"We have not yet received any further information from the Mysore Government."

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I ask whether, in view of the fact that four or five months have now elapsed, any reminder has been sent to the Mysore Government to furnish the information?"

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

Receipts under land-tax and water-tax from lands under the Cumbum tank, Kurnool district.

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

(a) whether and when the Cumbum tank (Kurnool) was constructed by the Local Government and at what cost;

(b) the total area cultivated under the same and the land-tax and water-tax collected every year for two crops when there is water;

(c) the total expenditure incurred by the Government under the heads Establishment and Repairs every year from 1920; and

(d) whether it is a fact that a new tax called 'kudimarramatham' is being collected from the ryots under the above tank?

A.—(a) The tank is of pre-British origin. The Government have no information as to when it was constructed or at what cost.

(b) The hon. Member's attention is invited to Statement I of Appendix II of the Public Works Department Administration Reports—Part II, Irrigation.

(c) The hon. Member's attention is invited to the C-1 statement in the administration reports referred to above.

(d) No. The Madras Compulsory Labour Act, 1858, applies.

Repairs to the bund of the irrigation tank at Gooty, Anantapur district.

* 705 Q.—Mr. G. LAKSHMANA REDDI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the bund of the irrigation tank at Gooty (Anantapur district) is in a weak condition;

(b) whether a breach in the said bund was apprehended during the last rains owing to the sinking of a portion of it;

(c) whether there are fissures and cracks in the bund threatening breaches during the monsoon season; and

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(d) if so, whether the Government propose to take action to execute repairs to the bund before the next monsoon?

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

Land Revenue Administration

Action taken by the Government on the motion for the reduction of the land revenue assessment by 25 per cent.

* 706 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Member for Revenue be pleased to state what action the Government have taken on the resolution of the Legislative Council asking for a remission of 25 per cent in the land revenue assessment?

A.—The Government adhere to the decisions embodied in G.Os. Nos. 2254, Revenue, dated 15th December 1933, and 72, Revenue, dated 10th January 1934, which have been published.

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I ask whether the Government have since revised their decision on this question? ”

The Hon. Sir ARCHIBALD CAMPBELL:—“ No, Sir.”

Relief to members of the Depressed Classes in Sattur taluk, Ramnad district, for damage sustained by floods.

* 707 Q.—Mr. M. DEVADASAN: Will the Hon. the Member for Revenue be pleased to state—

(a) what the extent of the damage caused is to the person and property of the people of the Sattur taluk in Ramnad district by the recent floods;

(b) how many of the Depressed Classes have been rendered homeless; and

(c) what the relief offered to them is, and when it was done?

A.—(a) & (b) Three lives were lost; 1,200 families were rendered homeless in Sattur town and about 200 in outside villages. An extract* from the Collector's report about damage to private property is laid on the table. No separate information about depressed classes in Sattur taluk has been given.

(c) The Government sanctioned grants amounting to Rs. 1,100 for the relief of distress caused by the floods. The floods occurred on the 10th of November and the poor were fed on the 10th, 11th and 12th. Free grants of timber were made for rebuilding houses. The Government do not know how much of the relief was given to members of the Depressed Classes.

* Printed as Appendix II on page 335 infra.

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UNSTARRED QUESTION

Education

Applications from Viswa-Brahmans for the award of foreign scholarships.

708 Q.—Rao Sahib Pandit GANALA RAMAMURTI: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) whether any student of either sex of the Viswa-Brahmana community in this Province applied for any foreign scholarship since 1931; and

(b) if so, whether the Government have granted the same?

A.—(a) & (b) No application for a scholarship tenable outside India by a member of the Vishwa-Brahmana community was received by Government during the period in question nor was any such scholarship granted.

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

II.—GENERAL DISCUSSION OF THE BUDGET FOR 1934-35.

* The Hon. the PRESIDENT:—“ The general discussion of the Budget will now continue.”

* Rao Bahadur A. T. PANNIRSELVAM:—“ Mr. President, Sir, in the course of the last two days' discussions, some hon. Members have deemed it to be a matter for gratification and congratulation that even in these days of acute distress and when for the past few years the whole world has been subject to a financial depression of an unprecedented character and extent, we should have been able to balance our Budget. It seems to me, Sir, that the surplus and more particularly the manner in which that surplus has been arrived at is the sorriest part of the whole affair. The surplus, if I may say so with due respect, has been arrived at in utter disregard of the realities of the situation, and the manner in which that surplus has been reached betokens a complete and regrettable lack of imagination on the part of the authorities responsible. A surplus, Sir, betokens prosperity, prosperity of some sort at least. It seems to me, Sir, that a Government which tries to create for itself a prosperous situation when the people, on whom it has got to depend for its taxes are undergoing an acute distress, can have very little sympathy for the people whose welfare it is supposed to look after. The Government may perhaps congratulate themselves and feel happy over the fact that having met their needs, they will have at the end of the year some margin to console them. But I should like only to remind the Government that that happiness is achieved over the misery of the people. We have been begging and praying for the past two years and more particularly during the last few months for some consideration, for some sympathy. This question of land revenue is a matter in which the Government have taken to themselves powers in two directions—powers on the executive side and powers on the judicial side. We have

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no other person or body to go to for help except the Government themselves, and I should have thought that the Government which arrogate to themselves judicial powers as well of deciding whether the assessment is proper or not, would show more consideration than if they had been merely an executive authority. Our prayers and our petitions, our deputations and our representations, and may I say, in the elegant language taught to us on a previous occasion by the Hon. the Finance Member himself, the 'howlings' of the representatives of the people in this House, have left the Government absolutely unmoved. And we are told now on the top of this all, that we have got a surplus Budget, a surplus Budget for us to congratulate ourselves over.

"Dealing with the question of land revenue remission, Sir, the Hon. the Finance Member has given us, if I may say so, a patriarchal sort of sermon. He has given us a lengthy discourse as to the disaster that would befall the finances of this Province if this 25 per cent remission which this House recommended at its last sitting were accepted. It is a point worth noting, Sir, that the Hon. the Finance Member's speech is directly silent about the recommendations of the Finance Committee. Even at the last meeting when we passed this resolution of 25 per cent remission, Member after Member made it clear that the resolution for the 25 per cent remission was only a measure of despair, and that if Government had only shown a good gesture by accepting the Finance Committee's recommendations—a Committee of which the Hon. the Finance Member himself was the President—they would have wholeheartedly thanked the Government, and they would certainly not have pressed for the 25 per cent reduction. Why then, this discreet silence on the part of the Government with regard to the 18½ per cent reduction, recommended by that Committee? What would have been the result of accepting the recommendation? and why should the Government coolly avoid any reference to that? Then again, Sir, we are twitted with the remark 'whom would this extra remission benefit?' We are told, Sir, that the petty mirasidar, the ten-rupee pattadar, is not going to benefit to any extent, though in the same breath, the Hon. the Finance Member admits that Rs. 2½ or Rs. 3 remission to a man who is probably making his living with Rs. 50 a year would be some sort of relief. It would at least help him to pay the salt-tax which every man living in this country has to pay. Apart from the ten-rupee pattadars, we have been told that this House, and more particularly the Government, have got their own responsibilities to the landless labourer and to the petty shop-keeper. Sir, that presupposes that we the people of the Province, the big mirasidar as against the small mirasidar, the landed as against the landless, the agriculturist as against the shop-keeper, are living in different and separate water-tight compartments. I can only state that a relief like this granted to the landholder will accrue to the benefit of every one resident in this Province. It is a fact well known to the Government and well known to everybody that in days of prosperity, the mirasidars and landowners increased the recompense for the labourer; that the poor agriculturists, the agricultural labourer, the

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landless labourer, was not left off with the mamul of two measures of paddy which he had been given from time immemorial. In days of prosperity, the mirasidars have afforded relief to the landless man also by increasing his wages, by giving him, in addition to the usual paddy, also wages in cash. Now, Sir, if you go and reduce the available net income, if you go and cut down by this extraordinary and exorbitantly high rate of taxation, the net income from the land, it is not merely the big mirasidar that you are going to affect; you are going to affect the landless labourer as well. The mirasidar in order to keep himself alive and floating, will have to reduce the wages that he gives to the labourer; in the same way, I can only submit that money collected by way of taxation gets to be money locked up in the Government coffers, while money left with the mirasidar, whether he be big or small, is money left floating in the country which is bound to migrate from man to man, from the bigger to the smaller man, from the landowner to the landless and from the agriculturist to the shop-keeper. By affording relief in the matter of land revenue, I would submit that you would be benefiting not merely the mirasidars; not merely the bigger ones among them, but the whole lot of them.

"Just one word, Sir, about the question of the salary cut. The Hon. the Finance Member's speech would lead one to infer that this House has a special grudge, or as he has put it somewhere, envy, against the officials as a class. We have asked for a salary cut, not *per se*. We have put it purely in relation to our capacity to bear the burden. We have only stated that there are two remedies for you. Here are we who have to pay the tax; we can pay reasonably only up to a certain limit; and if within that limit you are not able to pay the salaries you are now giving them, we just show you a way of cutting your coat according to the cloth. The Hon. the Finance Member treats us again to another discourse on the standard of morality which we ought to show to the servants serving under the Government in view of the great hardships which the Government servants are put to. I can only submit that our position in this matter was not in any way to mulct the Government servants. Our demand was by no means unreasonable for this reason, that to-day in our own Province, the All-India Service men under the direct control of the Government of India have been asked to give 5 per cent of their pays. I ask, is our demand unreasonable, that this cut should apply to the Provincial Services?

"Dealing with the question of land revenue remission, it seems to me to be unnecessary to argue at any length, because we have been arguing about it, as I said once before, *ad nauseum*.

"I shall just refer to one or two other points wherein I think it should have been possible for the Government to reduce their expenditure as well. Touching on the question of the Judicial Budget, I find that there is some provision for an increased expenditure. I do not deny, it is not a very big amount; it is comparatively a small amount; but nevertheless, when owing to the financial depression, litigation is going down everywhere and when it is within the experience

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of everybody that the existing District Munsifs and existing Subordinate Judges have hardly any work, I really am not able to see any justification for an increase in the judicial expenditure by way of additional Munsifs and additional Subordinate Judges.

"Coming now to the Education Budget, let me refer to the Champion scheme. I believe this is a matter which will come up for detailed discussion at the time of the Education Budget, but I would only state now that the Hon. the Educational Minister has won the championship prize in one field, if he wants also to win a championship prize for creating the uttermost confusion in the field of education, he can go ahead with the Champion scheme.

"Finally, Sir, this being the annual occasion when we are privileged to say a few things not exactly pertinent to the matter under discussion, I may be permitted to point out, speaking on behalf of a minority community, that the Indian Christians have been treated, more particularly within the last few years, as the Cindrella of the Province from the highest to the lowest jobs; and even in the acutest controversies our views are always brushed aside as that of a minority which does not count for anything. Beginning with the Executive Council itself, Sir, it is well over a quarter of a century since it was made open to Indians to gain admission into the Executive Council; and during the last 25 years, though every other community has had a place in the Executive Council and though the Brahman community which numerically is not stronger than the Indian Christian community has had more than its share, the Indian Christian community has never been able to find a place in it. Turning to the Ministerial side, during the last thirteen years when we have had the Transferred Departments, except for that short period when the late Diwan Bahadur R. N. Arogyaswami Mudaliyar happened to occupy the Front Bench under the leadership of Dr. Subbarayan, an Indian Christian has never found a place within the Ministry. During the first two Ministries, it was some consolation to us, that though our community did not find a place on the Treasury Bench, the unique and the honourable position now occupied by you, Sir, was occupied by a Christian, but during this Ministry we have given no place in the Ministry. And, coming to the Secretaries, till this Ministry came into power—I do not say it is very much of a coveted job, but it is perhaps a sinecure appointment—the Christian was given some place under the three previous Ministries, while under the new Ministry, we have been discarded. Getting out of this House to the Secretariat, we have got these innumerable Under Secretaries, Assistant Secretaries and Deputy Secretaries, not one of them is an Indian Christian. Getting out into the City, in the High Court there was a time when Justice Devadoss occupied with distinction a place there. But, since then, the door of the High Court has been shut to the Indian Christians. Quite recently, Sir, the Small Cause Court was presided over by an Indian Christian and we do not know who is going to take his place. So far for the City, Sir, I am referring to these things only to show that we are also people who have given our share to the welfare of the country and our existence in the Province ought also to be taken note of by the authorities."

11-30
a.m.

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* Rao Bahadur Sir A. P. PATRO:—"Mr. President, Sir, after the eloquent address of the hon. Member from Tanjore and especially after his very valiant advocacy of the cause of the Indian Christians in the financial Budget, I feel diffident to speak on those matters which are very foreign, in my humble conception, to the discussion before us. The main object of allotting three days for a general discussion of the Budget is to turn the searchlight of criticism on the financial policies and principles underlying the Budget and all the discussion should be to contribute constructively and suggest anything by way of facilitating the working of the administration. It is not mere waste of time, as one hon. Member has suggested, if we remember and keep before us the objects with which this discussion is provided. Then certainly we will be called upon as responsible Members to make constructive criticisms and not merely advocate either parochial interests or communal interests. There is an occasion for the discussion of these very important subjects later on.

"One of the hon. Members has described the Budget as being very conservative. If he means by 'conservative' that the Hon. Finance Member has truly pictured the financial condition of this Province and has proceeded with care and caution in all the things that he has done in connexion with the Budget, then he is right in saying that it is a conservative Budget; but if he meant that no provision has been made in the Budget for purposes of expansion, that no adequate provision has been made for what we are accustomed to call 'nation-building departments,' then, Sir, I would like to draw his attention to the very forcible view that was expressed by Mr. Langley in regard to these departments. I am sure the House will remember that Mr. Langley characterized these departments as being now unnecessary and undesirable, that they should be maintained separately and that they should be amalgamated with others. I am sure that the Hon. Ministers in charge of these departments have very good defences to put up and that they will do so in their turn.

"Then Sir, Mr. Langley has suggested that this Budget shows great anxiety to provide for the future Government and in their anxiety to show a balanced Budget or a prosperous Budget, they carried that intention too far. Mr. Langley's experience with rich men seems to be very unfortunate. He thinks that if a man came by property he would fritter away the property and that he would not make good use of it. He is not confident in the honesty or in the virtue of the person that comes by the property. This shows not only a lack of knowledge, but it also shows a wrong appreciation of the financial and political situation in the country. What the Government and the Hon. the Finance Member intend to make, and very rightly too, is that they do not want to hand over to their successors an insolvent state of affairs. They want to make the position quite stable and strong so that the Government may not be blamed that they have frittered away all their finances and that they have handed a very poor purse to their successors. Moreover, Mr. Langley will remember that when the new Government is formed, it will be a Government of the people responsible

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to this House and Mr. Langley and others will have to watch the conduct and management of the new Ministry. Therefore, there is absolutely no ground for any apprehension on the part of Mr. Langley or on the part of those belonging to the same school who think that it is wrong on the part of the Government in leaving a prosperous Budget for their successors.

“Again, Sir, Mr. Metherell in his very excellent maiden speech questioned the policy of the Government in handing over a prosperous state of finance to the successors, because in the distribution or adjustment of the financial relations between the Provinces and the Centre, the Central Government might look upon this Government with askance and with suspicion and say, ‘here Madras is in a prosperous state and therefore we can go back and history may be repeated in connexion with the iniquitous impost.’ I am afraid, again there is a great misconception in this matter. If the Madras Government did not show a prosperous state of affairs, it would not be recommended to the authorities in respect of the introduction of the new measure of Reforms. Surely, the Madras Government is not overflowing with money. If you scrutinize the Budget, of course there are revenue balances; but the revenue balances will show that there are large demands on them in the matter of providing funds for many projects and if these projects are taken in hand and executed there will be nothing left at all and the Government will be obliged to borrow money for the purpose of carrying on these projects. Therefore, it is not, as if, the Government are keeping in stock all these balances and that any commission or committee may look upon it with anxiety and say that the Madras Government need not be given any further contributions. This is a very wrong reading of the financial situation of this Province.

“Again, Sir, it has been suggested that the Hon. the Finance Member ought to have given a lead in the matter of improving the revenues of this Province and that he should have shown some way by which these revenues could be improved. It has been shown that the revenue sources are inelastic and that they are not capable of further expansion. Land Revenue, Excise, Stamps, all have reached a stage from which further expansion is impossible. Therefore, it has been suggested by my hon. Friend, Mr. Raman Menon, ‘Why not tax the agricultural incomes?’ This is an old question. The taxing of agricultural income is an old problem and it was a problem dealt with by the Taxation Enquiry Committee, wherein the question of taxing small pattadars for whom we have all been pleading so vehemently and asking Government that they should be saved from the present crisis was considered and they are the persons who would be affected by this suggestion. Therefore, the suggestion that there should be a provision made for purposes of further taxation of agricultural incomes seems to be altogether out of question.

“Then, Sir, it has been suggested by one hon. Member, ‘we have got the power of confiscation of certain contraband articles made in this Province, why not ask the Government of India to give it back to this Province.’ Now, these are suggestions and questions which do

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not deserve a moment's consideration. These are questions relating to all-India subjects and I am sure the hon. Member was aware of this when he made that suggestion. But I think it was a sporting suggestion that he made.

“After dealing with these two constructive suggestions, I would now refer to the most important questions that have been raised and repeatedly raised, namely, the question of the remission of land revenue and the salary cut. These have been supported by every Member and I must admit that it is not so much as the sentiment of it as the feeling of it; but we must look at the question from the point of view of economics and finance. These are necessary not in the interests of all the mirasidars or big pattadars, but these are necessary in the general and economic interests of the country. There may be differences of views on the remedies proposed. The outstanding feature of agriculture is the continued low level of prices of food grains accompanied by shortage of money. In some places prices show a tendency to rise and in other places the area under wet crops increase and even above the average. We have reports to show that the wet cultivation in some places has increased and increased above the average and therefore what is the remedy. Whether substitution of a more valuable crop than paddy or whether transport facilities may be improved, whether there should be control of prices and control of foreign imports of food grains should be adopted—these are matters that should be discussed more profitably than asking the Government to remit land revenue. The question is one of economics. Under the existing conditions, as has been suggested by Mr. Langley, is it only as a palliative or a patchwork measure or will you go into the whole root of the problem. Therefore, it is necessary that we should have to conduct an investigation of these three matters, viz., substitution of a more valuable crop than paddy, improvement of transport facilities and control of prices and control of foreign imports of food grains. These are absolutely necessary in order to give an impetus to the rise of prices.

“In regard to the distress, as I said, I quite admit that in some places it is so. It has to be investigated as to what are the areas which have suffered more than in an average year. It is not in every district that there is distress, nor in every area.

“I assert this on the reports of the revenue authorities. What are the areas that have suffered more than in the average years and whether there was not a tendency in some areas for the rise of prices have to be investigated. The reports show that there has been a gradual rise of prices in certain areas now. What is the percentage of pattadars that have been actually cultivating the land? These are all relevant questions that we should discuss and investigate in order to see what should be done in order to relieve the economic distress. It is not by giving only remission this year—and I do not mind whether it is to the rich pattadar or the small pattadar—that we are going to solve the problem effectively. This giving of remission is only a temporary remedy. But you must go to the root of the matter and provide remedies substantial and effective for the purpose of getting over this difficulty.

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I would ask hon. Members just to go through the figures with me in regard to one or two districts in regard to their condition. As I said the other day, the total number of pattas are 104,342; of these 75 per cent are of ten rupees and less and pattas of one hundred rupees are 1 per cent. I take these figures from the reports published by the Board of Revenue. This shows that there are more rich pattadars who are more money-lenders than farmers. Again, of these 100,000 pattas and over, 36,449 are joint patta holdings owned by 130,000 shareholders. Much of the land therefore is now in the possession of the trading classes, lawyers and money-lenders. Many ryots are not the owners of the land they cultivate. Take, for instance, the district of Tanjore. The cultivators who are owners are 8.5 per cent. Please note this. In the Tanjore district the cultivating owners, that is the peasant proprietors are 8.5 per cent. Pattas less than Rs. 10 are about 10.07 per cent, and pattas over Rs. 100 are 3.09 per cent. These figures would conclusively establish that the remission that we are now asking for will not at all be useful generally to those that are actually cultivating the land, the peasant proprietors, the men who hold the plough and who are suffering. But you are asked to benefit those that do not deserve any sympathy, those that have invested their money as capitalists as every other person has done in investing money in business which is suffering all round now. That is so far as Tanjore district is concerned. Let us now take Godavari. In Godavari, the total number of holdings is 79,874. The percentage of tenants is 11.3. On the other hand, you find that the landholders are 31 per cent. The farm labourers, that is those who are working on the land are 61 per cent. Suppose you give remission to Godavari, is it going to benefit this 61 per cent? That is the point that the House has to consider carefully in dealing with remission. It is very easy to say in a sentimental way that remissions should be given, but in giving remission we have to take facts into consideration, the facts as they exist in each area and in each district and take the actual cultivators, peasant proprietors or cultivating pattadars. These have to be considered before you make a general statement that the Finance Committee was right in recommending 18 per cent and that that Government is wrong in not giving their approval to what the Finance Committee recommended, or that the Government is wrong again in not giving effect to the resolution of this House in regard to remission. But, as I said, facts have to be faced before we can come to any conclusion in the matter, namely, that these remissions, as they are, only a temporary and palliative, and that they will not benefit the whole population that actually need the help of this House. We must go to the root of the matter and try to investigate the facts about the economic condition of the actual ryot and then we must provide for his relief. That is my submission to this House. Therefore no amount of general criticism of the Budget will help us to get over the difficulty, nor any more fresh remissions from the Government.

"Then again, Sir, there is another criticism with regard to the salary cut. . . ."

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* The Hon. the PRESIDENT:—"I may remind the hon. Member of the time-limit."

* Rao Bahadur Sir A. P. PATRO:—"Thanks very much. I am closing, Sir. With regard to the salary cut, the result which the Hon. the Finance Member arrived at is quite correct. The result is there, but I do not agree with him in his reasoning. The reasoning he suggested was that there had been pledges given before, that the Under Secretary of State gave a pledge before the House of Lords, that the Finance Member gave a pledge before the Legislative Assembly, and therefore the pledges are too sacred to be violated. But may I with all respect remind the Hon. the Finance Member that even pledges made by higher authorities even by His Royal Highness the Duke of Connaught in introducing the Reforms in 1921, do not seem to have been carried out yet. His Royal Highness said, on behalf of His Majesty, that India was going to get what the loyal people have asked for, Swaraj, and that India was beginning to be in a line with the Dominions. What is that now? Again, on the 30th October 1929, Lord Irwin made a pledge on behalf of the British Government and said that the natural issue of Indian Constitutional progress was the attainment of Dominion status. Now, what has become of these pledges to-day? Pledges are explained away. Therefore I say the pledge that the Hon. Member relies upon is rather a weak ground on which to arrive at conclusions. The reason seems to be that the present Government do not want to create unrest or discontent in the services so that it may not be said that there is no willingness on the part of the services to take up the new responsibilities when these instruments and agencies have to be handed over to the new Government, so that it may not be said of the Bureaucratic Government that they have made it possible for the services to be discontented so that the future Government will not be able to obtain efficient service from them. Therefore, Sir, I say that, though the reasoning is not sound, the conclusion is correct. But, after all, how does the salary cut help the Budget? The salary cut taken as a whole, calculated at 10 per cent, comes to 27 lakhs. Will that saving of 27 lakhs help to swell the Budget, relieve the distress and help in giving the remission of revenue? But as regards the help that is necessary for the nation-building departments, I would again appeal to the House to think over the arguments advanced by Mr. Langley and what he has said from his experience in regard to these departments. Therefore, Sir, I say there is absolutely no reason to think of the salary cut as it will never help us much in easing the financial conditions of the Province and it is just and proper that the cut is removed, so that there may not be opportunities or occasion for rousing the feelings of the services against the new Government that may come into existence. The Hon. the Finance Member is therefore very wise in retaining the old position, that is, retaining the old salaries without any cut."

* Mr. V. P. NARAYANAN NAMBIYAR:—"Mr. President, Sir, the Budget that has been presented to the Council this year serves but as another proof of how unwilling the Government of Madras is to deal

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with sympathy and care matters affecting the well-being of the agriculturists. The speeches of the hon. Members who are aware of the real distress in the districts of the Province have been characterized as 'rhetorical exuberance', and suggestions, helpful suggestions, made with a view to find funds for land revenue concessions have been put down as proceeding from mere envy or from failure to reflect. Until recently there was at least some sort of dignity attached to the pronouncements and replies on behalf of the Government, but the criticisms levelled against the 'pay cut' have made the Hon. the Finance Member adopt the attitude that 'if the pistol misses fire knock down with the butt end of it.' The salary cut was suggested not out of envy, not out of failure to correctly understand the true position of Government officers, but only because the magnitude of the present difficulties of the agriculturists justified serious consideration of that question too. Dealing with the subject of 'pay cut,' the Hon. Gentleman, the Finance Member, said, 'In the first place, it is not the case that the bulk of the officials concerned are on 'fat pays'. The vast majority of them are on small pays.' May I ask, has the Hon. Gentleman really the sympathy that he professes for these low-paid officials? When the question of revision of scales of pay for services came up for consideration and when the Retrenchment Committee suggested that there need not be any reduction in the pay of officers on salaries of Rs. 25 and below, it was this self-same doughty champion who was responsible for the statement, viz., 'The Government have decided that the recommendation of the Committee not to effect any reduction in the pay of officers on Rs. 25 and below need not be accepted.' Hon. Members of this House cannot be accused of want of concern for the well-being of the low-paid officials, for they have always handled with the greatest care and sympathy the subject of the pay of those who are on poor salaries.

"However that be, the saddest portion of the Budget speech is the contention that while the figures disclose that the position of the finances is strong enough not to need or justify the reimposition of salaries cut, it cannot stand any further remission in land revenue. That contention, if I may respectfully adopt the language of a great Parliamentarian elsewhere, is but adding obstinacy to stupidity. The Hon. Gentleman, the Finance Member, attempts to justify the position with reference to land revenue concessions by saying:—

'And, leaving the agricultural voter, what shall be said of the masses of the poor whose needs are so pressing and so obvious—the landless labourer, the small shopkeeper and the rest? These gain nothing by the land revenue remission, but stand wholly to lose by a measure which can only cripple the power of the Government to aid them. Does this House owe no duty to them?'

I am inclined to exclaim 'Hear, hear' whenever I read the sentences. But minus the rhetorical exuberance therein, the sentences are but the thin end of the wedge of the divide and rule policy. When Europeans, Mussalmans, Hindus and Christians in one voice demand further land revenue concessions, the Government want to create a new set of warring elements and say that though land revenue remission

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will help the 'big man', it will tend to the disadvantage of the 'small man.'

"Another argument to negative further land revenue concessions is the earnest desire of the Government that the scheme of Provincial Autonomy should be launched under the most favourable conditions. As I said on a former occasion, this is citing scripture for a purpose. The Government have no right to safeguard the future by perpetrating an injustice to the present.

"These are the main grounds on which the Government of Madras has, in the matter of land revenue remission, exclaimed like King Canute of old, 'Thus far and no further.' But let not the Government forget that the waves did not stop at the bidding of the King and that even the mighty Canute had his feet swept.

"There is another matter about which I should like to speak, though when my hon. Friend, Mr. Pannirselvam, referred to the subject the hon. Member from Ganjom, Sir A. P. Patro, thought that it was not relevant to the occasion. The hon. Member for Ganjam had on a former occasion said that this is the time for hon. Members of this House to travel from China to Peru, and I fail to see why he now says that the subject referred to by my hon. Friend, Mr. Pannirselvam, is not relevant to the occasion. However that be, may I draw the attention of the Government to the recent great tour of Mahatma Gandhi for the cause of Harijans and say that any recognition of the claims of the Depressed Classes and the minority communities, in the selection of the personnel to the Cabinet, will only be welcomed by this House ('Hear, hear')?

"Sir, we have been told that Provincial Autonomy is near at hand. That is indeed a matter for considerable gratification. But, no Reforms will be a success unless feuds and disputes, old and recent, are forgiven and forgotten and everyone, whether he be a non-Congressman or a Congressman, is allowed a fair field to obtain the verdict of the electors and to strive for the peace and betterment of our Province."

* Mr. C. BASU DEV:—"Sir, before I say anything, I would like to offer a word of apology to the hon. Member for the City of Madras, whom I do not see here, whose impatient ire I had occasion to provoke the other day. Fortunately for me and I am sure for several other hon. Members on this side and other sides of this House his opinion is not of much moment. I assure him that, I am not vain or presumptuous enough to imagine that, where abler and more experienced gentlemen have failed, I can convince him. Exigencies of his politics demand that no argument, however weighty and true, shall have any effect in correcting or convincing or deflecting him from his stand—a stand taken solely for the purpose of getting popular applause. (A voice: 'What applause are you getting now?') The approbation of reasonable men. So I would like to address my observations to the more reflective and generous section of the House. Before so doing, however, I would like to present to the hon. Member the speeches of Mr. Krishnayya Choudari and Mr. T. S. Ramaswami Ayyar and leave him to choose whether he would accuse them as he had done me of insincerity or give them

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any credit for the courage of their convictions. No. Coming to the Budget, I am sure I am not using the language of convention, when I say that this Province owes a debt of gratitude to the Hon. the Finance Member for the clear and honest Budget. (Voice: 'Oh!'). I am glad to hear the exclamation, for the clear and honest Budget, and for the courage and candid speech with which he presented it. Sir, there are some Members who are absolutely impervious to reason, however strong it may be and with those Members and their opinions, I do not think we need now bother ourselves with. There are some Members who honestly find it difficult to see eye to eye with the Hon. the Finance Member. But even they will not accuse him of want of sympathy or of any other unworthy motive for withholding the concession now claimed as due to the ryot. Sir, Mr. Krishnayya Choudari had given expression to certain views the other day for which he was very seriously taken to task, by Mr. Arasu on a previous occasion. Sir, Mr. Choudari is one whose stake in the land or whose knowledge of the needs of the country none can dispute and he stated that land revenue remission is not so much what the ryot wants, as more marketing and other facilities. (A voice: 'He said besides remission, he wanted those things.') I am subject to correction. But I believe, Sir, that is what he said. Mr. Arasu had used intemperate language. But extravagance of expression is the badge of his tribe and I have neither the inclination nor the time to quarrel with such men. I would like to add to the suggestions of Mr. Krishnayya Choudari one more, namely, the solution of the indebtedness of the ryot. The ryot in the hey-day of his prosperity had invested on land the little saving he had along with money borrowed on the mortgage of his holdings and land. The purchasing value of the rupee had increased while the land had fallen to a third or fourth of its original value. The ryot had to pay interest absolutely out of proportion to the yield of his land and the whole trouble is with his creditors and not with the Government. I wish to emphasize this point and say that it is more the measure of the type of the Debts Conciliation Bill given notice of by my hon. Friend Mr. Ramalingam Chettiyar which will help the ryots than this patch work of remission, I plead for something permanent and substantial. I have listened with great attention to the speeches made by the Members opposite and on my side also. I must admit that I have not as yet found any satisfactory or adequate answer (Hear! Hear!) to the very weighty arguments of the Hon. the Finance Member. (Mr. Arasu: 'You will never find it.') I had hoped that hon. Members who knew more about agriculture would give facts and figures about the cost of cultivation and other things to prove that the ryot had to pay from his pocket. But these figures are yet to come. I am afraid time is not sufficient for me to speak on several other points. But I do say that if the Government set their hands to remove the indebtedness of the agricultural classes and to the task of finding better markets for their produce and having improved communications. When these are done, I hope the ryot will be much more happy than what he is at present. Sir, I understand that in the middle of the nineties of the last century, the price

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of paddy was not what it is to-day. In the resettled districts there is no further justification for continuing the enhanced rates and I appeal to the Government that they should be pleased to increase remission to be equal to the recent enhancement of the assessment in the resettled districts. My Friend for the city of Madras the other day deplored that sufficient money was not given to the nation-building departments. I remember on the previous occasion when we discussed these land revenue resolution, he declaimed vehemently against the very departments and said that he would be happy if those departments are scraped. I may say that I would not shed any tear if they are scraped. Agriculture, co-operative societies, and industries are all ploughing their lonely furrows and we have not been co-ordinated their efforts, nor brought any effective scheme for improving the agriculturists. The Co-operative department has increased its societies for credit without caring for the quality of service rendered by them, and thus prepared a groundwork of corruption and misappropriation on which it is impossible to build the structure of co-operative ideal. The Agricultural department have been devoting their attention solely to growing two blades where one has been growing. They have not cared to find out fresh markets for their surplus. I wish, Sir, the Co-operative, Agriculture and Industries departments had all co-ordinated their efforts and brought about a bold scheme for the improvement of agriculture and making it a profitable and attractive avocation.

"Sir, the regeneration of a people or of a nation could only be done by strong policies pursued with determination and courage. I am afraid, we, in this country, have been yielding too much to the clamour for popular control. Turkey, Russia, Germany and Austria are glorious examples of where democracy has failed and dictatorship has achieved miracles in national regeneration. I do not know if by yielding to democratic clamour we satisfy the true needs of the country. The history of panchayats is a history of blood and feud. I do not know if we are doing proper service to the villagers and people in this country by introducing election in these panchayat boards. I would rather suggest that there should be a system of nominations (Hear, Hear) so that there would be no election and consequential troubles and feuds. With regard to education, Sir, I am very doubtful, if the money spent on it is being properly spent. I would rather like to have the Government Department for elementary education scraped and entrusted to the villages themselves, subject to such supervision or control as the Government can or may exercise. I am sorry, Sir, I have exceeded the time limit and I would reserve my remarks to the detailed discussion of the Budget that is to follow."

* Mr. DANIEL THOMAS:—"Mr. President, Sir, the one question that has dominated the discussion on the Budget during the last two days and more is the question of land revenue remission. It seems to me that this question of remission of land assessment has deep implications. It is obvious that nearly 90 per cent of the non-official Members of this Council are agreed about the gravity of agricultural distress in

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this province and also about the extent of reduction of assessment that is necessary for tiding over the present crisis. The question is 'what is the attitude and how does the Government view the united and almost unanimous representations of the non-official Members of this Council' in this matter of reduction of land assessment. If the agreed ideas of almost 90 per cent of the non-official Members in this Council is to be brushed aside as mere clamour, I wish to know in what attitude and on what basis the Government are to carry on their administrative business. Shortly, we are promised Provincial Autonomy and in those days of impending Provincial Autonomy, the opinions and views of the Council should carry the day. I am glad that so far as the actual need for alleviation of the ryots' distress is concerned, the Hon. the Finance Member is agreed. I find that at the conclusion of his speech the Hon. the Finance Member says: 'if they have felt obliged to resist the exorbitant demands for land revenue remission that have been pressed upon them, it is not because they do not realize that the fall of prices has caused and is causing hardship to many.' I am glad, Sir, that the Hon. Member and the Government are agreed that the present condition is very badly affected. I am only sorry that in this matter, our veteran statesman, 12-15 P.M. Sir Patro, is out-heroding Herod. He is even prepared to go further than the Government and say that the conditions of the present time do not call for any reduction of land assessment. His argument is that if any further concession by way of land revenue reduction is to be given, that will benefit not the person intended but the middle classes who do not cultivate the soil in our Presidency. I am extremely sorry that a veteran statesman of his position should have indulged in an observation of this sort. According to the figures which he himself furnished, over 47 per cent of the pattadars who have to pay from Rs. 10 to Rs. 100 are middle class people. It may be that the middle class people do not actually plough the soil or carry out the day to day operations connected with agriculture, but that does not mean that any reduction in land assessment will not benefit them. Surely it will benefit them and any benefit which they get will in turn also benefit the numerous persons such as labourers, traders and cultivators who depend upon them for their livelihood and maintenance. It is on a wrong basis that the Hon. the Finance Member has sought to draw a distinction between the actual cultivating classes and the others, namely, shopkeepers and so on. The important condition of our province is that the agricultural ryot is the paymaster of everybody. Whatever be the class one might come from, whatever avocation one might follow, the ultimate paymaster, the ultimate purseholder for all is the agricultural ryot. Be he a trader, or artizan or lawyer or any other professional man, everybody is in turn dependent for his prospects and remuneration on the ryot. It is therefore surprising that an argument of this sort should be seriously put forward by an experienced and veteran statesman like Sir Patro. I am really surprised that Sir Patro should argue on the floor of this House that this concession would not inure to the benefit of the people who are in actual need. It may be that the ryot who is wedded to his land, would, as a last resort, beg, borrow or steal for paying the land revenue, rather than part with the ownership of it. But it will result in a

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disastrous prostration of his economic stability. It is said that more concession should not be granted at the present time in view of the ultimate economic stability of this province. But it should be borne in mind that at a time of acute distress like the present, it is no use hoarding or putting off the immediate relief for safeguarding the future position. The prime need at this juncture is the grant of immediate relief to the ryot and if this relief is denied to him now, his condition will become so irrecoverably affected that any safeguarding of future economic stability would actually be of no use to him at all. It appears to me that, at a time when a patient is dying of starvation, it is no good prescribing savings for the future and allowing him to die. As it is not yet too late, I hope and trust that the Government will reconsider the position and give some more relief to the distressed ryots of our province. Sir, it is said that a huge sum would be necessary if the Government were to give concession on the basis of the resolution passed by this House some time back. Let us then take the extent to which the Finance Committee thought it necessary to give relief. The Finance Committee recommended that the Government could safely go to the extent suggested by them as it involved only an additional expenditure of some 13 lakhs. Can it be believed for one moment that the Government if they are really anxious to give relief, cannot devise ways and means for finding this sum of 13 lakhs? If we point out the way in which this sum could be found, they do not agree. Let them therefore find ways and means for making this sum required to give relief. Let them do it and give the remission recommended by the Finance Committee. I do not think the Government are devoid of sympathy to the agriculturists. We are fortunate that in the Hon. the Finance Member we have an officer who, by way of abundant caution, has presented us a Budget which gives a satisfactory financial stability as compared with the disastrous condition of other provinces in this country. But, apart from that, I would only appeal to him that, while we are thankful to him for stabilizing the finances and for taking a long view of the problem, he may give immediate relief to the hard-hit ryot who is the paymaster of everybody from the highest to the lowest in the land. I hope this question will receive the sympathetic and effective attention of the Government."

* Mr. P. MADHUSOODHANAN THANGAL :— " Mr. President, thanks to the Hon. the Finance Member we have a surplus Budget. But as observed by many of my hon. Friends here, Government should not rest content with balancing the Budget. They should devise ways and means to lessen the misery of the ryots. Government have, in a recent Order, allowed the Collector of Malabar to receive and consider on their merits, petitions against wrong classifications of lands at the re-settlement. While thanking them for this small concession, I must say that it is quite inadequate. Unless Government accept the resolution to remit 25 per cent of the land revenue, the agricultural population in Malabar will have no salvation. The reason given by the Government against the remission of 25 per cent is that it would necessitate the re-introduction of the salary cut. Is it fair that the people of a whole province should suffer in order that a few Government servants may draw their

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full salary? Even here, Government can introduce a graded cut exempting the poor clerk drawing a small salary and affecting only the high paid officials. With abnormal fall in the price of paddy, pepper and coconut, the poor cultivator finds it impossible to pay land revenue. Added to it, the authorities attach the movable property of the defaulter and bring it to sale. It would have helped the ryot to a very great extent if the authorities are content with selling the land for which the land revenue is due. In the order referred to by me, the Government have stated that the question of collecting land revenue from the occupant of the land rather than from the janmi is under consideration. I hope they would come to a favourable decision soon and issue the necessary orders.

"Sir, I must now refer to the question of unfair representation proposed for Malabar in the Reformed Constitution. The Nambudiris who form a minority community in Malabar and who enrich the Government by contributing a very large share of land revenue and whose claims for representation have been recognized by Government have not been allotted any seats. I would like to impress upon the Government the absolute necessity of reserving seats for Nambudiris as, otherwise, there is no possibility of any Nambudiri candidate being returned to the Council. I hope the Government would do the needful in the matter.

"Before I conclude, Sir, I must speak a few words on the probable effect in Malabar of introducing the Champion scheme of education. If the so-called 'superfluous' schools are abolished, the immediate result in Malabar will be that the education of Muslims and Depressed Classes will suffer. The education of the depressed classes is sure to suffer considerably if the labour schools are closed. Government should not only not close any labour schools now existing, but should start a few more. So far as Malabar is concerned, the Champion scheme should not come into operation immediately. With these few words I resume my seat."

* Mr. V. M. RAMASWAMI MUDALIYAR:—"Mr. President, Sir, however much the Hon. the Finance Member may feel gratified in having presented what he calls a Budget of equilibrium, I am afraid, this House and the vast majority of the population outside it will not share with him the feeling.

"Sir, I propose to examine the Budget that has been presented from the point of view of the agriculture, industry, labour and unemployment. But, before doing so, I would like to refer to one noticeable fact that has to be borne in mind in regard to the discussion on the revenues of this Presidency. Sir, this fact is that the income derived by the Government which is based on a voluntary or an indirect contribution by the people has shown a considerable fall from the year 1931-32 while the compulsory tax, viz., land revenue, has remained unaffected. I have only to refer hon. Members of this House, Sir, to plate 2, opposite to page 10 of the Budget Memorandum to support my contention. One inference, and the only inference that can be drawn from the draft Budget that has been placed in our hands is that the economic

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situation is so depressing that it is impossible to get out of it unless some drastic measure of reform to improve the economic capacity of the people is chalked out and worked in a spirit of determination. Sir, we find that while other Governments, the world over, are engrossed in rehabilitating the economic structure of their respective countries, we, in India, have, I am afraid, been taking things too philosophically, and have not achieved much in any direction.

"I shall, for the purpose of convenience, take up the examination of the Budget, first, from the point of view of the agriculturist. Sir, for some time past, the mind of the agriculturist has been agitating over the question as to how to find money to pay the tax. Hon. Members of this House have more than once very eloquently pleaded on behalf of the agriculturist of this Province, but with not much effect. Sir, it is surprising that a few hon. Members of this House should be ignorant of the condition of the agriculturist and I propose to meet one or two arguments that have been adduced by that Knight, who said that the agriculturist will not be profited by any remission of land revenue. Sir, he said that the persons who will be benefited by larger concessions will be the middle class men, the man in commerce, the trader and the lawyer, who own land, and not the man behind the plough, namely, the real agriculturist. And he supported his argument by saying that persons in other walks of life are also suffering in like manner. I venture to think there is a fallacy in that argument. Take the case of a person who has invested his money in shares instead of in land. Shares may go down in value just as the land has gone down in value. But, I am afraid, Sir, there is not much warrant for asking the shareholders to still continue to pay out of their pocket in respect of their shares."

Rao Bahadur Sir A. P. PATRO:—"As a matter of fact shareholders are never asked to pay anything more."

Mr. V. M. RAMASWAMI MUDALIYAR:—"That is exactly the point I am trying to make out. I said that a person who has invested his money in land is now being asked to keep paying out of the pocket in respect of a bad investment on land. Surely time is ripe for agitating against this process of mulcting a person for his investments.

"My Friend, Mr. Basu Dev, betrayed a similar lack of knowledge of the real condition of the agriculturist when he spoke that no arguments had been adduced to show that the agriculturist was not in a position to pay. Indeed, Sir, it is really surprising that my friend, Mr. Basu Dev, should ask for arguments at this late stage, because facts are more eloquent than arguments. If he cared to keep in touch with the landholder or the ryot, I dare say he would not have brought forward such a reason. The real fact is that the agriculturist does not have any money to pay taxes. In support of that contention the speeches of a large number of Members of this House drawn from the agriculturist class bear testimony.

"Sir, two or three years ago we warned the Hon. the Finance Member that the condition of the agriculturist was becoming worse and

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worse, so much so, that to-day his economic status is so low that even Government have to admit that 'the clouds' are there. But they say that the cloud is lifting, though we don't know where it has lifted. To dispel the clouds, drastic remedies will have to be applied and unless that is done there is no hope for the agriculturist. Control of prices may go some way towards that. The real solution seems to me this: Government should take power to regulate the production of produce. Steps have been taken in this direction in other countries, and so I trust, Government—both the Reserved and the Transferred sides, will take necessary steps to regulate the production of agricultural produce.

"Sir, it has been said that not only the agriculturist but all professions are passing through trying times. The economic machinery devised by scheming financiers has broken down hopelessly, and it is high time that steps are taken to set up the economic machinery on a rational basis. What steps are going to be taken in this Province towards that end by this Government, this Budget does not give, not even an inkling of it, or rather it seems that the Government do not wish to move even their little finger in the matter and have adopted an attitude of studied silence.

"Take again, the other question that is agitating, the question of rural indebtedness which is crushing and fettering the agriculturist. I do not find any provision in the Budget in this behalf. Various suggestions have been given out in other Provinces with regard to this question of rural indebtedness. One solution that has been offered is to adopt a system by which the Government would issue bonds to creditors at a reasonable rate of interest so as to relieve the agriculturist of his burden and take from the ryot the same sum in equated payments spread over a large number of years.

"Passing on to industries, I am afraid, several representatives of industries in this House have forcibly protested that nothing has been done to better their lot. We have on the statute book an Act called the State Aid to Industries Act; but I am afraid that Act has not done anything by way of help in starting or stimulating new industries. For in the peculiar position of this country nothing is possible here without Government help.

"Representing as I do the interests of Labour, I have to say this: that we see the ranks of the unemployed, more especially the educated unemployed, swelling from day to-day, and here again, nothing has been done by Government. Sir, daily we read in the papers how Governments, which have full power to control their affairs have moved speedily and actively in this matter. The Prime Minister of England is announcing from week to week how improved industrial conditions have been able to absorb more and more unemployed. It was observed that the German Government, as announced in the latest communiqué, have been able to absorb over one million people in the last two compulsory schemes. So, Sir, I would ask that the public utility works must be taken on hand, and necessary funds be provided for them on their behalf.

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"Grants to village panchayats have been restricted to one lakh as against three lakhs allotted last year. The real solution is that we must do everything to rejuvenate and revitalise the villages, and any reduction in the expenditure under this head must be deprecated.

"With regard to the vexed question of cut in salary I do not want to traverse the ground covered by hon. Members who spoke before me. They have spoken sufficiently well to explode the specious arguments brought forward by Government, and I would content myself by saying that the savings from a salary cut should be earmarked for the purpose of relieving unemployment, for the improvement of irrigation tanks, irrigation channels and such other purposes. For as Government are well aware, for a long time past the irrigation channels throughout the Presidency have been neglected; and I can quote examples of irrigation tanks and channels in my own district of North Arcot which have not been repaired properly for several years. The Mamandoor and Kaveripauk tanks, the channels taking off from the Palar and Ponnai anicuts have been choked with sand. So in these days of distress some relief should be given to the ryots.

"Finally I would appeal to hon. Members of this House to impress on the Government this: that the Budget, such as this which is based on the misery of the peasantry, does not deserve our support, and so it seems to me that the honourable course open to us is to make it plain to the Hon. the Finance Member and the Ministers, who along with the Reserved Half, constitute the Cabinet of this Province, that it will be our duty, however unpleasant it may be, to throw out the Budget in its entirety, when the time comes. Sir, with these words I resume my seat."

* Mr. M. S. SRESHTA:—"Mr. President, Sir, the Hon. the Finance Member's attitude towards the reduction of the land-tax and towards the reduction of the cost of administration has, I am afraid, absorbed the many merits of the Budget presented by him. I may say the Budget is technically a perfect Budget, and we must congratulate the Hon. the Finance Member for presenting it, for the honesty and for the earnestness with which he has endeavoured to balance the Budget. And I think, a share of the credit must also be given to his able Secretary.

"Having said this much, I regret the Hon. the Finance Member has not given this House equal credit for its honesty and earnestness of purpose. I think he has once indicated that we have been asking for reductions in the land tax concessions with an eye on the next election."

The Hon. Sir HOPETOUN STOKES:—"Where have I indicated that?"

Mr. M. S. SRESHTA:—"I cannot say exactly where. This is my impression."

The Hon. Sir HOPETOUN STOKES:—"I have said nothing of the kind."

Mr. M. S. SRESHTA:—"If the Hon. the Finance Member has not said that, I am only too willing to correct myself."

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The Hon. Sir HOPETOUN STOKES:—"If the cap fits him, the hon. Member can as well wear it."

Mr. M. S. SRESHTA:—"I am sorry that it is not a remark which should have been made; and I do not think I have failed to give the Hon. the Finance Member full credit for that sort of sarcasm. This is only another instance of sarcasm in his speeches. He has said with reference to those who are for a salary cut that they are for it partly through envy towards those who are drawing high salaries. I hope I am not wrong in this reference; I myself am not in favour of a cut in pay. But if it is an alternative for non-reduction of land-cess, I am in favour of it. In my opinion there are methods by which you can avoid this pay-cut. The cost of administration in this Province is certainly very high; and I should like to know whether any serious attempt has been made to reduce this cost of administration."

"I wish in my short speech to state some directions in which the cost of administration can be reduced. First of all I shall deal with the question of assessment. No doubt it is a very big question. We cannot go into the main principles of land tax at the present stage. But I think it is time we made a start."

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"Now 50 per cent of the total revenue is land tax. Is it fair that such a large burden should fall on the landed proprietor? You know Sir, in other countries the bulk of the land tax is spent for local purposes by local bodies, so that the villager knows that the money paid by him is spent for his own benefit. Here the bulk of the money collected goes to the Provincial revenues and we do not know how it is spent. Money is collected from various districts and it is not equitably spent. Coming as I do from South Kanara I know that a large share of the land revenue is paid by my district. We are like the milch cow. We have to provide for the necessities of other districts. It is not proper to suggest that the whole system of land revenue is responsible for all these difficulties. Some attempt should be made to overhaul this system which is inequitable and which is antiquated and which is based perhaps on wrong theory. An attempt was once made to alter the system of land revenue and I dare say this attempt will be continued under the new constitution and that the present system will not be allowed to stand in the statute book. Meantime I should like to know how many people are in favour of not reducing the land tax. The Hon. the Finance Member said: 'You are speaking for the ryot; what about the trader.' How many traders are in favour of not reducing the land tax? As a matter of fact practically every trader owns a bit of land and there is hardly any trader who has not got some interest in land. So, everybody will be pleased if the land tax is reduced. After all, we are Members of this House and we are representatives of the people and it is our duty to state what the people feel. I think we are more in touch with the people than Hon. Members in charge of various departments and I may say that they do not know the condition of the people so much as we do. We know where the shoe pinches and let us not be misunderstood as being not honest in our demands."

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"Sir, may I know how much more time I have."

* The Hon. the PRESIDENT:—"Two minutes more."

* Mr. M. S. SRESHTA:—"Sir, I have much to say but I will now refer only to a very few matters and conclude."

"As I said, the Hon. the Finance Member has not tried to excuse me although I am trying to excuse him. The Hon. the Finance Member seems to be following only one principle in accordance with the traditions of his office, viz., to have a balanced Budget at any cost. Perhaps the cost will be a very heavy one; the presentation of a balanced Budget will be a great handicap to this Government, because the Central Government may demand a large contribution from us thinking that this Government is a very solvent one, although the people are not solvent."

"Then again no attempt has been made to reduce the expenditure. There are many methods by which the expenditure may be reduced. But I do not want to go into details with regard to this question. The Hon. the Finance Member frequently states that he wants to leave a legacy to the new Constitution and in fact he is very anxious about it. So, I will ask him to have this question examined and have a committee appointed to go into the whole question of exploring new sources of taxation and also of reducing the cost of expenditure. If such a committee is appointed, I submit that the deliberations of that committee will be the best legacy that he can leave to the new Constitution."

* A. M. AHMED MEERAN SAHIB Bahadur:—"Mr. President, Sir, I am one of those who think that the Hon. the Finance Member deserves no congratulations for his submitting the balanced Budget. Though he is clever enough to manage to show a balanced Budget, yet his arguments and reasons are indeed unconvincing and unsustainable especially with regard to the salary cut and to the land revenue remission. Many of the hon. Members of this House have already exhausted themselves by their stirring and convincing speeches in pointing out the fallacy of the arguments advanced by the Hon. the Finance Member. I am not going to repeat the theme over and again. I am really astonished to see that the Hon. the Finance Member, even after himself admitting the existence of acute economic depression and knowing fully well the appalling conditions of the suffering ryots, is still adamant and is not inclined to budge an inch from his original attitude in the matter of the remission of land revenue."

"I was under the impression that the practically unanimous resolution of the non-official Members of this Council demanding a remission of 25 per cent in the land revenue will be given effect to by the Government without any hesitation whatsoever, but to my great surprise I find the contrary. Now it is an accomplished fact that the Government have determined to flout the opinion of the representatives of the people. What is the attitude we should adopt further in the matter. The only course opened to us, as far as I can suggest, to impress upon the Hon. Ministers who are undoubtedly responsible to the Council that, if they are earnest and sincere to redress the grievances of the suffering ryots, they must boldly approach the Government and

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make them yield to the remission of 25 per cent. I am sure that the Government will then realize the difficult position and will listen to the advice of the Ministers. If the Government are not prepared to yield to the wishes of the Ministers, I earnestly request the Ministers to submit their resignations honourably and join with us. If the Ministers are not prepared to do so, I make an earnest appeal to the hon. Members of this House, to whatever party they belong, to take a determined attitude by not supporting the Ministry and by throwing out all the demands in the Budget. This is the best and the only remedy under the circumstances. I am glad to find that the unanimity among the hon. Members which was shown in the matter of passing the resolution of the 25 per cent remission is still maintained and will be maintained till we attain our object. I hope and fervently hope that the hon. Members of this House will unhesitatingly accept my suggestion."

* Mr. C. R. PARTHASARATHI AYYANGAR:—"Sir, in Native States they conduct the Government possibly on the same principle we are conducting here and yet the condition of the people there is markedly different from what it is here. At least in one Indian State, viz., Mysore, people are more happy and contented and love their Sovereign and the Sovereign loves them. That is a fact which nobody can contradict. Why not the Hon. Finance Member win the sympathy of the people here by similar acts of generosity, kindness, prudence and foresight which are shown to the people of the Native States. Nobody wants him to go out of the way. It is a spark of humanity that is necessary and that makes the life of the people happier. Is it difficult to show that kind of humanity? Certainly not. As a human being when all other people in this province are in a pitiable plight, and when so many people are pressing him in a thousand ways to yield to their repeated demand, is it right and is it reasonable that he should not yield to their demands? I may assure him that it is a very cruel determination on his part not to yield to their request and he cannot be so unkind. And, if he continues to be so, it will be the unkindest cut of all. Is it right on his part to adopt an attitude which in substances means this: 'I will throw away all your suggestions because I know better than you. Though you come from places where you are more in touch with the people of whom you talk, than I am, I know the condition of the people better.' That is the attitude that he adopts. Sir, I ask whether he has not seen our ryots and the difficult position in which they are placed by their inability to pay the taxes and their inability to make both ends meet. Is it not a fact that all the ryots are still suffering? Yet we feel that the rate of mortality is very much higher than what it was before! When epidemics rage, people die like flies. Is their condition in any way better now? Is it not the duty of those who are in power and authority to take into consideration their difficult position? Otherwise, sufferings similar to those in Bihar will repeat themselves in Madras. Earthquakes generally come when cruelties and sins increase, and when you do not pay any heed to the tears of the people. The thrones of kings are undermined by the tears

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of the poor, and the oppressed. Why not the Government take notice of that? I am very glad that the Hon. the Finance Member is always saying 'I am preparing the way for the new constitution.' If the Ministers had been trained to approach the Government in the Cabinet and they (the Ministers) feel that they are the representatives of the people, then they must make the Government realize all the difficulties of the poor landholders and other people who are unable to pay their taxes and redress their grievances and it is for this purpose that they (the Government) exist. Indian tradition has again and again taught us that the Government exists for the sake of the people and not the people for the sake of the Government. We are going to a state of affairs where the reverse is the case, viz., that the people exist for the Government. It is not at all a correct idea. It is on account of this idea that people in the West are paying a penalty and are undergoing all sorts of difficulties. Why should you wait until you reach a stage wherefrom you cannot retrace? If our Ministers want to do their duties, they must bring pressure upon the Government to make them yield to our demands. With regard to the remission of land revenue about which so much has been said, why not you open your eyes and see the condition of the poor ryots in villages?

"I need not say much about the present system of education. What steps have been taken in the cause of education for making it a living thing? What we are suffering from now is extreme methodism—I mean the extreme lifelessness of the whole state of affairs. It is a machinery into the groove of which we have got in. So, the Hon. Minister must try his best to make education as far as possible living.

"I may say, Sir, that several years ago there happened a great cataclysm and disaster in India. If the Government do not pay any heed to the sufferings of the people, such a disaster may come again and it may take any form. We do not know what form it will take. You want the earthquake of Bihar to happen here? If it comes, do not blame us. We can only say now: 'We give you timely warning and if you do not take it we are not to blame but it is only the Government that did not pay heed to our voice.' That is all what we can do and nothing else whereas, the Ministers can do a good deal. I beg of them to open their eyes and see if education cannot be bettered. Why not have a new curriculum for the B.A. course? Should not the students understand the lives of great men who lived and died for their country, nay, for all nationalities? India exists for the purpose of teaching the world that there is one nationality only in the whole world and not several nationalities. It is for that purpose that this nation lives. Why not teach the students the fundamental lesson that all religions are one? Because in this Presidency one religion gets precedence over the other and takes away all the money, there is no money left for the other religions. Now our Muhammadan friends have got their way and made religious instruction a part of the education of their children. It is a very good thing that the Muhammadans have asserted themselves. Why not the Hindus also make their religion—Hinduism—a living thing? Why not make the Hindu Religious Endowments Board, not the

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effete thing that it is now but a real power, a living power in the country? Now it is dead, it is worthless and it is not worth the money spent on it. Why not make it a living factor in the life of the people. If the Hon. the Chief Minister knew how to do it—I am sure he does know how to do it; he is a man of determination—he can make the Hindu Religious Endowments Board a living factor in the country; he can make that institution so powerful that every religious institution will throb with life. Unless this is done, there is no hope for the future at all.

“Coming to the co-operative movement, if villages are to be reconstructed and village life to be resuscitated, it can be done only through the co-operative movement. The agriculturist can live only under the living influence of his temple and the helping hand of the co-operative movement. If the co-operative movement is on its last legs, it is due to the absence of virility in the Ministers. They are playing ducks and drakes with the movement. If the Ministers get into touch with the villagers by means of co-operative societies, the villages can be improved and they can be made to take their rightful place in the country. You have a vast number of officials guiding the co-operative movement. Why do not they improve the religious life of the people? Why do not they improve the co-operative life of the people? Why do not they improve the agricultural life of the people? The impression that has gained ground in the country is that the Ministers are trying to do their best by improving the panchayats. Of course let them pass the necessary legislation. But what do the tahsildars and the deputy collectors do? Instead of dreaming of promotions, let them think of how best they can resuscitate village life, so that real enthusiasm may be kindled in the people. Now enthusiasm is dead. Sir, he who awakens the enthusiasm of the people, is entitled to a statue. That is what they must do, instead of being a drag on the movement that is going on now.”

Mr. P. V. RAJAGOPAL PILLAI:—“Mr. President, Sir, when the question of the amalgamation of the duties of the Labour Commissioner with those of a Member of the Board of Revenue, instead of having a separate Labour Commissioner, was under consideration, we appealed to the Government to stay their hands and we were then told that it was being done only as a temporary measure. But experience shows that this dual system is not working satisfactorily. The other day, the Labour Commissioner, at a public meeting, expressed his inability to devote sufficient time to the work of the Labour Department. The Government of Madras, in their Public Works and Labour Department letter No. 1947 L., dated 6th September 1933, have stated that the question of the appointment of a separate officer as Labour Commissioner is under the consideration of the Government. That led us to believe that the appointment would be made soon but to our great surprise, we find that no provision has been made for it in the Budget under discussion. I would, therefore, appeal to the Hon. the Home Member that, before he assumes the exalted office of the Governor

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of this major Province, he will kindly see that a senior civilian is appointed as Labour Commissioner.

“Sir, education is the only panacea for the many ills of the Depressed Classes. I would, therefore, urge upon Government the necessity to open more schools specially for these classes and not to give effect to the Champion Scheme, in the case of the schools intended for the Depressed Classes.

“Sir, owing to the large reduction in the Budget provision for ameliorative work for the Depressed Classes in the years 1931-32 and 1932-33, the execution of works sketched out in each district, as a result of the inspection of villages, was not taken up. It was anticipated that sufficient amount would be included in the Budget under consideration, but the actual amount allotted does not come up to our expectations. It is hoped that sufficient funds will be made available at least in future years.

“Sir, while thanking the Government for reservation of land for assignment to Depressed Classes, I regret to observe that very large tracts remain unassigned. The reason, apparently, is that the good intentions of the Government are not sufficiently made known to the illiterate masses and the village officers and other oppressors of the Depressed Classes stand in the way. I would, therefore, request that list of lands available for assignment be hung up in conspicuous places in all villages of the various districts and facilities be afforded to the Depressed Classes to apply for and obtain assignments of land. The assignment of land to the fullest extent will also be a source of greater revenue to Government. I shall mention a few cases in which large tracts of land remain unassigned. The following are the figures:—

District.	Extent reserved.	Extent assigned.
	ACS.	ACS.
Anantapur	168,997	65,733
South Arcot	50,685	24,165
North Arcot	66,387	56,659
Bellary	88,376	50,890
Chittoor	14,602	6,641
South Kanara	30,691	3,889
Trichinopoly	28,812	7,914

These are only a few instances where considerable tracts of land still remain to be assigned.

“One word more and I am done. Sir, the Depressed Classes are very poorly represented in the services. To take only the case of appointments of non-gazetted officers under Rs. 35 a month, it is observed that out of a sanctioned strength of 54,754, the Depressed Classes number only 1,998, whereas, even according to the rule of communal representation, there should be, at least, 4,563 members of the Depressed Classes. I would, therefore, appeal to the Government to issue necessary instructions to all heads of departments to see that all the communities are properly represented in the services.”

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* **MR. G. LAKSHMANA REDDI:**—"Mr. President, Sir, Mr. Stokes, the District Collector, was sympathetic, but Sir Hopetoun Stokes, the Finance Member, is not so. Perhaps, he is not in touch with the ryot to know the serious situation. I would request Mr. Stokes to go to the countryside and see the condition of the poor ryots there. I should like to give him an idea of the condition of the ryots in Anantapur, Kurnool and the neighbouring districts. The main crop of those districts is groundnut and the price of groundnut has fallen much lower than what it was last year. The price per maund is below annas 8. With such a low price for his principal produce, and a slump in the trade, how can the agriculturist get back even the working expenses? When it is difficult for him to get back his working expenses, how can he meet the Government dues? As for the other produce, the yield is poor and there is no market. I think there is a clear case made out for the Government, granting a remission of 25 per cent as voted by this House. My hon. Friend, Sir Patro, took the example of the Tanjore and the Godavari districts and pointed out that as middlemen own large acres of land there, and as the working man does not own lands, there was no case for remission. But whether one agrees with his view or not, so far as the Ceded districts are concerned at any rate, they have a different tale to tell. In the Ceded districts, middlemen do not own such large acres of lands, but the actual working man does own lands in most cases. The ryots themselves own lands and they work on their own lands. Therefore, there is a strong case for granting a remission of 25 per cent, at least, so far as the Ceded districts are concerned. This is following the recipe of hon. Sir Patro. Sir, it is a notorious fact that the Ceded districts are very poor. Large portions of Bellary and Anantapur are dry lands and therefore, they get a remission of only 6½ per cent. That will not go a long way in relieving the sufferings of the ryot. There is a case for 25 per cent remission to these tracts. In the Budget estimate, out of a revenue of Rs. 16½ crores, only Rs. 25½ lakhs are allotted for Part II schemes, that is to say about 1/66th of the revenue. I am of opinion that this amount is quite insufficient. A provision of Rs. 1½ lakhs has been made for rural water-supply and Rs. 2½ lakhs for village communications. These sums are quite inadequate. The amounts provided this year under these two heads are only half of what were provided last year. Even last year, they were found to be very inadequate, and how can they be expected to meet the needs this year? The conditions in the rural areas, especially in the matter of water-supply and communications, are very bad, and I hope that the Government will allot much more for these purposes at least from next year.

"I want to say a word about the Tungabhadra Project. The Hon. the Finance Member has said in his speech that the ryots of the Ceded districts have been looking forward to the execution of this scheme. Certainly, Sir, they have been sighing for it. He says that the cost of the scheme is not known precisely, but that it may be put at not less than Rs. 12 crores. This enterprise, he adds, can only be financed from borrowed money and loans can only be financed

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from current revenue. Finally, the Hon. the Finance Member says that, on account of the economic depression which has necessitated land revenue remissions, the Government may be obliged to abandon, or indefinitely postpone the taking on hand of this project. I submit, Sir, that it comes to this: the ryots of the Ceded districts, the ryots of Anantapur and Bellary, have to suffer on account of these land revenue remissions. The Hon. Mr. Stokes knows that the lands in our districts are dry lands with uncertain rains and that there is a very real necessity for the scheme. The Government have been tantalizing the ryots of the Ceded districts who have been long looking forward to the execution of this project very very keenly and anxiously. I hope, Sir, that the Government will, at least, borrow the necessary money and begin the scheme at an early date and help the long-suffering Ceded districts' ryots."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"Mr. President, Sir, I join the chorus of congratulations that has been offered to the Hon. the Finance Member by certain sections of the House. From an academic point of view, I have not the slightest doubt that he richly deserves the encomiums showered on him, and I think he deserves more encomiums for the lucid manner in which he has presented the Budget. Apart from the fact that he has not been kind enough, or sympathetic enough, to view with favour the resolution of this Council on land revenue remission, I think that so far as the other parts of the Budget are concerned, it cannot be said by any Member of this House that he has not given that amount of labour and forethought that is necessary. Coming as I do from an accursed famine zone, which is periodically visited by droughts, not to say, of epidemics like plague, cholera, smallpox and malaria, I believe, Sir, and I think you will agree with me, when I say, that I did the right thing when I, as a solitary exception, stood up on the floor of the House on the very first occasion after I entered the Council and criticized the Hon. the Finance Member for having imposed a cut in the salaries of public servants. I said it was wrong, it was inequitable, it was unjust and it was certainly very unfair that the Government should have imposed cut on salaries of Government servants. Discontent is created by the imposition of the cut. I am glad that the Hon. the Finance Member has not imposed the cut this year and I think he has given much more vigorous pleas for the cut not being imposed. I was telling you—coming from a famine zone, a cursed famine zone—that I felt that public servants felt the economic depression very much when there was temporary cut in their salaries. That is the reason why I was against the cut and I said so. I still adhere to that opinion. My grievance in connexion with land revenue remission is this. I certainly agree with the various criticisms that have been offered. I think there is a very sound case made out for the remission of 25 per cent. But even if the Government chose not to give effect to remission to the extent of 25 per cent, and if they must adhere to what they have already said, I am certainly very much surprised that they should make a distinction between dry and wet lands. So far as the Ceded

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districts are concerned, I may say that about 80 per cent is dry land. As has been pointed out by another hon. Member, who hails from Anantapur, it cannot be said that the land is owned by big landholders. In about 90 per cent of the cases, the landholders are themselves cultivators of the land. So far as our districts are concerned, it cannot be said that any concession given will benefit the big landholders. Therefore, I very strongly appeal to the Hon. the Finance Member that a uniform rate might be adopted both for dry and wet lands. There is another reason why I press this point; as I have been constantly informing this House, unto them that hath, more shall be given, unto them that have not, the little they have, shall be taken away. That has been the policy of the Government. As I have been telling you, we have been suffering from chronic famine and we are crying hoarse. We have been agitating for the Tungabhadra Project; our cry has almost been a cry in the wilderness. There has already been any amount of irrigation projects in the Tanjore deltas and other favourable areas. Another project has been started for the Tanjore district and it is almost finished. We have been crying for the Tungabhadra Project. We have been agitating that that project should be carried out at least in the near future. What is worse is this; because Tanjore and Godavari are vociferous, because people there are organized—they have been convening meetings, they have been waiting on deputations—that is the reason why they are given concessions; whereas we, the people of the Ceded districts, are unorganized, dumb, always patiently suffering,—because we are unorganized—, we are not given any concessions at all. According to the Press Communiqué, what we get this year is one anna; last year we got two annas; this year is worse than last year; and we are getting only one anna this year. May I, therefore, appeal to the Hon. the Finance Member to take this fact into consideration and see that he treats all the districts alike and that the concessions are uniform in the case of wet lands as well as dry lands?

“There is only one more point. I said that I am glad for the restoration of the cut in the salaries of the Government servants. I am appealing to the Hon. the Chief Minister not to yield to the temptation of local bodies who are coming forward with proposals for cut in salaries of their employees. That seems to be the cry everywhere. This cry easily appeals to everybody as the nearest and shortest cut to see that finances are balanced. I think that it is a short-sighted policy. For the reasons mentioned by the Hon. the Finance Member, I hope the Hon. the Chief Minister will resist the temptation and see that the pay of various employees under local bodies is not cut. By so doing, he will earn the gratitude and encomiums of these employees and they will be under a deep debt of obligation to him.”

* Mr. K. SINGAM AYYANGAR:—“Sir, I wish to point out that the Hon. the Finance Member has overestimated in the items of land revenue and collection of kist. The Hon. the Finance Member and the Hon. the Revenue Member have been aware of the difficulties of the ryots and of the agricultural population for the last two years. They

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seem to think that simply because the ryots and agriculturists are able to pay their taxes without any coercive measures from the Government, they are not hard hit. Collectors and the Board of Revenue may be reporting to the Government that there has been sufficient amount of cultivation this year and perhaps, on these reports the Government have been putting these high figures with regard to land revenue collection. I may point out to them straightaway that this will not be the case for the coming year. Almost all the agriculturists and the ryots have exhausted what little they possessed in cultivation. Their paying the taxes ungrudgingly should not be taken to mean that they are not in need of any further concessions at all.

“The Engineering department and the Revenue department are sitting tight over the agriculturists and the ryots. Both these departments do the very same thing. The Revenue department has got coercive measures in their hands to collect kist while the Engineering department is looking after the irrigation system. The main collectors of revenue—namely, the Revenue department—must be responsible for irrigation facilities and other things. I may suggest in this connexion that, in order to enable the Government to give relief to these ryots by way of remission, the Engineering department may be amalgamated with the Revenue department and thereby find means of retrenching the establishment of the Engineering department; then only the Revenue department will feel the necessity and responsibility for keeping irrigation works in an efficient condition before they collect kists. This retrenchment proposal can be easily given effect to by the Hon. the Finance Member for giving the remission asked for.

“Arguments have already been advanced with regard to the salaries cut and other things. Moreover, unless the economic condition of the agricultural population is sound, the object or the advantage of Part II schemes of nation-building departments will not be realized. If the agriculturist is in a bad plight, I am sure, he will not be able to reap the advantages of the activities of the nation-building departments which are intended to benefit them. I think that, at least, now the Government should give relief to the agriculturists to the extent of 18½ per cent by way of some retrenchment proposals or curtailing the expenditure.”

* Mr. A. PL. N. V. NADIMUTHU PILLAI:—“Mr. President, Sir, I cannot join some of the hon. Members of this House who have congratulated the Hon. the Finance Member for presenting a balanced Budget. The Hon. Gentleman has balanced the Budget by feeding the ryots of their life-blood. The Budget has been framed without any consideration for well-being of the ryot population of this Province. Their wailings have not been heeded to, and nothing has been done to save them from utter ruin and destruction.

“The Hon. the Finance Member, in the course of his speech introducing his Budget, stated that the small pattadars who contribute the bulk of the land revenue, do not care for the small remissions asked for. Sir, I am sorry that the Hon. Gentleman should be so very

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ignorant of the real state of affairs. I can, with a full sense of responsibility, now state on the floor of this House that this demand for remission has not originated with the big mirasidars, but with the small pattadars who pay Rs. 10 and less. They are more in need of relief than the bigger pattadars. For, the value of the rupee is greater to the small pattadar than to a big mirasidar. Besides, Sir, I have the authority of no less a personage than the hon. Member for Ganjam—I mean Sir A. P. Patro—when I say that it is the small pattadar that is more in need of relief than the bigger ones. Therefore, there is no force in the statement of the Hon. the Finance Member that the small pattadars would not appreciate any reduction in their kist demand.

“The Hon. the Finance Member, in the course of his reply to the resolution on this matter that was discussed in this House, characterized this demand for remission as a howl. I am sorry that the Hon. Gentleman should have used that word on the floor of this House. However, I should like more respectfully to point out to him that we cannot but howl when the Government chooses to bray the same old bogy of the financial equilibrium of this Province being upset. I do not want to say anything more on this unfortunate remark of the Hon. Member.

“Now I shall briefly examine the expenditure side of the Budget. The Hon. the Finance Member claims that his Budget adopts the policy of financing remunerative capital schemes from the balances. Sir, I am afraid I cannot accept this policy as the most sound one. If the Government are sure that those projects are going to be remunerative, why not they finance those schemes entirely out of loan funds? Why should they spend the savings of the present generation for the benefit of the future generation, generations yet unborn? All that I can say is that this policy is not sound finance. The savings of the present generation—I mean the balances at the disposal of the Government—ought to be spent for the benefit of those who have contributed the same—I mean the present generation. Most of the schemes which Government propose to finance from out of the revenue balances are all for the benefit of the future generation.

“Sir, the arguments advanced by the Hon. the Finance Member against the imposition of the pay-cut is not at all convincing. They are in consonance neither with economic principles, nor even with canons of logic. The Hon. Gentleman assumes that the financial position of this Province is quite sound and do not warrant any cut in the pay of Government servants. When he comes to the remission of land revenue, he says that the financial position of this Province is bad and therefore no remission ought to be given. Is this logic, I ask? Is it sound finance to say that our financial position is quite all right, when we know that it has been brought about by coercing the ryot to shed his last drop of blood?

“Sir, I shall now make a few remarks regarding certain acts of omission on the part of the Government. Year after year, we, of the Tanjore district, have been pressing on Government the need for giving effect to the recommendations of the Cauvery Committee. I am afraid

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those representations have fallen on deaf ears. I appeal to Government once again to take immediately on hand at least some of the important recommendations and undertake the necessary works. Any money that is going to be spent on those works is bound to bring in a return to Government. They are bound to be productive of revenue.

“The next serious act of omission on the part of Government is to render any effective relief to the cyclone affected areas of this Presidency. It is well known that, as a result of the severe cyclone that visited us in December last, portions of the Tanjore and South Arcot districts have been affected to a degree unprecedented in this part of our Province. Several thousands of cattle and several human lives were lost, and dwellings rendered bare of their roofings. For several days, people of those areas were starving. I am sorry that Government have not done anything to relieve the misery of the people in those areas besides giving a few thousands of rupees. Relief on a large scale is very urgent and I request the Government to allot at least ten lakhs of rupees from out of the Famine Relief Fund for this purpose. It should be pointed out that rules do not permit of the Famine Relief Fund being spent for such purposes. The conditions, prevailing in those areas, is worse than famine conditions, and if the Famine Relief Fund is not to be spent for such purposes, no such fund need be set apart at all.

“I cannot close better than by making a fresh appeal to Government to revise their opinion and to remit 25 per cent of the kist for the coming fasli.”

* The Hon. the PRESIDENT:—“With regard to the Madras Local Boards Act and the Madras Elementary Education Act Amending Bill that is coming up for discussion to-morrow, I wish to suggest that any amendments to the said Bill might be given notice of without delay. To avoid confusion and to facilitate timely circulation of the amendments to Members, I hope that no amendments except agreed amendments will be given notice of after 4 p.m. to-day.”

The House will now adjourn and meet at 3 p.m.

After Lunch (3 p.m.)

* The Hon. Sir MAHOMED USMAN:—“Mr. President, Sir, there have not been many criticisms on the department in my charge, and I would, therefore, not give an elaborate reply but refer briefly to the various points raised by the hon. Members of this House.”

“My hon. Friend, Mr. Basheer Ahmed, doubted the usefulness of these general discussions and thought that we might altogether abolish these general discussions and add these three days to the detailed discussions of the Budget. Sir, I think, on the whole, these general discussions are not altogether useless. They are useful in this way: many hon. Members of the House get an opportunity of speaking on subjects which are uppermost in their minds and they have an opportunity to survey, as has been said, the administration of the Government

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of Madras from China to Peru. I may say, Sir, that during these three days, as many as 53 hon. Members had the opportunity of speaking. Their remarks receive our earnest attention and notes are being taken and the members of this side try to give replies to the various points raised by hon. Members of the House. Anyhow, Sir, I do not think it is right that we should now try to make any change in the system. It is a matter that will have to be taken up when the Reformed Council comes into existence.

"My hon. Friend, Mr. Subrahmanya Bhatt, complained about the policy of issuing gun licences in the South Kanara district. In connexion with a question that he has asked, I have called for a report; but I may say, from the file before me, I see that only very few licences have been cancelled and that new licences continue to be granted when there is a real need. I do not think there is any real grievance in this matter; but anyhow, I have called for a report. When the report comes before me, I shall look into the matter.

"The next question that has been raised by my hon. Friends, the representatives of the Depressed Classes, is that of the revival of the whole-time post of the Commissioner of Labour. Sir, hon. Members of this House know the history of this question—how the work of the Commissioner of Labour came to be looked after by a Member of the Board of Revenue, as a result of the retrenchment scheme proposed by the Retrenchment Committee about two years ago. I know my hon. Friends of the Depressed Classes feel keenly that this post should be restored. I may say for the information of the House that the question is now engaging the attention of the Government and the feelings and sentiments expressed by the hon. Members of the Depressed Classes and the arguments advanced by them will be borne in mind in solving this question.

"Some of my friends of the Depressed Classes again deplored the fact that we have not made a more liberal provision for ameliorative work. Sir, I find that the expenditure for the past few years on the construction of wells, pathways, etc., for the Depressed Classes is as below:—

	RS.
1931-32	1,40,000
1932-33	1,48,000
1933-34 (Revised estimate)	2,25,000
1934-35 (Budget)	1,79,800

It will be seen from the figures that the provision for next year is greater than the expenditure in the years 1931-32 and 1932-33, but less than in the year 1933-34. All I have to say is that we could not do better on account of the financial stringency.

"My hon. Friend, Mr. Devadasan, wanted to know the number of labour schools that we propose to open in the coming year. I find, Sir, that sixty new schools are proposed to be opened in 1934-35.

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Though the number is small, it is higher than the number of schools actually opened in 1931-32 and 1932-33 when 15 schools and 6 schools were opened respectively. Again, Sir, it is on account of financial stringency that we are not able to open more schools.

"Another member of the Depressed Classes wanted to know the reason why we reduced the provision for the Paddison Hostel. I may say, Sir, that it is proposed to give effect from the year 1934-35 to a scheme under which students who have been inmates of the Paddison Hostel and are considered fit to proceed to studies beyond high school stage will be admitted at Government cost into the ordinary hostels attached to the colleges. It is expected that there would be ten students of the hostel studying in the colleges next year who can be admitted into the respective college hostels. The present cost of boarding these students in the Paddison Hostel is estimated at Rs. 2,000 and this amount has been deducted from the provision made for the hostel next year, and the charges on account of their boarding in the respective college hostels which is estimated at Rs. 3,000 is shown under Depressed Classes (Education).

"My hon. Friend, Mr. Jagannatham, wanted that the policy of the Labour department should be the moral and material advancement of the Depressed Classes and stated that we should give them more education and provide them with more appointments. I may say, Sir, it is also the policy of the Government. Ever since this department was brought into existence, we have been following this policy, and I may say that it is yielding good results.

"My hon. Friend, Mr. Sami Venkatachalam Chetti, wanted to know whether there will be general elections this year, and why no provision has been made in the budget for the purpose. I am not in a position to say anything at present, but I may give this assurance that the suggestion made by the hon. Member will be considered.

"Again, Sir, my hon. Friend, Mr. Venkatachalam Chetti, referred to a remark made by my Hon. Colleague, the Finance Member, that 'conditions of tranquillity prevail in this Province,' and wanted to know why it was that we did not reduce the expenditure in the Police department. He said that we should have reduced our expenditure under this head by about half a crore. I do not think my hon. Friend was very serious, when he made that suggestion. It is really unthinkable; it is impossible to make such a reduction in the expenditure of the Police department. On the other hand, I entirely agree with the remarks of my hon. Friend, the Raja of Parlakimedi, who deplored that on account of retrenchment, the Police department could not be made more useful to the public. (Mr. Sami Venkatachalam Chetti: 'Then why not increase the Police grant?') Yes, when the Government feel convinced that we shall have to increase the expenditure, we shall not hesitate to do so. My friend, the Raja of Parlakimedi, rightly drew the attention of the Government to the fact that more police should be employed for attending to the work of regulating motor vehicle traffic not only in the big cities but also in the smaller towns. I think that

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will be a problem which the Government will be called upon to consider when the financial conditions improve; and certainly we shall then consider the suggestion made by my hon. Friend, the Raja of Parlakimedi. I may also say, Sir, that nobody deplores more than the Government do that, on account of the retrenchment policy adopted by us, the retrenchments effected have not been in any way to the advantage of this department. Referring to the Government Order that was passed on the Administration Report of this department for the year 1932, I may say that the Government state there that—

‘stringent retrenchment resulted in a decrease in the total cost of the department of over 8 lakhs; but this was not achieved without sacrifice.’

Therefore, what I want to say is that the suggestion of my hon. Friend, Mr. Venkatachalam Chetti, is unthinkable, because the Police force must be maintained in the most efficient condition to meet any situation or emergency. (Hear, hear.) In spite of the retrenchment that has been made, I am glad to say that the Police force is being maintained in the most efficient condition, thanks to the zeal and energy displayed by the head of that department.”

* The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“Sir, I shall not occupy the Council for more than a few minutes; for, during the course of the general discussion, there have been very few remarks concerning the departments which are entrusted to my care.

“My friend, Mr. Ramalingam Chettiar, referred in his speech to the need for maintaining the Forest College at Coimbatore. His reference to that college was very brief, but . . . (Rao Bahadur T. A. Ramalingam Chettiar: ‘But you may give a long reply.’) In the course of his very brief remarks relating to this college, he suggested that there was no need for continuing the existence of this college. My friend as well as myself and the other Members of this Council are aware that this college is intended for the training of rangers to be employed in the Forest department. The Forest department is a technical department; and so long as that department is being maintained, it is necessary to train rangers to be employed in the department. We do not think of abolishing the Engineering College or the Medical College or for the matter of that, even the Arts colleges which are being maintained by the Government, because these colleges are expensive. These colleges are necessary and therefore, whether they are expensive or not, they have to be maintained. So also, it is essential that the Forest College at Coimbatore should be maintained for the purpose of training rangers for the Forest department. I can also tell my friend, Mr. Ramalingam Chettiar—I do not know whether he is aware of it already—that there is only one other college in India, at Dehra Dun, for the training of rangers. That college is under the control of the Government of India and the Government of India have temporarily closed it. It is suspended now, so to speak, and we have no idea as to whether the Government of India intend reopening that college. This is another reason why this college at Coimbatore should continue to be maintained. I may add that there were suggestions like this, probably from my friend

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and from others, and consequently the Government recently, within the last two years, went into this question very carefully and came to the conclusion that it was essential that this college should be maintained.

“Then my hon. Friend, Mr. Bhatt, referred to the special grievances regarding the forests in the South Kanara district. In answer to one of the interpellations in this Council, I told him that on receipt of certain representations from the ryots and landholders’ associations, the question was being considered. My friend stated that there was no co-operation between the Revenue department and the Forest department. My hon. Friend is not correct in that statement. Recently, the Collector of the district, the Conservator of Forests and the District Forest Officer went to the different parts of the reserved forests and inspected them and they also had conferences with the ryots in various places. The Government have called for a report of their inspection and, on receipt of that report, the Government will go into the question further and then pass such orders as may be possible.

“Then, my friend, Mr. M. B. Rangaswami Reddi—I do not see him here—in his Tamil speech referred to the question of the supply of buttermilk in jails. He said that, though representations were made on different occasions in this Council for the supply of buttermilk to the prisoners, the Government have not paid attention to those representations. I may assure my hon. Friend, Mr. Rangaswami Reddi, that the representations made in this Council regarding the supply of buttermilk to prisoners were carefully considered by the Government. The Government have recently come to the conclusion that it is not necessary to supply buttermilk to these prisoners. The most important reason for this conclusion is that these representations were made only in the interests of civil disobedience prisoners. (A voice from the Opposition Benches: ‘No.’) I differ from my hon. Friend. As a matter of fact, prisoners have existed in our jails for very many years and it is only quite recently, within the last two years or so, after the civil disobedience prisoners began to come to our jails, that this request was made. And, as I said the other day, the number of civil disobedience prisoners has now considerably fallen. For instance, at the end of January last, the number of civil disobedience prisoners, I believe, was only about 106 and out of this 106, several are A class and B class prisoners. It is well known that A and B class prisoners are supplied not only with buttermilk but even with curds. Thus this question of buttermilk applies only to C class civil disobedience prisoners and the number of C class civil disobedience prisoners must be now below 106.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“Will they at least give it for medicinal purposes?”

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“As for medicinal purposes, I may tell my friend that not only buttermilk, but anything that is ordered by the medical officer is given to these prisoners. There is no question of cost and there is no question as to whether there is any need from the layman’s point of view for the particular article demanded. It all depends on the prescription and

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direction of the medical officer. I may also tell my friend that those prisoners who are suffering from any disease in any jail whatever are sent to the hospital in that particular jail and the hospital is in charge of a medical officer and whatever that medical officer orders for the patient is given."

Mr. ABDUL HAMEED KHAN:—"Anything that the patient wants is given?"

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"The patient may want many things which he considers necessary but which are really objectionable.

"Then my Friend, Mr. Ramalingam Chetti, in the course of his remarks referred to the publication of his Bill, 'Debt Conciliation Bill' under rule 18 of the Madras Legislative Council Rules. I may tell him that the question is being examined and Government will come to a conclusion very soon.

"Then my friend, Mr. Pannirselvam, stated that there was an increase in the number of courts, though he admitted that the increase was very small and that, in his opinion, there was no need for this increase. With reference to this, I may tell my friend particularly and the Council generally, that the High Court is the constitutional adviser of the Government in matters like this. With a sense of responsibility that rests upon them, the High Court carefully go into the figures which make it necessary to establish these additional courts and it is after a careful examination of these figures that the High Court make their recommendation to the Government for the establishment of these temporary courts. Evidently, my friend referred to the establishment of temporary Munsifs' courts and temporary Sub-Courts. On receipt of recommendation from the High Court, the departments in the Secretariat, the Administrative department as well as the Finance Department, go again into the facts and figures carefully regarding the number of institutions in courts, the number of disposals that have been effected by them and the number of suits pending, and then comparing these with the standard fixed for the disposal of suits, come to their own conclusion regarding the necessity or otherwise of accepting the recommendation of the High Court. And then, the Government again carefully go into the question and ultimately come to the conclusion, whether it is necessary to adopt the recommendation or not. With reference, for instance, to the recommendation of the High Court for the year 1934-35, which was for the establishment of nine additional courts, the Government thought it necessary to establish only seven courts. I refer to these instances for the purpose of showing that neither the High Court nor the Government light-heartedly recommend or sanction the establishment of these additional courts. I may also tell my friend, Mr. Pannirselvam, that though in some years some courts are thus temporarily established, those courts which were in existence in the previous years temporarily are sometimes abolished. For instance, in the year 1932, two new courts were established and five courts which were in existence as temporary courts were abolished. So

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also, in 1933, two District Munsifs' Courts were established and five courts were abolished. Thus, whenever the High Court make a recommendation, the Government carefully consider the figures and come to their own conclusion regarding the necessity or otherwise of establishing these courts.

"As I stated in the beginning, there have been very few references to the departments which are specially under my control and I have replied to them."

* The Hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, hon. Members raised a number of points relating to the subjects included in my portfolio and I shall deal with as many of them as I possibly can and as fully as I can in the time at my disposal, but I believe hon. Members will have further opportunities of asking further questions and of eliciting more information, if I do not give them all they require at the present time.

"Mr. Ramalingam Chettiyar pressed for more retrenchment in the Secretariat. He said that there was unnecessary noting in the Madras Secretariat and that the expenditure there was more extravagant than that of any other Government and that retrenchment in the Secretariat was not considered by the Retrenchment Committee or by anybody else. I believe my hon. Friend is incorrect in thinking that the clerks and Superintendents do not write notes in the Government of India Secretariat. The question of the reduction of work in the Secretariat and of the staff employed in it has received most careful consideration both by the Government and by the Retrenchment Committee. I find from the Budget Estimates for 1933-34, the Madras Secretariat costs altogether 14½ lakhs a year, whereas the Bengal Secretariat costs 16 lakhs and the Bombay Secretariat nearly 17¼ lakhs. The proposals of the Retrenchment Committee led to reductions in our Secretariat to the value of a quarter of a lakh a year.

"Subadar-Major Nanjappa complained that the men of the disbanded Madras Regiments have not been given civil employment and that the orders of the Government on this subject have not been obeyed; and that these men cannot get land, or, if they are given land, it is useless. As the House is aware, the Government have from time to time reiterated their orders on this subject and have directed that, whenever an application for employment from an ex-army man is rejected, the reasons for such rejection shall be reported to the Chief Secretary. I have caused inquiries to be made into many particular cases which have been brought to my notice and shall be glad to order similar enquiries of such cases in future, if brought to my notice; we are considering whether any further instructions are necessary to ensure that the orders of Government are carried out.

"Mr. Devadasan referred to the assignment of lands to the members of the Depressed Classes. I find that up to 31st March 1932—the latest date for which I have been able to obtain figures—the extent of land assigned to the Depressed Classes in the Presidency as a whole is over

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340,000 acres; in the Tinnevely district 4,646 acres have been assigned out of 9,257 acres reserved for assignment to members of the Depressed Classes. Considerable progress has, therefore, been made in this matter. Mr. Devadasan also complained that the land after assignment passes somehow or other into the hands of members of other classes. That is prohibited by the terms of the assignment and the remedy for it lies in the hands of the members of the Depressed Classes themselves.

“ Mr. T. M. Narayanaswami Pillai stated that the concessional rate of interest was 4 per cent on loans granted to Land Reclamation Societies and asked whether it could not be extended beyond the date of its expiry. The concessional rate has not continued till 1934 as the hon. Member appeared to think it does, but it was terminated in 1931, as the grant of loans to individuals ceased as early as April 1925 and it was thought inequitable that reclamation societies should get loans at concessional rates, when other persons equally in need had to pay higher rates. In 1933, the question of a concessional rate of interest was considered by the Government at the request of the District Agricultural Association of Trichinopoly and the Government considered that there were no good grounds for reviving the concession.

“ Some speakers pleaded for the grant of adequate loans to agriculturists. I find, Sir, that during the last few years the following are the total amounts of loans, granted under the ordinary rules: In 1930-31, 14½ lakhs; in 1931-32, 13.36 lakhs; in 1932-33, 11 lakhs.

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“ The provision in the Budget Estimates for the current year was 13.4 lakhs but that in the revised estimate for the current year is only 11 lakhs. The provision in the Budget Estimates for the next year is 11 lakhs. The amount has been reduced, but out of the provision 13.40 lakhs in the Budget for the current year, the Board of Revenue has now surrendered a sum of 5.40 lakhs. One of the reasons for the surrender of such a large amount is stated by the Board to be the paucity of applications in most districts, on account of the economic depression and the fall in the price of land and agricultural produce. This shows, therefore, that the Government are doing more than is required by the people in this respect.

“ Mr. K. P. Raman Menon proposed the total abolition of the Settlement Department as a means of reducing expenditure. We have recently made an important change in our settlement policy and in future, the Settlement staff should confine its attention to such operations as are necessary for the periodical revision of the assessment and should no longer be required to clear up arrears which have accumulated in the Revenue Department and to bring the Revenue accounts up to date. We have already reduced the number of Settlement parties from four costing 8½ lakhs a year to three costing 5½ lakhs a year, and under the revised system, we hope to reduce the annual cost of settlement parties to 2½ lakhs. We shall, however, have to strengthen the Land Records staff for the maintenance of the Revenue records up to date, and it has recently been suggested that this work should be entrusted

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to the two survey parties now working. These proposals are under consideration. Apart from this work of bringing the records up to date, it is expected that after 31st March 1935, there will be no field work for survey parties in ryotwari areas.

“ Mr. Nadimuthu Pillai suggested that special relief should be given to the area affected by the cyclone in the South Arcot and Tanjore districts. This is a matter which, of course, is outside the general relief given on account of the fall in prices; a report on this subject has just been received from the Board of Revenue and will receive the very early consideration of the Government.

“ Mr. Kesavaramamurti Nayudu referred to the erosion of lankas and the damage caused to crops thereon by floods in the Godavari river. If the izaradars of the lankas to whom his remarks refer will apply to the Collector concerned, I am sure he will consider very carefully whether he should recommend the grant of any remissions. In fasli 1340, the remissions granted in respect of lanka lands in the Godavari district amounted to Rs. 96,000. In the following fasli, we granted remissions amounting to Rs. 61,000, and in fasli 1342, we granted remissions aggregating to Rs. 13,000. It is not possible, however, for the Government to make any promises unless and until reports are received from the Collectors as the rents on lankas are usually fixed by public auction and remissions of these rents are not provided for in our rules but require special justification.

“ Several speakers have stated that greater concessions in respect of land revenue have been given in other Provinces. It is difficult to compare the conditions in different Provinces, as the land revenue systems and other considerations differ so widely. We are, however, in touch with other Provincial Governments on this subject, and, so far as we have been able to ascertain, we find that for last fasli some Provinces have given no concessions in land revenue on account of the fall in prices, e.g., Bengal, Bihar and Orissa and the Central Provinces. We have not yet received information regarding this fasli from Bengal and Bihar and Orissa. In Bombay which was referred to by several speakers as comparing favourably with Madras, the concessions announced, namely, suspensions of from 12½ to 25 per cent of the land revenue are not solely on account of the fall in prices. They take into account the outturn and therefore, they may include also seasonal suspensions. So far as information has been obtained in other Provinces, this fasli's concessions do not exceed those given in the same Province in the previous year. In Madras, we have nearly doubled the concessions given last year.

“ Mr. Narayanaswami Pillai pointed out that the concession granted now was less than that of last year and asked why the proposal to suspend 18½ per cent the demand on wet lands was not accepted. It is true that by the lowering of the concession on dry lands from 12½ to 6½ per cent on the recommendation of the Finance Committee, some districts got 6.23 lakhs less than they would have got if last year's concessions had been repeated. As I have pointed out before, last year

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we had to make our proposals very hurriedly, and this year we have been able to give more consideration to the question, and it was decided finally that such a large concession is not necessary in respect of these dry lands. These districts have, however, got a 12½ per cent suspension on the water-cesses this fasli which they did not get last fasli. This nearly makes up for reduction on account of the lowering of the rate of suspension of the demand on dry lands as the following figures show: In fasli 1343, if last year's concessions have been repeated, the total concessions would amount to 37.43 lakhs. As it is, the concessions granted this year for these districts amount in all to 36.64 lakhs including, of course, the concession in respect of water-rate. The districts of West Godavari, East Godavari and Kistna have gained because the increment remission has really ceased to exist in fasli 1343 and the concession on the gross demand is higher than the increment remission. Tanjore gains a little because the extent of dry lands is small and the reduction on dry lands has been made up by the concession on water-rates. All the other districts lose because the reduction on dry lands has not been made up in them by the addition of the concession in respect of water-rates; but the resettled districts gained 23.09 lakhs altogether on this account. The reduction of the concession is due to the reduction of the rate of suspension on dry lands as recommended by the Finance Committee. This has nothing to do with the 18¾ per cent concession recommended for wet lands in resettled districts.

"I am glad to observe, Sir, that hon. Members of the House realize that the remission of land revenue is not a complete cure for the effects of the economic depression; and are pressing for other measures—measures which indeed may to some extent be incompatible with further reduction of taxation.

"Mr. Langley and my hon. Friend, Mr. Patro, also, I think, have put forward the view that the remission of land revenue is only a palliative; it is in the nature of a sedative but is not a cure for the present troubles which are indeed deep-seated. While listening to Mr. Langley's speech, one has reminded of President Roosevelt's remark in his inaugural address, though I do not think Mr. Langley quoted it. 'The nation is asking for action and action now.'

"Unfortunately, as has been recognized, it is not within the power of this Government to take all the action necessary. The principal causes for the economic depression exist outside the Province, and the permanent remedies in like manner must be sought elsewhere. What is needed, however, is the co-operation of all concerned, in this matter—of the Governments of foreign countries as well as England and India and the Provinces and of the people—in finding and carrying out measures for the amelioration of the conditions now prevailing throughout the civilized world. Hon. Members, however, are right in demanding that the Madras Government should do all that they can to remedy the situation, and should keep the Government of India informed of the situation and should suggest such measures as it may be in the power of that Government to take.

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"I would, however, deprecate in this connexion attempts made by some hon. Members to sow discord between the 'Reserved' and 'Transferred' halves of the Government and to suggest that the Ministers should exercise a closer control over the Members of the Executive Council. Under the present constitution, the Members and the Ministers do not interfere in the details of administration carried on by the other half of the Government except in so far as any details which may affect both Reserved and Transferred subjects or advice may be sought by one from the other. The economic situation does affect both parts of the Government, and it is essential that all the Members of the Government should work together in whole-hearted co-operation, if permanent remedies are to be found for the present situation. It is true that the duty of watching the economic condition of the people is laid upon me in the distribution of business among the Members of Government. I do not, however, propose to deal with the question of the improvement of marketing facilities, as this is a matter which falls within the purview of my Hon. Colleague, the Minister, though I agree that measures which will enable the cultivator to get into close touch with markets, to realize more of the price, which his produce ultimately fetches, will be beneficial to him. In like manner, such matters as the substitution of other crops for paddy, the reduction of railway freights, the imposition of customs duties on imported rice, and the removal or reduction of the duties imposed by the Government of His Exalted Highness the Nizam of Hyderabad, do not fall within my purview, although they may affect the economic condition of the people.

"Now, Sir, a reduction in taxation involves a reduction in the capacity of the Government to spend money on works which may be beneficial to the people. It is well known that when a Government spends large sums on works in any locality, the prices in that locality tend to rise and more money is set in circulation in that neighbourhood, and there is more employment there; the converse is equally true; if Government materially reduce their expenditure on works, their action tends to depress prices and to increase unemployment. Further, the works themselves may be of greater permanent benefit to the people than the relief afforded by a reduction of taxation. A simple case is now under consideration—whether it is better for the people to re-impose tolls on vehicles other than motor vehicles, and use the proceeds in improving roads and bridges or to leave things as they are with roads deteriorating and bridges unbuilt.

"I hoped during my time as Member of Council to be able to carry out certain measures for the amelioration of the conditions of the people in the Province; for example, the facilitation of the development of the agency tracts in the north by improving communications and by checking the prevalence of malaria in the more populous centres, the improvement of irrigation and drainage facilities in the Godavari and Kistna deltas, the investigation of the Tungabhadra and the Bhavani projects, the completion of the Mettur, Polavaram Island and Kattalai projects, the improvement of the drainage of the delta of the Cauvery river in

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Trichinopoly and Tanjore districts, the improvement of irrigation facilities in the Tinnevely district, and protection from floods by the Tambraparni river, the completion of the Tank Restoration Scheme, and generally the maintenance of our irrigation works, major and minor, in a state of efficiency. I think hon. Members will agree that all these are beneficial to the country and especially to the agriculturists.

“ I agree with Mr. Langley that good communications are of great benefit to the ryot. I had a striking example of that fact when I became Collector of Kistna. There was then no metalled road in one taluk in the irrigated delta, namely, Kaikalur, but, if I remember right, the district board had provided in its budget for the construction of 200 yards of metalled road from the Tahsildar's house to his office. The paddy had to be transported to the nearest navigable canal over country tracks which were a morass in the irrigation season and deep hard ruts in the dry season. The cost of transport was great and the ryots were correspondingly impoverished. Now I am glad to say there are both a metalled road and a railway through that taluk and the condition of the people is much improved. Roads, however, are in the care of my Hon. Colleagues, the Ministers, except so far as the Agencies are concerned, and I know they are anxiously considering the best means to improve and extend them. I have not been able in consequence of financial stringency to do much to carry on the programme and policy adopted some years ago, as regards the development of the agency, but we spent on agency roads 3½ lakhs last year, 5 lakhs in 1931-32 and 6¼ lakhs in 1930-31; we could, however, put in hand no new work in the two years 1931 to 1933. One new work has been proposed for this year and two new works for next year.

“ Mr. Kesavaramamurti referred to certain schemes in the Godavari district. The Polavaram Island project has been completed except for a portion of the flood bank; the work will probably be finished in 1935-36. The question of making a temporary reduction in the rate of water-cess is under the consideration of the Government and orders will be issued shortly. The Coringa Island project which is estimated to cost 9½ lakhs of rupees is now under the consideration of the Irrigation Development Board. The Budget estimates of next year which are now before this House include a provision of 1½ lakhs for the purchase of a dredger to work in the Godavari at Dowlaishweram and deal with shoals.

“ Mr. Peddi Raju asked for further time for the consideration of certain draft rules relating to the irrigation of double crop lands in the Godavari Western Delta as the notice was too short and I shall be glad to accede to his request. Before the introduction of the enhanced rates of assessment in Kistna and Godavari, I toured in those districts and consulted the ryots personally as to whether they would prefer to have certain works carried out and their rates of assessment enhanced or to do without the works, if the rates of assessment were not raised; the ryots were practically unanimous in preferring the former course and do not appear so far to have regretted their choice.

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All the works of irrigation and drainage, which we promised to carry out, are either under execution or in an advanced stage of investigation; in the circumstances in which these works are being carried out, they will throw no extra burden on the rest of the Presidency. A comprehensive scheme expected to cost about 35 lakhs for the extension of irrigation of an area of 90,000 acres under the Dowlaishweram anicut in the Godavari river is now under the consideration of the Irrigation Development Board. It provides for the installation of three foot shutters on the Dowlaishweram anicut with machinery for lifting them, the remodelling of channels and the improvement of drainage channels. The delimitation of the ultimate ayacut of the preparation of revised ayacut registers and maps in the Godavari districts is being dealt with by a special staff. The Vijeswaram head sluice has been improved at a cost of 1½ lakhs. The conversion of the Duvva bridge in the West Godavari district into a regulator and the construction of a regulator at the head of Venkayya Weyyeru canal will, I hope, be finished in a few months; I have recently inspected them myself. These will materially improve the drainage of a large area in the West Godavari delta. Other useful works have also been carried out.

“ In the Kistna district, the excavation of the Vempad channel has been nearly completed at a cost of a lakh of rupees and two important schemes have now been sanctioned and begun, namely, the improvement of the Peddalanka channel in the Kaikalur taluk and the East Bank Canal Scheme including the supply of Kistna water to Divi Island by direct flow from Bezwada by means of an aqueduct over the Puligedda branch of the Kistna for irrigation in the Divi Island, instead of by pumping from the Religedda branch; the estimate for these two schemes are 4¼ lakhs and 28½ lakhs respectively. These three schemes will provide for an extension of irrigation of nearly an area of 60,000 acres.

“ In the Kistna Western Delta, two important schemes are under the consideration of the Irrigation Development Board, namely, the Kistna High Level Channel and the Appapuram canal costing 6¾ lakhs and 10½ lakhs respectively; there are also certain other minor schemes for improving the drainage under this delta which are under execution or investigation.

“ The Tungabhadra and Bhavani projects are still under investigation mainly as schemes for the irrigation of dry crops and some time must, I fear, elapse before they will be ready for execution.

“ The Mettur and Kattalai schemes are nearing completion and considerable amount of work had been done and more will be done when funds permit to mitigate the effect of floods in the Tanjore delta. It has to be recognized that the system which the British Raj inherited here from previous administrations was an ‘ inundation system ’ which has been and is being gradually altered into an irrigation system, the same rivers having to serve for irrigation and drainage. The Mettur reservoir should have an appreciable effect in steadying the supply of river water in the delta.

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"In 1930, a re-examination of all the irrigation projects which were abandoned in the past on financial grounds, that is on the ground of being non-remunerative, was undertaken with a view to see whether any of them would be worth reviving and whether the surplus of the Famine Relief Fund could be spent on them. Four projects were considered fit for re-examination and they are the Boggeru Project in Nellore district, the Kottur Tank Supply Channel and the Benikal Tank Project in Bellary district and the Kaliveli Swamp reclamation in South Arcot district and the Chief Engineer was ordered to re-examine these projects; his reports subsequently received did not unfortunately show that any of them was worth taking up.

"As regards the tank restoration scheme, about which many hon. Members have spoken, three scheme divisions with the necessary staff were sanctioned in 1928 and functioned till 1931. Then they had to be abolished owing to financial stringency. We have not been able to revive the divisions yet and until funds improve, and the financial condition generally improves, it is not advisable to do so. We have, however, been proceeding with the execution of works, the estimates for which have been prepared by the tank restoration scheme parties. The execution is being carried out by the ordinary staff. I think hon. Members may like to know that the expenditure on the tank restoration scheme repairs amounted to 3 lakhs in 1931-32, and to 2 lakhs in 1932-33 and that 2 lakhs are provided in the revised estimates for this year and Rs. 1,39,000 in the Budget estimates for next year. The cost of completing and carrying out the tank restoration scheme in the whole Presidency is about 40 lakhs.

"In spite of the financial stringency, we have maintained the annual expenditure on the maintenance and repair of minor irrigation works at 13 lakhs including provision for the repair of flood damages. The expenditure on the maintenance and repair of other works has been reduced, but the present figure is about the figure for 1925-26, including again special expenditure for the repair of damage due to cyclones or floods which is always undertaken as quickly as possible.

"I should like, if I may, Sir, to close on a personal note. I realize difficulties of course, that my personal feelings are a mere begatelle compared with the difficulties which the economic depression of the last three years has brought on the people of this Province; but as this is, presumably, the last occasion on which I shall address the House in reply to the general discussion on a Budget, I hope the House will bear with me, if I say how keenly disappointed I am, that I have not been able to do more for the execution of these schemes and programmes of work to which I have referred and to express my earnest hope that the day may not be far distant when under happier and more prosperous conditions, others may be privileged to bring them to fruition and so confer lasting and permanent benefits on the people in the various parts of the Presidency."

* The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"Mr. President, Sir, in the general discussion of the Budget this year, as

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in that of the last, attention has been focussed on the large question of land revenue remission and so, the departments under our care have come in for very little of criticism, such criticisms having been relegated to a later occasion. Our replies have, therefore, necessarily to be brief and I shall make only just a few observations in reply to what the hon. Members have said in regard to my departments. One thing on which I found that needless alarm is entertained by some hon. Members representing the Muslims, the Indian Christians, and the Depressed Classes is with regard to the implementing of the scheme for the concentration and consolidation of elementary schools which has been adumbrated in the report of Mr. Champion. The recent Government Order on the subject, I should think, need give no cause for any such alarm. It has now been for a year before the public from September 1933. Hon. Members of the House might perhaps recollect that in April 1930, Government had communicated to local bodies the report of Mr. Champion and asked them to frame schemes on the lines indicated in the report. And yet, very few schemes had, so far, been received from these local bodies, though more than three years have elapsed. The Retrenchment Committee which considered, among other things, the prevention of wasteful expenditure on elementary education, drew the pointed attention of the Government to this delay in implementing the Champion scheme and urged upon the Government that urgent action was required on the part of the Government. It was on this recommendation of the Retrenchment Committee that the Government began to enquire, as to how the scheme could be expedited and put into operation and as a result of this examination, this Government Order has been passed. The order itself starts by saying that during the three years that have elapsed very little had been done. The main object, therefore, was to stir those people who had to frame such schemes into greater activity than they had exhibited in the past. So, the time limit of two months was prescribed for the framing of these schemes by the Educational Officers and a further time of four months for local authorities and the district educational councils for examination. It was definitely mentioned, Sir, that the schemes need not conform to any prescribed type or design, but it must have relation to the circumstances of the locality in which it was to be brought into effect. Well, when the Government worded the order in these terms, I cannot see, Sir, why all this perturbation should have been caused in the minds of any communities or any interests which might be affected by the consolidation and concentration.

"The schemes have to be examined by the local authorities and 4 p.m. the district educational authorities. They will then undergo a further scrutiny at the hands of the Director of Public Instruction and afterwards will be submitted to Government who have to pass final orders on each scheme. Representations were made to me quite recently by a deputation that waited on me that schemes were being brought into effect without the orders of Government. I had the matter fully examined and it has been reported to me that no such cases have occurred at all. If any such scheme is brought into operation without

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the orders of Government, hon. Members would easily realize that it will be in contravention of the terms of the Government Order to which I have just referred.

"Another matter to which some of the Muslim Members have referred is that the recent Government Order which has permitted religious instruction being imparted to Muslim pupils in schools under Government management and under the management of local bodies has not been put into effect. This order was passed about the end of September 1933 and was received with great satisfaction and appreciation by the Muslim public, and I am sure it is far too soon for the Muslim public to forget what a great thing the Government have done in so radically changing the policy which they had pursued for a long time before. This great change was made in response to the recommendations made by the members of the Muslim Education Committee who are representatives of the Muslim community of this Presidency in this House. One hon. Muslim Member delivered rather an unjustifiable and very violent attack on the Government that, though this order has been passed by the Government, no provision has been made in the present Budget with a view to implement that Government Order, making an insinuation, as it were, that the Government were not bona fide in passing the order which they have done. Well, I can assure not only that hon. Member but also others interested in this particular matter that the Government cannot in the least be accused of any want of bona fides with regard to this matter. I would only remind that Muslim Member and others that there are very few Muslim schools under Government management. At present, their number is 17 and in one of these—a school in Malappuram—there is already provision for religious instruction. So, there are only 16 schools under Government management which are intended exclusively for Muslim pupils and a number of them are training schools. But, under local bodies, I might mention that there are nearly 2,100 schools intended exclusively for Muhammadan pupils, besides the general schools in which Muslim pupils are studying. This Government Order was mainly intended to facilitate local bodies introducing religious instruction in the schools under their management and incurring the necessary expenditure. Have the hon. Members of the Muslim community in this House exerted any pressure on the local bodies in their respective areas to avail themselves of the opportunities given under this Government Order? Not a single local body has come yet before Government asking for any sanction or with any proposal to introduce religious instruction in the schools under their management. After all, as I said, Government schools are so few in number—they are almost negligible, while those under local bodies are nearly 2,100 in number. So, I would earnestly appeal to hon. Members who belong to the Muslim community to get these local bodies to introduce religious instruction in their schools. So far as the Government are concerned, they are certainly moving in the matter. They are examining the question as to what additional staff, if any, would be required, whether part-time instructors would be enough or

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whether they have to be full-time instructors. I need hardly tell hon. Members of this House that, if full-time men have to be appointed, they would have to be brought in under some particular service governed by statutory rules. Their qualifications and their scales of pay would have to be decided and incorporated in the statutory rules. All these require some time and I am sure they will take the assurance from me that the Government will do their utmost to expedite the matter. The interest of our Muslim friends is, I take it, only to see that religious instruction is provided and not to see that some money is spent on religious instruction whether that expenditure is necessary or not.

"Certain hon. Members referred to the fact that expenditure on education has been decreasing in recent years. My hon. Friend, Mr. Sami Venkatachalam Chetti took the year 1930-31 and said that there has been a fall of nearly 50 lakhs from the provision made in that year. My hon. Friend, I am afraid, has taken a very misleading year for his calculation. In that year, large sums of money had been provided for non-recurring lump sum grants to universities. The Andhra University received about 35 lakhs and the Madras University also received a fairly large sum of 1.35 lakhs. This has mainly accounted for the large provision made in that year for education. I need hardly tell my hon. Friend that we are not living in the same kind of prosperous era, as we did, when such liberal provisions were made for universities. Comparing the provision made last year with the provision made this year, there is very little variation and that variation can be easily accounted for. With regard to University education, there is a small difference of about half a lakh. This is mainly accounted for by the fact that two senior officers of the Indian Educational Service will be away from Madras in the year 1934-35: one will be on foreign service and another in England. So, provision is not made for either of these officers under the head of education in the Budget for 1934-35. This accounts for the variation of .45 lakhs approximately. There is some variation with regard to secondary schools. With regard to primary schools, the variation is only in their favour. There is a larger provision this year. With regard to secondary schools, the decrease is in the provision for grants for buildings and equipment. With regard to teaching grants, there has been no decrease at all. Here again, I would ask, hon. Members to recollect what the Retrenchment Committee had recommended with regard to these grants for buildings and equipment. They said that the Government had already undertaken such large commitments that they should not embark upon any further schemes till all their existing liabilities had been discharged. The Government have been discharging these old liabilities. It is hoped that with the Budget year 1934-35 all the old liabilities will have been discharged. Pending the discharge of old liabilities, an embargo had been placed on the entertainment of any new schemes by the Director of Public Instruction. With regard to equipment, the embargo has been recently removed and whether embargo with regard to building schemes also is to be similarly removed is under the consideration of

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Government. I must also say that even the modest demands made by the department for grants for these purposes have been cut down by the Finance Committee. That accounts also for a smaller provision being made under these heads than in previous years. These, I believe, are the main points on which there has been criticism, so far as the department of education is concerned.

“With regard to Excise, there is only one large question which was raised and to which, perhaps, I may make a brief allusion. The hon. Member from Malabar, Mr. Raman Menon, raised a large question that the Government must undertake the distillation of all liquor and the manufacture and sale of all the arrack and toddy that is required in this Presidency. This suggestion is based mainly on the consideration that the system is likely to bring in more revenue to the Government. I am doubtful whether that will be so. More than that, I doubt whether this House would countenance such a change in the policy of the Government, as would probably expose the Government to a greater temptation towards making money in this way than at present. However, I may tell the hon. Member that this question has not been so far examined in all its aspects though it has been considered piecemeal with respect to one aspect or other of it. I shall consider whether it is worth while to make any further and full examination of this question. But it is more than doubtful whether such a scheme will have the acceptance of the Government or of this House.

“My hon. Friend, Mr. Langley, made some very severe and sweeping criticisms against two of the departments in my care. I reserve my reply with regard to those criticisms to a later stage.”

* The Hon. Mr. P. T. RAJAN:—“Mr. President, though only a few hon. Members referred to the departments under my control, yet they have covered a fairly wide field and raised important questions. Messrs. Krishnayya Choudari and Davis, Rai Sahib C. Kolandai Reddi and the Raja of Parlakimedi have referred to the question of prohibition of import of foreign rice into this Presidency. In July 1933, in reply to a reference from the Government of India, this Government have strongly urged the complete prohibition of foreign rice to India in the interests of the agriculturists of this Province. On an interpellation made on the floor of this House in November last, regarding this question, the Government of India have again been addressed on the necessity for either the total prohibition of import of foreign rice or the imposition of prohibitive duties in the interests of rice producing Provinces. The matter is presumably engaging the attention of the Government of India. The Local Government has no voice in the matter as the subject of ‘tariff’ is a central one dealt with by the Government of India. That Government of foreign rice into this Presidency. It is hoped that the Central Government will move in that direction soon. Mr. Krishnayya Choudari has referred to the restriction of export to Nizam’s Dominions. This Government have already addressed the Residency at

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Hyderabad to move His Exalted Highness the Nizam’s Government to get the rate of the import duty on rice reduced to the limit of 5 per cent *ad valorem* permissible under the Commercial Treaty of 1802. An *interim* reply has been received to the effect that the matter has been taken to the notice of His Exalted Highness the Nizam’s Government. The final reply is being awaited. As soon as we get it, the Government of India will be addressed in the matter.

“My Friend, Rai Sahib C. K. Reddi, referred to the appointment of a marketing officer. I may tell him that orders have been issued 4-15 p.m. recently for the employment of a special officer for examining the conditions of marketing of rice and making recommendations thereon to Government. This appointment is only preliminary to the appointment of a provincial marketing officer and a marketing board, which appointment would be made, in the beginning of the next financial year. The provincial marketing officer will work in collaboration with the marketing officer, who will be appointed by the Imperial Council of Agricultural Research. My Friend, Mr. Appadurai Pillai, complained that the co-operative societies maintain a huge staff of 500 senior and junior inspectors for a collection of dues of about 300 to 400 lakhs of rupees. I would tell my friend that he seems to be under a misapprehension. Audit and liquidation of societies are obligations imposed on Government by the statute. The Government have, however, sanctioned a staff of 73 junior inspectors for all the societies, at the rate of two to four such officers for each district, as the societies require the supervision of Government at the present stage of the movement. No departmental staff has been sanctioned by Government for collection work. The Registrar might possibly have helped non-officials by deputing some inspectors for collection work, but it is not part of the normal duty of the department to collect arrears or overdues. In recent years, provincial banks and central banks have taken up the work of rectification of societies in earnest and have made some progress. Collection work is bound to be slow owing to depression and the work done so far has not been unsatisfactory. The Raja of Parlakimedi suggested that co-operative societies should come to the help of sugarcane growers by providing them with money at a lower rate of interest and by extending the period of repayment of loans. The rate of interest is settled not by societies; the rates are settled at the conference of central banks and it is not for the Government to tell them what should be the rates of interest that should be fixed. As for long term loans, they are to be given by the Land Mortgage Banks and not by the credit societies, which work only for short-term loans. Attention is, however, paid to the manufacture of sugar on co-operative basis.

“My Friend, Mr. Basheer Ahmed Sayeed, said that there is scope for savings under the establishment of the Public Works Department. I would refer him to Chapter 9 of the report of the Public Works Establishment Committee, in which the recommendations already

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effected are given in detail. Since then, the following further retrenchments have been made:—

Abolition of Polavaram subdivision,
Abolition of Mount subdivision, and
Abolition of Assistant Superintendent, Public Works Stores Department.

Besides these, certain other proposals for further retrenchment are under the consideration of the Government.

“ Mr. Simhachalam said that the construction of Government buildings is a wastage of expenditure, and instanced the medical school buildings at Guntur. The buildings were constructed at a cost of 3.13 lakhs and were ready for occupation in March 1928. The opening of the medical school was, however, deferred, and in December 1930, the Government, on the recommendation of the Medical Education Committee, ordered that the proposal for the opening of the school should be abandoned. As the buildings could not be disposed of for want of better offer, the Government have allotted them for the use of the secondary training school and training schools for Muslim-men teachers.

“ Mr. Davis, in the course of his speech, referred to the claims of the Anglo-Indians in the matter of appointments. I wish to refer my hon. Friend to the Communal Government Order, in which his community's claims have been recognized. If it is with reference to the Inspector-General of Registration, there is no vacancy now. If and when a vacancy occurs, the claims of the officers in the department will certainly receive every consideration.

“ Now, I turn to the Department of Agriculture. My hon. Friend, Mr. Langley, has questioned the usefulness of the department to the people. It is too late in the day to enumerate in detail the achievements of the department. While referring Mr. Langley and others of his way of thinking to the administration reports of the department for past years, I should like to touch briefly within the short time at my disposal on some of the more important items of the work done in the department. I would also refer all hon. Members to the Villagers' Calendar issued by the department, published every year in all the languages, both vernacular and English.”

Mr. SAMI VENKATACHALAM CHETTI:—“ *Amavasais* are also given there? ” (Laughter.)

* The Hon. Mr. P. T. RAJAN:—“ Yes, *Amavasais* are also given there. (Laughter.) If the accuracy of the statement or the information given therein is doubted or questioned, I shall be glad to look into the matter. The department has issued to the ryots improved strains of paddy, cotton and sugarcane, and these seeds have given an increased yield varying from 10 to 30 per cent per acre. As regards dry crops, improved strains of cholam and ragi issued to the ryots have been well received by them as yielding an increase of 10 to 15 per cent per acre. On a rough calculation, the acreage under improved strains

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of paddy has risen from 292,500 to 564,400; under cotton 300,000 to 351,000; under sugarcane from 21,000 to 25,000 and under miscellaneous crops from 95,000 to 140,000. All this has happened within the last three years. With reference to the above figures, the departmental work alone should have given the ryots an additional income of Rs. 5½ lakhs a year under paddy. This amount is made on a modest computation in view of the depressed conditions. Similarly other crops which have received the departmental attention should have contributed liberally to the additional income of the ryots. In view of this, there is no basis whatsoever for the statement of Mr. Langley that the Agricultural Department is not giving the value for the money spent upon it, especially when the amount spent upon the department is only a meagre sum of 18 lakhs a year. The budget of the department for the last ten years varied from 14 to 18 lakhs, though in 1931 it went up to 21 lakhs. Practical demonstrations have been made in the ryot's field, and they have risen from 7,000 to 15,000 for the last three years, demonstration plots have come to 3,000 in number. Exhibitions and magic lantern lectures with the help of motor exhibition vans have become popular with the ryots. Fruit plants of all kinds have been distributed to ryots, and the number of such plants issued has increased from 4,000 to 13,000 in the last three years. Demonstrators are giving the help required by the ryots. The research work in various directions is being done in the college and 837 samples of soils, manures, fertilizers and fodders are being analysed. Systematic study of soils for their characteristics has been taken up and special attention is being paid to composting waste organic vegetation and farm refuse to be used as manure for crops and appreciable progress has been made in this direction. A special section for the study of oil-seeds, like groundnut, castor, gingelly and coconut was formed in 1930, and promising varieties in groundnut are ready to be distributed. Improvements on the varieties have been undertaken. Remedial measures have been taken against pests and diseases such as, paddy stem-borer, rice grass-hopper, coconut betel, hairy caterpillar of dry crops, cotton bowlworm, black headed caterpillar of coconut and moraic disease on sugarcane.

“ I quite agree with my Friend, Mr. Langley, that the agriculturists of to-day cannot depend much upon main crops. In view of this, the department has been doing propaganda in favour of sugarcane cultivation, in addition to persuading people to go in for bee-keeping, breeding of silk-worms and poultry farming, as subsidiary industries during the off-season. The department with its limited staff and restricted funds is doing its best to help the ryots to tide over the present difficulties. If the progress is not so rapid as one would like, it is not the fault of the department. It is more owing to the system under which we are working and also to the inherent conservatism of the people. In countries like Italy and Russia, when they were faced with agricultural problems, the Government of those countries took the whole things into their hands, and agricultural operations are being conducted under

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the control of the State to suit the requirements of the situation. If similar powers are given by this House, the Government, I dare say, will show more rapid progress. As things are to-day, I am afraid, progress must be slow, though steady.

"Coming to the people, the conservatism stands in the way of adopting improvements recommended by the department. Anything done by the department is looked upon with suspicion, as not being in the interests of the people. When the department of Agriculture put in motion the Cotton Transport Act, with a view to secure purity of cotton in different tracts, there was stout opposition on the part of the people. The Cotton Control Act was passed to prevent the cultivation of the inferior variety of cotton in a given area. It will be within the knowledge of the Members of this House that there was a great deal of opposition to this Bill. It was only with great difficulty the Bill was piloted through the Select Committee stage and through this House. It was then felt that the Bill was not in the interests of the people and subsequently the House and the people outside realized that it was in the interest of the cotton-growers that the Act was passed. I have every reason to make this statement, though Mr. Arasu might think otherwise.

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p.m.

"Sir, the same applies with reference to the Madras Commercial Crops Bill. There was a great deal of opposition and it was only after my going round the various districts in the south and after giving the people the assurance that the Bill was conceived in the interests of the people, that all opposition ceased. The Bill has been passed into law and the rules are being framed under the Act and I hope it will be put in motion very soon. For the time being, the Act comes into operation only as regards cotton and when we find that it meets with success, the scope of the Act will be extended to other places and to other crops.

"This naturally brings me to the question of marketing facilities which the people are in need of to-day. No doubt the department has been persuading the people to go in for other crops which would pay them better. Even assuming that the people are willing to accept the recommendations of the department, the whole problem is the question of marketing. World trade is so disorganized at present moment that it is not possible for any one country to get facilities for the disposal of its produce and more so, for a province like Madras which is only a subordinate Government. It is not possible for them to do anything without the consent of the Government of India. For instance, as regards reduction of duty on import of rice, this Government has to address the Government of India, as these subjects are dealt with by the latter. Whenever occasion demanded, this Government have addressed the Central Government. As far as marketing facilities in this province are concerned, I hope the appointment of the marketing officer will help to improve local conditions. In this connexion, I would only appeal to the people of this province to organize themselves in such a way, as

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to give the Government and the department concerned, every help in solving the difficulties which the ryots are faced with.

"Before I conclude my speech, I should like to refer to the question of live-stock but, I am afraid, I have no time. I will refer to that subject in the course of Budget grant. With these few words, I resume my seat."

The Hon. the RAJA OF BOBBILI:—"Sir, I do not propose to take up much of the time of the House and I shall be very brief in my replies to the various points raised in the debate for the last three days.

"My friend, Mr. Sahajanandam, has criticized the Government for not giving adequate representation to the Depressed Classes in panchayats and temple committees. As regards panchayats, I may state for the information of the House that there are three kinds of panchayats: (1) pre-union panchayats, (2) panchayats constituted under the old Panchayat Act, and (3) panchayats constituted under the present Local Boards Act. As regards pre-union panchayats, the Government have been invariably reserving seats to the Depressed Classes. As regards reservation to the other two classes, power has been delegated to the Inspector. To-day, I had an opportunity of getting figures from the Inspector and I find that he has been granting reservations, in some cases one seat and in other cases two. Of course, at the time at my disposal, it is not possible for me to go into the population figures to satisfy myself whether the representation given is sufficient or adequate and if I find that representation has not been given to these communities, Government will carefully examine this question and direct the Inspector to increase the representation. As regards temple committees, hon. Members are aware that power of nomination given to the Government, when the Act was first passed, has now been exhausted. Therefore, it is not fair to criticize the Government for not exercising a power which they do not possess.

"My friends, Messrs. Muniswami Pillai and Devadasan referred to the cancellation by the Government of the resolution of the Salem Municipality, regarding admission of all communities to hotels and coffee-clubs. I am sorry that, hon. Members had again to refer to this subject, in spite of answers given to them to the questions on various occasions and in spite of the personal explanation that I have given to them. They will realize that, as far as public places, public wells, and tanks maintained from public funds are concerned, this House has had the credit of passing recently a legislation throwing them open to all classes and communities, although similar attempts have failed in the past. But in the case of the resolution passed by the Salem Municipality, the Government are advised by their legal experts that the municipality has exceeded its powers in making it a condition in the licence that these hotels and coffee-hotels are open to all classes and communities. In the case of these licences, they are intended to see that sanitary conditions are fulfilled by the proprietors of the respective hotels. Neither the municipality nor the Government have got power to say

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that no licences will be granted, unless these hotels are thrown open to all communities.

“ My hon. Friend, Mr. Peddi Raju, has referred to two or three points one of which was that the Village Development Fund should be restored. I may state that this House will express its opinion on this question tomorrow and it is rather premature to enter into the question of restoring the fund which has not yet been abolished. However, I may state for his information that even under the revised proposals, the fund will not be abolished. It has been abolished only in name but it is retained in the shape of the rural reconstruction fund. As regards the balance of the Village Development Fund, the district boards will now have a statutory obligation of spending three pies in the rupee in non-panchayat areas.

“ The next point, mentioned by my hon. Friend, Mr. Peddi Raju, was the construction of a new hospital at Ellore. Estimates, I believe, were prepared in the year 1927 and they have been found to be out of date. The Surgeon-General has been asked to submit to the Government revised plans and estimates. As soon as they are received, Government will pass orders.

“ As regards the drainage scheme, this question was raised some years ago and it was found that the municipality was unable to finance the scheme successfully. Subsequently in 1929, the municipality addressed the Government and two schemes were drawn up and the municipality has now agreed to take up the cheaper scheme. The report of the Deputy Sanitary Engineer has not been received and as soon as it is submitted to the Government with the remarks of the Sanitary Engineer, the Government will pass favourable orders shortly.

“ My hon. Friend, Mr. Krishnayya Choudari, has suggested that Civil Surgeons and Assistant Surgeons should be debarred from private practice, as in the case of the district health officers. I may mention for the information of my friend that, in the case of district health officers, they are entrusted with preventive work and hence it was considered necessary in the public interests to debar them entirely from private practice. On that account, the scales of pay for district health officers were also fixed higher than those of members of the Madras General Medical Service with similar qualifications. I believe the time has not come for the Government to debar the medical officers entirely from private practice.

“ My hon. Friend, Mr. Langley, mentioned the case of the Kumbum valley road and brought to the notice of the Government that, in the interests of the agriculturists, it was necessary to improve the communications. It is true that the present condition of this road has not been satisfactory. Government have received a report from the Collector and we propose to address the district board on this question.

“ My hon. Friend, Mr. Ellappa Chettiyar, has brought to the notice of the Government the delay caused in the acquisition of lands for forming village roads. It is true that the administration of all public roads

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and paths was entrusted to local bodies, and it has been found that sufficient care has not been exercised by them for encroachments. The Government have, therefore, decided that all roads and paths not maintained by local bodies, should be entrusted to the Revenue Department. If district boards have a definite programme of road works, and apply to the Government through Collectors in advance, I am sure there will not be any delay in reinvesting particular roads or paths to local bodies. He has also mentioned the other case where delay has been caused in land acquisition. I am afraid this is a matter in which it is very difficult to find a remedy. In the case of land acquisition, many private rights and interests are involved and sometimes, the awards of Government officers are disputed and taken to courts of law. Therefore, it is not a matter entirely in the hands of Government to take steps to expedite the acquisition. However, I shall carefully consider whether it will be possible, as he has suggested, while all these preliminaries are going on, to hand over the lands to local bodies on their depositing the cost.

“ Several hon. Members representing Salem have naturally referred at length to the Salem Water-supply Scheme. In answer to a question, I have said that as far as Government are concerned, they have agreed to the sanction of the scheme on the half-loan half-grant basis. The only question now under consideration is the water-rate to be fixed for the municipality. The Government are now going into the details of the matter to determine what exactly should be the water-rate for Salem town, with reference to the rates of assessment levied for Mettur water for Tanjore. I can assure hon. Members that there will be no difficulty in authorizing the municipality to incur the necessary expenditure during 1934-35 for the preparation of detailed plans and estimates.

“ I believe, Sir, I have answered briefly the main points raised in this discussion. No doubt, the House will take opportunity when voting for demands, to deal with these and other matters at greater length, when I will be placing further information before the House.”

* The Hon. Sir HOPETOWN STOKES:—“ Mr. Deputy President, Sir, my hon. Friend, Mr. Basheer Ahmed, in his preliminary observations doubted whether this debate was really of any practical value and suggested that it should be eliminated. But whatever one may think about that, I think I may say that our debate this year has had a considerable element of, shall I say, reality. We have had quite vigorous cuts and thrusts and altogether it has been quite lively.

“ I will first deal with the topic of the pay cut. I am afraid the time is limited and I must cut my remarks to the quarter of an hour before me. I notice that more than one member has modified his view on the subject and is now prepared to agree that, in the circumstances explained by me in my speech, the pay cut is not called for and it would not be justified at the present time. My friend, Mr. Metherell—to whose maiden speech we have, if I may say so, listened during the present Budget debate, with both pleasure and profit—(Sir M. Krishnan Nayar: ‘Hear, hear.’) has been quite explicit on the point. It was not, in his instance, a case of changing his opinion—for he had hitherto expressed none—so that I may

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take it that he is generally satisfied with the argument as presented by me. I do not overlook the fact that he has declined to accept the argument, which he attributes to me, that the anticipation of a 'fortune round the corner' is an inducement to a prospective candidate for employment to select private *versus* Government employment especially when the post he seeks is that of a subordinate clerk. With all respect to my friend, Mr. Metherell, I did not advance any such argument. I am aware, no less fully than my friend, that especially in these years of depression, fortunes do not usually 'await round the corner' even principals in business, much less their subordinates. In fact, it might be truer of the past few years to say that the coy damsel of fortune has disappeared round the corner rather than awaited in that concealment the advent of the happy business-men who may come to catch her. I did, it is true, refer to the fact that Government service does not offer a man a prospect of a fortune and this is true. It may be said 'Neither does a business career as things are at present.' That also, is true. But the fact remains that to a man of ability, even though he starts as an office-boy, a business career has in the past—though not the recent past—offered prospects or at least possibilities of affluence greater than anything which an official can ever expect, unless my reading of the lives of greatest businessmen is entirely at fault. I venture to suggest that my friend has read more 'into the phrase I used than I intended. My main point, with which I gather that he is in agreement is that, broadly speaking, the principal attraction of Government service is its security and that Government cannot and should not—when they have given a pledge to their servants as we have—depart from that pledge otherwise than as a last expedient, if they are to secure for the future as efficient and honest service as in the past. As Mr. Metherell has put it, the Government 'could not play fast and loose with the persons that serve them.'

"The argument has frequently been advanced with reference to the pay-cut that, as there was a large increase of pay when prices were high during and immediately after the war, so it would be reasonable to cut the pay, now that prices have fallen. Taking the superior Provincial Services, I find that their pay was revised in 1919 on the recommendation of the Islington Commission. That Commission reported actually before the war—I think in 1913 or 1914—and though it took note of the increase in prices up to that date, it repudiated any attempt to revise the scales of pay of the various services (All-India and Provincial) upon that basis. The Commission said:

'The only safe criterion is that Government should pay so much and so much only to their employees as is necessary to obtain recruits of the right stamp and to maintain them in such a degree of comfort and dignity as will shield them from temptation and keep them efficient for the term of their service. Whilst, therefore, we have noted the rise in prices which has taken place, we have not based on this any general recommendation. Where we have advised changes of salary, it has been to meet inequalities of remuneration prejudicial to efficiency, to fulfil expectation reasonably founded on formal announcements made by Government and to improve recruitment, where the existing terms have been shown to be insufficient to obtain a satisfactory personnel.'

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"This criterion of fixing the pay of the various services was generally approved by the Government of India. It was on this basis that revisions of salaries of the various Provincial Services in the Madras Presidency were carried out during the period 1919-1921.

"Prior to that revision, the minimum and maximum pay of a Provincial Service was Rs. 250 and Rs. 700 respectively. After revision, the minimum and maximum pay have been Rs. 300 and Rs. 850 respectively with a selection grade carrying a scale of Rs. 1,000 to Rs. 1,200 in the case of some Provincial Services.

"So far as the subordinate and menial services (including village servants) are concerned, it is true that the increase was large, much larger than in the superior services and the addition to the salary bill on this account came to about 2 crores. It is also true that the increase was given mainly with reference to the rise in prices during and after the war, though even here the Government felt that they could not continue on the basis of the pittance of Rs. 15 or Rs. 20 for a clerk and Rs. 6 for a peon which had prevailed since 1890 or 1894. If we are to apply the argument for a cut based on the present fall in prices, it should apply in a greater measure to these classes than to the superior. But these are precisely the classes which I gather the Council desires not to touch, or, if it touches at all, to touch only slightly. So much for the particular argument which I have been alluding to.

"These considerations apart, I still hold that the fact of our promise to our servants remains. We would not be justified in departing from them.

"Mr. Metherell observed that a surplus should not be an end in itself and suggested that Government should stimulate economic recovery. Other speakers dwelt at length on the same point; Mr. Shetty, for instance, wanted an economic survey by experts to be followed by a well-thought-out economic programme and the employment of an Economic Advisory Council or Bureau for co-ordinating the various aspects of agricultural and industrial activities. I think, I can assure Mr. Metherell that we do not regard a surplus as an end in itself, except in so far as we have thought it our duty in these difficult times to make ends meet. For the rest, the scheme for an economic survey is on foot, and this Government will no doubt be ready to co-operate with the Government of India so far as it can afford to do so. But I need hardly say that the reduction in the land revenue which we have given, to say nothing of the demand which this Council has passed for a concession which would cost us about Rs. 160 lakhs a year, is not going to make it easier for the Government to secure the fulfilment of either Mr. Shetty's proposals, or any other of the counsels of perfection, which various members have pressed upon us.

"I may mention now that what we have given (if continued for fasli 1344) is going to cost us Rs. 155 lakhs in three faslis, while the 25 per cent proposal for 1343 and 1344 coupled with the concession given for 1342, would have cost us in the three faslis Rs. 360 lakhs in round figures.

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take it that he is generally satisfied with the argument as presented by me. I do not overlook the fact that he has declined to accept the argument, which he attributes to me, that the anticipation of a 'fortune round the corner' is an inducement to a prospective candidate for employment to select private *versus* Government employment especially when the post he seeks is that of a subordinate clerk. With all respect to my friend, Mr. Metherell, I did not advance any such argument. I am aware, no less fully than my friend, that especially in these years of depression, fortunes do not usually 'await round the corner' even principals in business, much less their subordinates. In fact, it might be truer of the past few years to say that the coy damsel of fortune has disappeared round the corner rather than awaited in that concealment the advent of the happy business-men who may come to catch her. I did, it is true, refer to the fact that Government service does not offer a man a prospect of a fortune and this is true. It may be said 'Neither does a business career as things are at present.' That also, is true. But the fact remains that to a man of ability, even though he starts as an office-boy, a business career has in the past—though not the recent past—offered prospects or at least possibilities of affluence greater than anything which an official can ever expect, unless my reading of the lives of greatest businessmen is entirely at fault. I venture to suggest that my friend has read more into the phrase I used than I intended. My main point, with which I gather that he is in agreement is that, broadly speaking, the principal attraction of Government service is its security and that Government cannot and should not—when they have given a pledge to their servants as we have—depart from that pledge otherwise than as a last expedient, if they are to secure for the future as efficient and honest service as in the past. As Mr. Metherell has put it, the Government 'could not play fast and loose with the persons that serve them.'

"The argument has frequently been advanced with reference to the pay-cut that, as there was a large increase of pay when prices were high during and immediately after the war, so it would be reasonable to cut the pay, now that prices have fallen. Taking the superior Provincial Services, I find that their pay was revised in 1919 on the recommendation of the Islington Commission. That Commission reported actually before the war—I think in 1913 or 1914—and though it took note of the increase in prices up to that date, it repudiated any attempt to revise the scales of pay of the various services (All-India and Provincial) upon that basis. The Commission said:

'The only safe criterion is that Government should pay so much and so much only to their employees as is necessary to obtain recruits of the right stamp and to maintain them in such a degree of comfort and dignity as will shield them from temptation and keep them efficient for the term of their service. Whilst, therefore, we have noted the rise in prices which has taken place, we have not based on this any general recommendation. Where we have advised changes of salary, it has been to meet inequalities of remuneration prejudicial to efficiency, to fulfil expectations reasonably founded on formal announcements made by Government and to improve recruitment, where the existing terms have been shown to be insufficient to obtain a satisfactory personnel.'

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"This criterion of fixing the pay of the various services was generally approved by the Government of India. It was on this basis that revisions of salaries of the various Provincial Services in the Madras Presidency were carried out during the period 1919-1921.

"Prior to that revision, the minimum and maximum pay of a Provincial Service was Rs. 250 and Rs. 700 respectively. After revision, the minimum and maximum pay have been Rs. 300 and Rs. 850 respectively with a selection grade carrying a scale of Rs. 1,000 to Rs. 1,200 in the case of some Provincial Services.

"So far as the subordinate and menial services (including village servants) are concerned, it is true that the increase was large, much larger than in the superior services and the addition to the salary bill on this account came to about 2 crores. It is also true that the increase was given mainly with reference to the rise in prices during and after the war, though even here the Government felt that they could not continue on the basis of the pittance of Rs. 15 or Rs. 20 for a clerk and Rs. 6 for a peon which had prevailed since 1890 or 1894. If we are to apply the argument for a cut based on the present fall in prices, it should apply in a greater measure to these classes than to the superior. But these are precisely the classes which I gather the Council desires not to touch, or, if it touches at all, to touch only slightly. So much for the particular argument which I have been alluding to.

"These considerations apart, I still hold that the fact of our promise to our servants remains. We would not be justified in departing from them.

"Mr. Metherell observed that a surplus should not be an end in itself and suggested that Government should stimulate economic recovery. Other speakers dwelt at length on the same point; Mr. Shetty, for instance, wanted an economic survey by experts to be followed by a well-thought-out economic programme and the employment of an Economic Advisory Council or Bureau for co-ordinating the various aspects of agricultural and industrial activities. I think, I can assure Mr. Metherell that we do not regard a surplus as an end in itself, except in so far as we have thought it our duty in these difficult times to make ends meet. For the rest, the scheme for an economic survey is on foot, and this Government will no doubt be ready to co-operate with the Government of India so far as it can afford to do so. But I need hardly say that the reduction in the land revenue which we have given, to say nothing of the demand which this Council has passed for a concession which would cost us about Rs. 160 lakhs a year, is not going to make it easier for the Government to secure the fulfilment of either Mr. Shetty's proposals, or any other of the counsels of perfection, which various members have pressed upon us.

"I may mention now that what we have given (if continued for fasli 1344) is going to cost us Rs. 155 lakhs in three faslis, while the 25 per cent proposal for 1343 and 1344 coupled with the concession given for 1342, would have cost us in the three faslis Rs. 360 lakhs in round figures.

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“ Certain members have objected to the course of drawing on our balances for capital expenditure instead of charging it to loan funds. They thought that, if this were done, our balances would be in a much sounder condition and that we would be able to tide over the present crisis for a much longer period. Mr. Koti Reddi took the same point. He urged that all capital expenditure—whether remunerative or not remunerative, e.g., buildings for offices, etc.—should be met by borrowing. It has always been the practice of this Government when it was affluent to pay for a good deal of miscellaneous capital expenditure from current revenues. Since 1920–21 we have thus met yearly expenditure of what is strictly speaking of a ‘ capital ’ nature, to the amount on the average of about Rs. 36 lakhs a year. Some of this is no doubt (though I have not examined the details throughout) expenditure on comparatively small schemes, but, in any case, having regard to the total of our expenditure, it is not a large amount. We cannot always add to our debt whenever, for example, we want to build a Deputy Tahsildar’s office, or an officer’s bungalow. Suppose, however, that we had strictly adhered to the principle which Mr. Koti Reddi advocates, what would have been our position in 1931–32 onwards when the depression came upon us? Instead of being able to reduce expenditure on buildings, etc., at once, we should have been saddled with an additional, an unavoidable, debt charge involving the payment (including interest) of Rs. 48·8 lakhs in 1931–32; Rs. 50·2 lakhs in 1932–33, Rs. 48·5 in 1933–34 and Rs. 46·7 lakhs in 1934–35. If we can afford to do so, it is obviously better to pay for buildings for relatively minor schemes, etc., from current revenues or from revenue balances. By so doing, we, in effect, conserve our debt position, which, largely, as the result of this policy, is an exceptionally strong one.

“As regards Mr. Yahya Ali's point, his idea is that we should be charging all capital expenditure to loans, leave so much more on the revenue side of the revenue account available for meeting the land revenue concessions. It might, no doubt, be possible to do something of this kind, but as I have stated, there is no great advantage in borrowing when and if you can avoid doing so. Whatever revenue deficit might result from the grant of land revenue remissions on the scale suggested by the House, must be in addition to the charges for the further sums borrowed which are only payable from revenue. In other words, the effect of the suggestion might well be that, instead of drawing from the balances and paying no interest, we draw our balances to the extent of our deficit, and pay interest on our loans as well. In any case, it is pretty certain that the suggested arrangement would be in the long run far more costly than that we have actually adopted.

“ Then Mr. Yahya Ali inquired why we did not or do not take a loan in the open market, and thus get the benefit of the low Bank rate. I do not think the current bank rate is a guide in the matter of a Government loan. During 1933-34 the Government of India (Provincial Loan Account) rate has been 4½ per cent for ‘ productive ’ and 4¾ per cent for ‘ unproductive ’ loans. I find that in August 1933 the Punjab Government borrowed at the equivalent of 4·17 per cent.

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“ About the same time Cochin had to pay 5 per cent and also to 5 p.m.
exempt the holder from the State income-tax; in December, Mysore
borrowed at 4 per cent with exemption from both State and British India
income-tax. In April 1933, the Government of India were able to
borrow at the equivalent of 3.65 per cent. If we borrowed for 1934-35,
it would be for one of two objects, either (1) to meet capital expenditure
in 1934-35 or (2) to repay former loans to the Government of India. I
have already dealt with the former point. Actually we are not borrow-
ing in 1934-35 at all. As regards the second, the Government of India
have refused to accept repayment of earlier loans before their due date.

“ Mr. Sami Venkatachalam Chetti propounded and elaborated at considerable length a proposition with which, had it come from a less prominent Member of the House, it might not have been necessary for me to deal at any length. He declared that the Budget was deliberately starving the nation-building departments and that this was because the Government, as soon as agitation declined, felt that they could with impunity starve the Transferred departments. Such a thesis says more for the ingenuity of him who advances it than for his sense of fairness. It also pays a poor compliment to the various distinguished gentlemen who have occupied the posts of Ministers since 1920–21, and more especially in the past three years. His argument was based on the fact that, since retrenchment set in, there has been a fall in the appropriations (comparing 1934–35 with 1930–31) of 20 per cent while in those for the Reserved departments and those common to both Reserved and Transferred of 8 per cent a piece. The figures are approximately correct. I am sure that Mr. Sami Venkatachalam Chetti was perfectly well aware that, so far from Government having adopted in the past a niggardly attitude towards the Transferred or nation-building departments, the lion's share of the Government resources has been allotted to them. I find that as compared with 1920–21, the increase in 1930–31 which was the peak year of expenditure, was as follows:—Education 116 per cent, Medical and Public Health 93 per cent, Agriculture and Industries 94 per cent, Road grants 189 per cent, Irrigation 71 per cent, while on the other hand Land Revenue and General Administration 13 per cent, Justice, Jails and Police 21 per cent and Pensions and Debt Services—over which we have no control—64 per cent. In spite of retrenchment, the increase in 1934–35 as compared with 1920–21 given to Education has been 80 per cent, that for Medical and Public Health 67 per cent, for Agriculture and Industries 51 per cent, for Roads and Bridges, etc., grants 126 per cent, for Irrigation 53 per cent. On the other hand in Land Revenue and General Administration the increase has been only 4 per cent, in Administration of Justice and Jails only 2 per cent and in Police 9 per cent. In Pensions and Debt Services, over which we have no control, there has been an increase of 46 per cent largely due to our greater borrowings for remunerative schemes. That being so, it is inevitable that when we had to retrench all round, as we had in 1931–32 and subsequently, the departments which had most benefited in our days of affluence should show a larger percentage than the others. We had to cut our coat according to our cloth and we had to

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cut away the superfluous portions of the coat, before we came to the essential parts of it. Even with these reduction the Transferred departments and Development services show a large increase in 1934-35 as compared with 1920-21. They still display a percentage increase of nearly 56 per cent, as compared with a similar increase of only $3\frac{1}{2}$ per cent for the Reserved departments—namely, security services.

“ Mr. Natesa Mudaliyar, shed tears over the heartless retrenchment that had been effected and the large numbers of employees turned out. I have unfortunately not been able, in the time available, to obtain precise figures. In March 1932, I think in reply to an interpellation, it was stated that the number turned out was 2,992. But I should like to remind Mr. Natesa Mudaliyar that retrenched men have, generally speaking, under the orders of Government a first claim for re-employment when opportunity offers; further that in many cases, the turning out consisted in mere reversions to their permanent posts. And probably a certain number have since been re-employed either in their old offices or elsewhere. In the case of establishments on a temporary footing the orders of Government provide for a gratuity in the case of certain temporary establishments who had put in long service on a temporary footing.

“ Mr. Natesa Mudaliyar went on to dilate on the existence of 485 graduates and 700 school-final men who are unemployed in Madras. He cited the contrast of Germany where he said that unemployment was non-existent, and the word ‘pauper’ was unknown. Another speaker also, Mr. Ramaswami Mudaliyar advocated the adoption of German methods. I am afraid Mr. Natesa Mudaliyar must have misunderstood his authorities, for it is well known that the Nazi or National Socialist Revolution which has taken place in Germany was facilitated, if not caused by, the fact that since the depression the number of German unemployed swelled into millions. In a work on the subject which appeared a few months ago I find that by September 1933 the Nazi Administration was able to point with pride to the fact that they had been able to reduce the number to about $4\frac{1}{2}$ millions only! And to this result the Nazi Government it appears, have contributed in part at least by conscripting all unemployed persons—regardless of class or education to labouring gangs, comprising about 350,000 men. Mr. Ramaswami Mudaliyar told us that these numbers have now grown to a million. These men are forced to work at manual labour for six hours a day and to listen to lectures for three hours more, receiving about 30 pfennig or 6d. a day for wages. Doubtless, an admirable discipline. But I wonder whether my friend, Mr. Natesa Mudaliyar, would like us to adopt similar methods. . . . (Rao Bahadur C. Natesa Mudaliyar:— ‘We may adopt pre-Nazi methods.’) Perhaps my friend wants us to adopt pre-German methods. I wonder whether he would like us to send his 485 unemployed graduates to quarry road metal for the Corporation at Pallavaram for six hours a day, followed by suitable lectures for three more!

“ My friend, Mr. Langley accuses me of inconsistency because in paragraph 2 of my speech I referred to what seemed to be silver

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streaks in the cloud of depression. If this is optimism, I wonder what he would consider pessimism! I rejoice to find that he agrees that for our present ills mere remission of taxation is no cure but a mere palliative. He calls for a bold policy of capital expenditure—all from loans, I presume—for road construction, running, if necessary into crores. I hope I may infer from this that he has thought better of the support which he gave to the 25 per cent cut proposal; for he knows—none better—that you cannot pay your way if on the one hand you decrease your receipts materially and at the same time increase your expenditure especially when that expenditure is not productive.

“ As regards his particular suggestion for a road scheme, it has to be remembered that roads have to be maintained for the most part by the local bodies, and with their present resources, it is useless adding to their burdens in this respect. Apart from this, the whole question of road policy is now under consideration and is complicated by the rival interests of the Railway systems.

“ I think, Mr. Langley observed also that our revenues were inelastic. I quite agree with him. This fact has been repeatedly put before the House, and it has caused me to view with greater dismay the policy which the House in its recent resolution saw fit to favour.

“ Mr. Langley and other speakers asked ‘why are no means of raising taxation formulated?’ I think my friend, Mr. Raman Menon, suggested certain specific expedients. I hope it may not be necessary to impose further taxation, but, should it be so, I shall derive encouragement from the advice which these gentlemen have given.

“ Several speakers have asked why could not Government have accepted the 18 $\frac{3}{4}$ per cent proposal of the Finance Committee. One reply I might make is that the House itself did not accept it; nor was any amendment advocating it moved by any one of those who now declare that they favoured it.

“ The main point, however, is that the addition of another 12 or 13 lakhs would add little to the effectiveness of what is after all a palliative only and not a cure. If the many speakers who have advocated the grant of 25 per cent are right, the position is such that practically no conceivable remission will solve the crisis. Yet my friend, Mr. Pannirselvam, told us this morning, with much emphasis, that if only Government would give what the Finance Committee have suggested, i.e., about 13 lakhs more, he and presumably most others who share his view-point would be perfectly satisfied. Are we then to infer that the measure of the necessity is what the Government have given plus 13 lakhs? But, if not, what does this figure represent except the result of a haggle and a rather meaningless haggle between the two sides?

“ I have no doubt that, in their speeches, hon. Members of the House have used language reflecting—I doubt not—the warmth and sincerity of their feelings. The Government are forced to take a more dispassionate view. They are fully conscious, as I have stated in my speech, of the difficulties in which the agriculturists are struggling, and they have

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given remissions such as they can safely concede having regard to the present and prospective position of their finances. The House may rest assured that they will continue carefully to watch the situation, and will spare no effort to devise suitable measures so far as their resources permit from time to time. In his wise and statesmanlike speech in to-day's debate, Sir A. P. Patro, has sought to face the matter in the dry light in which it should be faced. In this his recent experience of the realities of Constitutional experiments has no doubt been of great value to him. But the various measures he suggests and those of other Members must take time and must cost money, and the surest way to defeat them is to deprive the Government of the means to give effect to them.

"Sir, I have been accused of harshness, want of sympathy, etc., and a lot of bad names. There is the proverb 'hard words break no bones.' I say no more about that. What I wish to point out is that the Budget is not—certainly not—a prosperity one. I never meant it to be regarded as such. I long ago urged upon this House that for the future we must not allow ourselves to be mesmerised by these fascinating balances—the result of a sudden access to revenue owing to the abolition of the Central contribution. I urged that we must cut our coat according to our cloth, as Mr. Ramalingam Chetti has, in this debate, been insisting that we should do. In the year 1931-32, I pressed this aspect of the matter and the House approved of this policy and it is what the Government have been pursuing. I fear the debate on the 25 per cent resolution indicated that the full reality of the position was not sufficiently present in the minds of Members and I think I should have been failing in my duty if I had not put the position as frankly, not to say bluntly, as possible. We know that it is unpleasant to hear unpleasant things but I feel sure the House will acquit me of any intention to give pain. I believe—if I may draw inferences from the effect of my presentation of the case on so many of the more reflective Members—that my object in presenting the matter, as I have done, has been attained. After all, as it seems to me, the alternatives are either to deprive the Government of revenues and disable them from carrying through even such urgent measures as are within their power to deal with the situation—to say nothing of making provision for further progress—or in the alternative to allow the money taken to fructify as one newspaper observed, in the pocket of the Government for the good of all concerned. This is an aspect of the question to which, I hope, the present debate will have given more prominence than it has hitherto received. It is, Sir, one of great importance and will, I trust, in future not be forgotten.

"Sir, time will not permit of my dealing with many other points which were touched on in the speeches of hon. Members. I can assure them however, that this does not mean that they will receive no attention or consideration on our part."

The House then adjourned to meet again at 11 o'clock the next day.

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

26th February 1934]

APPENDIX I.

[Vide answer to question No. 703 asked by Mr. G. Lakshmana Reddi at the meeting of the Legislative Council held on the 26th February 1934, page 268 supra.]

Agreement reached at the conference of Mysore and Madras held in the Secretariat at Bangalore on the 4th and 5th September 1933.

1. (1) As regards repairs to irrigation reservoirs falling within the definition in rule 1 (3) of the Agreement of 1892—whether they involve the increase of the level of waste weirs or the construction of new reservoirs in substitution of old ones—intimation will, as far as possible, be given by Mysore in future before the work is commenced with details of what is proposed to be done. The Madras Government will, as far as possible, give similar information in respect of similar works in the Madras Presidency which may affect the prescriptive rights for which protection may be claimed under the rules in the Agreement of 1892.

(2) By analogy, the construction of new anicuts in place of existing ones will be treated similarly, but Mysore and Madras Governments will, as far as possible, give similar intimation before work is commenced.

(3) An anicut will include any construction of roughstone (dry) or masonry across a river either in part or fully and in any direction, which will have the effect of diverting water from the river, but the consent of the Madras Government will not be required under the Agreement of 1892 for the construction of any new anicut if there is to be no irrigation under it.

2. *Construction of a new tank across the Bandihalla at Thippagana-halli, Goribidnur taluk.*—If the Mysore Government agree to reduce the maximum storage capacity of the Srinivasasagara by 200 units to 410 units and to reduce the maximum atchcut by 100 acres to between 700 and 800 acres, the Madras Government will consent to the proposal to construct the new tank with a storage capacity of about 450 units and an atchcut of 600 acres.

3. *Rajaranti tank, Paragada taluk.*—The recommendations made in the notes of joint inspection are accepted as equitable to both the Governments.

4. *Distribution of water of the Swarnamukhi tributary of the Hagari between the British Agali channel and the Mysore Kittagali channel.*—The Mysore Government agreed to the provision of shutters for the vents to be re-opened in the anicut, provided that they are operated not necessarily after the Agali tank fills, but as soon as the flow in the Agali channel attains a certain height, which will be determined by agreement between the two Chief Engineers.

The draft agreement, already forwarded, may be concluded with this modification.

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5. *Diversion of water from the Handihalla stream into the supply channel to the Bodimaralur tank.*—As the Mysore Government have shown from records that the tank is an old one which existed at the time of the Agreement of 1892, and had then an irrigated area not less than it has now, the proposals of the Mysore Government will be accepted.

Note.—The Mysore Government will send a note on this subject.

6. *Distribution of water between the Mysore village of Katamaguntapalli and the British village of Byrangi in Chittoor district.*—After examining the plans of the anicut and head works and the irrigation interests of the ryots of both parties, it was agreed that the two existing channels in the river-bed leading to the respective vents in the anicut may be linked by Madras by means of a connecting channel parallel to the anicut somewhere above it, subject to the condition that the Mysore Jodidar shall have a right to put up a temporary cross-bund, not exceeding 18 inches above the sill level of the vents in the anicut across this connecting channel and also a temporary cross-bund across the Byrangi channel just below the existing regulator, in order to enable him to utilize the summer flow between 1st January and 30th April every year.

7. *Groyne wall at the head of the Gangasandra feeder channel from the North Pennar.*—As the object of the feeder is to divert flood waters and not low supplies, Mysore has no objection to dismantling, if considered necessary, a portion of the groyne wall, retaining the remaining length so as to give an entrance to the channel during floods. In order to determine by mutual agreement what exactly this length should be, it was agreed to make a joint survey of the river at the feeder head.

8. *Rampur anicut across the Jayamangali river.*—It is agreed to allow the anicut to remain as constructed, on the understanding that the size and the number of vents in it and the head sluice, of the channel will be altered by Mysore, if this is found necessary after an examination of the figures of irrigation under the anicut and lower down the river both in Mysore and British limits, which figures should be furnished as early as possible by either party to the other, the interests of the direct irrigation under the channel from the anicut being adequately safeguarded.

9. *Interception of the supplies to the British Manchinilla cheruru of Kodikonda village in the Hindupur taluk.*—It is agreed that there is no objection to closing the vents in the anicut since they have been held to be vents left during the construction of the anicut.

10. *Application of the definition of "Repairs to irrigation reservoirs" to "Repairs of anicuts" by analogy.*—This is agreed to—vide item I (2). It is also agreed that there should be no objection to Madras carrying out simple or ordinary repairs to anicuts or other works of the Madras Government situate in Mysore territory. An intimation will be given to the Mysore Government of what is proposed to be done in such cases.

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11. *Deficient supplies in the Jayamangali river.*—The Mysore Government agree to supply to the Madras Government figures of storage and irrigation under the tanks and channels fed from the river in Mysore territory below its junction with the Garudachala river.

12. *Deficient supplies in the Palar river.*—The Mysore Government agree to examine whether, and to what extent, it is possible to supply the information asked for by the Madras Government, and if so, at what cost.

M. G. RANGIAH,
Chief Engineer and Secretary to the
Government of Mysore.

5th September 1933.

N. GOPALASWAMI,
Secretary to the Government of Madras,
Public Works and Labour Department.

5th September 1933.

APPENDIX II.

[Vide answer to question No. 707 asked by Mr. M. Devadasan at the meeting of the Legislative Council held on the 26th February 1934, page 270 supra.]

Extract from the Collector's report, dated 6th December 1933.

3. (c) *Crops, fields and other private property.*—There was no damage to fields and crops in Sattur town. Immense damage has been caused to houses and other private properties. One thousand five hundred and twenty-nine buildings of all descriptions have been damaged either wholly or partly of which 1,100 buildings have completely collapsed. Of the 29 match factories in the town 21 have sustained losses. Several merchants dealing in cotton seeds, food-stuffs, etc., have suffered heavy losses. Two printing presses were also damaged. The total loss of property in Sattur is estimated at 2½ (two and one-fourth) lakhs. Outside Sattur town, 315 houses were damaged by the rain and floods and 175 acres of crops were affected.

In Sattur town, 300 fowls, 20 pigs and 30 heads of cattle were carried away.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Tuesday, the 27th 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	Metherell, Mr. J. K.
Hon. Khan Bahadur Sir Mahomed.	Moidoo Sahib Bahadur, Khan Baha-
Krishnan Nayar, Kt., The Hon. Diwan	dur T. M.
Bahadur Sir M.	Moses, Mr. P. C.
Campbell, K.C.I.E., C.S.I., C.B.E., V.D.,	Muniswami Pillai, Rao Sahib V. I.
I.C.S., The Hon. Sir Archibald.	Muthiah Chettiyar, Mr. M. A.
Raja of Bobbili, The Hon. the.	Muthu Chettiyar, Rao Bahadur P. C.
Rajan, The Hon. Mr. P. T.	Nachiyappa Gounder, Mr. K. A.
Kumaraswami Reddiyar, The Hon.	Nadimuthu Pillai, Mr. A. Pl. N. V.
Diwan Bahadur S.	Nanjappa Bahadur, Subadar-Major
Abdul Hameed Khan Sahib Bahadur.	S. A.
Ahmed Meeran Sahib Bahadur, A. M.	Narasa Reddi, Mr. T.
Alagannan Chettiyar, Rao Sahib A. S.	Narasimhaswami, Rao Sahib D. V.
Alamelumangathayaramma, Mrs. K.	Naryanan Nambiyar, Mr. V. P.
Annamalai Chettiyar, Mr. S. A. A.	Natesa Mudaliyar, Rao Bahadur C.
Appadurai Pillai, Diwan Bahadur A.	Palat, Mr. R. M.
Arasu, Mr. V. T.	Pannirselvam, Rao Bahadur A. T.
Ari Gowder, Mr. H. B.	Patnaik Mahasayo, Sriman M. G.
Basheer Ahmed Sayeed Sahib Bahadur.	Patro, Kt., Rao Bahadur Sir A. P.
Basu Dev, Mr. C.	Peddi Raju, Mr. P.
Bayappa Reddi, Mr. P.	Pocker Sahib Bahadur, B
Devadasan, Mr. M.	Premayya, Mr. G. R.
Dharmalingam Pillai, Rao Sahib V.	Rajagopala Pillai, Mr. P. V.
Duraiswami Reddiyar, Mr. K. M.	Raja of Parlakimedi, The.
Ellappa Chettiyar, Diwan Bahadur S.	Ramachandra Padayachi, Mr. P. K.
Gopalaswami Mudaliyar, Diwan Baha-	Ramakrishna Reddi, Mr. A.
dur M.	Ramalingam Chettiyar, Rao Bahadur
Gopalaswami Ayyangar, Diwan Bahadur	T. A.
N	Ramamurti, Rao Sahib Pandit Ganala.
Harischandrudu Nayudu, Mr. A.	Raman Menon, Mr. K. P.
Hood, I.C.S., Mr. H. M.	Ramaswami Ayyar, Mr. T. S.
Indrayya, Mr. C.	Ramaswami Mudaliyar, Mr. V. M.
Jagannatha Raju, Rao Bahadur G.	Ranganatha Mudaliyar, Mr. A.
Jagannatham, Mr. H. M.	Ranganatha Mudaliyar, Mr. G.
Jayaram Nayudu, Rao Sahib C.	Ranganatha Mudaliyar, Mr. M. D. T.
Kesavaramamurti Nayudu, Mr. K.	Rangaswami Reddi, Mr. M. B.
Kolanda Reddi, Rai Sahib C.	Ratnasabhapati Mudaliyar, Diwan
Koti Reddi, Mr. K.	Bahadur C. S.
Krishnayya Choudari, Mr. P. V.	Sami Venkatachalam Chetti, Mr.
Krishnamurti, Rao Bahadur D.	Sesha Reddi, Mr. B. P.
Kumararaja of Venkatagiri, The.	Shetty, Mr. A. B.
Kuppuswami Choudari, Mr. J.	Simhachalam Pantulu, Mr. G.
Ladden, Mr. W. W.	Singam Ayyangar, Mr. K.
Lakshmana Reddi, Mr. G.	Siva Raj, Rao Sahib N.
Madanagopal Nayudu, Mr. R.	Smith, C.I.E., I.C.S., Mr. E. Conran.
Mahmud Schamnad Sahib Bahadur,	Soundara Pandian, Mr. W. P. A.
Khan Bahadur.	Sreshta, Mr. M. S.
Manikkavelu Nayakar, Mr. M. A.	Srinivasa Ayyangar, Mr. T. C.

[27th February 1934]

PRESENT—cont.

Srinivasan, Rao Bahadur R.	Thorne, C.I.E., I.C.S., J. A.
Sriramulu, Mr. G.	Vasudeva Pillai, Mr. V. G.
Subrahmanya Chetti, Rao Sahib P.	Vedachala Mudaliyar, Mr. M.
Subrahmanya Bhatt, Mr. U. C.	Venkatachala Reddiyar, Mr. K. C. M.
Sundara Rao Nayudu, Mr. T.	Venugopal Nayudu, Rao Bahadur R. K.
Syed Tajuddin Sahib Bahadur, Khan Sahib.	Viswanatha Rao, Diwan Bahadur V. N.
Tampoe, I.C.S., Mr. A. McG. C.	Yahya Ali Sahib Bahadur, Khan Bahadur.
Thangal, Mr. P. M.	Zamindar of Mirzapuram, The.
Thomas, Mr. Daniel.	

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Irrigation

Repairs to the irrigation tanks in Tirukkoyilur taluk.

* 709 Q.—Mr. BASHEER AHMED SAYEED: Will the Hon. the Member for Revenue be pleased to state—

(a) the number of minor irrigation and major irrigation tanks in the taluk of Tirukkoyilur;

(b) the ayacut under each of the said tanks;

(c) the kists realized from each of the ayacuts;

(d) when the said tanks were last repaired; how many were repaired and in what villages of the taluk;

(e) what the cost incurred was in each case and by what agency was the work done; and

(f) whether the Collectors have been petitioned by the ryots of the taluk to effect repairs to the tanks in recent years and, if so, with what result?

A.—(a) Presumably the hon. Member refers to minor irrigation works in charge of the Revenue Department and those in charge of the Public Works Department. There are 414 of the former and 85 of the latter in the Tirukkoyilur taluk.

(b) to (f) The compilation of a statement giving the particulars required in respect of each of 449 tanks will involve much time and labour and the Government doubt whether any useful purpose will be served by preparing and printing it.

Report called for in regard to the Tank Restoration Scheme proposals referred to in the memorial of the Tinnevely District Association, dated 18th April 1933.

* 710 Q.—Mr. M. DEVADASAN: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the report called for by the Government in regard to the Tank Restoration Scheme proposals in respect of irrigation works

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mentioned in a memorial to Government by the Tinnevely District Association, dated 18th April 1933, has been received and whether the same will be placed on the table; and

(b) whether any action has been or is proposed to be taken in pursuance of the Tank Restoration Scheme proposals?

A.—(a) The report referred to has been received. It contains almost the same information as that contained in statement No. II which was placed on the table of the House with the answer to question No. 714, dated 20th March 1933. No useful purpose will therefore be served by placing the report on the table.

(b) The nine works mentioned in the memorial of the Tinnevely District Association, dated 18th April 1933, will be taken up to the extent necessary when Tank Restoration Scheme operations are resumed. Meanwhile such repairs as are needed to keep the tanks and channels in a working order are being attended to by the regular Public Works Department staff.

Contributions by ryotwari landholders for repairs to irrigation works.

* 711 Q.—Mr. M. DEVADASAN: Will the Hon. the Member for Revenue be pleased to state with reference to G.O. No. 773, Revenue, dated 2nd May 1933—

(a) whether the Board of Revenue has issued any, and, if so, what instructions to Collectors in pursuance of the Government Order;

(b) whether the District Collectors have issued any instructions or orders for the guidance of their subordinates in pursuance of the above Government Order and, if so, whether he will be pleased to place copies of the same on the table of the House;

(c) what the expected annual income will be from the contributions to be realized under the Government Order; and

(d) whether it is a part of the irrigation policy of the Government to demand contributions for repairs of irrigation works from ryotwari landholders and whether the Government will be pleased to issue a communiqué explaining their policy in regard to contributions?

A.—(a) A copy * of the instructions issued by the Board of Revenue is attached.

(b) The Government have not the information.

(c) This cannot be estimated. The contribution expected from the ryots depends on the nature of the work and the merits of each case.

(d) The attention of the hon. Member is invited to the answer to clause (a) of question No. 648. The Government do not consider it necessary to issue a Press Communiqué.

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Local Self-Government*Voting at local boards elections by photo or colour.*

* 712 Q.—Mr. M. B. RANGASWAMI REDDI: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) in how many local boards and municipalities the system of voting by photo or colour was followed during the last election;

(b) whether the Government have received reports to the effect that the system proved to be a success; and

(c) whether the Government will consider the desirability of extending the system throughout the Presidency?

A.—(a) The system was adopted in the case of 99 panchayats which were formerly unions.

(b) The Government received a report from the Inspector of Municipal Councils which showed that the system worked satisfactorily in the election to the Sembiam Panchayat where it was first tried.

(c) Yes. The Government have also under consideration a more simplified system of voting, by allotting a colour to each candidate which will be printed against his name in the ballot paper so that even illiterate voters may make their choice without the assistance of the polling officer.

Mr. M. A. MANIKKAVELU NAYAKAR:—“ May I take it, Sir, that it is the intention of the Government to introduce the colour system of voting at the local board elections next year? ”

The Hon. the RAJA OF BOBBILI:—“ As an experimental measure we have tried it in the panchayat elections. We shall see how far it would be successful. In the case of the district boards, there is already the ballot system which does not involve much difficulty.”

Mr. M. A. MANIKKAVELU NAYAKAR:—“ In the answer to clause (b) it is stated that the system worked satisfactorily in the case of one panchayat. May I know what the difficulty is of the Government in extending it to the local boards elections which are to come off next year? ”

The Hon. the RAJA OF BOBBILI:—“ First of all we wanted to try the experiment in the case of the panchayats and see how far it was successful. If it is successful, it will be extended to other bodies.”

Dr. P. SUBBARAYAN:—“ May I ask the Hon. the Chief Minister what would be the difficulty in introducing this system to elections to municipal councils and district boards also, if really the system has been found satisfactory and the secrecy of the ballot can be maintained by this method? ”

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The Hon. the RAJA OF BOBBILI:—“ There is absolutely no difficulty, Sir. We thought it might be unnecessary in the case of the district boards and municipalities where the proportion of illiterate voters is very low.”

Mr. A. RANGANATHA MUDALIYAR:—“ Is the Hon. Minister aware that even literate people are sometimes compelled to declare themselves illiterate for purposes of voting? ”

The Hon. the RAJA OF BOBBILI:—“ I do not know; if it is so, it is a matter in the discretion of the election officer.”

Dr. P. SUBBARAYAN:—“ Is the Hon. the Chief Minister so certain that the number of illiterate voters in the case of the district boards and municipalities is numerically smaller than the number of literate voters? ”

The Hon. the RAJA OF BOBBILI:—“ I think the proportion is lower, Sir.”

Mr. P. PEDDI RAJU:—“ Am I to understand, Sir, that, when illiteracy is so rampant in the unions, the same thing is not the case in the case of the taluk and district boards? ”

The Hon. the RAJA OF BOBBILI:—“ I have already answered that my opinion is that the proportion of illiterate voters for the district boards and municipalities is less.”

Dr. P. SUBBARAYAN:—“ May I point out, with your permission, Sir, to the Hon. Gentleman, the Chief Minister, that my point is that the number of illiterate voters in the case of both the district boards and municipalities is certainly larger in proportion than literate voters, and therefore if the secrecy of the ballot box is to be maintained, is it not better, especially as in the case of the panchayats this method was found satisfactory, to introduce this method of voting by colour in the case of the district boards and municipalities? ”

The Hon. the RAJA OF BOBBILI:—“ I have never stated that Government have any objection to introduce this method. What I stated is, in order to satisfy ourselves that the system was satisfactory, we wished to give a trial in the case of the panchayats first and then, if it was found satisfactory, to introduce it in the case of the other elections.”

Mr. A. RANGANATHA MUDALIYAR:—“ May I point out, Sir, that the conditions in the district boards and in the panchayats may conceivably differ one from the other; if so, will it not be better that this experiment is tried simultaneously in all kinds of local bodies, so that we may have full data for coming to a final decision? ”

The Hon. the RAJA OF BOBBILI:—“ I shall consider the suggestion, Sir.”

Mr. M. A. MANIKKAVELU NAYAKAR:—“ Is not the Government satisfied with the experiment so far made? ”

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The Hon. the RAJA OF BOBBILI:—"The experiment has been made only on a limited scale, and Government felt that it was necessary to give a more extended trial."

Mr. ABDUL HAMEED KHAN:—"May I know if experiments are not always made on a limited scale?"

The Hon. the RAJA OF BOBBILI:—"The point is that we feel that sufficient experience has not been gained for giving a definite opinion in the matter."

Mr. V. T. ARASU:—"May I know from the Hon. Minister whether the experiment tried at Sembiam has been a success or a failure?"

The Hon. the PRESIDENT:—"If the hon. Member had been here a little earlier, he would have seen the answer to his question in the printed answer itself."

UNSTARRED QUESTIONS

Irrigation

Resumption of Tank Restoration Scheme operations in Tinnevelly and elsewhere.

713 Q.—Mr. DANIEL THOMAS: Will the Hon. the Member for Revenue be pleased to state with regard to the Tank Restoration Scheme work in the Tinnevelly district—

(a) the total number of irrigation works and the total extent of the ayacut within the scope of the Tank Restoration Scheme operations;

(b) the total number of irrigation works along with the total extent and annual revenue of their ayacut which have yet to be entered upon for investigation;

(c) what progress, if any, has been made in regard to the sanction and execution of the Tank Restoration Scheme proposals regarding 26 irrigation works that are mentioned in a memorial to the Government, dated 6th April 1933, by the Tinnevelly District Association, which have been held up on account of the suspension of the Tank Restoration Scheme; and

(d) whether a number of representations has been made to the Government, that the Tank Restoration Scheme work may be resumed in Tinnevelly and other similar districts in view of the proportionately large extents of area still to be investigated in those districts and whether the Government propose to consider their cases favourably?

A.—(a) & (b) A statement giving the figures (except in regard to the annual revenue regarding which Government have no information), as they stood on 30th September 1932, was laid on the table in answer to question No. 477, dated 24th January 1933. Later figures are not available with Government.

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(c) The attention of the hon. Member is invited to the answer to question No. 356, dated 4th November 1933. The Government are not aware of the progress made.

(d) Representations were received from the Tinnevelly District Association and the Tinnevelly Mahajana Sangham. The Tank Restoration Scheme operations will be resumed only after a definite improvement in the financial position has established itself.

Representations urging the need for the revival of the Tank Restoration Scheme operations.

714 Q.—Mr. DANIEL THOMAS: Will the Hon. the Member for Revenue be pleased to state with regard to the suspension of the Tank Restoration Scheme operations in the Presidency—

(a) whether, and if so, when the Government propose to resume the Tank Restoration Scheme investigation operations and when they propose to finish the Tank Restoration Scheme programme;

(b) what the annual saving is on account of the suspension of the Tank Restoration Scheme;

(c) what the annual income is from the lands under all the 'Minor Works' within the scope of the Tank Restoration Scheme policy in the Presidency; and

(d) whether a large number of representations has been received by the Government asking for the revival of the Tank Restoration Scheme operations?

A.—(a) & (d) The attention of the hon. Member is invited to the answer to clause (d) of question No. 713.

(b) About Rs. 4 lakhs, less the annual provision now being made under '15. Maintenance and Repairs—Tank Restoration Scheme Works' which is Rs. 1.39 lakhs for 1934-35.

(c) Particulars of revenue derived from Minor Works (including Tank Restoration Scheme Works) are given in paragraphs 4 and 5 on page 20 of the Irrigation Administration Report for 1931-32. Separate figures for Tank Restoration Scheme Works are not available.

Contributions by ryotwari landholders for repairs to irrigation works.

715 Q.—Mr. DANIEL THOMAS: Will the Hon. the Member for Revenue be pleased to state with reference to G.O. No. 773, Revenue, dated 2nd May 1933—

(a) whether the Board of Revenue has issued any and, if so, what instructions to Collectors in pursuance of the Government Order;

(b) whether District Collectors have issued any instructions or orders for the guidance of their subordinates in pursuance of the above

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Government Order, and, if so, whether the Government will be pleased to place copies of the same on the table of the House;

(c) what the expected annual income is from the contributions to be realized under the Government Order; and

(d) whether it is a part of the irrigation policy of the Government to demand contributions for repairs of irrigation works from ryotwari landholders and whether the Government will be pleased to issue a communiqué explaining their policy in regard to contributions?

A.—(a) to (d) The attention of the hon. Member is invited to the answer to question No. 711.

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

II.—A BILL TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920, AND THE MADRAS ELEMENTARY EDUCATION ACT, 1920, FOR CERTAIN PURPOSES (BILL No. 2 OF 1934).

* The Hon. the RAJA OF BOBBILI:—"Sir, I beg to present the Report^a of the Select Committee on 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), and move that the Bill as reported on by the Select Committee, be taken into consideration.

"As regards the changes made in the Select Committee, Sir, I think it is not necessary for me to deal at length with them as they have been all dealt with and explained in the Report of the Select Committee itself which is in the hands of the hon. Members of this House. I wish to take this opportunity for thanking the Members of the Select Committee for the valuable assistance they have rendered to the Government in improving the Bill in the directions indicated in the report."

The Hon. Mr. P. T. RAJAN:—"I second it."

Mr. P. V. Krishnayya Choudari rose to move the amendment standing in his name.

* The Hon. the PRESIDENT:—"As regards Mr. Krishnayya Choudari's motion^b the House will remember that on the 2nd February 1934 when the hon. the Leader of the Opposition moved that it should be an instruction to the Select Committee 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, that motion was voted down by the House; and therefore the Member will not be in order to move that motion now."

^a Published in the Fort St. George Gazette on 13th February 1934.

^b Mr. P. V. KRISHNAYYA CHOUDARI will move—

'That the Bill be recommitted to the same Select Committee with instructions that the executive officers should be provided for each district board, just like the commissioners of the municipalities.'

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Mr. ABDUL HAMEED KHAN:—"Sir, I want to submit, if you have not yet given your ruling on the point, that this is a different stage when we are considering the Bill after it has passed through the Select Committee and the Council is now not only in possession of the original Bill but also of the Report of the Select Committee. I thought, Sir, that it was open to any Member of this House to move a motion like this, in order that it might be reconsidered by the same Select Committee or by any fresh Select Committee."

* The Hon. the PRESIDENT:—"I do not know, if there is any difference between what I stated and what has been pointed out by the Member just now. What I said was this: 'that already an instruction was sought to be given to the Select Committee, and it was turned down. The motion of Mr. Krishnayya Choudari seeks to do the same thing once again and I therefore feel that it cannot be allowed, especially when amendments have been given notice of to the Bill itself and the House will itself have ample opportunities of discussing them.'"

* Mr. K. A. NACHIYAPPA GOUNDER:—"Sir, I beg to move—

'that this Bill be recommitted to the same Select Committee with instructions to amend the Bill in such a way as to create divisional boards in the place of taluk boards that are now proposed to be abolished and the district boards that are retained.'

"In moving this amendment, I would like to say a few words. As the word, 'divisional board' and the implications of it are quite plain, it needs no description from me. Of late we have often times heard from many associations and presidents of taluk boards that a compact body which shall have proper control over the local fund affairs in the district is necessary. By abolishing taluk boards and the taking over of all their functions by the district board, the work in the district board will become too heavy and it would be very difficult for a non-official president to cope with the work. Particularly I must point out that we are now adding a great number of elementary schools which were hitherto in the management of a number of non-official presidents of taluk boards to the district board; so, it will not be possible for the president of the district board to bestow sufficient care and attention on this important item, namely, education. I may point out here that even the original Bill which was subsequently modified and passed into Act in 1930, contained provisions for divisional boards. It was extolled by many as a healthy provision and I firmly believe that they will be effective bodies in the place of the district board and the taluk boards. I therefore move this proposition for the acceptance of the House."

Mr. ABDUL HAMEED KHAN:—"I second the motion, and I do not think it is necessary to reiterate the arguments that have been advanced by the hon. the Mover of the motion. At the same time, I would repeat one argument that I placed before this House when I spoke on the Local Boards Amending Bill when it was introduced by

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the Hon. the Chief Minister, that it will not be possible for one board or for the matter of that, two boards in one district, to cope with the work that has been so long carried on by such a large number of local bodies called the taluk boards, along with the panchayat boards which also functioned side by side. Now, what is sought to be done in this measure is to take away the numerous local bodies called taluk boards and to hand over all the duties that were being performed by them to the hands of one or two district boards. The hon. the Mover seeks to substitute divisional boards in the place of these two boards, so that the functions which have been carried on by the taluk boards—most of whom were controlling and managing all the elementary schools in the area of the district board—may not come to grief as will be the case if they are handed over to one board alone. A huge district to be handed over to one board and that to manage all the work that was being done by so many local bodies, would certainly be an impossible task.

11-15 a.m. “The other point that I wish once again to submit is that, if we take away these taluk boards, whatever arrangement we make in order to provide for some of the members of the taluk boards and presidents of the taluk boards seats in the district boards or bifurcated district boards, yet it will not be possible for them to have opportunities of doing any public work as they have hitherto been doing in the taluk boards. If, on the other hand, we have divisional boards, we will certainly be limiting the functions and at the same time we will be giving further opportunities to a large number of people to participate in the public activities of the district. These are some of the arguments which certainly ought to weigh with hon. Members with regard to the passing of this measure.”

* Khan Bahadur MAHMUD SHAMNAD SAHIB Bahadur:—“Mr. President, I do not think I can agree with the hon. the Mover of the amendment, because there is already provision in the existing Act enabling the Government to bifurcate the district boards or further split them up when it is found necessary. When such is the case, if you make statutory provision to divide the district board into so many divisional boards, the same difficulty of deficiency of funds will again come in the way. The very object of abolishing the taluk boards is to tide over the financial difficulty and until that has been done it is not possible to have so many boards in each district. Therefore, I think I will have to oppose the motion.”

Mr. P. V. KRISHNAYYA CHOUDARI:—“Mr. President, the present Act proposes that the district boards should be bifurcated or even trifurcated. That itself shows that divisional boards are essential and we are giving such boards powers of appointing separate district board engineers, panchayat officers, etc. Instead of calling them by big names with more expenditure, I agree with my friend, Mr. Nachiyappa Gounder, to call them divisional boards and then we may have a district committee, say, consisting of 10 members or something like

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that, in addition to these divisional boards, for the purpose of co-ordinating the work of these divisional boards. I think therefore in order to do real work in the villages, it would be better to have divisional boards instead of the district boards.”

Rao Bahadur Sir A. P. PATRO:—“Mr. President, Sir, I really appreciate the interest which the hon. Member has evinced in bringing forward and talking on this motion in favour of divisional boards and the anxiety of my hon. Friend, Mr. Hameed Khan, that more opportunities should be given for training people in local politics and political education and that these divisional boards would give immense opportunities of equipping them fully with local affairs and the political knowledge that he and others possess and exhibit in this House would be afforded to others also. At the same time, I wish to tell them that the whole of this amending Bill is based on one single and solid fact, namely, that at present, as we have got these divisional boards split up it is most essential that any such political education or training should be possible. Instead of that, hon. Members will admit that there has been such an amount of confusion—I won't use the other word, corruption—but there is an amount of confusion that it is essential, that there should be some way of getting rid of it and the only way by which it is possible to do, that is, not only to abolish the small boards which are not able to pay the staff that are doing the work and rendering service to the people from whom they are levying taxes, but to have, instead of them, two divisions, namely, the panchayats and the district boards. The panchayats form the basis of the political constitution of India. Strengthen the panchayats and let political education begin there in the villages, with the rural population and I am sure my hon. Friend, Mr. Nachiyappa Gounder, is very anxious that the rural area should be politically developed and that there should be political consciousness in the rural population and that they should realize the responsibility of rendering service to the rural areas. All that, he realizes as much as anybody else, but his reason for having divisional boards is inexplicable at this stage, because what are these divisional boards after all? As we have seen before, they were bifurcated and trifurcated. These divisional boards were not able to meet local requirements and, they were not able to do effective service to the country and it was therefore considered necessary to make another experiment, we made an experiment in democracy by bifurcating and trifurcating them; and now we are making another experiment, namely, giving opportunities for village panchayats about which every one in the House will agree that they should form a solid foundation in rural areas. If that is the object of this House and the hon. the Mover, I am sure that the divisional boards will not be necessary and that was why the Bill was accepted by the Select Committee and this House on principle, I mean the principle of having panchayats and district boards and that the district boards should be divided, wherever it is possible, to meet local conditions. I therefore say it is too late in the day and it is unnecessary now to go back to the old system of divisional boards.”

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* Rao Bahadur A. T. PANNIRSELVAM:—" Mr. President, I feel constrained to oppose this dilatory motion for the reason that, this is a matter which hon. Members should have raised at the first reading of the Bill itself and thereby given an opportunity to the Select Committee to consider that aspect of the matter also; and having slept over that opportunity it seems to me that there is no object in moving this motion at this stage, unless it be to delay the passing of the Bill. As I made myself clear the other day, I am not personally very enthusiastic over the Bill for reasons which I explained then. But, I feel that this amendment would lead to greater confusion than I thought or feared might emanate from the passing of this Bill. I would just like to mention one or two very great inconveniences which would be the necessary effect of accepting the proposal involved in this amendment. It would in fact amount to nothing more than the abolition of district boards and reconstitution of taluk boards everywhere, as they were, about ten years ago, before the various taluk boards were divided, when each revenue division was a taluk board. The inconveniences which I refer to are these. Taking a revenue district, you will have on an average not less than five and in some cases even seven or eight divisional boards, whatever be the names by which you may like to call them. So, within a limited area, you would have seven different agents to look to the services which are now being attended to by local boards. If you take communications, you will find through communications running from one end of the district to another, passing through probably three or four divisional boards. And, we know from actual experience, that each board has got its own standard of efficiency in the matter of the various services. You will probably find a road for the first ten miles maintained in A-1 condition and going on to the next ten miles, it will be in a most miserable condition and probably the third in a mediocre state of things. (Rao Bahadur T. A. Ramalingam Chettiyar: 'The boards are different.') But, generally in the same board it does happen that the roads are maintained and kept in a good condition from one end of the district to another. People who have had experience of travelling through various districts will find the roads in various stages of repair. I would only point out that this evil would be all the more accentuated and the evil would become most apparent particularly in the field of public health. In the matter of communications, at least one district board maintains its roads in a good condition and you will feel the evil effect of it only when you go to the next road. But in the matter of preventing epidemics, even the most efficient board will not be able to safeguard itself against the evils which would percolate to its area due to the inefficiency of the neighbouring board. Within one district, particularly in a deltaic district like mine, where the epidemic of cholera migrates along the water-course and even the most efficient control which might be exercised by one divisional board would not secure it against infection, against danger and against the negligence of the neighbouring board in matters like this. (Mr. Abdul Hameed Khan: 'The same thing will happen with two district boards.') I do not deny that and even if you

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can have one board for the whole Province, you will not wholly avoid it, but force of circumstances compel us to divide these local bodies into limited areas. Why accentuate the evil, then? As I said even my opposition to the original Bill was based mainly on this score; but the bifurcation of the district boards necessarily becomes inevitable when you abolish these taluk boards; but having decided to abolish the taluk boards, there seems to be no other alternative except to have smaller boards than the present district boards, but in dividing them, let us not make them too small as to make the danger all the greater. These, Sir, are some of the inconveniences which just now occurred to me on the question of splitting these boards into smaller and smaller bodies. At any rate it seems to me that there is absolutely no justification for this motion being thought of at this eleventh hour."

* Mr. M. A. MUTHIAH CHETTIYAR:—" Mr. President, Sir, this House has been accustomed to discuss such motions and I consider this motion as dilatory, especially after a committee consisting of about forty Members considered the Bill in great detail, clause after clause, and I believe this question was also fairly discussed in the committee—I mean the question of the area of a board, whether you call it divisional board, circle board or district or taluk board, by whichever name you call it. Sir, in regard to the idea suggested that there should be smaller boards, in fact originally there were smaller boards and we were not satisfied with them and now we are not satisfied with the finances of all these boards and it is therefore considered necessary to have a reorganization of the whole system. Sir, if this motion is accepted, I do not know when this Bill will come up again before the Council—probably in August next—and I do not know how these boards will carry on their work after 1st of April. So, this motion will be actually defeating the very object of this measure.

" One other thing I would like to mention in this connexion. The taluk boards are now suffering and they would undergo greater suffering and the employees for whom great support has been given by some Members of this Council will also suffer. They have not got their pay for some months and they would be in the same position as before. Therefore, from the financial point of view, we have to consider whether the Bill is urgent or not. I should say, from the information we have had, it seems to be urgent to abolish the taluk boards and constitute more district boards.

" The only question is what kind of boards have to be constituted. 11-30 a.m. The Mover of this motion has not definitely told us anything about the constitution of the divisional boards that he proposes. I do not know whether he likes to have the same constitution as now exists in the case of the taluk boards, but as the proposed boards will be smaller in number I do not think it will improve the position. If he should suggest any other and better form of board, then it may be considered. Even if he does so, I think it is now too late to accept the change.

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If the experiment that we are now to work out is not going to be a success then it will be time enough for the Council to consider further amendments to the Local Boards Act. Especially in the field of local self-government it will not be too much to experiment from time to time, as we have been experimenting always. I think we are still in the experimental stage and therefore some amendments may be found necessary after a reasonable period of working.

"There is another reason why I oppose this motion. One argument adduced for the abolition of local boards is that there should be more district boards. Others argued that there should be only one district board for every district. The argument for the retention of the taluk boards lends great strength to the case put forward by those who want more than one district board for a district. Now, considering the arguments put forward for the creation of divisional boards, the Hon. the Minister and the Government will consider the advisability of creating as many district boards as possible. To meet the needs of the situation in some districts, more than one district board may be necessary for one district. I am very glad to note that the Members who have supported the idea of having more taluk boards have indirectly supported the proposal of those who want more district boards. I think the Bill has been sufficiently considered by the Select Committee and there need not be any further delay now."

* Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"Mr. President, Sir, I am afraid, I cannot vote in favour of this motion. We will have to take the amending Bill as it is and also what the effect will be if this motion is passed. The amending Bill provides for the abolition of the taluk boards and for the creation of an additional district board for one or more districts, retaining the existing district boards and reducing their jurisdiction wherever possible. The motion, if passed, will be that it aims at the abolition of the taluk boards as also the abolition of the existing district boards. It does not provide any opportunity for the existing district boards to remain with the jurisdiction reduced. Even as it is, there is considerable heartburning in the taluk boards being abolished, and if this motion is passed, it will make the position worse. For, the taluk boards will be abolished, and the district boards, instead of being retained with a reduced jurisdiction, would also be abolished. So, I am sorry I cannot support this motion."

B. PECKER SAHIB Bahadur:—"Mr. President, I have great pleasure in supporting this amendment. Sir Patro was rather in Utopia when he just mentioned that the panchayats are political units in India. He has entirely forgotten the glaring fact that a large portion of the country is without panchayats. There are both panchayat areas and non-panchayat areas, and this Bill itself makes provision for the administration of non-panchayat areas. So the basis on which the hon. Member proceeded to say that panchayat is a political unit is itself quite wrong. One of the reasons which seems to have prompted the bringing in of this Bill is a financial one. Now, first of all I would request the House to consider the question not only from the financial

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point of view but also from the point of view of efficiency. The first consideration we have to bear in mind is that every area of the district has to be attended to properly. As the Bill has taken shape in the Select Committee, there is to be one district board for each district, of course with power to the Local Government to bifurcate it whenever they think it desirable. At present there are panchayats only in small areas. There are areas without any panchayats. Of course, efforts will be made in course of time to increase the panchayats but with only these panchayats in some of the areas and with only a district board for the whole district, it will not be possible to attend efficiently to the needs of the whole district. Particularly as regards the non-panchayat areas, if they are under the care of one district board covering the whole district, I am sure the non-panchayat areas will suffer greatly. And therefore it is absolutely necessary that the area left to that body—whether you call it district board or divisional board or circle board, whatever it may be—must be such a compact one that it can be efficiently administered by that body. As things stand, no doubt, the answer will be that power is given to the Government to bifurcate these district boards. But that provision is there already and it is left to the will and pleasure of the Government to bifurcate it whenever they think it desirable. And even here, there will be ever so many considerations which will stand in the way of the Government also even if they themselves want to bifurcate. And what is now sought by the amendment is to put the same idea on a statutory basis. That is all. Under the Bill as it has evolved from the Select Committee, the Government is given the power to bifurcate whenever they think it desirable. What the amendment now seeks to do is to put it on a statutory basis that every division shall have a board, and that will be the unit for administering the non-panchayat areas and supervising the work of the panchayats. Therefore, the only difference between the Bill as it has evolved from the Select Committee and this amendment is only to put the same idea on a statutory basis and begin with efficient administration of the whole area rather than leave it to the will and pleasure of the Government whenever they think fit to bifurcate these bodies. Moreover, I am afraid as matters stand, if the Bill is to be given effect to and if the district boards are to be bifurcated more or less immediately by the Government, then from the financial point of view, there will not be much of a difference between the state of affairs which will be produced if the amendment is carried and if the Bill as it has evolved from the Select Committee is given effect to.

"A point was raised by my hon. Friend, Mr. Pannirselvam, that it is too late in the day to raise these questions and the matter ought to have been considered at the first stage when the Bill came up before this House. I say that that is not the correct view to take, because that was not a stage when amendments could have been proposed. And I understand from my hon. Friend here that in the Select Committee this question was discussed, and my hon. Friend, Mr. Muthiah Chettiyar, himself was saying that this aspect of the matter was considered

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AND THE MADRAS ELEMENTARY EDUCATION ACT, 1920,
FOR CERTAIN PURPOSES (BILL NO. 2 OF 1934)

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by the Select Committee and they came to an adverse conclusion. And certainly when the Select Committee has come to such a conclusion, it is quite open to the House to reconsider it and see whether that conclusion is correct or not. This is the proper stage when this question has to be considered, and therefore, I have great pleasure in supporting this amendment."

* The Hon. the RAJA OF BOBBILI:—"Sir, I think that the House has sufficiently discussed this amendment. Speeches have been made both for and against it, and I do not think there is much for me to add to the debate. I take it that the intention of the hon. Member is to abolish both taluk boards and district boards and substitute in their place divisional boards. But I could not follow the hon. Member when he said in his speech that similar provision was made in the Act of 1930. As far as I am aware, no such provision is made in the Act of 1930 to have any divisional boards. I am afraid, Sir, that the provisions sought to be embodied by means of this amendment are unjustifiable both financially and administratively. And as pointed out by my hon. Friend, Mr. Ratnasabhapat Mudaliyar, they would be unworkable also. Moreover, by making a statutory provision about bifurcation and trifurcation of taluk boards we have landed ourselves in the present difficulties. I should think, Sir, we should benefit by our past experience and should not agree to such a far-reaching experiment as that now proposed in the Bill. I therefore oppose this amendment."

* Mr. K. A. NACHIYAPPA GOUNDER:—"Mr. President, Sir, my hon. Friend, Mr. Pannirselvam, asked why this sort of dilatory motion should be brought forward at this stage. It has been the feeling in many parts of the country that there should be divisional boards in the place of the district and the taluk boards if the latter are to be abolished and so I naturally thought that the Select Committee will consider this question and come to a favourable conclusion. As a matter of fact the memorandum submitted to the hon. Members of this House by the Association of Presidents and Vice-Presidents of Taluk Boards in Salem district dealt with this point, and there is a general feeling that such a course will be conducive to better administration. Hence it was the hope of us all that the hon. Members of the Select Committee would have tackled this problem sufficiently well and arrived at favourable decisions. Now, having found that nothing has been done, I came forward to suggest that this may be considered now. He also raised a question that the administration of roads and other things under different divisional boards would vary and it would not be very conducive to proper work. I may say, Sir, that roads, public health and other matters are under the direct control of the officers, such as the district board engineer and the district health officer, etc., appointed by the Government. So it will not be difficult to maintain a uniform policy with regard to these matters in all these divisional boards. These divisional boards will be there to give directions and at the same time to provide funds generally as suggested by the district officials connected with the local fund administration. So, I cannot find any difficulty

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in maintaining a uniform policy and having the same and proper kind of work throughout the district. Many of the hon. Members have raised the point that this would involve additional expenditure, but I may say to them that the present establishment charges of the management of the district board together with a portion of the cost of management of the present taluk boards will be more than enough to meet the expenditure of the office establishment and other things of the proposed divisional boards, since the highly-paid officials remain the same and there will be considerable saving in the expenditure at present incurred both by the district and taluk boards towards their management charges. On the whole there cannot be any difficulty in having these divisional boards working on proper lines. The only thing, as pointed out by my hon. Friend, Mr. Muthiah Chettiyar, may be that there will be a little delay. Even if it is the opinion of Government that a moment's delay will bring utter breakdown in local fund institution, I believe, if the hurry with which the present measure is carried through and which has become a common feature with Government is also applied to the proposed measure, I think it may be brought into being early without consternation to my hon. Friends who apprehended serious delay. And there cannot be any disadvantage or really any great loss to these local bodies if this hon. House is to give due weight to popular opinion. So, I think this proposal will be quite acceptable to the House. I really fail to see, Sir, what real difficulty there can be in forming these divisional boards. By divisional boards, I mean that each revenue division may have a local board taking over the functions of both taluk and district boards, and by doing so, we will be reducing the present number of local boards in a district to a considerable extent. By abolishing the district boards, we will have a good lot of savings in expenditure on management. By abolishing these two kinds of bodies, we can have a lot of saving in expenditure on management, and only a part of it will be devoured by the proposed divisional boards and yet there can be savings in this respect. So I commend this proposal for the acceptance of this House."

The amendment was put and lost.

* Mr. K. A. NACHIYAPPA GOUNDER:—"I beg to move, Sir—

'that the Bill be recommitted to the same Select Committee with instructions to make adequate provisions to the clerks and other employees of the taluk boards instead of immediately turning them down on the abolition of taluk boards.'

"Sir, this is a proposition which I would like very much that the Council considers at great length. In the report of the Select Committee as it is before the House, I do not find any adequate provision as regards the local board employees. In the taluk boards, we have got a number of clerks, peons and other subordinates who are entirely depending upon their appointments for their livelihood. If the Bill before us to-day is to become an Act, all on a sudden, and if these employees are to be deprived of their bread, it will be a great hardship.

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These taluk board clerks are all in pensionable service and all along they have been fondly hoping that they will retire and have a pension and thus spend their old age in a comfortable way. If they are said on a fine morning that they will be turned out into the streets for no fault of theirs, their position and misery may well be imagined than described. So, Sir, I think that it is our duty to make some satisfactory provision for them. These provisions ought to be adequately considered and a proper remedy must be sought. Instead of considering the matter in the Council by means of amendments, I think it would be better if a compact body like the Select Committee considers it and comes to some conclusions by which these clerks will not be deprived of their bread and some remedy could be sought for them. I hope, Sir, the hon. Members knowing the miseries of these taluk board employees who have put a volume of memorials before us for our sympathy, will rise to the occasion and give their full support to this motion."

Mr. ABUL HAMEED KHAN:—"I second it."

* Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"Sir, I am sorry I have to oppose this motion also. Sufficient provision is made in the Bill to provide for the absorption of the employees of the taluk boards. There is no indication in the hon. Members's speech of any constructive proposal to provide for the employees of the taluk boards. I do not know how he proposes to have any provision which will absorb all the clerks or employees immediately. Moreover, it seems to me also that his proposal is a dilatory motion. Therefore, Sir, I oppose this."

* Rao Bahadur A. T. PANNIRSELVAM:—"Sir, I also oppose this motion. In doing so, I make it clear that it is not by any means due to want of sympathy for the taluk board clerks that will be thrown out of service as a necessary consequence of the measure that we contemplate passing I oppose it more particularly for the reason that the main object of the amendment is again a dilatory one. I should be only too happy if the hon. Member would arrange with the Government to have the matter discussed, say, within a day or two before we are at the end of the Bill and arrive at a satisfactory method by which everyone of those who is in the service of the various taluk boards could be absorbed. Barring that and barring the turning down of the whole Bill, it seems to me that it is best that we get through as early as possible, if for no other reason than this, that the agony of these poor men do come to an end as early as possible. Apart from that, it seems to me, Sir, that this is a question which the Select Committee have already considered and made their own proposal over it. Nothing is to be gained by referring back the same question once again to the same Select Committee. Further amendments to the report of the Select Committee on this matter have been given and I am sure that that matter can be considered in detail and in full when that particular clause which deals with such of the staff as are likely to be thrown out comes up. More than one amendment is given and I think, Sir, that we would then

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have before us sufficient data for enlightening ourselves as to the best course to adopt,—best in the sense that the least possible number of people could be affected. Therefore, I oppose this measure which is a recommendation to refer it back to the Select Committee."

Rao Bahadur Sir A. P. PATRO:—"Sir, I am very sorry that the hon. Member, Mr. Nachiyappa Gounder, has lost sight of the provision that has been made. In the report of the Select Committee itself at page 3, it is said:

'We have amended this rule so as to make it clear that in making appointments to posts in a district board or panchayat, selection should be restricted to employees of taluk boards who are thrown out of employment by the passing of this Act so long as such persons continue to be qualified and suitable for such posts.'

Therefore, Mr. Nachiyappa Gounder, who was a very active Member of the Select Committee will note that the Committee considered this question carefully and ultimately it was accepted in the form in which it has been reported here. Therefore, I do not see that any useful purpose will be served by referring back the matter to the Select Committee which has considered this as its deliberate opinion."

* Mr. M. A. MUTHIAH CHETTIYAR:—"Sir, the question of the employees of the taluk boards who will be dislodged has agitated not only the hon. Members of this House, but the public of the Presidency. The employees have memorialized to the Members setting forth their claims of service in some cases ranging from 10 to 20 years of service and what they could do if they were to be thrown out of employment all on a sudden. It is not only the Councillors here, but the public outside also feel very sympathetic towards these employees. But at the same time one has to look into the financial implication of such a proposal to guarantee employment to all the employees. This was considered in the Committee, and just as my hon. Friend, Sir Patro, pointed out to this Council, a conclusion has been arrived at. I find that my hon. Friends, Mr. Pannirselvam and Mr. Basu Dev, have given very comprehensive amendments to provide employment for all persons dislodged. It is open to the Council to discuss and decide on these amendments. I do not think any purpose will be served by the Council referring the matter back to the Select Committee. It is a very vital matter and once it has been already considered by the Select Committee, the only proper authority to consider it over again is the Council. Therefore, I think I should oppose the amendment of the hon. Member from Salem."

* The Hon. the RAJA OF BOBBILI:—"Sir, I have to oppose this amendment. The hon. Member is not clear what exactly he wants to be done, whether he means that all the employees should be provided with a pension or provided with employment, I do not follow. Moreover, I wish to say for the information of hon. Members in this House that it will be wrong if they think that all the employees of the taluk boards will be thrown out of employment. As far as the medical establishment and the elementary education establishment is concerned,

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they will be continued and as district boards will be in future entrusted with greater work, they will have to take at least one or two clerks from the taluk boards. Apart from this, Sir, there will be three months' time for the Government to consider this question with the greatest care and frame rules so as to cause the least possible hardship for these employees. I therefore oppose this."

* Mr. K. A. NACHIYAPPA GOUNDER:—"Sir, in the Hon. the Finance Member's Budget speech we have heard much about the promise and the pledge extended to and the security necessary for the Government servants even in a very little matter as a small percentage of cut in their pay. I very much wonder, Sir, how the Hon. the Chief Minister who is a Member of the same Cabinet has come forward to turn out a number of employees who are under his care and protection without providing some means or other for their subsistence. It has been said, Sir, that adequate provision has been made in the Bill. But my feeling is that it is not at all adequate since the employees are proposed to be disbanded and they will have to wait till they get their chance, nobody knowing when it will come. It may take months or years or it may not come at all. Further, Sir, I find some qualification is insisted on for again being taken into service. I do not know what that qualification means. I fear very much that a number of them who have long experience hold pensionable posts and will not be spared being discharged if some qualification is prescribed. If such sort of conditions are imposed and if they are to wait, for their re-entertainment, I ask, Sir, where are they to go for their food. So, Sir, I think that some measure or other ought to be found for their being taken into service and retrenchment may be made after proper attention has been bestowed on their lot. My hon. Friend, Sir Patro, was completely mistaken when he said that I was in the Select Committee. The fact is I was not in the Select Committee and so I was obliged to give notice of this amendment. So, Sir, I believe every one of the hon. Members will sympathize with the poor lot of these servants and this House will consider this motion favourably."

The amendment was put and lost.

12 noon. * The Hon. the PRESIDENT:—"I will now put the main motion to the vote of the House.

"The question is that Bill No. 2 of 1934 as reported on by the Select Committee be taken into consideration."

The motion was carried and the Bill was taken into consideration.

Clause 1.

* The Hon. the PRESIDENT:—"I will now put clause 1 to the vote of the House.

"The question is that clause 1 do stand part of the Bill."

The motion was carried.

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Clause 2.

Mr. P. PEDDI RAJU:—"May I rise to a point of order, Sir? The amending Bill does not provide for section 3-A."

* The Hon. the PRESIDENT:—"The hon. Member will please make his position clear."

Mr. P. PEDDI RAJU:—"Sir, the amending Bill does not cover section 3-A at all. Therefore it seems to be out of order to bring in amendments to section 3-A (2)."

* The Hon. the PRESIDENT:—"The amendment deals with the notification of areas as districts for the purposes of this Act. The bifurcation of district boards is one of the principles of the Bill as pointed out in the statement of objects and reasons. There are also clauses dealing with the appointment of one officer for two or more districts. I think that this amendment is in consonance with the spirit of the Bill and therefore I hold that it may be moved and discussed."

* Mr. K. SINGAM AYYANGAR:—"Mr. President, Sir, I move that section 3-A (2) of the Madras Local Boards Act of 1920 be amended as follows:—

'The Local Government shall by notification declare any local area in the Revenue district to be a district for the purposes of this Act and specify the name of the district provided that there shall be at least two district boards for each of the Revenue districts except the Nilgiris district irrespective of the finances or the area on the commencement of this Act.'

"In moving this amendment I wish to inform this House that this is consequential on the abolition of the taluk boards for administrative purposes. I may first point out why it is necessary that the district boards should be bifurcated from the administrative point of view at least to two. It was pointed out on the floor of this House that because the finances of the district boards have been crippled and are not in a satisfactory condition, one body must be maintained. It was not mentioned, as to how they would not be crippled with one body. I may point out to the House that the finances of these district boards have been crippled by the introduction of the Motor Vehicles Act and the formation and working of the village development fund. These defects have been remedied in the present amending Bill. Hereafter therefore there will be no danger of their finances being affected if these boards are bifurcated. The reason for my suggestion that they should be split into two is that, seeing that the taluk boards are to be abolished, the administration could be carried on efficiently only if the administrative area is reduced considerably. Only if the sphere of activities of these bodies is thus restricted can they function satisfactorily. I may point out in this connexion that in the annexure to the Act which enabled the appointment of commissioners to municipalities, certain municipalities had been mentioned which were to have commissioners. But what is the position to-day? The Government

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have gone beyond the annexure and the anomaly prevails that every day a new municipality is added to it and the principle put up before could not be followed. If it is suggested that it is necessary to add to the annexure in this manner, I may well ask, what is the good of having an annexure at all? Why mention in the list only certain municipalities and add to the list later irrespective of their income? What I want to say, Sir, is that if we mention in the Act itself that all the district boards will be split into two there will be no occasion for the Government to select particular boards for bifurcation. From the administrative point of view bifurcation would help matters very much. The spread of elementary education can be well attended to if we have two boards instead of one. The question of finance, as I said, does not come in the way, because, the difficulties created by the utilization of village development is being removed. I therefore suggest that my amendment may be accepted."

* Mr. M. A. MANIKKAVELU NAYAKAR:—"Sir, I am not in favour of bifurcating any district, but I second this amendment because I do not want to give any discretion to the Government in the matter of bifurcating certain districts and not bifurcating certain others. Personally I am strongly in favour of having a single board for a whole district. I do not want that the Government should be put in the difficult position of exercising their discretion in these matters based not on principle but on extraneous considerations. Sir, as has been pointed, a schedule was attached to the District Municipalities Amending Act mentioning the municipalities to which executive officers would have to be compulsorily appointed. Power was also given to the Government to appoint commissioners to such of the municipalities as they deemed fit on administrative or other grounds. But what has happened? The number of municipalities mentioned in the schedule was about 10 or 12, if I remember right; but now the Government have appointed commissioners for double the number of municipalities mentioned in the schedule. I submit it is very wrong. If the Government wished to appoint commissioners for the other municipalities than those mentioned in the schedule, they should have included them in the schedule. They limited the number in the schedule but took power, in extraordinary circumstances to appoint commissioners for others. We now find that it was a mistake to have given them this power. If power is given to the Government in this case also to act similarly, they would use it arbitrarily. That is the reason why, though I am in favour of having a single board for a whole Revenue district, I am giving my support to this amendment."

* Mr. SAMI VENKATACHALAM CHETTI:—"Mr. President, I desire to explain this situation. This amendment which has been moved by my hon. Friend, Mr. Singam Ayyangar, is necessitated by the omission of section 4 in the report. It relates to the constitution of a Revenue taluk as a taluk board. Section 6 of the original Act has not been touched."

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The Hon. the RAJA OF BOBBILI:—"I am afraid, Sir, the hon. Member has probably not got the latest Act."

* Mr. SAMI VENKATACHALAM CHETTI:—"Then the legal difficulty is over. But with regard to the constitution of the new divisional boards, it is very necessary that some indication of the policy on which the Government are going to proceed should be made known. It should not give room for suspicion that the bifurcation or the redistribution of the districts is done on lines not intelligible to the public. Either the redistribution must be based on the inadequacy of the finances of the district boards concerned or on account of their unmanageability or some such known reason. The complaint has been that, in the matter of the appointment of commissioners for municipalities, though at one time it was said that it was only intended to relieve pressure of work on the honorary officers of Local Self-Government institutions, it is found that commissioners are being appointed to a number of municipalities where pressure of work has not been the reason. It may be a very desirable thing, Sir, to have these commissioners, but, if that is so, they should be appointed for all the municipalities. I do not see why Guntur, or Tanjore for that matter, should be put down in the list for the appointment of commissioners and other municipalities should have these officers already. Therefore, in order to avoid giving room for the suspicion that the redistribution of these areas is governed by private reasons, I would desire that the Government should tell us the policy which would guide them in the matter of the redistribution of these areas."

* Rao Bahadur A. T. PANNIRSELVAM:—"Sir, it seems to me that this is a matter on which very much could be said on either side. We could argue for hours on the advantage of having these bigger boards and argue equally well for hours on the great advantage of having smaller local bodies. But I would oppose this amendment solely on this ground that I feel that this Bill is a huge experiment for the success of which the Hon. the Raja of Bobbili has made himself solely responsible."

"He said it in so many words in introducing the Bill, and it seems to me, Sir, that it is up to us to give him as free a hand as possible. I have no desire to damp his enthusiasm over it; I have, as I have already stated before, my own doubts. But as regards the new boards, which are to come into existence, whether it be two boards, or three boards, it is up to the Executive to consider each case on its own merits. We, speaking on a matter like this here, can proceed only on *a priori* grounds, on grounds, or rather on arguments, the counter of which would be equally plausible and effective. It might be, Sir, that some boards are perfectly solvent to-day, so solvent that with bifurcation or even with trifurcation, they would be able to run on efficiently and smoothly. It might be that in other district boards the finances are in such a state of depletion that unless all the resources available are pooled together and put into one hand it might not be possible to carry

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on the administration. And therefore it seems to me that at least for a certain time we should give a free hand to the Government to consider each case on its own merits and come to a conclusion based on the circumstances attendant on that particular case. And if after that we find that this system does not work, it is open to us to revise the local boards constitution once again. I am not suggesting anything novel. As I said on an earlier occasion, the Local Boards Act is one which has been constantly in the hands of this Council for the last ten years and more; and more especially during the last three years. Hon. Members of this House could never sit quiet or enjoy a clean conscience unless somebody or other had a hand either in restricting the powers of municipalities or in clipping the wings of the local boards. Therefore there will be nothing new, nothing strange in our putting the finger in the pie if you will allow me to say so, and amend the whole thing. Therefore, it seems to me that it will be a wise policy on our part to give a free hand to the Government, which has taken on itself the responsibility for introducing this Bill and for suggesting to us this as the safest and best remedy available under the circumstances. Therefore I feel constrained to oppose this amendment, which would be only tying up the hands of the Government in a particular manner."

* The Hon. the PRESIDENT:—"I wish to tell the hon. Mover that the proper form of his amendment should be like this:

'After clause 2, *add* the following as clause 2-A:—

"For sub-section (2) of section 3-A of the said Act the following sub-section shall be substituted, namely, etc.'"

"I hope the hon. Member has no objection."

Mr. K. SINGAM AYYANGAR:—"I have no objection, Sir."

* The Hon. the RAJA OF BOBBILI:—"Sir, in the discussion on this amendment, I find hon. Members have brought in questions relating to the District Municipalities Act. The statement has been made that Government have abused their powers given them under that Act. Hon. Members will remember that when that Bill was passed by this House, no undertaking was given that the operation of the Act would be restricted to the scheduled municipalities. In fact that was not the intention of the Act at all. As a matter of fact there were a number of other municipalities which could be brought under the Act in the first instance even while the Bill was before this House, besides those mentioned in the schedule. The policy of the Government in this respect has been to extend this appointment of commissioners to as many municipalities as possible provided suitable persons are available. In pursuance of this policy we have been bringing in additional municipalities under the ambit of the Act. I may also state the hon. Mover himself knows this. I have received representations that Government are only doing the right thing in extending the appointment of commissioners to as many municipalities as possible.

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"Now coming to the amendment, Mr. Sami Venkatachalam Chetti wants us to state the policy of the Government in bifurcating district boards. This is a question I have already explained in the Select Committee and in my speech during the earlier stages of this Bill in this House as well. As a matter of fact I have made it clear on a previous occasion that Government are not taking any power for the first time to bifurcate district boards, and if my friend wants me to repeat what I have already said I have no objection to do so. The principles which guide Government are (i) financial position, (ii) population, (iii) compactness and (iv) other geographical features. I might state that it is not the opinion of Government that it would be possible either for administrative or for financial reasons to bifurcate every district board.

"My hon. Friend, Mr. Manikkavelu Nayakar, thought that no option should be given to the Government to use their discretion. I may point out to him that even in the amendment supported by him there is option; for it says, 'provided that there shall be at least two district boards for each of the revenue districts . . .'. So the amendment gives option to Government to have any number of district boards. So, for the reasons stated I find it unwise to have a compulsory statutory provision for bifurcation of district boards irrespective of financial and administrative considerations. I therefore oppose this amendment."

Mr. A. RANGANATHA MUDALIYAR:—"Mr. President, Sir, I am much obliged to the Hon. the Chief Minister for having taken us into his confidence as regards the principles which would guide Government in the matter of bifurcation of district boards. I am afraid his answer is not complete. He has said he would be guided by population, finance, compactness and other geographical features. I want to know further from him, whether if two or three of the conditions are satisfied, finance excepted, he would think that the sum total of those considerations would justify the bifurcation of a district board. (Laughter.) I should like to know whether he would pursue his policy of dividing district boards even though financially each of the split-up district boards may not be self-supporting." (Laughter.)

* The Hon. the RAJA OF BOBBILI:—"I may state for the information of the hon. Member and the House that among the three or four considerations I have laid down, the financial aspect is the most important. Government do not propose to bifurcate unless the split-up boards are self-supporting."

Mr. K. SINGAM AYYANGAR:—"Sir, I moved my amendment only to facilitate Government in their work, because there will be administrative difficulty felt in spite of the assurances given by the Hon. the Chief Minister, and because the four grounds, which he pointed out, would not tally with regard to having one board. That is why I said there should be at least two district boards for each of the Revenue districts. Of course, Mr. Pannirselvam pointed out to me that the Chief Minister

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has taken the whole responsibility for bringing this Bill, and that he himself was diffident about its working. In order to avoid the solving of these anomalies at a future stage I want to introduce this provision both in the interests of administration and the public point of view."

* The Hon. the PRESIDENT:—"The question is—

'After clause 2, *add* the following as clause 2-A. For sub-section (2) of section 3-A of the said Act, the following sub-section shall be substituted, namely:—

"The Local Government shall by notification declare any local area in the revenue district to be a district for the purposes of this Act and specify the name of the district provided that there shall be at least two district boards for each of the revenue districts except the Nilgiris district irrespective of the finances or the area on the commencement of this Act." "

The amendment was lost.

Clauses 2, 3, 4, 5, 6, 7, 8, 9 and 10 were put and carried.

Clause 11.

New section 27-A.

* The Hon. the RAJA OF BOBBILI:—"Mr. President, Sir, I beg to move—

'that in sub-section (1) (ii), for the word "organization," substitute the word "supervision."

"This is a verbal amendment and it is necessitated by the fact that it is the duty of the Government to constitute as many panchayats as possible, and so to provide for an effective supervision over them the word 'organization' has to be deleted and the word 'supervision' has to be inserted in its stead."

Mr. E. CONRAN SMITH:—"I second it."

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Sir, I quite agree with the Hon. the Minister in adding the word 'supervision,' as upon supervision depends the efficient work of the panchayats. But I cannot agree with him in the deletion of the word 'organization.' We have to provide for the organization of the panchayats. Apparently the panchayat officers are to work under the standing committees. So to make the scheme complete I would suggest to the Hon. the Chief Minister to retain the word 'organization'."

* Khan Bahadur MAHMUD SCHAMNAD SAHIR Bahadur:—"Sir, Government are responsible for organizing the panchayats. The interests of the district boards may very often conflict with the interests of the panchayats, and so the district boards may not be very anxious to organize as many panchayats as possible. In fact that was the very charge against the taluk boards; and now since the district boards are to be in the position of the taluk boards, it is reasonable to think that

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the district boards too would act in a similar way. So to avoid that the responsibility of organizing the panchayats must continue to be in the Government, and the district board should be given the power of supervision only. So, Sir, I am opposed to the suggestion of Mr. Ramalingam Chettiyar."

* The Hon. the RAJA OF BOBBILI:—"The intention of the amend- 12-30
ment is only to make the meaning clear. It is felt that the word P.m.
'organization' must include the constitution of new panchayats also. According to the Act it is the duty of the Government and it has been delegated to the Inspector to undertake the work of constituting new panchayats. So we have decided to move this amendment."

The amendment was put and carried.

Section 27-A (1) (iv).

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"I beg to move the amendment standing in my name which runs as follows:—

'1. In sub-section (1) (iv) for the words "*specified by the Local Government*" substitute the word "*prescribed*".'

"The object of my amendment is clear. We do not want that the powers to be exercised by these bodies should be varied from time to time or from place to place. That is the only idea. The members must pass through the same stages as the rules which are going to be framed under the very same section with regard to election, etc. I am only adding that, instead of the Government specifying the functions that will have to be exercised by each standing committee as it is formed, the functions and the procedure may be mentioned in the rules made under sub-section 4. I do know that it will not completely satisfy some of us, because with reference to the framing of these rules different provisions are made in the Act. Under sections 199 and 200 the rules are made in two ways. Some of the rules are made by merely publishing them in the gazette and other rules are made by placing them before the House and getting the affirmative sanction. Of course it is for the Government to choose between the two classes of rules as to which of them should govern them with reference to the framing of rules under this section. I do not want to add anything with regard to that. It is for them to decide which is the form they are going to adopt."

"There are two ways of making the rules. As I said it is for the Government to choose which way they will adopt for the rules to be framed under this section, and which procedure they want to adopt. So I propose that the functions and procedure of these committees might be governed by rules instead of by orders issued on each occasion which may be revoked or modified by the Government."

Mr. SAMI VENKATACHALAM CHETTI:—"I second it."

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* The Hon. the RAJA OF BOBBILI:—"Statutory committees are going to be appointed for the first time. As it is necessary, until we gain sufficient experience, to make certain changes in the details, it has been found desirable to use the word 'specified.' Another point is that if the procedure contemplated under this amendment is adopted, it will take about two to three months to bring the rules into force and there will be further delay in constituting standing committees. I therefore consider that it will be only delaying matters, because the rules have to be published, then objections have to be invited and then final orders have to be passed. All this will take a very long time and the Government are very anxious to see that as soon as the new Act is brought into force, these statutory committees should begin to function at as early a date as possible. I therefore oppose this amendment."

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Sir, what is the scope of the amendment? The manner of election will have to be settled by the rules framed under sub-section (iv) and the functions have to be framed. So the time taken for framing the rules would not in any way affect the functions that are going to be exercised by the committee which can function only after the election. The election has to come in before the exercise of functions by the committees. I fear the Hon. the Minister has not perhaps correctly understood me. Under sub-section (iv) he himself provides for the framing of rules for election. The rules have to be framed specifying the manner in which the committees have to be constituted. In the very same rules he can very well say what are the functions of those committees. I hope there will be no objection for him to adopt such a procedure. Sub-section (4) of the proposed new section 27-A says—

'(4) Subject as aforesaid provision may be made by rules under this Act for—

(i) the manner of election of members of a standing committee by the district board;

(ii) the manner in which the presidents of panchayats may be co-opted to the standing committee, etc.

(iv) the term of office of the members and the chairman of the standing committees.'

"I will only add to the above the functions of the standing committee as a matter which may be prescribed by rules. I am not saying anything more."

* The Hon. the RAJA OF BOBBILI:—"So far as such rules are concerned, my difficulty is that as we are constituting the committees for the first time, it may be necessary for the Government to add or deduct the functions of these committees. Until we get experience and have these details settled, I feel it is unnecessary for the Government to go through the formalities prescribed by rules and inviting objections and so on. As far as the election rules are concerned, we have stated that they shall be framed under the rules. Until we gain experience,

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if we were to state that the functions of these committees will be defined by rules, then difficulty will arise as to what exactly will be the functions of the newly constituted committees in the beginning. So I oppose this amendment."

The amendment was put and lost.

* The Hon. the PRESIDENT:—"Mr. Muniswami Nayudu is not in his place . . ."

Mr. SAMI VENKATACHALAM CHETTI:—"May I with your permission move the amendment* of Mr. Muniswami Nayudu."

* The Hon. the PRESIDENT:—"The hon. Member cannot move it. He has not given notice of this amendment."

Mr. SAMI VENKATACHALAM CHETTI:—"There is precedent of allowing such amendments if the House also is willing to allow them."

* The Hon. the PRESIDENT:—"If the hon. Member had given notice of it at least this morning I could have waived formal notice of it and allowed him to move it. But he has not done so."

Mr. SAMI VENKATACHALAM CHETTI:—"Till this morning I was unaware that Mr. Muniswami Nayudu would be unavoidably absent. I understand he is ill and therefore he is unable to move his amendment. You know, Sir, what authority he is to speak on these matters. We would be indeed sorry and the House also will feel sorry if the amendments given notice of by him are not moved."

* The Hon. the PRESIDENT:—"I quite see the difficulty, but the hon. Member had ample time to give notice of those amendments. But I cannot allow him to move those amendments."

Mr. SAMI VENKATACHALAM CHETTI:—"May I give notice of them now? I want you, Sir, to exercise your prerogative suspending the Standing Orders especially with regard to these amendments given notice of by Mr. Muniswami Nayudu in which the House seems to be interested."

* The Hon. the PRESIDENT:—"I have already said that I was quite ready to exercise my prerogative. The hon. Member has not given notice of those amendments."

Mr. SAMI VENKATACHALAM CHETTI:—"Now I shall soon give notice of them."

* The Hon. the PRESIDENT:—"All right. I shall await the notice."

* Diwan Bahadur B. MUNISWAMI NAYUDU:—

"In sub-section (1) of section 27-A, after the words and figures '(iv) works and communications' add the following '(v) taxation and finance.'"

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12-45 p.m. * Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Sir, I beg to move the following amendment:—

'In Sub-section (3), in lines 6 to 11, delete the words "and of the remaining members not less than . . . elected" and insert in its place the following:—

"and the other members shall be elected by the district board, not less than two-thirds of the total number shall be members of the board."

"The object is this; as proposed by the Select Committee, non-members who may be about one-third of the standing committee may be co-opted. These non-members will be co-opted by the members elected by the district board to the standing committee, namely, six or four whatever it may be. I think it will be better if the members of the district board as a whole elect these outsiders also. There we will have a better chance of getting men suitable to the whole district. It is not always safe to leave the co-option of the one-third of the committee in the hands of the remaining two-thirds of the committee. If there is difference of opinion, there will be factions formed and there will be trouble later on. To avoid that, it is better if the members are elected by the district board itself. It will be conducive to the proper working of the committees and for securing proper representation."

Mr. ABDUL HAMEED KHAN:—"I second it."

* Rao Bahadur A. T. PANNIRSELVAM:—"Sir, with regard to the amendment just moved, I find that the word 'elected' occur in two places in the sub-section. I should like to know which is the one the hon. Member refers to. If the hon. Member refers to the first word 'elected,' the sub-section would read as follows:—

'and the remaining members shall be elected by the district board, not less than two-thirds of the total number shall be members of the board, by the members of the district board from among themselves'."

Dr. P. SUBBARAYAN:—"I would suggest that the amendment may be worded as follows:—'and the other members shall be elected by the district board, two-thirds of the total number being members of the district board'."

Mr. K. KOTI REDDI:—"Sir, may I make a suggestion to you, Sir? Since a large number of amendments similar to one another have been given notice of, I wish to know whether it would not be better if all the amendments are moved, the whole discussion allowed and if voting is taken on all the amendments one by one later on."

* The Hon. the RAJA OF BOBBILI:—"We may take one amendment after another; if one amendment is accepted, there will be no need to move similar amendments."

* The Hon. the PRESIDENT:—"The amendments are a little different from one another; if all the amendments are moved and discussed, it will be possible to put them one by one, leaving out those that had already been voted upon."

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* The Hon. the RAJA OF BOBBILI:—"I have got one doubt about this amendment. With regard to the co-option of outsiders, I wish to know whether the district board has got discretion to elect one-third or less than one-third. The proportion should be fixed definitely."

Dr. P. SUBBARAYAN:—"We may say that one-third of the members of the committee may be outsiders."

Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"If we take away the words 'not less than' it will be quite all right. Instead of saying 'not less than two-thirds,' if we say 'two-thirds shall be members of the district board' we would fix the proportion mentioned by the Hon. the Chief Minister."

Dr. P. SUBBARAYAN:—"My point is this. If you want two-thirds of the members should be members of the district board, there is no need to mention it. If one-third of the members are to be outsiders, it naturally follows that the other two-thirds shall be members of the district board."

* The Hon. the PRESIDENT:—"It is all the same if we say that two-thirds shall be members of the district board or that one-third shall be outsiders."

Dr. P. SUBBARAYAN:—"May I ask the Hon. the Chief Minister whether his intention is that the power of election of members of the district board to the standing committees should be so restricted that they should elect only two-thirds of the members of the district board and not more?"

* The Hon. the RAJA OF BOBBILI:—"I think the intention of the amendment of the Select Committee is that non-members on the committee shall be one-third—neither more or less than one-third. The number of outsiders should be exactly one-third of the members of the committee."

* The Hon. the PRESIDENT:—"The amendment of Mr. Ramalingam Chettiyar will be as follows:—'and the other members shall be elected by the district board, two-thirds of the total number being members of the board'."

* Mr. A. RANGANATHA MUDALIYAR:—"Sir, I beg to move the following amendment:—

'In sub-section (3) omit all the words from "of the remaining" to "members of the district board" and substitute the following:—

"the remaining members of whom not less than two-thirds shall be members of the district board, shall be elected by the members of the district board. Each standing committee shall elect its own chairman from among its members who are members of the district board'."

"It will probably do well to enumerate the points in which my amendment differs from the main proposition put forward by the

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Government. In the first instance, I am suggesting that at least two-thirds shall be members of the district board; I am not saying that the remaining one-third should necessarily be all outsiders. I leave it to the committee to decide how many of this one-third should be outsiders. For example in the district educational committee, I think the Government may be satisfied with having the district educational officer only, as the outside member of that committee. The other committees may probably require the full strength of one-third to be composed of outside people. So, I am not suggesting what proportion in excess of the two-thirds should or should not be from outside the body of the district board members.

"The second thing I suggest is that, instead of leaving the few elected members of the district board to choose their colleagues in any manner they like, the power should vest in the whole district board. In that case I submit there is a chance of wiser selections being made than otherwise. When once the whole district board concerns itself with the selection of these outsiders, I think it is not fair to deprive them of the right to take part in the deliberations of the committee or to exercise their votes. Having proved themselves to be in possession of the confidence of a majority of the members of the district board on the committee, and so secured a place the members outside should be allowed to exercise their vote in committee meetings. Fourthly, in the case of Panchayat Committees, the choice need not be restricted to the Presidents of Panchayats only. These are the four points in which my amendment differs from others. I have allowed the provision to remain that the chairman of the committee shall be a member of the district board. My reason is this; the member of the district board can and is likely to attend all the meetings of the district board and he will be in touch with its administration in all departments, so to speak, whereas a co-opted member may attend the meetings only of his committee once in a way and may not know all that may be taking place in the district board meeting or other committee meetings. I think that in the interests of the committee, it is better that the chairman of the committee should be a member of the district board."

Mr. P. V. KRISHNAYYA CHOUDARI:—"I second the amendment, Sir. What we have provided for is that the members of the district board should elect two-thirds of the members of every statutory committee. What my hon. Friend wants is that the remaining one-third of the members of the committee should be elected by the district board members, because they belong to several parts of the district. There is more justification for the election of co-opted members by the district board members than by election by four or five individuals of the committee."

"But I am not in favour of the latter portion of the amendment, that the non-member should have the power to vote. I am in entire agreement with the hon. Member that the non-members should be

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elected by the district board members and not co-opted by the members of the committees."

Mr. P. PEDDI RAJU:—"My hon. Friend wants to substitute for the last sentence of the amendment proposed, the amendment that is in the Bill before the House, namely, that each standing committee shall elect its own chairman."

* Rao Bahadur A. T. PANNIRSELVAM:—"Sir, what the hon. 1 p.m. Member has stated has raised a doubt in my mind as to who should fix the proportion of members and non-members. He seems to suggest that the Government should fix the proportion of non-members. I am not able to find any provision anywhere, even by way of rules to be hereafter framed, by which the Government can take power to fix the proportion. As the Act now stands, it is the district board alone that can fix it. Then it comes to this. That the district board alone should have the option of saying if persons who are not members may be elected to the committee; but if it be our idea that it is to be an obligation on the district board to elect non-members to the committee, it seems to me that the matter is not clear in the Bill. If it is going to be an obligation, then alone the question of proportion arises. The amendment as moved by my friend, Mr. Ranganatha Mudaliyar, comes to this, that the district board shall have the option of co-opting or rather of electing non-members to the committee, provided that the proportion so elected shall not exceed one-third of the total number in the committee. We should like to know what the Hon. the Chief Minister has got to say on the point, whether the option is to be left to the Board or whether we should impose a restriction ourselves."

*Mr. K. A. NACHIYAPPA GOUNDER:—"Sir, I rise to move the amendment that stands in my name:

"In sub-section (3), lines 6 to 11, for the words "and of the remaining members . . . so elected," substitute the following:—

"And the other members shall be elected by the district board; not less than two-thirds of the total number shall be members of the district board and at least one shall be from among the presidents of panchayats in the district."

This is an improvement on the amendment moved by my hon. Friend, Mr. Ramalingam Chettiyar. Since he has stated that not less than two-thirds of the strength shall be district board members, it may be that the whole of the statutory committee may consist of the district board members elected by them. I thought it could be improved in this way, that at least the presidents of panchayats may be given a chance. With regard to the Rural Development Committee, I have given another amendment, and I shall move it in due course; but in the

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constitution of other committees, I think that the presidents of panchayats should have a place in these committees also. The committees have to deal with elementary education, public health and other matters in which the panchayats are very much interested; and as the object of the amending Act is to improve the position of the panchayats, I think it is better and advisable to have the panchayat presidents to occupy a place in all these committees so that they may be enabled to take part in questions relating to the consideration of vital matters that concern their villages. Sir, I beg to move my said amendment."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"I second it."

Mr. ABDUL HAMEED KHAN:—"Sir, I move the amendment that stands in my name:

'For the words in lines 9 to 11 "and the rest shall be co-opted by the said president and the members so elected" substitute the words "and not more than one-third only to be co-opted from outside".'

Sir, with my amendment, the clause would read as follows:—

'And of the remaining members not less than two-thirds shall be elected by the members of the district board from among themselves, and not more than one-third only to be co-opted from outside.'

The object of the Select Committee in amending this clause seems to be that two-thirds of the members of the standing committee should be elected by the district board itself and the remaining one-third should be co-opted by the committee so elected. The object of my amendment is to make it possible for the district board itself to elect all the members of the committee, two-thirds of whom should be members of the district board and the remaining one-third should be co-opted from outside. I am afraid, Sir, there is some confusion with regard to the interpretation of the words 'co-option' and 'election.' I thought in all legislation, the word 'co-option' is used to mean co-option from outside the body itself. (Rao Bahadur A. T. Pannirselvam: 'Co-opt' means 'add to yourself.') By my amendment, what I seek to do is to see that two-thirds of the members of the Standing Committee should be members of the district board and the other third should be elected by the district board itself from outside. I used the word 'not more than one-third only' in order to obviate any difficulty that may arise. If we fix one-third and if the total number is seven, or eight or ten, it would be very difficult to adhere to a third being elected. There will be the difficulty of fractions. For that reason, I suggest that the number should not be more than a third, so that we can adjust the proportion and get over the trouble in regard to fractions."

Mr. G. R. PREMAYYA:—"I second it."

Mr. M. DEVADASAN:—"Mr. President, Sir, I beg to move the amendment that stands in my name:

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'In sub-section (3), for the words "and the rest shall be co-opted by the said president and the members so elected" substitute the following:—"The rest being co-opted from among the members of the minority communities such as Adi-Dravidas and Indian Christians".'

Sir, I may be considered too selfish or communal in bringing up a motion of this kind, but the conditions obtaining in the mufassal require that a provision of this kind should be inserted in the Bill. Members of taluk boards will cease to be such once this Bill is put into operation, and some members of the depressed classes who became members of taluk boards by reservation will cease to be members. It would be difficult for them to get into any standing committee. In order to meet such a contingency, it is absolutely necessary that there should be some safeguard so as to enable the members of the minority communities to sit on the committee. Local self-governing institutions are not doing their functions always in the interests of all classes of people including the minorities; and I may be pardoned for saying that self-government is a form of selfish government. If the amendment which I have moved is accepted, then it would not come into conflict with the provisions following it. Then in that case I would be content to extend the amendment to the committees and refer to (1), (3) and (4) of section 27-A of the Bill. Sir, I move my amendment."

Rao Sahib V. I. MUNISWAMI PILLAI:—"Mr. President, I have very great pleasure in seconding the amendment moved by my hon. Friend, Mr. Devadasan. The original Act of 1920, provided for compulsory reservation for the representation of minority communities, but now according to this Bill, all such reservation will go. It may be argued that when all the other communities have agreed to go out, as a result of the abolition of the taluk boards themselves, why our community alone should have special representation. I will answer that question by saying that we came to have special representation only very lately, and there must be some sympathy shown to us, to enable us to go to these standing committees wherein we can do some real service to the people."

* The Hon. the PRESIDENT:—"All the amendments relating to the fixing of the proportion of members of the district board on these committees have been moved and seconded. They are all for the discussion of the House. (Mr. K. Koti Reddi: There is my amendment, Sir.) Mr. Koti Reddi's amendment deals with a different subject altogether. That might be taken up separately after this question is disposed of."

* The Hon. the PRESIDENT:—"The Hon. the Raja of Bobbili."

* The Hon. the RAJA OF BOBBILI:—"Before I am called upon to express the views of the Government, I should like to hear the opinions of hon. Members from all sides of the House."

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Mr. K. KOTI REDDI:—"Mr. President, I am afraid that in abolishing the taluk boards and entrusting all the functions hitherto performed by them to the district board, unless the Council gives power to outsiders of a certain number, wherever they are available, to come in, we would be going in the wrong track. I believe that election of standing committees for the performance of certain specific functions of bigger bodies has become almost a universal practice in every country. In England, in Scotland and in Ireland, there are such committees. It was felt in those countries that there were certain functions which might be very easily performed by a smaller committee elected by the bigger body. In this country also I find that in other Provinces, there are similar provisions for the election of smaller bodies to perform functions specifically allotted to them at the time those bodies were brought into existence. It seems to me, Sir, that we have made a very proper provision in allowing, wherever they are available, non-members also to come in and help these committees.

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p.m.

"If hon. Members will remember that in elections to local boards, even educated men who have played some part in a bigger atmosphere, often find it very difficult to contest elections in a smaller circle against those who have been concentrating themselves in those areas. As a matter of fact, I have often heard that when some members of the Legislative Council themselves wanted to contest elections in a taluk board or a district board and try to render some service, the answer that they generally got from the electorate was, 'Are you going to deprive us even this little thing when you are occupying big places' and so on; and it also seems to me quite reasonable in a sense. At the same time, there are people who, though occupying bigger positions and whose services would be available to the district boards, have no chance of entering them and I see absolutely no reason why the district boards should not be given the option to elect if they like such persons to be members of the district boards. Some of these persons may take vast interest and even much more interest than the presidents of district boards themselves. In some districts, the presidents of district boards do not find the time or the energy to perform all the functions entrusted to them. When such is the case, where the functions are divided and where outsiders also can come in, I see no reason why those opportunities should not be given to such outsiders. As long as you require a provision for a non-member to come in, to deprive him of the power of voting and to deprive him of the possibility of being elected as chairman, would, it seems to me, be a wrong policy. Why should a non-official come and take part in the discussion, render some service and in the course of performing the functions entrusted to the committee—if he is suspected, as I have stated in my minute of dissent—he is not allowed to vote? It is really not a proper thing. The best thing, if the Council thinks fit, is, if no outsiders are required, not to allow any of them at all; and no provision need be made further. When once you believe that it would be better in the interests of the

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district board if persons, who have interest and enthusiasm to work, and are willing to render service, should be allowed to come in, you should treat them properly. If this Council were to say, that no outsider should vote or be chairman, it seems to me, Sir, no self-respecting non-official on those conditions would come forward and serve on such a committee. Nowhere in the constitution of such committees, there is such a provision as this. If Government are aware of any such provision, I shall be glad to be corrected.

"This Council has to consider a number of questions in connexion with this before they vote on any particular amendment. The main question, I believe, is whether outsiders should come in or not. Personally, I am of opinion, that things as they are, apart from the difficulties of even educated and experienced men from getting into these local boards, there may be some people—take for instance my hon. Friend, Diwan Bahadur B. Muniswami Nayudu, a gentleman who has actual experience of local board administration, now he is out of the Treasury Bench, probably he may be willing to render service to the district board—and to deprive such people the chance of becoming chairmen and to deprive them of their vote—it is really unthinkable. The best thing is to retain the provision as it exists at present. If any district boards are not willing to take outsiders, let them not do so but if any think that the services of outsiders would be useful, it is for them to elect such men. If Government want to insist on one-third outsiders, even the district boards won't be willing to delegate much of their powers, and if the choice is left to the district boards, they may bring in outsiders and they will also be quite glad to entrust them with some of the powers. The amendment of my hon. Friend, Mr. Ramalingam Chettiyar, namely, that the whole district board should elect the members of the standing committee including outsiders, is a much better provision, in which case the district boards will not have suspicion on outsiders and they may elect people out of their free will; and thus the functions of the board will be performed to their satisfaction. If the whole district board elects its committees, there is less chance of the district board interfering with the resolutions passed by the outsiders forced into the committees.

"Then, we shall have to consider whether the whole district board should elect co-opted members or only the committee elected by the district board should elect co-opted members. In this matter I feel strongly that so long as this Council considers that in certain cases they can get outsiders who can perform the functions with credit and with zeal, it is necessary that these people are not deprived of the power of voting or of becoming chairmen of these committees. If you are suspicious, let the option be given to the district board not to have two-thirds and if the district board chooses and is willing to take the services of such men, it will certainly exercise their option whether to admit them as co-opted members or not.

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"We have also to consider another aspect of the question and that is, why the district board or the Council should feel suspicious of outsiders. For instance, take the case of education, a subject on which most of the funds of the local boards is directly or indirectly utilized. A major portion of such funds comes from Government itself. When such is the case, why should the district board say, 'I am here and I do not allow anybody else to have anything to do with the matter.' In many districts, it is well known there are people with experience who have been taking part, particularly in elementary education and in developing panchayats. It is therefore possible that in these two spheres, it is quite possible to get the help of outsiders wherever they are available and if the district board concerned is willing to take their services. I therefore do not see why a distinction should be made in the matter of the standing committee for rural development and the standing committees for performing other functions. Is it due to the fact that presidents of panchayats alone have been taking interest in the development of rural areas? As a matter of fact, Government are aware of the fact that hitherto they have been appointing honorary organizers of panchayats. Can you not find one of such people whose services will be valuable in a committee on rural development? The provision made by the Select Committee deprives opportunities for such persons. I personally would be quite unwilling to make any provision of that sort. It is better to make some compulsory provision by which the president of the panchayat should be on the rural development committee or at least one of them to be on such a committee. They will be probably in a better position to safeguard the interests of the presidents of panchayats. This will give a chance to honorary organizers of panchayats and such other people who have been and are willing to take part, to do some service to the people at large."

* The Hon. the PRESIDENT:—"I am afraid the hon. Member has repeated his arguments more than thrice. The House will now adjourn and meet again at 2-30 p.m."

After Lunch (2-30 p.m.)

* The Hon. the RAJA OF BOBBILI:—"Sir, we have attempted to draft an amendment which I hope will command the largest amount of support in the Council. I beg to move this amendment which runs thus:

'Substitute the following for clause 11 (3) of section 27-A:—

"(3) (a) Each of the standing committees referred to in subsections (1) and (2) shall consist of such number of members as may be specified by the Local Government, of whom the president of the district board

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shall ex officio be one and the remaining members shall be elected by the members of the district board from among themselves and from among persons who are not members of the district boards in such proportion as the Local Government may direct:

Provided that the number of members of a committee who are not members of the district board shall not exceed one-third of the total number of members of the committee.

Provided further that in the case of the standing committee for rural development the members who are not members of the district board shall be elected from among the presidents of the panchayats in the district.

- (b) *The members of a standing committee who are not members of the district board shall have the right to attend the meetings of the standing committee and take part in the discussions thereat, but, except in the case of the standing committee for rural development, they shall not have the right to vote at such meetings.*
- (c) *Each standing committee shall elect its own chairman from among its members who are members of the district board."*

Mr. E. CONRAN SMITH:—"I second it."

* Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"Mr. President, Sir, in the Bill the proportion of members to be elected is fixed at two-thirds, whereas under this amendment power is taken by the Government to fix the proportion. The proportion was fixed in the case of outside members so as not to exceed one-third. In the amendment it is said that it is to be not less than one-third, so that the elected members may be more and the co-opted members may be less. Another improvement is that in place of 'chosen,' the word 'elected' has been put in. These are the main changes made."

* Rao Bahadur C. NATESA MUDALIYAR:—"Mr. President, Sir, as long as the Hon. the Raja of Bobbili has moved an amendment, I cannot but support it. But the original word 'co-opt,' I think, Sir, was advisedly put. The word 'outsiders' was put in, I believe, to get into the board experts and not anybody and everybody. 'Co-opt' is the only word to be used for such an action. As it is, the District Health Officer is there, he may be co-opted, or the District Board Engineer or the Executive Engineer. I do not mean that a number of experts are to be placed before the board and one to be elected from among them. 'Co-opt' would mean, co-opting health

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experts, engineering experts and so on. So, Sir, I submit the original thing is right. The amendments given by Mr. A. Ranganatha Mudaliyar and others are towards co-opting experts."

Mr. P. PEDDI RAJU:—"Sir, so far as the first portion of the amendment is concerned, the Raja of Bobbili has drafted the amendment according to the wishes of the other Members concerned and I think Mr. Natesa Mudaliyar is wrong in thinking that election is put in for co-option at the request of a large section of the House. Perhaps Mr. Natesa Mudaliyar does not agree with it. But there is a certain difficulty in this matter in regard to the latter portion. The question is whether the co-opted members or the members from outside the district board should have the right to vote or not. I would therefore like the following portion to be omitted from clause (b) of the amendment now moved: 'but except in the case of the standing committees for rural development,' and also that the word 'not' at the end of this sub-clause (b) be omitted. So that the clause as thus amended by me will mean that in the case of all standing committees, the members who are elected either from the board or from outside will have the right to vote. My point is not that these people have got a right to exercise or anything of the sort, but you cannot expect the right sort of men to come and serve on these committees unless they have the right to vote. Practically as the Bill stands now, it will come to this, that the committee or the board will have to take officials. Otherwise no man with any responsibility or standing will come and sit there and give advice and walk away. So I propose my amendment to the amendment moved by the Hon. the Raja of Bobbili, namely—

'In clause (b) of the amendment, omit the words "but except in the case of the standing committees for rural development" and the word "not" at the end.'"

Mr. ABDUL HAMEED KHAN:—"Mr. President, Sir, I second the amendment moved by Mr. Peddi Raju. Originally under the amended portion of section 3 as we find in the report it was sought to have these outsiders co-opted by the members of the committee themselves. The object of the framers of the Bill evidently was that they should get the services of experts from time to time. And it was with that object I dare say that this co-option was introduced. If that was the object, I can understand the retention of the original part of that section. But having amended that section with a view to give the power of election to the whole board, of these gentlemen who otherwise would have been co-opted by the committee itself, I fail to see what purpose will be served by giving these gentlemen only the dignified position of attending meetings, discussing matters and then standing out at the time of voting. As has been pointed out by the Mover of the amendment, I believe, no honourable gentleman worth the name or whose services will be of any avail to the committee will avail himself

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of this opportunity of helping the committee in a position of an untouchable in the committee. If it is the purpose of this committee that this co-option should serve the object in view, then I believe it is necessary that the power of voting also should be conceded to the members who are elected from outside. As has been pointed out this morning by my hon. Friend, Mr. Koti Reddi, the expert officials of the Government like the health officer, or the engineer or any other officer whose services may be found necessary from time to time by the various committees and could under the original Bill be co-opted for particular purposes are not likely to be there. It is only election of persons who will be more or less occupying the position of such gentlemen whose advice, mature judgment and experience will be of great service to the committee, that will be of advantage. It is only such gentlemen who instead of seeking election to the district board are likely to be co-opted to the various committees which alone will function and which will be more or less the executive of the district board for the various subjects in which they are competent, who will be useful as experts. I believe their experience and knowledge will be very useful to the district board, if they can influence the vote of the committee on questions of importance. They will certainly not be able to influence the vote of the committee on questions of importance unless they themselves have a right to vote. Therefore, I believe, Sir, it will serve no purpose to have mere dummies as co-opted members on these various committees without a right to vote and influence the decision and judgment of various questions of importance that may come up before the committee from time to time. I have therefore great pleasure in seconding this amendment."

* The Hon. the PRESIDENT:—"Before we proceed further, I wish 2-45 to know the opinions of Messrs. Ramalingam Chettiyar, Ranganatha Mudaliyar and Nachiyappa Gounder about their amendments."

Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"In view of the amendment of the Government, they will be dropped."

Mr. A. RANGANATHA MUDALIYAR:—"The amendment now proposed by the Chief Minister is one that has been arrived after general consultation of the various parties in the House. So far as I am concerned, I need not assure what my views are in regard to this matter. But having once sat down and arrived at this, I do not think it will be open to me to open the question once again. I would appeal to Mr. Peddi Raju also not to proceed with the amendment."

Mr. K. A. NACHIYAPPA GOUNDER:—"I wanted that representation should be given to the panchayat presidents in every committee also. Since the agreed amendment has been put, I have no objection to withdraw my amendment."

The amendments of Messrs. Ramalingam Chettiyar, Ranganatha Mudaliyar and Nachiyappa Gounder, were, by leave, withdrawn.

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* The Hon. the PRESIDENT:—"I will therefore for the convenience of the House, if it so desires, put the first portion of the amendment to the vote of the House and allow the second for the discussion of the House. I think the House is agreed upon that. The question is:

(3) (a) Each of the standing committees referred to in subsections (1) and (2) shall consist of such number of members as may be specified by the Local Government, of whom the president of the district board shall *ex officio* be one and the remaining members shall be elected by the members of the district board from among themselves and from among persons who are not members of the district board, in such proportion as the Local Government may direct:

Provided that the number of members of a committee who are not members of the district board shall not exceed one-third of the total number of members of the committee:

Provided further that in the case of the standing committee for rural development the members who are not members of the district board shall be elected from among the presidents of the panchayats in the district."

Mr. K. KOTI REDDI:—"With regard to the last proviso, there is my amendment, Sir."

* The Hon. the PRESIDENT:—"I think a broader provision is made in this amendment than what the hon. Member wishes to make. He wants at least one, but here all are to be elected from the panchayats of the district."

Mr. K. KOTI REDDI:—"The others may or may not be from the panchayats, while insisting on a minimum of one, there may be chance for others also."

* The Hon. the PRESIDENT:—"I think the House has already agreed that I should put the first part of the amendment to the vote of the House."

The amendment was put and carried.

* The Hon. the PRESIDENT:—"Sub-clause (3) (b) is for the consideration of the House. Mr. Peddi Raju's amendment, namely, 'delete the words: "but except in the case of the standing committee for rural development" and the word "not" is now for discussion.'"

* The Hon. the RAJA OF BOBBILI:—"I wish to oppose the amendment. This question has been thrashed out at great length, this morning, and during the luncheon interval. We have drafted this amendment which, I believe, represents the largest amount of agreement on the matter. Of course, what is felt as an objection to

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the amendment is that the district board members who go through the ordeal and trouble of election should not be placed in the same position in danger of being swamped by members from outside. Some of these committees really do the work of the district boards. As regards the rural panchayat committee, which is entrusted with the development of rural areas, they have stated that the election should be confined to the panchayat presidents who should have a right of vote. It has been stated that without the right of voting, it will not be possible to find any members on these bodies. I do not think it will be found correct in practice. But if for any reason we find there is any difficulty, then gaining some experience, we can consider the question of any further changes. I therefore oppose the amendment."

* Sriman M. G. PATNAIK Mahasayo:—"Mr. President, Sir, the question may be considered from two standpoints. The first is that only persons in the service of the local boards are taken as co-opted or elected members. In that case, there may be some difficulty. There is some provision which states that the employees may be called upon to address the House, but they should not take part otherwise. In such cases, it would be absolutely unnecessary that those people should be co-opted as members. That means that only non-officials who are not in the service of the board can take part. Then the question arises whether it is desirable to have persons in Government service taken in as members. I would say there also there will be the question that they would address and offer their opinion in the meetings of the standing committees, but should not vote. Probably Government have that in view in saying that these members may be taken as members but they should not vote. But in the case of the non-officials, once they are co-opted as members, do you think it desirable that these persons should take part in the deliberations, but at the time of voting they must walk out? I think, it is very very undesirable. However, many persons do not think of taking part in such deliberations and really if you do not want the assistance of such non-official members, in that case there is absolutely no reason why there should be this provision. Moreover as the majority of members would be members of district boards, I do not see how they can swamp the other members. So, if you think that the advice of such non-members is necessary, one would not be justified in saying that such members merely take part in offering advice and then walk out. Moreover, they are persons who command the confidence of the people; because they are elected by the members of the district boards. In such a case, there is no reason why they should be distrusted. I cannot see how, if some members who have come by election should have a right of voting, a person elected by the district board should not have that power. That distinction should not be lost sight of. I think it will be a very very invidious distinction, if you think that the advice or assistance of such non-members of district boards would be useful to the work of the standing committee. Moreover, we see in

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the Council certain experts are admitted as members and they are allowed to vote. It is nomination in both cases here the Government nominate and there the boards nominate. Why should not they take part and if necessary vote? They need not take part in all the proceedings. Their participation may be restricted to certain periods and to particular purposes. But to say that a man should come and offer advice and then run away is not correct."

The KUMARARAJA OF CHETTINAD:—"I beg to move that the question be now put."

* The Hon. the PRESIDENT:—"I will now put the amendment of Mr. Peddi Raju to the vote of the House. In clause (b) omit the words from 'but' to 'not' and add the word 'and' before 'have.' Then it will read like this: 'the members of a standing committee who are not members of the district board shall not have the right to attend meetings of standing committees and take part in the discussions thereat and have a right to vote at such meetings.'"

The amendment was lost.

* The Hon. the PRESIDENT:—"I shall now put the second part of the Hon. the Chief Minister's amendment to vote. The question is:

'(b) The members of a standing committee who are not members of the district board shall have the right to attend the meetings of the standing committee and take part in the discussions thereat; but, except in the case of the standing committee for rural development, they shall not have the right to vote at such meetings.'"

The amendment was carried.

Mr. P. PEDDI RAJU:—"There is no doubt one amendment in my name. It says that the right of election should not be restricted to members of the board. In view of the decision on the previous amendment, I do not think I need move it."

Mr. ABDUL HAMEED KHAN:—"I have got an amendment in my name and that is, add at the end the following:—

'and such chairman shall not be the president of the district board. In the case of the standing committee for education the members so co-opted shall be the district educational officer and a deputy inspector of Muslim schools.'"

3 p.m. * The Hon. the PRESIDENT:—"I may point out to the hon. Member that the question of co-option has been removed from this clause and therefore the amendment of the hon. Member would not fit in at all."

Mr. ABDUL HAMEED KHAN:—"If you will permit me, Sir, I will alter the amendment suitably."

* The Hon. the PRESIDENT:—"But the question has been already disposed of. I will put sub-clause (3) (c) to the vote of the House."

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The question is: 'Each standing committee shall elect its own chairman from among its members who are members of the district board.'"

The amendment was carried.

The Hon. the RAJA OF BOBBILI:—"Sir, I have to move a consequential amendment in view of the amendment just carried by the House."

"Sir, I move—

'Omit sub-clause (4) (ii), viz., "the manner in which the presidents of panchayats may be co-opted to the standing committee;" and renumber the subsequent sub-clauses, and at the end of item (iv) as renumbered add the word "and."'"

Mr. E. CONRAN SMITH:—"I second the amendment."

The amendment was carried.

Mr. ABDUL HAMEED KHAN:—"Sir, before you put this amended clause to vote, in view of the fact that you allowed us to come to some agreement on the amendments tabled and also in view of the fact that some different amendments have been proposed, I would request you to permit me to move to sub-clause 4 (iii) renumbered as (ii) an amendment to the effect that the presidents of district boards shall not be chairmen of standing committees."

The Hon. the PRESIDENT:—"I think the amendment can aptly be moved under sub-clause (4) (iii). He may move it."

Mr. ABDUL HAMEED KHAN:—"Sir, I move that under sub-clause (4) (iii) the following words may be added:—

'Provided the president of the district board shall not be the chairman of the standing committee.'

I move it with a view to prevent the committee electing the president himself as its chairman. As it obtains elsewhere, even in the Madras Corporation under the City Municipal Act, standing committees are there of which the president is only an ex-officio member and not the chairman of any of the committees. It will be difficult for the president himself to serve as chairman of these various committees and also function as president. In order to divide the work among the various members so as to make them take responsibility for the affairs of their committees, I have moved this amendment and I hope that the Government would accept it."

Mr. K. A. NACHIYAPPA GOUNDER:—"I second it."

* Rao Bahadur A. T. PANNIRSELVAM:—"I oppose the amendment for this reason, Sir. The only argument which the hon. Mover has advanced in support of his amendment is that 'even under the City Municipal Act' the Mayor of the Corporation is not allowed to be the chairman of any standing committee and therefore no other body in the Province should permit it. That seems to me to be no reason at all for accepting his amendment. We certainly do not look up to the

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Corporation as a model for transacting our business. I am glad that the City Members have a very good opinion of themselves. But the case in the mufassal is different. I should like to point out to my hon. Friend that there is this difference between the Corporation and a district board president. The president of a district board is after all the executive head of the board. It seems to me, therefore, that if any particular committee desires to elect the president of the district board as its chairman, it is not for us to stand in the way. If you are going to put in this restriction, there is hardly any meaning in our saying that a president shall be ex-officio member of every committee that is constituted. You should give the privilege to the committees themselves to elect their own chairmen from among the members of the board irrespective of the fact of such a member being a president."

Mr. K. KOTI REDDI:—"Mr. President, Sir, the Council seems to be so suspicious of the members of the district board exercising their wisdom properly that my hon. Friend, Mr. Hameed Khan, wants to add another restriction. There are enough restrictions already. I trust that the Government would not accept this amendment."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"Sir, it is not desirable to adopt the Madras model. (A voice: 'Hear, hear.') Hon. Members belonging to the Corporation of Madras may not be aware that, so far as the mufassal boards are concerned, the members are drawn from the various parts of the district and that some of them may not be available at all at the district headquarters. It is very desirable therefore that the presidents of district boards should be chairmen of some at least of the committees. Things might get into disorder otherwise. There is one other circumstance which I may add in this connexion. Sir, in order to have continuity of policy also it is very desirable that the presidents of district boards should be available for the chairmanship of committees."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"Mr. President, revised sub-clause (5) gives power to the district board to control the powers and functions of the standing committees. Under this clause the district board is given power to control the working of the standing committees. When such power is intended to be given to the board, it will be anomalous not to make the president eligible for the chairmanship of the committees. In my opinion, having given that power to the district board, we should not hesitate to make the president ex-officio president of the committee. I would go to that extreme length. If the district board is not to be given any supervisory control over the standing committee, the contention of the hon. Mover may be all right; but, so long as the district board is to be given supervisory control over the standing committees, I think the position

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of the president of the district board should not be made ridiculous by disqualifying him for election."

Mr. SAMI VENKATACHALAM CHETTI:—"Sir, it is always the case that the sick man always dislikes the medicine prescribed by the doctors. It is in that view that I take the remarks of the rural members. It was not the intention of my hon. Colleague, Mr. Hameed Khan, to impose any restriction that is not liked by the presidents of the district boards in the performance of their duties. The amendment was moved only with a view to enlarge the usefulness of members composing the district boards. The only intention was to prevent the person who is the head of the executive administration monopolizing all the available places of usefulness. There must be enough scope for the other members of the committee to become as useful as the president of the district board is expected to be. Moreover, it was perhaps with the intention of relieving the presidents of a good deal of their work that these committees were considered necessary. By merely adding to the burden of the duties and responsibility of district board presidents—as that will be the result of making them chairmen of the standing committees also—we would not be carrying out our intention. If the choice is not restricted by eliminating the presidents of district boards, the likelihood is that they will try to become the chairmen of all standing committees proposed to be constituted under this Bill. There are three or four standing committees. Naturally the presidents of district boards would like to be chairmen of all the standing committees. Therefore, instead of being assisted by these committees, they will be practically ruling over them all. Sir, the intention of the Act, as I conceive it, is to allow the members of the district boards to be as useful as possible. By restricting the choice of chairmanship of the standing committees to persons who are not presidents of district boards, you are only availing yourself of the services of the other members of the district board. It is also conceded that, even in the matter of membership of standing committees, a member ought not to be a member of more than two standing committees. The object of this restriction must certainly be to make as many members as possible useful to the public. I do not know what ulterior reason there is to oppose a healthy amendment of this kind unless it be that the district board presidents want to grab every position of vantage. My hon. Friend, the Mover, has no other object than what I have mentioned. It is entirely left to the members of the district boards to accept this amendment or not. It is immaterial to the Members of the Corporation whether the district board presidents accept or reject this amendment."

"But it is not with the view that the City Corporation should be made a model for the district boards to copy that I say this. As a matter of fact, if I should be asked what should be done in a matter like this, I would unhesitatingly say that the constitution of the district boards should be copied by the City Corporation. And as regards

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the presidents, I would say that the powers of the presidents of district boards should be made co-equal with the powers of the president of the Corporation."

* Rao Bahadur C. NATESA MUDALIYAR:—" Mr. President, Sir, the members of the City Corporation do not arrogate to themselves all knowledge; they are only expressing their experience. They have tried this for the last so many months, and so they are only expressing what they feel on the matter for the benefit of this House. What they say is that the President of the Corporation, who is now called the Mayor, need not be the chairman of all committees. For the Mayor holds a very high position. In fact by his very high position he cannot come down to preside over a committee. (Laughter.) So what we do is to have a member of the Council, who has got experience in a particular subject elected to be the president of that committee. Similarly why cannot you do this in the mufassal? Moreover, there the president of the district board has so many duties to perform that he could scarcely find time to preside over these committees. As we want to lessen the burden of the presidents, we want to have as many standing committees set up as possible. This is one of the reasons. In these committees experts can be had to preside over; a medical man may be asked to preside over Health Committee; an engineer may be had to preside over a Works Committee. In the absence of any such man, you can as well have a member of the council having experience in municipal works. Similarly to preside over a health committee you can have the services of a medical man, or one well versed in that sphere. So when such a thing is possible what is the use of having the district board president to preside over each and every committee meeting, when he does not even find time for it and when he may not, sometimes even possess the sufficient experience? We have got experience of such things in our City Corporation and so we give the benefit of our experience to the Council. In the City Corporation the President, now Mayor, is ex officio member of every committee; he can attend every committee and get in touch with everything going on in the Corporation. So I request the district board president to copy the example of the Corporation. For these reasons, Sir, I support the amendment of Mr. Hameed Khan and finally, Sir, I have to support the Hon. Raja Sahib." (Laughter.)

Rao Bahadur Sir A. P. PATRO:—" Sir, we have heard the experience and considered wisdom of the Members representing the City Corporation. I wish to take this opportunity to explain my attitude so that I may escape any blame that may be levelled at me afterwards. (Laughter.) They are undoubtedly democrats. They are sincere and earnest in asking for representation by election. I do not say they are not sincere. They are sincere. They want election, they want representation. What is the principle of the Bill? The Bill says: 'Give an opportunity to the elected members to preside over committees, and have your considered wisdom tested on the free and independent vote

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of the members of the committee. But what does the amendment of Mr. Hameed Khan say? It says that the freedom and independence of the members of the committee should be curtailed; it says that such and such a person should not be the president of the committee. Is it democracy? These very members to-morrow will get up on platforms and say they want freedom and independence to vote as they like; they stand for democracy and so on. But here they are saying that they do not want to have presidents of committees elected from among themselves. Is this democracy? And yet most of them are members of the Corporation Council, the premier local self-government institution in the Presidency. What is it that this proposal says in this clause? I shall read it once more to the advantage of the House. It says:

'Each standing committee shall elect its own chairman from among its members who are members of the district board.'

And what does the proviso suggested say? The proviso says that this freedom of choice shall be restricted, i.e., the president of the district board shall not be allowed to be elected. And what is the reason assigned for this? Very good reason indeed! Very democratic reason has been assigned! And that democratic reason is that he has already plenty of work to do, and so he should be saved from this additional work. I do not know if hon. Members who say this have any knowledge of the work of the presidents of the district boards in the mufassal. They have got work of various kinds always on hand and yet they are discharging their duties well. And how do they do this? They are assisted by many executive officers, mostly engaged in the work of administration. If you take the opinion of the members of the standing committees, you will find that it would be echoing only what I am now saying. So why deny the president of the privilege he rightly deserves, and why deprive the committee of its right? If the experience of some members is that the presidents of district boards would not be able to do justice to his work, by all means leave it to the discretion of the members of the board. Most of us who are elected representatives know well that our constituents know that we have too much work and yet our constituents know that in spite of that we would be representing them well, and so we are here. Finally, Sir, I am only sorry that Mr. Hameed Khan, of all persons, should have moved this amendment."

* Dr. P. SUBBARAYAN:—" Mr. President, Sir, though I am not myself in favour of the amendment moved by Mr. Hameed Khan, I was rather amused by the lucid lecture on democracy, which has just been delivered on the floor of this House. (Laughter.) Of course, other hon. Members of this House are as grateful as I am to the gallant Knight from Berhampur for his lucid lecture on democracy. In spite of that lecture I am not convinced that this amendment does cut right across the very root of democracy. On the other hand, I think it is democratic, in that it gives opportunities to gain experience to other members of the Council in the conduct of the work of the district board, and

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thus foster democracy, rather than curtail the right of democracy, as the gallant Knight from Berhampur would make us say. In spite of that I would request Mr. Hameed Khan not to press his motion, for the simple reason that even in the City Corporation as far as I know, in spite of the convention followed by the Corporation that the chairman of the standing committee is always elected, the Mayor, as the Act stands, can stand for the place of any chairman of standing committee."

* Mr. M. A. MUTHIAH CHETTIYAR:—"Mr. President, Sir, I only wish to say a few words on this amendment. We have heard the views of several members based on their experience. As the hon. the Leader of the Opposition said, there is no provision in the City Municipal Act preventing any member of the council becoming the chairman of a committee. A healthy convention has grown up for the election of a person other than the Mayor to the chairmanship of the standing committee. The Act provides that the President or the Mayor shall be ex officio member of every committee. He is there to watch the proceedings of the committees, to help the members with his advice and as he is a member of every standing committee to inform the members of one committee for their guidance whenever necessary of what took place in another committee on a particular matter. It is for this purpose that provision is made that the Mayor or the president shall be ex officio member of the standing committees. That being the case, I hope the presidents of the district boards also would establish a healthy convention by not taking up the chairmanship of any standing committee. After the discussion, I do not think we should have a definite clause prohibiting the president of a district board becoming chairman of any standing committee. I hope the presidents of district boards will set up a convention in not becoming chairmen of standing committees."

* The KUMARARAJA OF VENKATAGIRI:—"Mr. President, it is very rarely that I take part in the discussion, and I am very grateful to Mr. Hameed Khan for having provided the members of this House with an opportunity to amuse themselves and indulge in exchanging pleasantries. Rivalry in the field of sports, as observed by Mr. Jardine, is transcending communalism and becoming provincial. Similarly there appears to be a rivalry between the representatives of the Corporation of Madras and those from the mufassal. With regard to the observation made by Mr. Sami Venkatachalam Chetti that any medicine given by the physician is distasteful to the patient, I will merely observe that the patient has got as much right as any other person to choose his physician. Therefore, we from the mufassal claim the right to choose our president and also to choose those who are qualified enough to give us advice. My friend, Dr. Subbarayan, took Sir Patro to task for having lectured to us upon the principles of democracy. I fail to see on what democratic principle is his contention based to support this amendment especially when it seeks to place a fetter on the discretion of the board. Further I understand that there is no statutory provision which debars the

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Mayor of the Corporation from becoming chairman of the standing committees. Therefore, we, belonging to the district boards, certainly resent any attempt to place any such embargo on the district board presidents from taking the chairmanship of the standing committees. Further, Mr. Sami Venkatachalam Chetti observed that he was very considerate towards the presidents of district boards by remarking that they would not have sufficient time to attend to the various duties that will be placed on their shoulders. I am sure before they attempt to become chairmen of the various committees they will consult their own capacity and convenience to attend to those duties. After all the chairmanship of the committee is not higher in status than that of the president of district board. I entirely agree with my hon. Friend, the Kumararaja of Chettinad, in his desire that the district board presidents should set up a convention, viz., to give as many opportunities as possible to others for acquiring the art and capacity to regulate the proceedings of meetings. In these circumstances, I hope my hon. Friend, Mr. Hameed Khan, will withdraw his amendment. Let me also assure him that it is not with a view to avail ourselves, presidents of district boards, of as many opportunities as possible that we do not want this amendment but it is because we resent any attempt to interfere with the inherent rights of the district boards."

Mr. ABDUL HAMEED KHAN:—"Sir, when I moved this harmless and humble amendment I did not anticipate that debaters of the standing of Sir Patro or the Kumararaja of Chettinad or the Kumararaja of Venkatagiri would take cudgels against me. Had I known this, I would not have moved this amendment which has caused so much sensation in the minds of some of the hon. Members of this House. When I moved this amendment, I least thought that it would affect the vested rights of the district board presidents. Had I known for a moment that this House contains district board presidents whose rights would be affected, I would have thought twice or thrice before moving such an amendment. One of the achievements of this debate seems to be that of the conversion of Sir Patro to the principles of democracy. The object of my amendment was to prevent monopolizing the chairmanship of the various standing committees that are going to be created under this amending Act. If it was the object of the framers of the Bill that the presidents of district boards should be chairmen of the various standing committees, I fail to see where is the need for constituting these standing committees. If one and the same person who carries on the duties of the president of a district board—incidentally I may say that he has more powers than the Mayor of the Corporation—were to be allowed to be the chairman of the various standing committees, I fail to see what purpose will be served by his presiding over the numerous standing committees. My object in moving this amendment was that there should be a division of labour. I thought that opportunities would be given to other members of district board to be chairmen of the standing committees and thus get themselves trained in this work.

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If I knew that our district boards are devoid of persons possessing the capacity to preside over standing committees, I would certainly not have brought forward this amendment. If hon. Members from various districts are of opinion that they cannot find more than one gentleman to preside over a district board or any standing committee, I agree with them that there is no justification in enabling members other than the presidents of district boards to become chairmen of these various committees. In view of the fact that the opinion expressed just now is not in favour of restriction, as they call it, with regard to the chairmanship of standing committees and in view of the fact that assurance has been given by such hon. Gentlemen that although there may not be statutory restriction with regard to the election of chairmen of various standing committees, it will be their endeavour to establish a convention to prevent district board presidents from becoming chairmen of standing committees and monopolizing the whole work, I beg leave to withdraw my amendment."

* Mr. SAMI VENKATACHALAM CHETTI:—"Sir, with all due respect to those gentlemen who said that it is only by means of convention and not by statutory obligation that the President of the Corporation Council is not the chairman of the standing committee, I beg to submit that they entirely ignore section 19 of the City Municipal Act which reads thus:—

'19 (1) Each standing committee shall consist of seven members elected by the Council from its own number.'

"Then again section 28 reads:—

'The Council shall at its first meeting after the first day of November in each year elect one of its number to be its president and each standing committee shall at its first meeting after that date in each year elect one of its number to be its chairman.'

"So the president will become only the eighth member. He is not one of the seven members from whom alone the standing committee will be entitled to elect its chairman. I was so emphatic on the point because there has been no instance where the President of the Corporation has stood for election to the chairmanship of the standing committee, which would not have been the case, if this limitation was only by convention and not by statute."

The amendment was, by leave, withdrawn.

Clause 11—Section 27-A.

Sub-section (4).

The Hon. the RAJA OF BOBBILI:—"I beg to move the amendment standing in my name as follows:—

'Renumber sub-section (4) as sub-section (5) and insert the following as sub-section (4), namely:—

"(4) No member of the district board other than the president shall be a member of more than two standing committees at the same time."

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"Sir, the object of the amendment is quite plain. It follows the principle laid down in the City Municipal Act. I do not think it requires further explanation."

Mr. E. CONRAN SMITH:—"I second it."

The amendment was put and carried.

New section 27-B.

* Mr. A. RANGANATHA MUDALIYAR:—"Sir, I would request the earnest attention of the House to what I am going to say. I am moving for the addition of a new clause to this effect:—

'Add the following as a new clause 27-B or a continuation of 27-A:—

"Notwithstanding anything contained in section 27-A a district board may with the previous approval of the Local Government appoint in the place of one or more of the committees referred to in clause 27-A (1) and (2) regional standing committees for the purpose of exercising such of its powers discharging such of its duties or performing such of its functions with reference to any or all of the matters referred to in clause 27-A (1) or any other matter or matters as may be specified by the Local Government. Sub-sections (3) and (4) of section 27-A shall, so far as may be, apply also to the constitution of the regional committee."

"Sir, you will remember, that it has been pressed from the very beginning by hon. Members sitting on the different sides of this House that there should be members on the standing committee to represent the specified areas, because of their knowledge of the local affairs. The same idea has been given expression to by my hon. Friend, Mr. Langley, in his minute of dissent. This is what he says:—

'I am also of opinion that provision should be made for committees, in special circumstances, to be regional rather than functional in order to provide for the efficient administration of specially situated portions of districts such as the planting districts of the Anamalais and of the Shevaroyes.'

"My reason for submitting this amendment for the consideration of the House is that if each of these standing committees is for the whole district and for the discharge of a specific function, we are confronted with these difficulties: first of all, the committee will be far too unwieldy, in my opinion, to look after the affairs of the whole district. It may be allright with regard to the City Corporation to have standing committees each exercising a different function. But that is not a convenient arrangement for rural areas. What will happen in actual practice is if a member, let us say of the standing committee for roads and communications, goes and visits a village, he will naturally consider it his duty to attend only to communications and if he wants to look into any other affairs of the village, for example, the sanitation of the village,

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or the working of the panchayats, he will be precluded from doing so by the very terms of the constitution of his committee and the villagers may very well say 'it is none of your business to attend to the other activities of our village because we know that does not form part of the function of the committee of which you are a member.' So we shall be denying ourselves the services of willing workers, and denying opportunities to individual members who may be willing and who have time to go here and there and attend to more than one matter. Sir, if you appoint regional committees, I submit you will find the committees will be more representative than you are likely to find them to be if they are for the whole district. It is just possible—I do not say it will happen—that members of the district committees who come from particular areas may confine their interest to their own areas to the exclusion of other areas and probably to their disadvantage. If regional committees are appointed, I think it will have the effect of obviating the need which the Government may be tempted to assume to exist for dividing district into several districts for counting each of them into a district board.

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"If you have these regional committees, I submit they will be able to administer the affairs of the district with greater efficiency and it may not be necessary to divide one district board into several. These regional committees can easily discharge with its one or all the duties which the several district committees are expected to carry out in their several departments; they would be in a position to see that what they decide in one branch of their work is not in conflict or inconsistent with what they do elsewhere. Objection may be raised to my proposal on the ground of finance. I do not think that these regional committees are going to cost a pie more than what the district committees will cost. They will hold their meetings on the days of the district board meetings or on a day prior or later to it. You have a provision, if you like that the committee members may draw no travelling allowance or batta for attending their meetings, with the result that they will hold their meetings along with the district board meetings and carry on their business.

"My provision does not mean that the Government should appoint regional committees automatically for every district. It is open to them to do so in the special circumstances contemplated by Mr. Langley. The district board has to obtain the previous approval of the Local Government before a regional committee is constituted. I do not think undue advantage will be taken of this provision without the knowledge and approval of the Government. In the Select Committee it was mentioned that, so far as education is concerned, it is desirable to have a standing committee for the whole district, to have a single agency. But with regard to other matters you may have regional committees. I submit, Sir, that from any point of view, it seems to be desirable that the Government should have this power. They should have the option to do so, where circumstances require and where they are likely to be of benefit to the districts."

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* Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"Sir, I second it. I find there is much force in what Mr. Ranganatha Mudaliyar says. He does not want to make it a statutory obligation on the Government to appoint regional committees immediately. If the district board thinks it necessary to have such a committee it has to obtain the previous sanction of the Government. Thus there is a double safeguard. Unless the Government is satisfied that such a committee is necessary, it will not come into existence. If both the Government and the district board concerned are satisfied that a regional committee is necessary, I do not think why it should be denied. To have one committee to be in charge of the whole district seems to be an impracticable proposition.

"As has been pointed out by my friend, in the matter of expenses also, I do not think it will cost more. Perhaps it may cost less. The amendment does not want to substitute regional committees in place of statutory standing committees in every case. Wherever it is necessary, it is contemplated that this provision should be used."

* The Hon. the RAJA OF BOBBILI:—"Sir, I have to oppose this amendment. Just now we are trying the experiment of having statutory committees for the district boards. Everybody wants to give a trial to the proposals in the draft Bill. It is too early to think of other alternatives. Moreover, my hon. Friend, Mr. Ranganatha Mudaliyar, seems to contemplate these committees being touring committees. As far as I can see, I think that is not the intention of the Select Committee. The hon. Member spoke of a member of a district board going to a village and finding himself that he has got to do with education, roads, etc. A member of a district board—whether he is a member of the committee or not—has got the right to interfere or interest himself in any matter connected with the district board. Moreover, as these committees are not expected to be touring committees, I fail to see how there will be great advantage in having these regional committees. In addition to that, I find that notices of amendments have been given to the effect that there should be a committee for each taluk; the ultimate result will be that there will be friction between the various committees and we will have to tackle the question of providing funds for each committee and the necessary staff. I think, for the present, it will be wise to confine ourselves to the proposals in the Bill and to see how far they will work successfully."

* Rao Bahadur A. T. PANNIRSELVAM:—"Sir, as I understand, the hon. Member's idea seems to be this, that the present district boards be allowed to continue as they are; to get over the inconveniences arising from the vastness of the area over which they have jurisdiction, you must constitute territorial committees. It seems to me that it comes to replacing your taluk boards by what you call committees of the district board functioning for the respective areas in which taluk boards now work. The result of it, according to me, would be that you

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will have all the disadvantages of the present system without any corresponding advantage—in fact with this additional disadvantage, viz., if regional committees which have in view the needs of the various parts of the district come to conclusions and submit proposals to the district board, which will have to find the funds from the common pool. The present taluk boards at least, wherever they make proposals for meeting the requirements of their areas, have got to find the necessary funds. Here we constitute committees which would make proposals without the least regard to the resources available, for this reason that they have no responsibility as committees for finding the funds. The result will be a large number of proposals the total cost of which would very much exceed the money that is available. There would not be any co-ordinating agency to consider the recommendations of the various committees and to judge the respective merits of the proposals submitted by half a dozen or dozen committees that are going to be constituted, and the result would be that the labours of these committees would be thrown aside probably on the plea of want of funds.

“There is also another aspect to be considered. You create these regional committees. Are you to constitute them for the purpose of looking after the interests of particular regions in all fields within the purview of the local bodies, or are you going to constitute regional committees which would have separate functions? Are you going to divide the district into separate areas and for each one of them constitute an education committee, roads committee, health committee and any other committee you like? What would be the result of it? You will probably have 18 or 20 committees, the proposals of which will have to be co-ordinated and brought together particularly at the time of your preparing your budget and somebody else will have to find out the necessary funds.

“The hon. Member wound up by saying that this was only a discretionary provision which gave power to Government to constitute committees which he described as regional committees for the purpose of meeting particular situations or contingencies. If that is all that is needed, I would submit that there is absolutely no need for this provision for this reason. This is what clause (2) of section 27 says:

‘In addition to the four standing committees referred to in sub-section (1), a district board shall, if so required by the Local Government, constitute one or more standing committees for the purpose of exercising such of its powers, discharging such of its duties or performing such of its functions as may be specified by the Local Government.’

The distinction comes to this, whether the district board is to act in its own initiative with the approval of the Local Government or whether the Local Government is to give the direction. It seems to be that there is absolutely no distinction at all; whether it is the direction from the Government or approval from the Government it will mean very much the same. (Interruption.) My friend tells me that the present amendment is in substitution of sub-section (2). The amendment says

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‘notwithstanding anything contained in section 27-A.’ It seems to me you are asking for the same powers which are already available to you in this matter. If these regional committees are to be constituted at the discretion of the Government, that can be done under the existing section. It seems to be that apart from the disadvantages of the amendment, it is also an unnecessary amendment.”

* Rao Bahadur C. NATESA MUDALIYAR:—“Sir, I think these regional committees are unnecessary. These committees ignore the existence of a member of that region on the district board. With regard to the Corporation of Madras, we, the Councillors, are in charge of health, medical relief, education and various other matters pertaining to the division we represent. Whenever we want certain things to be done, we place the matter before the Council and the Council may refer that matter to the expert committee. What is the use of having these committees for areas where you have members of the district board? If you have them, there will be good deal of clash. With regard to the division which I represent, if any committee except the statutory committee of the Corporation of Madras interferes, I would resent it. If the members representing those areas are self-respecting people, they will certainly oppose the constitution of these regional committees. A committee contemplated in the Act as mentioned by Mr. Pannirselvam is to be resorted to by Government under extraordinary circumstances and not these regional committees. The committee mentioned in the Act is quite different from the committees suggested by Mr. Ranganatha Mudaliyar. What I urge is, give such work as has to be done to the member representing that area; but you should not have new persons to look after this work. Otherwise you are not developing democracy, on which hon. Sir Patro was telling us so much this morning. With these words I oppose the constitution of regional committees.”

* Mr. A. RANGANATHA MUDALIYAR:—“Mr. President, Sir, I am 4 p.m. afraid I have not made myself clear to some of the hon. Members on both the sides, and I do not think that even if I reiterate my arguments and dilate on the subject, I shall be very nearer of being understood at the end of it. I am rather disappointed at the statement of the Hon. Minister about the functions of these committees. Evidently he expects them all to function in one place and administer everything from the headquarters. I am afraid, Sir, he has not treated the committees fairly in his description of their functions. If that was really his intention, I should have expected him to word section 27-A (1) in quite a different form altogether. In referring to rural development committees, he has used in the Act the words, ‘including control’ and ‘supervision of panchayats.’ If by ‘supervision’ he means sitting at headquarters and issuing orders, I wish him joy of such a provision. I am quite convinced, Sir, that sooner or later we are bound to have regional committees to look after the affairs of the district. With these words, Sir, I submit the proposition to the vote of the House.”

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The Hon. the PRESIDENT:—"The question is—

'Add the following as a new clause 27-B or a continuation of clause 27-A:—

"Notwithstanding anything contained in section 27-A a district board may with the previous approval of the Local Government appoint in the place of one or more of the committees referred to in clause 27-A (1) and (2) regional standing committees for the purpose of exercising such of its powers, discharging such of its duties or performing such of its functions with reference to any or all of the matters referred to in clause 27-A (1) or any other matter or matters as may be specified by the Local Government. Sub-sections (3) and (4) of section 27-A shall so far as may be apply also to the constitution of the regional committee."

The amendment was lost.

The Hon. the PRESIDENT:—"We have disposed of all the amendments to clause 11. Clause 11, as amended, is now for the vote of the House."

Clause 11, as amended, was put and carried.

Clauses 12 to 29 were put and carried.

Clause 29-A.

Section 67.

* The Hon. the PRESIDENT:—"Mr. Nachiyappa Gounder has given notice of an amendment * to this clause, which is not relevant."

Clause 29-A was put and carried.

Clause 30.

Section 68.

* Rai Sahib C. KOLANDA REDDI:—"I move that—

'In section 68 of the said Act, insert the following as sub-section

(1) and renumber the existing sub-sections (1) to (4) as (2) to (5) (1):—

"The Local Government shall appoint an executive officer for each district board and define his powers by statute as in the case of the Commissioner of Corporation or the commissioners of some district municipalities."

* Rao Bahadur A. T. PANNIRSELVAM:—"On a point of order, Mr. President. This amendment tries to raise the same question which this morning, in reference to a motion of Mr. Krishnayya Choudari,

Clause 29-A.

Section 67.

* Mr. K. A. NACHİYAPPA GOUNDER:—

17-A. In sub-section 2 of section 67, omit the words 'only at the instance of its president.'

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you were pleased to rule out of order. There is also a further point. The Local Government 'shall appoint an executive officer for each district board and define his powers by statute'—that is the amendment. The language seems to be somewhat of a contradiction in terms. We are now engaged in framing a statute, and in doing that, we are asking the Government to prescribe powers by 'statute.' I really do not know what the wording here conveys. Moreover, this is seeking to raise the same question of executive officer which corresponds to the post of commissioner of the district municipalities. That is just the point which you were pleased to rule this morning as not arising at this stage."

* The Hon. the PRESIDENT:—"As regards the first point that has been raised by the hon. Member from Tanjore, I may tell the House that what I ruled out this morning was a motion to send the Report back to the Select Committee to consider a particular aspect. I told the House that the instruction which was sought to be given on a previous occasion had not been approved by the House and that once again the House could not be asked to give the same instruction to the same Select Committee. But the principle of appointment of executive officers can be discussed in the Council itself, because on its merits, the question has not been discussed in the Council till now. I think the Select Committee also must have discussed this matter, and the House is therefore at liberty to take up the question and discuss any amendments once again."

"As regards the other point, I should like to hear the hon. the Mover of the amendment himself before I know what exactly he means."

Rai Sahib C. KOLANDA REDDI:—"By 'statute,' Sir, I mean 'rules' which have the same force as 'statute' (Laughter)."

Rao Bahadur A. T. PANNIRSELVAM:—"May I rise to a further point of order, Sir? We are now in the second reading stage of the Bill and the point which I wish to make out is this: whether at the second reading stage it is open to us to raise any question which is not covered by the Bill itself. In the original Bill there was only a proposal for an executive officer and the executive officer contemplated in the original Bill is absolutely different and distinct from the 'commissioner' under the Municipal Act. The commissioner under the Municipal Act takes absolutely the place of the municipal chairman, while here in the original Bill there was absolutely no idea of taking away any of the powers of the president. The executive officer, as I understand it, will merely be a ministerial head under the control of the president. Now the amendment is seeking really to affect fundamentally one of the principles of the Local Boards Act itself which was never referred to in the Bill, i.e., to deprive the president of the executive powers that he has got. I think

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I will be in order in raising this question, whether it would not be foreign to the main issue of the Bill itself."

* The Hon. the PRESIDENT:—"I think the hon. Member is aware of the fact that the original Bill made provision for executive officers. As regards the extent of the powers that are going to be entrusted to the executive officer as the ministerial head on the analogy of the commissioner, it is left to the House to discuss that question and decide on the matter. It is simply a matter of an amendment, and if the hon. Member seeks to put in any further amendment to this amendment, he is at liberty to do so. Mr. Kolanda Reddi will now continue his speech and make his position very clear."

Rai Sahib C. KOLANDA REDDI:—"Mr. President, Sir, I wonder why the Select Committee fought shy of the question of the appointment of an executive officer for the district boards."

* The Hon. the PRESIDENT:—"May I interrupt the hon. Member for a second? He will do well to delete the word 'statute' and substitute the word 'rules'."

Rai Sahib C. KOLANDA REDDI:—"I have no objection, Sir; that was my intention too. (Laughter)."

* The Hon. the PRESIDENT:—"Unfortunately, his intentions are not always understood by the House. (Laughter)."

* Rao Sahib C. KOLANDA REDDI:—"As I said, Sir, I am surprised why the Select Committee fought shy of the question of the appointment of executive officers for the district boards. The fact of the matter is that this question has been hanging fire for over a decade and it has been decided on all hands at least in the mufassal—I do not know what has been the case in the City—that the appointment of an executive officer not only for the district boards but also for all local bodies inclusive of the municipality, is an indispensability. I have had experience of local bodies in the mufassal for over two decades and in the light of my experience, I submit that such an appointment is a necessity for more reasons than one. Of course, it is nothing new—this appointment of executive officer. It corresponds to the clerk of the County Council or some such thing in England. Sir, presidents may come and presidents may go; but there must be some permanent official to carry on the continuity of policy. Moreover, the executive officer, as an official, will be a whole-timer. The presidents, as honorary men, cannot be expected to devote all their time to the work of the district boards or of any local body for the matter of that. It would not be possible for them to do thorough justice to the disposal of even routine work. Even in the interests of efficiency, I submit, the executive officer, corresponding to the Commissioner of the Madras Corporation or to the commissioners appointed in some municipalities, should be entrusted with the disposal of not only routine work but also with the appointment of subordinates in these local bodies. The

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main reason is that if the president is entrusted with such a task, he would be worried on all sides by all members, and after all, he may be obliged to appoint wrong men. From that point of view also it is necessary that there must be an executive officer to assist the honorary president. Sir, all the presidents are not really efficient men, and we know what they are. In the case of such presidents, it is all the more necessary that they should have men to assist them who have had not only experience of official life but who have also a thorough knowledge of all the Acts and rules pertaining to the administration of the district boards and other local bodies. At present, unfortunately, these presidents are guided by irresponsible clerks or managers who are low paid and who have no knowledge of law and whose experience is not worth mentioning. It is something like the blind leading the blind, and you know where the administration is landed in so many districts. Moreover, Sir, the president will have to attend to certain tasks which are rather delicate and such tasks can be entrusted to the paid officer in the shape of an executive officer.

"Again, Sir, these presidents and also the members of the board are very often threatened by the Democle's sword of surcharge hanging over their poor heads; and if really an executive officer worth the name and a man who knows what audit is, who knows figures and who has had some experience of keeping accounts, etc., is appointed as an executive officer, then certainly the president as well as the members of the board will be saved from the sword falling over their heads as it often does. Somehow or other, I have been living under the impression that the Madras Corporation is working rather enviably as compared with the district administration, because it has got a responsible officer in the Commissioner of the Corporation; and moreover, it has been the good fortune of some of these municipalities to have commissioners of their own and I really envy those municipalities having had my own experience of municipal administration for a long time. So, all told, the appointment of an executive officer is not a day too soon and I earnestly propose that an executive officer should be appointed for each district board and rules framed for the conduct of that officer."

Mr. P. V. KRISHNAYYA CHODARI:—"Mr. President, Sir, executive officers are quite essential to every district board. When we are thinking of appointing executive officers to smaller municipalities, I do not know the reason why we should not have an executive officer for a district which deals with 20 lakhs of rupees. As a matter of fact, we are having executive officers for municipalities which have to deal with only Rs. 45,000 like Peddapur. Not only that, about the financial aspect also, every district board is having an officer on Rs. 400 or Rs. 500 called a Secretary; and when we are going to have a provincial subordinate on a uniform scale of about Rs. 150 or Rs. 200, economically also it will be beneficial to the district board. Besides this, we are introducing by this Act so many statutory committees invested with several powers and we have also given power to these statutory

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committees to elect their own chairmen, and as long as there is the scope to have a chairman to carry out the resolutions of the statutory committee, it is essential that we should have an executive officer. Further, there will always be clash of interests between the presidents of district boards and the chairmen of statutory committees, because whatever the chairman of the statutory committee passes in his committee, the president of the district board, if he is going to disagree with his proposal, may try to shelve it till another district board meeting takes place and get it cancelled or do some such thing like that. So, in order to avoid all these troubles, it will be in the interests of the district board as well as the peaceful administration of the statutory committees to have an executive officer.

"Further, Sir, the Raja Sahib of Bobbili in his statement at the time of the first introduction of this legislation stated that the Press is in favour of his legislation. I may also inform him that the Press is to-day in favour of the amendment proposed by my hon. Friend, Mr. Reddi. (Rao Bahadur A. T. Pannirselvam: 'Which Press?') The Press that the Raja Sahib quoted the other day, is also in favour of the amendment for the appointment of an executive officer. And, if the hon. Member from Tanjore has not seen the papers, I would remind him to refer to the *Hindu*, or the *Mail* or ask the Hon. the Chief Minister himself who happens to be the Leader of the worthy Member.

"Besides that, Sir, my hon. Friend has also dealt with the appointment of district board presidents, etc. Every district board president, on account of the 1930 Act is threatened at every stage by a no-confidence motion if the recommendation of an influential section for the appointment of a clerk or somebody else is not adopted by the president. In order to avoid such troubles and to permit the administration of the district board to run on smooth lines, and for the betterment of the board itself, it would be better if an executive officer is appointed. Thus the president will be saved from these no-confidence motions threatening him at every stage.

"There is also another important factor to be considered in this connexion and that is keeping up uniformity of administration. At present, about 17 or 18 presidents of district boards happen to be members of the Legislative Council and in the course of their business they have necessarily to continue to remain in Madras for 10 or 20 days and even for one month together; and vice-presidents also, some of them, happen to be members of the Legislative Council. If there is an executive officer to look after their duties in their absence, it would facilitate the honorary presidents to a great extent. Further, presidents with huge responsibilities, we are going to entrust these district board has to be entrusted with 1,600 elementary schools and 40 local fund dispensaries, besides various road communications; and if the president were to grant casual leave applications of the employees of these various institutions, it would take a lot of time for the

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president. For these reasons, at least, if we have an executive officer—if we entrust him with statutory powers or not—it will be a great relief to the non-official president.

"Next, Sir, the Kumararaja of Venkatagiri compared himself, the president of a district board, with the Commissioner of the Corporation. He may as well compare himself with the executive officer, because the Corporation itself is having an executive officer. I hope the Kumararaja himself will come forward and suggest to the Hon. the Chief Minister that we should have executive officers for these district boards.

"With these few words, I second the motion of my hon. Friend, Mr. Kolanda Reddi."

The Hon. the PRESIDENT:—"I wish to know from Mr. Kolanda Reddi if he is retaining the words 'as in the case of the Commissioner of Corporation, etc.'"

Rai Sahib C. KOLANDA REDDI:—"I am willing to correct my amendment. My amendment will run like this, Sir:—

'The Local Government shall appoint an executive officer for each district board and define his powers by rules.'"

* Mr. G. SIMHACHALAM PANTULU:—"Mr. President, Sir, I should have really appreciated very much the sentiments expressed by the hon. the Mover of the motion supported by Mr. Krishnayya Choudari from Guntur. These are the set arguments that are usually advanced for the creation of executive officers, but they were turned out on justifiable grounds time and again, because they (Government) do not see the necessity of appointing these executive officers when the boards themselves are either willing or earnest about it. In the Act there is the trouble of passing a resolution with two-thirds majority even to send away commissioners or executive officers appointed. Sir, even in the case of municipalities where commissioners have been appointed, we see everyday in the newspapers, that they are protesting against the action of the Government in having appointed commissioners in places where there is no justification. Why the appointment of an executive officer or a commissioner in the case of some such municipality is a necessity nobody knows. It is also left to the discretion of the Government. I think the appointment of these executive officers will only bring trouble instead of relief to the boards in many cases. No doubt, the executive officers will be helpful in cases where there is harmony. Otherwise, they will be a source of nuisance to the administration and deadlocks will be the result. The executive officer always wants to rule over the president and see that the president's influence is set at naught. Sir, the president is after all an honorary worker and if he is not given discretion, if he is not allowed to have his own self-respect, or given public confidence, what is the use of his simply relying on the executive officer for his work and going ahead without

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doing anything for the people. Sir, we (the boards) have been going on for a long time, we have been attending to these audit objections and we have sufficiently made ourselves conversant with audit rules; so, on that score there is no justification, I think, for the appointment of an executive officer. I therefore regret very much that I am not in a position to support the motion so ably moved and seconded by my hon. Friends. But, I feel very sorry for the damaging remarks made by the hon. Mover of this amendment that the presidents of district boards are not competent . . ."

Rai Sahib C. KOLANDA REDDI:—"By way of personal explanation, Sir, I never said so. I am very sorry, being so near me, he has not heard me properly. I said, of course, there are some presidents and I do not know why my hon. Friend should be so touchy."

Mr. G. SIMHACHALAM PANTULU:—"After all, he has not contradicted me. He himself, in a way, admitted that he meant like that . . ."

Rai Sahib C. KOLANDA REDDI:—"Again, by way of personal explanation, Sir, I am very sorry that my Friend cannot make me out. I have clearly said that all presidents are not like that; they can never be like that, but there are exceptions."

* The Hon. the PRESIDENT:—"This is another case of the hon. Member being misunderstood."

Mr. G. SIMHACHALAM PANTULU:—"So, Sir, it is not the incapacity of the chairman alone or of the president alone, that ought to be the criterion for the appointment of executive officers, but there are many other circumstances that should be taken into consideration. We should consider whether there will be trouble or whether we are going to give relief to the presidents. We have not, after all, waited and seen how far good results have resulted from the appointment of commissioners to municipalities. Even yesterday, we saw in the newspapers, that in one municipality, when it was being managed very successfully by the chairman, Government were pleased to appoint a commissioner. That municipality has resented and have also sent in a protest I refer to the Cocanada Municipality. So, Sir, I do not think, there is absolute necessity for the appointment of executive officers to district boards. Just at this juncture let us therefore wait and see what results we are going to achieve in the case of the municipalities where commissioners have been appointed and then think of appointing such officers to the district boards. This is a proposal which has been hanging fire as my hon. Friend pointed out at the very outset, for a long time. We have yet to see and satisfy ourselves how this system works, and then only we can think of doing some such thing as has been proposed. Otherwise at the present juncture I see no need for the appointment of executive officers in the case of district boards."

* Mr. E. CONRAN SMITH:—"Mr. President, Sir, if I rise now to intervene in this debate, it is not to discourage hon. Members from

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giving Government the benefit of their views on the general question of executive officers, but it is rather to suggest that they may do well to defer the matter to another occasion, and also to point out that the amendment proposed by Mr. C. K. Reddi will not achieve the object he has in view. In the Select Committee there were two schools of thought. One school of thought was opposed to the executive officers on principle. The other school of thought was opposed to the particular form of provision made in the Government's Bill, because they thought that it was insufficient for the purpose required. What the Mover of this amendment now proposes to do is by one small provision to achieve what can only be achieved by a comprehensive amendment. It is not possible by rule-making powers to take away from the presidents of district boards powers conferred on them by statutory provisions under the existing Act. I may suggest, therefore, that this amendment will not achieve in any sense the object which the Mover has in view, that is to invest the executive officer with the same wide powers as are conferred on the commissioners of municipalities or the Commissioner of the Madras Corporation. I hope therefore that the House will agree that this question of executive officers should lie over to be dealt with finally by a comprehensive Bill if occasion arises. My hon. Friend here throws out a suggestion to have executive officers as provided in the original Bill. I can only say that there is a fairly large body of opinion opposed to it."

* The Hon. the PRESIDENT:—"Am I to understand that the suggestion thrown out by Mr. Conran Smith is that the discussion on this particular amendment should lie over till some other occasion?"

Mr. E. CONRAN SMITH:—"I am merely suggesting to the Mover that the particular form of the amendment which he has moved would not achieve the object he has in view."

* Rao Bahadur A. T. PANNIRSELVAM:—"Mr. President, Sir, the statement made by Mr. Conran Smith seems to me to be perfectly sound. As far as I could make out this amendment would not enable the Government to invest the executive officers with such powers as the hon. Mover of the amendment desires them to be invested with. With due deference to your ruling, Mr. President, I have my own doubts as to whether the amendment itself would be legally of any value at all as the amendment originally moved stood. The difficulty is to some extent eliminated by the hon. Mover of the amendment desiring or agreeing to drop the portion referring to commissioners of municipalities or the Commissioner of the Madras Corporation. But even then, it seems to me that this amendment is hardly going to serve its purpose. What it says is that the Local Government shall appoint an executive officer for each district board and define his powers by rules. Unless it is intended that the Government is to prescribe the rules or is to prescribe by rules, the powers which are now exercised by the president of the district board, it seems to me that his object will not be

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gained. There will be no advantage at all. If the rules of the Government are merely to state what work the district board servants can do and that such and such powers can be discharged by the executive officer, that would be really no improvement or it would not afford any relief to the president of the district board. The duties and the powers which are now vested in the president of the district board by statute cannot be touched by the Government by any rules. As for the volume of the work which a president of a district board has got to do—I may submit that that was the point raised by Mr. Krishnayya Choudari—I would only submit that there is absolutely nothing in the present Act which prevents the president of the district board from relieving himself of a considerable portion of his work by delegating certain functions to his servants. Because there is power under the Act not merely to delegate his powers and functions to the vice-president but also to delegate them to any one of the members; he can also delegate them to any one of his servants. So far as these leave applications of 1,600 schools and work of such routine character is concerned, it is perfectly open to the president of the district board to relieve himself by actual delegation. When I say this, I am not in any sense to be understood as being opposed to the principle of an executive officer for a district board, though I must certainly express my surprise that hon. Members opposite who yesterday joined in a fusillade of questions aimed at the Hon. the Chief Minister for his extending the policy of appointing commissioners to municipalities to various municipalities not mentioned in the annexure to the amending Act, should have been so very vehement in attacking the action of the Hon. the Chief Minister yesterday morning, that to-day they should have become so enamoured of the appointment of executive officers—seems to be a matter for surprise. I personally feel, Sir, that considering the volume and extent of the work which a non-official president has to do, there were certain moments when I did feel that district boards should have executive officers appointed to them having the same powers as the Commissioner of the Corporation of Madras. Considering the vast area over which the district boards have jurisdiction, the volume and extent of the work, the amount of responsibility thrown on the shoulders of the district board president, we would really be doing a very great service to the presidents of district boards if we are to give them the help of an executive officer, not merely to discharge routine duties but also to relieve him of certain more responsible tasks which, to say the least of it, becomes very embarrassing for a non-official elected president to discharge and which are much rather discharged by officials who are not subject to the whims and fancies of elected members on the boards. But I must also state this. It is not so very long ago that we have introduced the system of commissioners for mufassal district municipalities. No doubt, on the occasion when that Bill was passed, we all praised the hon. Member from Bellary for the very able step he took in introducing and piloting that Bill through the House to a successful issue. But at the same time I felt that we were perhaps

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gloating a bit too soon. We are not quite sure if this system of executive officers or commissioners in municipalities is going to work very smoothly and very well and whether the deadlocks in administration which we had been accustomed to—deadlocks in municipalities before the Act of 1920 with its system of having irremovable secretaries with delegated powers which could not be revoked—might not come in. And if they do come in, I might also state that our country will not be the only one which has had this difficult experience of a clash between the elected representatives of the people and the irremovable executive head. I believe such experiences are common even in England and committees after committees, royal commissions and various other conferences have been held to try and solve the problem of reconciling the conflicting interests in the matter of having executive officers, or, as they are called in England, town clerks. But anyway, we have launched on that system, and I believe it is too soon to-day to say whether that experiment has been a success or not. And it may be that in a large number of municipalities it brings on deadlocks, it leads to impossible positions, or we might have to revise our views in the matter of municipal administration. But anyway I think we would be well advised in deferring this question to a further date till we are able to know where exactly we stand with reference to these commissioners in the matter of municipalities. Therefore I would certainly join Mr. Conran Smith in requesting the hon. Mover of the amendment to withdraw it at least for the time being."

* Mr. A. RANGANATHA MUDALIYAR:—"Mr. President, Sir, the amendment as moved by my hon. Friend, Mr. C. K. Reddi, starts with the words, 'the Local Government shall appoint an executive officer for each district board, etc.' I have given notice of another amendment which is practically the same as that moved by him but for the words 'as may be prescribed by the Government.' Therefore, with your leave, Sir, I should like to make an addition of these words to the amendment moved by Mr. C. K. Reddi, and I think, Sir, that perhaps, to some extent the addition may meet the objections of my Friend, Mr. Conran Smith, in regard to the form in which the amendment has been proposed. I am rather surprised that the Government should now come forward and tell us that the object they had in view would not be met. I suppose they had some object in view when they drafted the original Bill in which they, in more than one place, referred to the executive officers. I am surprised to know from them that they drafted the Bill without verifying that the object they had in view would be achieved by the amendment."

* The Hon. the RAJA OF BOBBILI:—"Sir, I believe this point was threshed out more than once in the Select Committee. The real point is that the rules framed by the Government must be consistent with the Act. It is not possible for the Government to frame any rules under the powers which are now proposed to be given by this amendment to

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take away the powers vested in the president of the district board by the Act itself. That is why it has been stated by my Friend here that if it is found necessary for such an amendment to be carried, a comprehensive amendment may be brought in afterwards."

Mr. A. RANGANATHA MUDALIYAR:—"Much of the trouble would have been saved if the Select Committee's report was more comprehensive in regard to the point covered by this amendment. If from what has been now said by the Hon. Minister we are to conclude that he will take the earliest opportunity to introduce a Bill on the lines of this amendment, giving powers by statute to the executive officers such as those conferred on the commissioners in municipalities, we are not going to waste the time of the Council by proposing amendments of this sort. Some doubt has been cast on the utility of the commissioners that have been appointed to the various municipalities. May I, Sir, with your leave pass on for the information of the Hon. the Minister and his Colleagues, what I have heard about these appointments. Opinion is unanimous if I may say so, that these commissioners are really of value and benefit to the various municipalities concerned. I may also add, Sir, that there is an opinion that if the Government would only exercise the same care in regard to the appointments they are now making as they undoubtedly did with regard to the first appointments they made, the result would be even more appreciable. I just pass on this information to the Government, namely, that there is a feeling in the country that in regard to later appointments, they have been by no means as careful in the choice of men as they were in regard to the earlier appointments. There is no denying the fact at all that these commissioners are appreciated in the various municipalities to which they are appointed."

4-45
p.m.

Dr. P. SUBBARAYAN:—"Mr. President, if the House will remember aright, I did introduce an instruction to the Select Committee that the Select Committee might be empowered to introduce comprehensive amendments in order to bring about the result which my Hon. Friend, Mr. Conran Smith, has in mind, of giving the executive officers the necessary power to enable them to function in the same way as the commissioners of municipalities do at present. Unfortunately, the Hon. the Minister felt that as time was pressing and as he wanted the abolition of the taluk boards and the saving of the finances of the local bodies, he felt that the introduction of an amendment like the question of the executive officers might delay the passage of the measure. That is why he said he opposed that instruction to the Select Committee. Therefore, I felt that the Hon. the Chief Minister did feel that there was some point in the suggestions made by other members on this side of the House about executive officers being appointed in the case of the district boards as in the case of the municipalities. If it is granted that the work of these local bodies have become so heavy that it is not possible for an elected head—who has got his own business—to attend to it day by day, I am sure, the argument which applies to district municipalities

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to which executive officers have been now appointed applies even more strongly to district boards because the income of the district boards is certainly much larger and under the measure that is now proposed if the taluk boards are abolished and their finances are given to the district boards, the work will become heavier still. Therefore, I thought the question would have been tackled by the Chief Minister and his advisors in the preparation of this measure, but owing to the financial position of the local bodies, they thought it better to tackle this, to begin with, and then introduce a comprehensive measure. As my friend, Mr. Ranganatha Mudaliyar suggested, I believe the Chief Minister has under consideration a comprehensive amendment for bringing in executive officers for district boards with functions similar as in the case of the district municipalities. I am sure my hon. Friends on this side of the House would be quite willing to withdraw the amendment for the reason we are as keen as hon. Members on the other side that some solution should be found for the financial plight in which the local bodies are placed to-day."

* The Hon. the RAJA OF BOBBILI:—"My hon. Friend, the Leader of the Opposition, and Mr. Ranganatha Mudaliyar, wanted an assurance from Government that they would take up the question of executive officers in the near future. I may refer them to my speech on 2nd February 1934 wherein I have stated the position of the Government. I said as follows:—

"As regards the other instruction which is sought to be given to the 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 think if an assurance is necessary, it has already been given in what I have said."

* Rai Sahib C. KOLANDA REDDI:—"I am really thankful to the Hon. the Chief Minister as also his advisor for the promise they have made that the matter is having their consideration. It should have been better had they said that a Bill like that is under preparation. But my friend, the Chief Minister wants still more time to see whether the appointment of commissioners for diverse municipalities is a success or not. Still, Sir, if that were the case, certainly, they would have stopped somewhere and the Government could have waited to see whether the appointments are a success or failure. On the other hand, the Government has been going on appointing batches after batches and I do not know where it will end. Now, after all, the Chief Minister was saying that mere rules would not go a long way because there is a need for taking away some powers from the district board presidents. And

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for that a separate Bill is necessary and mere rules won't do. Of course, there is much force in that statement. Nevertheless, I fear it is not a day too soon that these executive officers are appointed for these district boards. I know, Sir, that we who have been toiling in the field of local self-government for years together we who have been in touch in diverse capacities with these local self-government administrations in the mufassal, we rather feel very keenly and I am sure there are very many friends of mine who join me in the view that the appointment of executive officers is an urgent necessity. Perhaps Government may not feel so keenly as we do. Of course, diverse objections were raised by some of my friends. For the matter of that the hon. Member who represents Guntur said that the appointment of commissioners for municipalities savours badly. I wonder why. He says that he has read in some papers that some municipality or the municipal chairman revolted against the appointment of a commissioner for that municipality. It is no wonder, Sir. Till now, we have been free lances. I mean by we those who have been administering local bodies in the mufassal. All of a sudden, if a check is to be put upon our activities in the shape of commissioners, we may revolt. It is something like breaking in the colt. Now, I am certain that every one would feel the utility and usefulness of this experiment and its wisdom too. So, because some solitary municipality objected to the appointment of a commissioner because it was not very palatable, that should not be the reason for not appointing executive officers. Now, Sir, my friend, Mr. Pannirselvam, observed that there are various provisions in the Local Boards Act itself (Mr. A. T. Pannirselvam: Not various, but only one), thanks to him. There is a provision empowering the president to delegate his powers. But, Sir, I may tell you from my experience that man is by nature loath to part with power. Now, taking human nature as it is, although there is a clear provision in the Act itself, unfortunately because it is against human nature, presidents do not delegate powers at all. After all even if we go on dinning into them, they will simply delegate power for signing cheques. That they think is delegating most of their power. In fact the more incompetent a president is, the greater is his reluctance. So, unless there is a statute goading them to part with it, unless there is a compulsion of law, these presidents would be loath to part with what power they have whether they use it or abuse it. My friend the hon. Member from Guntur was saying that I said that all the presidents of the district boards in the mufassal are incompetent and so, executive officers should be appointed. That is, I am sorry to say is a half-truth. Now, I never said so. On the other hand I adduced diverse reasons for the appointment of executive officers. I said that the president may be as competent as the President of the Legislative Council, yet there is a need for the appointment of the executive officer for the simple reason that if he is relieved of the burden of attending to routine, he will be keeping his mind composed and he will be able to attend to larger problems for the improvement of the

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district with regard to sanitation, health, medicine, education, communication and what not. On the other hand, morning and evening if in the absence of an executive officer, he is obliged to be confined to the desk he will become an auto-maton. So, my submission is there are various reasons."

Mr. G. SIMHACHALAM PANTULU:—"On a point of order, Sir. Is the hon. Member making a speech once again or withdrawing or replying?"

* The Hon. the PRESIDENT:—"Order, order. We shall proceed in an orderly manner. Is the hon. Member continuing or concluding his speech?"

* Rai Sahib C. KOLANDA REDDI:—"I am sorry that my hon. Friend from Guntur has a knack of misunderstanding me. (Laughter.) Yes, Sir, this president in the absence of the executive officer has been a real victim . . ."

* The Hon. the PRESIDENT:—"The hon. Member is trying to repeat his argument. I will have to request him to sit down."

* Rai Sahib C. KOLANDA REDDI:—"I am afraid it is a new argument altogether. (Laughter.) With your permission, Sir, . . ."

* The Hon. the PRESIDENT:—"The hon. Member may resume his seat."

Mr. Ranganatha Mudaliyar's amendment was put and declared lost.

Mr. Kolanda Reddi's amendment was then put and lost.

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

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

[27th February 1934]

APPENDIX.

[Vide answer to question No. 711 asked by Mr. M. Devadasan at the meeting of the Legislative Council held on the 27th February 1934, page 339 supra.]

Instructions issued by the Board of Revenue.

The Board resolves to issue the following instructions for the guidance of Collectors and other district revenue officers in the preparation, scrutiny and sanction of the estimates for the repairs and improvements to irrigation works.

2. When scrutinizing any estimates for improvements to, or the repair of minor irrigation works, Collectors should consider the advisability of demanding a contribution from the ryots concerned towards the cost of those improvements or repairs and decide whether any portion of the cost of some or all the items of the contemplated works should be recovered from the ayacutdars. The following examples of cases that call for a contribution are commended to the notice of Collectors:—

- (i) When it is proposed to repair a sluice which does not drain the tank properly, so that the ryots have to bale water from the bed into the sluice when supplies are low and when the re-arrangement of the sluice will save them the trouble.
- (ii) When an earthbund is to be faced with a stone revetment, so that the labour under kudimaramat on maintaining the bund in good order is diminished and the danger of a breach is insured against.
- (iii) When masonry or other quasi-permanent works are proposed for training water into a river channel in place of korambus and an open head.
- (iv) When the cost of repairing a tank is high in proportion to the revenue derived from it and when the ryots concerned are desirous of having the repairs done as a part-contribution work.

With a view to enabling Collectors to fix the amount of contribution, full particulars should be given in a separate paragraph in the report accompanying every estimate. It should also be clearly stated whether the ayacutdars or other interested parties are willing to bear a portion of the cost and, if so, how much. Sanction should be accorded to the estimate after due consideration of this question. After the Collector has fixed the amount of contribution, the ayacutdars should be called upon to deposit the amount in advance or to execute an agreement that they would pay it within a reasonable time or in such instalments as may be fixed by the Collector. The work should be taken up for execution only after the full contribution is collected.

3. When Collectors scrutinize estimates received from the Public Works Department with reference to the instructions laid down in Board's Standing Order No. 88-A, they should follow the procedure prescribed in the preceding paragraph and should, where such a step is called for, intimate to that department that the work should not be carried out until the ayacutdars deposit the amount fixed as contribution.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR
OF MADRAS.

Wednesday, the 28th 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, K.L., 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.
Raja of Bobbili, The Hon. the.
Rajan, The Hon. Mr. P. T.
Kumaraswami Reddiyar, The Hon. Diwan Bahadur S.
Abdul Hameed Khan Sahib Bahadur.
Ahmed Meeran Sahib Bahadur.
Alamelumangathayaramma, Mrs. K.
Annamalai Chettiyar, Mr. S. A. A.
Appadurai Pillai, Diwan Bahadur A.
Arasu, Mr. V. T.
Ari Gowder, Mr. H. B.
Basheer Ahmed Sayeed Sahib Bahadur.
Basu Dev, Mr. C.
Bayappa Reddi, Mr. P.
Devadasan, Mr. M.
Dharmalingam Pillai, Rao Sahib V.
Duraiaswami Reddiyar, Mr. K. M.
Ellappa Chettiyar, Diwan Bahadur S.
Gopalaswami Mudaliyar, Diwan Bahadur M.
Gopalaswami Ayyangar, Diwan Bahadur N.
Hirischandrudu 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.
Kolanda Reddi, Rai Sahib C.
Koti Reddi, Mr. K.
Krishnayya Choudari, Mr. P. V.
Krishnamurti, Rao Bahadur D.
Kumararaja of Venkatagiri.
Kuppuswami Choudari, Mr. J.
Ladden, Mr. W. W.
Lakshmana Reddi, Mr. G.
Madanagopal Nayudu, Mr. R.
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.
Muniswami Pillai, Rao Sahib V. I.
Muthiah Chettiyar, Mr. M. A.
Muthu Chettiyar, Rao Bahadur P. C.
Nadhiyappa 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.
Natesa Mudaliyar, Rao Bahadur C.
Palat, Mr. R. M.
Pannirselvam, Rao Bahadur A. T.
Parthasarathi Ayyangar, Mr. C. R.
Patnaik Mahasayo, Sriman M. G.
Pattagar of Palayakottai.
Peddurai, Mr. P.
Poock Sahib Bahadur, B.
Premayya, Mr. G. R.
Rajagopala Pillai, Mr. P. V.
Raja of Khalikote.
Raja of Parlakimedi.
Ramachandra Padayachi, Mr. P. K.
Ramakrishna Reddi, Mr. A.
Ramalingam Chettiyar, Rao Bahadur T. A.
Ramanamurti, 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.
Ratnasabhapati Mudaliyar, Diwan Bahadur C. S.
Sabajanandam, Swami A. S.
Sami Venkatachalam Chetti, Mr.
Sesha Reddi, Mr. B. P.
Shetty, Mr. A. B.
Simbachalam Pantulu, Mr. G.
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.

[28th February 1934]

PRESENT—cont.

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. McG. 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.
 Venkatachala Reddiyar, Mr. K. C. M.
 Venugopal Nayudu, Rao Bahadur R. K.
 Viswanatha Rao, Diwan Bahadur V. N.
 Yahya Ali Sahib Bahadur, Khan Bahadur.
 Yakub Hasan, Mr.
 Zamindar of Mirzapuram.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Local Self-Government

Working of the scheme of appointing Commissioners to Municipalities.

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

- (a) how does the scheme of appointment of Commissioners to municipalities work;
- (b) which of the municipalities have got Commissioners so far;
- (c) who the person working as Commissioner in each municipality is;
- (d) what the post held by him previous to this was;
- (e) what his pay and allowances then and now are;
- (f) what his qualifications are; and
- (g) to which of the municipalities the Government yet propose to appoint Commissioners?

A.—(a) The scheme has been working satisfactorily.

(b), (c), (d), (e) & (f) A tabular statement^a is appended.

(g) The Government have under consideration the question of notifying other municipalities in the near future for the appointment of a commissioner; but it is not possible to say definitely at this stage, which those municipalities will be.

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“With reference to the answer to clause (a) of this question, may I ask the Hon. the Chief Minister, in how many municipalities the scheme was opposed?”

The Hon. the RAJA OF BOBBILI:—“I cannot give the exact number. It may be about three or four.”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“If three or four municipalities did not want commissioners, can it be said that the scheme has been working satisfactorily?”

^a Printed as Appendix I on pages 472-473 infra.

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The Hon. the RAJA OF BOBBILI:—“I cannot give a clear answer to the question of my hon. Friend, whether the appointment of commissioners has been in all cases satisfactory. The appointments have been made and a trial has to be given to see whether this scheme would work satisfactorily. The Government felt that in the interests of the administration it is desirable to have such appointments.”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“It was stated yesterday when the question of appointment of executive officers to district boards was discussed, that a trial should be given to this scheme, and if it is required to extend the system to district boards. We should wait to see if it had worked satisfactorily.”

“I find that the commissioner of the Saidapet municipality has been transferred to Negapatam. May I know on what grounds he was transferred?”

The Hon. the RAJA OF BOBBILI:—“The transfer was made for administrative convenience. It was felt that the Saidapet Municipality may not be able to pay the high salary of this officer for a long time.”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“For Tanjore, which is a headquarter municipality you have appointed a low-paid commissioner getting a conveyance allowance of Rs. 20; whereas for Tuticorin which is a smaller municipality the commissioner gets a higher salary as well as higher conveyance allowance. Again, I find that the Vellore commissioner gets only a conveyance of Rs. 15 for touring the whole municipality. I wish to know whether the Government have satisfied themselves that, irrespective of pay, these conveyance allowances are adequate?”

The Hon. the RAJA OF BOBBILI:—“The conveyance allowance is fixed in the case of class 3 commissioners to correspond to what deputy tahsildars receive in Government service.”

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“What is done when these officers are appointed to class 2 municipalities; do they draw any higher allowance then?”

The Hon. the RAJA OF BOBBILI:—“We take into consideration each case separately. I cannot answer a general question like that. Generally, employees of local bodies who have been appointed commissioners will be drawing a lower pay than Government servants.”

Mr. G. R. PREMAYYA:—“May I know, Sir, why some are given special pay and some are not?”

The Hon. the RAJA OF BOBBILI:—“I shall be glad if the hon. Member mentions any particular case.”

Mr. G. R. PREMAYYA:—“I find from the list that some commissioners are given special pay in addition to their regular pay and some are not given special pay.”

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The Hon. the RAJA OF BOBBILI:—“Commissioners selected from the Revenue Department are given special pay. In other cases, the special pay is included in the regular pay.”

Appointment of Commissioners to Municipalities.

* 717 Q.—MR. A. B. SHETTY: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) the municipalities for which Commissioners are proposed to be appointed in the course of this year; and

(b) the grounds on which municipalities are selected for appointing Commissioners?

A.—(a) The attention of the hon. Member is invited to the answer to clause (g) of question No. 716.

(g) The grounds on which municipalities are selected for the appointment of a commissioner are mentioned in each case in the notification under section 12 C of the Madras District Municipalities Act published in Part I-A of the *Fort St. George Gazette*.

Admission of the subjects of Indian States into the educational institutions in the Madras Presidency.

* 718 Q.—MR. M. S. SRESHTA: Will the Hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that over and above the number of seats allotted to the Indian States, a large number of Indian States candidates have obtained admission to (1) the Medical College, (2) Lady Willingdon Medical School, (3) the School of Indian Medicine, (4) the Teachers' College at Saidapet, and (5) the Engineering College at Guindy (Engineering class and Probationary Subordinate class);

(b) if so, under what circumstances;

(c) whether complaints have recently been received by the Government that candidates from Indian States have managed to secure admission by representing that they were British subjects; and

(d) whether candidates are expected to produce any evidence to show that they are British subjects?

A.—An answer is furnished in the statement^a attached.

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—“In the statement furnished in answer to clause (d) of this question, I find it stated that in certain cases of doubt, certificates showing that the candidates are British subjects were obtained. Did the certificates disclose that they were different from the statements made in the application?”

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

^a Printed as Appendix II on pages 474-475 infra.

[28th February 1934]

Public Service

Reservation of the post of Land Revenue Secretary, Board of Revenue, to European Civilians.

* 719 Q.—MR. M. B. RANGASWAMI REDDI: Will the Hon. the Member for Revenue be pleased to state whether there is any rule that only European Civilians should be appointed as Land Revenue Secretary to the Revenue Board?

A.—No.

MR. M. A. MANICKAVELU NAYAKAR:—“May I ask whether there has been any Indian occupying this post and, if so, how often?”

The Hon. Sir ARCHIBALD CAMPBELL:—“This post has been occupied by an Indian; I cannot say how often.”

Forests

Facilities for the supply of green manure leaves to the ryots in the Kurnool district.

* 720 Q.—S. M. K. BEYABANI SAHIB Bahadur: Will the Hon. the Law Member be pleased to state—

(a) what facilities are the Government giving to ryots living near the forest area for obtaining manure leaves for the cultivation of paddy in the district of Kurnool; and

(b) whether it is a fact that the Forest department are charging at the rate of Rs. 2 per cartload of manure leaves and what the total number of cartloads obtained by the ryots in the Cumbum area from 1927 to 1933 is?

A.—(a) Removal of manure leaf is allowed on permits sold by Range Officers and Foresters at headquarters and camps. Contractors working timber and fuel coupes are obliged to supply manure leaf at a specified rate.

(b) Yes.

Quantities supplied by Reserved Forests serving irrigated land around Cumbum town were:—

Year.	Cart-loads	Year.	Cart-loads.
1927	.. 41	1931	.. 16
1928	.. 24	1932	.. 1
1929	.. Nil.	1933	.. Nil.
1930	.. Nil.		

UNSTARRED QUESTIONS

Excise

Protest by the Madras Provincial Depressed Classes Federation against the proposal to reopen Valligar toddy shop, Chingleput district.

721 Q.—RAO SAHIB V. DHARMALINGAM PILLAI: Will the Hon. the Minister for Education and Excise be pleased to lay on the Table of the House the report called for in answer to question No. 342 of 4th November 1933?

A.—The report^a of the Collector of Chingleput is attached.

^a Printed as Appendix III on pages 476-477 infra.

[28th February 1934]

Irrigation

Proposals of the Tank Restoration Scheme party with reference to the irrigation works in the Tinnevely Minor Basin.

722 Q.—MR. DANIEL THOMAS: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the Tank Restoration Scheme party has investigated and framed proposals in respect of the following three irrigation works in the Tinnevely Minor Basin, viz., (i) Vilathikulam tank and channel in the Vilathikulam group, (ii) Pulikurichikulam and Nambi Reddikal—First reach and (iii) Nambireddikal—Second reach;

(b) whether any and, if so, what action has been taken on the Tank Restoration Scheme proposals; and

(c) what the final orders passed on the proposals are with the reasons for the same?

A.—(a) Yes.

(b) & (c) A report has been called for.

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

II.—A BILL TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920, AND THE MADRAS ELEMENTARY EDUCATION ACT, 1920, FOR CERTAIN PURPOSES (BILL NO. 2 OF 1934).

* The Hon. the PRESIDENT:—“The consideration of the Bill will now continue.”

Clause 30.

Section 68.

Mr. P. V. KRISHNAYYA CHOUDARI:—“Sir, I do not move for the restoration of sub-clause (i).” We discussed the question yesterday at length.”

* The Hon. the PRESIDENT:—“The hon. Member cannot move it as a matter of fact. He will move his first amendment to sub-clause (ii).”

Mr. P. V. KRISHNAYYA CHOUDARI:—“Sir, I move—
‘Omit the sub-clause (i) in the Bill as amended by the Select Committee.’

Sir, the object of my amendment is this: Now that two bifurcated district boards are going to have one health officer, as is contemplated by the Bill, his removal can be effected only if each board passes a motion to that effect by a two-thirds majority. No doubt the Government might like to have some security of tenure for their officers and I do not deny it. I also recognize the fact that although the existing boards have this power, not one single board has so far exercised it. Even then I would request the Government not to amend the existing rule. If we

* Clause 30 (i).

Mr. P. V. KRISHNAYYA CHOUDARI:—
20 Restore the sub-clause (i) as proposed in the original Bill.

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make it necessary that both the boards should pass the same resolution to bring about the removal of the health officer, the health officer will try to win over one board and will not care for the other board or its president. Therefore, to have a check over the health officers and others, it is desirable to accept the vote of one board rather than insist on having the vote of both.”

Mr. V. T. ARASU:—“I second it.”

Rao Bahadur A. T. PANNIRSELVAM:—“Sir, all that the Select Committee thought it necessary to achieve was that before the Government could be forced to remove a health officer, his removal should be recommended by both the boards by a two-thirds majority. The object underlying my hon. Friend's amendment seems to be this: that with this provision there, the district health officer will have the temptation to please one board only and that when he is thus secure against removal, he will be further tempted to snap his fingers at the other board. But that seems to overlook this fundamental fact that, if even one district board by a two-thirds majority considers it necessary to pass a vote of no-confidence in a health officer, that would be a slur on the career of that officer. I am so sure no health officer in his senses would ever go to the extent of driving a district board to pass a vote of censure on him, because even if the other board should unanimously support him, I take it that ordinarily, a Government, which is interested in the proper administration of affairs in the local boards, would certainly call on the officer to explain why his conduct has been such as to force one district board to pass a censure on him. Therefore it seems to me that such a check is unnecessary. To fix a statutory obligation on the Government to take action even if they are satisfied that the procedure dictated to them is not correct is unreasonable. Such being the case, the contingency contemplated by my hon. Friend is extremely unlikely to occur. I think, therefore, it is unnecessary for him to press this motion.”

* Sriman M. G. PATNAIK Mahasaya:—“Mr. President, Sir, my hon. 11-15
Friend, Mr. Pannirselvam, practically supports the motion. He says a.m.
that it is but natural and reasonable that a health officer who has lost the confidence of one district board should be removed from that board. Otherwise there will be difficulty felt in carrying on the work. So it is not necessary that we should wait till the other district board passes its no-confidence motion. Already there is sufficient safeguard provided in the Act by two-thirds majority being insisted on the no-confidence motion being carried. Therefore, he is practically supporting the motion.”

“Again, Sir, we have to bear in mind this fact. Suppose a no-confidence motion is passed by one district board, the health officer will secure the support of the other district board and continue to be the health officer, thus practically nullifying the effect of the no-confidence motion. So I request the Hon. the Chief Minister to accept the amendment.”

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* Khan Bahadur MAHMUD SHAMNAD SAHIB Bahadur:—"Sir, this provision is made in the interest of economy. It will not be the case, or rather it will not be the general rule that in all cases, two or three district boards should have one health officer. It may be that in the beginning whenever a district board is in financial difficulty this method will be resorted to, simply to tide over the difficulty, as a matter of expediency and as a temporary measure. It will not be in every case that two or three district boards will have the services of the same health officer. Moreover, what is the necessity for one district board to pass a no-confidence motion without sufficient cause? I cannot understand this. For, if there is sufficient cause Government themselves would remove him whether both the boards agree or not. Any district board may, if it considers necessary, bring to the notice of the Government that the health officer is not working properly. In such cases steps will be taken for the removal of the health officer. But more often some boards, sometimes unnecessarily, on account of misunderstanding try to interfere in the duties of the health officer and cause trouble. And so as an additional safeguard this amendment is proposed."

* The Hon. the RAJA OF BOBHILL:—"Sir, this alternative proposal was discussed at length in the Select Committee, and it was decided by a majority to have the alteration suggested in its report. Mr. Krishnayya Choudari himself has stated that no district board has taken advantage of this provision and on account of that I feel—and as a matter of fact also—there is no need for such a provision at all. Apart from this, whenever there is any conflict between the district board and the health officer, the matter will be brought to the notice of the Government, and if the latter feel that there is a real grievance they will remove the officer. Moreover, if one board passes a resolution of no-confidence, Government, in the interest of administration, would certainly consider the question of transferring the officer in question. So, I not only consider this motion to be unnecessary but undesirable also, since a person who is serving two boards would be sent out even at the instance of a single board. I therefore oppose the motion."

* Rao Bahadur C. NATESA MUDALIYAR:—"Mr. President, Sir, I strongly support the Hon. the Chief Minister. Supposing the officer against whom the resolution is passed happens to be the health officer, what is to become of his fate? The health officer, by virtue of his office, will be asked to introduce measures in the interest of the health of the district board area, which may not be agreeable to the various people who compose the district board. For instance, I will cite a case which actually happened in Madras. There was a rule passed that no children should be allowed to ease themselves in the gutters in the street. (Laughter.) This rule became so unpopular that in the next city election, the opposite party went about the city and declared to the people, 'you see, Justice Party people don't allow your children to ease themselves in the gutters in the street; so don't vote for their candidate.'

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Due to this we lost several votes. When such is the case in the City of Madras in the case of a councillor, how much more should it be in the case of a health officer in the mufassal.

"Again take the case of smallpox. The health officer would naturally see that every patient is removed to the hospital, except in the case of those whose relations can take care of the patient and accommodate and segregate him properly so that the infection may not spread. This will naturally cause resentment, and thus he would become unpopular. Suppose one district board member interferes and the health officer does not agree with him. Naturally he will try to find fault with the health officer for each and every act. Sir, it is in this way the health officer will create for himself any number of enemies. As it is, in the Corporation the health officer does not please all the members of the Council. So one no-confidence motion by one district board is not enough; and even if two district boards pass resolutions I request the Government not to pay much heed to them, because no health officer can please all the members of the district boards and two-thirds of the board can easily become his enemies when he wants to enforce health rules rigorously. So I would appeal to Government to protect the health officer and save the health of the province unless the Government finds him incompetent."

* Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"Sir, I am against the insertion of any provision for no-confidence motion being made in the Bill. The point we have to consider is whether we could expect a resolution to be passed by both district boards and if this provision would work successfully in practice. Will it not lead to an anomaly when only one board passes a motion of no-confidence. I quite realize that even apart from the passing of any no-confidence motion, if the district board president reports against the health officer to the Director of Public Health, the particular officer will be transferred. I consider the provision in the Bill, if not amended, will only lead to anomalies. Therefore, I request the Hon. the Chief Minister to accept the motion."

* Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. President, Sir, the amendment is purely based on my practical experience in my district. When each party is in power, some difficulty or other crops up. The party in power wrote several demi-officials to the Government, but still Government have not done anything in the matter. That is the reason why health officers have continued to be in one and the same place for several years together with all their vagaries. (Laughter.) On account of this practical difficulty I have brought forward this amendment. I know if a complaint is made to the Government about a health officer, one demi-official will do to set him aright provided the president is a ministerialist. But all the same I want to have a provision like this in the Bill.

"My point is that there should be no difference between the district board which is not bifurcated and the district board which is bifurcated.

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If both are treated alike, it will be good. If Government think of that there should be one health officer for each district board, why not they appoint a second-class health officer to district boards which are smaller in area and which cannot financially go in for a regular first-class health officer. They have been doing this in the case of municipalities. Considering these matters I only request and appeal to the Hon. the Chief Minister to reconsider his view and accept my amendment. If he still cannot concede, I only regret that he cannot see his way to do so."

The amendment was put and lost.

Clause 30 was put and carried.

Clause 31.

* The Hon. the PRESIDENT:—"Mr. Krishnayya Choudari and Mr. Ranganatha Mudaliyar cannot move their amendments." *

Clause 32.

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

'to omit the proposed section 69-A.'

It seems to me, Sir, the Government have not made up their mind as to the necessity or otherwise of entrusting the question of supervision and inspection of the local boards. It is being recognized in all countries that education, particularly elementary education, is a national concern, and as such Government ought to think of more control over education. Even in England where local bodies enjoy large powers of independence, Government still interfere and exercise powers of control and supervision in the matter of education. In our own country it is still an experiment and it is entrusted to local bodies. But those of you who have gone into the question of elementary education, as it obtains in other Presidencies, particularly in Bombay, will be struck by the fact that they have realized the necessity for entrusting the work of supervision and inspection into the hands of the Government themselves. In the Central Provinces, the Government have strongly commented on the ill-qualifications of the local boards for the purpose of supervision and inspection, and I am told that the Ministers are taking away these powers from the local boards.

"Then again, Sir, in the United Provinces, where a similar system has been tried, there also much conflict and disharmony prevailed

* Clause 31.

Section 69.

Mr. P. V. KRISHNAYYA CHOUDARI:—

23 *Retain* the clause of the original Bill.

Mr. A. RANGANATHA MUDALIYAR:—

24 *Omit* the word 'omitted' and *substitute* the following:

"In sub-section (1) of section 69 of the said Act, before the words 'or District Panchayat Officer,' the words 'District Executive Officer' shall be inserted."

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between the two agencies with the result that Government have realized the necessity of taking back the work of supervision and inspection to themselves.

"When such is the case, I cannot understand why the Government should not exercise powers of supervision and control by their own departmental officers. What necessity has arisen for the change proposed in the Bill? It may be said that after all the section is a qualified section and that it only gives powers to the Local Government to ask the local bodies to make arrangements for inspection and supervision. The question that I want to raise is whether there is any necessity and whether it is desirable to ask the local bodies to take up the management and inspection and supervision of education, and whether it will not be right that in the interests of the people these things should be retained in the hands of Government. As I have already said the experience of other Provinces also goes to prove that it is better that Government take larger and larger powers of supervisions and control over education than entrusting such powers to the local bodies.

"Then, let us consider the financial aspect. After all the number of pupils that study in the elementary classes of local board schools is only 31 per cent. If the Government are going to ask the local board to appoint officers for inspection and supervision, is it not a wasteful expenditure which they ask the local boards to incur? Then there are again panchayat schools and 2,000 of these have come into existence. There are also some special schools such as the schools for fishermen, and schools for police and criminal settlement. So if you ask the local boards to incur the expenditure for inspecting these schools, is it not a waste? Can we afford to waste our money like this especially when every one of us is trying to cut short our expenditure. Apart from financial considerations, the question is how far they (the local boards) will be in a position to manage this work themselves. My impression will be in a position to manage this work themselves. My impression is—I have fairly large experience of them—that although I find that some of them are doing very good work, it is always better that Government should make up their minds as to the functions which these boards should be entrusted with and which it would be better, in the interests of the public, to take away from them. During elections—this is on record and there are Government statistics—these boards have their own officers for working during elections. During election time number of teachers are transferred from place to place and the Government reports clearly say that during election time the teachers are ordinarily used for election purposes. Is it the intention of the Government that by asking the local boards to have their own inspecting agency, they may appoint one of the officers of that agency for election work during election time? Think of a teacher who has been helping a taluk board president during election time. Is it fair, is it likely that that teacher would perform his function properly? I am only speaking from Government records. It is plain from their records—their own officer who

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is always bound to be disharmony and difference of opinion between what the Government agency reports and what the district board agency reports. The Hon. the Minister may say that I am not correct. But I may say that is what is happening and it is reported there. Why should you allow that sort of work? Why should you be suspicious of your own men? If you believe that your officers can do this work properly and fairly, why should you be suspicious? If you are really suspicious of them, then let the Government agency go away once and for all and let the work be entrusted completely in the hands of district boards and be rid of the whole thing. Have only one agency and not two agencies which is quite undesirable and uneconomical. I hope the Government will see their way to delete this provision which is absolutely unnecessary. When once power is invested in the Statute it is likely to be misused. My point is there is really no necessity. There ought not to be any provision in that direction.

“ There is only one other matter to which I wish to refer. It may be said that now that all the taluk boards are abolished and elementary education is entrusted to the district boards, unless these boards have some officers of their own, it will not be possible for the Government to look after the supervision of elementary education. I believe that it is possible. The inspecting agency now employed by the Government can easily look after the ordinary routine work and administrative affairs of education like transfer, giving leave, preparing pay bills and such other matters. The more important work connected with elementary education can be entrusted to the district education councils. This is also the opinion of experts. It is also the opinion of experts in other Provinces that Government should be merely advisory and ought not to interfere with the larger questions of policy. If it is only a question of Government being purely advisory, I do not see any reason why they should have this provision for employing another agency? ”

Mr. G. SIMHACHALAM PANTULU:—"In seconding this amendment, I wish to say that the provision that is sought to be introduced by the Government will only lead to duplication of work. That is certainly not a measure which we can welcome, and much less when we have got such schemes as the Champion Scheme and so on which are under investigation. Unless we know what the Champion Scheme is going to give us when it is introduced it is no use creating number of posts and throwing the responsibility on the presidents of district boards. It will be a great confusion if we do so. Therefore I support the amendment moved by my hon. Friend, Mr. Koti Reddi."

Khan Bahadur MAHMUD SHAHNAZ SAHIB Bahadur:—“ I oppose this amendment.”

Mr. M. DEVADASAN:—“ Mr. President, Sir, in supporting the amendment moved by my hon. Friend, Mr. Koti Reddi, and seconded by Mr. Simhachalam Pantulu, I wish to make a few observations. As we all know, in every district there are ten or twelve deputy inspectors

ask the local board to look after the inspection work by one district board educational officer it will not be possible for him to do all the work. In the district he must have other subordinate officials, probably one for each taluk. After all the Government have their own officers. There are inspectors and sub-inspectors in each taluk. Why should not the Government take the inspection and control of elementary education directly in their own hands especially when it is remembered that 80 per cent of the funds that are utilized for elementary education come from local boards? In the report they do not take into account the sort of progress with regard to other education. Even with regard to aided schools there is only one or two teachers and so there is not much expenditure for the Government by way of grants to these teachers. So there is no truth in saying that aided schools draw more money by way of grants. In fact except in the case of higher education, so far as elementary education is concerned, 90 per cent of the funds that are spent for elementary education comes from Government and why not they entrust the work of supervision to one department? It is not proper and it is uneconomical to have different agencies for the inspection and control of different schools, such as the aided schools, the taluk boards schools and schools under the management of Government themselves. I request the Government to seriously consider over this matter.

"There is another aspect of the matter which is rather very important. Once you have this double system of inspection, one by Government inspectors and the other by district boards inspectors, there

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of schools and one district educational officer. The cost of maintaining several officers like that is much more than can be easily borne by the Government at a time when economic depression faces every one of us and more so the Government. What these ten or twelve inspectors and one district educational officer cannot achieve, one more educational officer appointed by the district board will not succeed in achieving. Such an appointment would not only be a source of heavy expenditure but also it would be a duplication of offices. One of the objects of this Bill which has been moved by the Hon. the Chief Minister is to cut down the expenditure which taluk boards are now incurring in the matter of education as well as other matters. That being so, I do not find any reason for this duplication of educational officers which means heavy expenditure to the Government. The ten or twelve officers under the control of the Government who are now attending to elementary education are quite enough to supervise the schools of the boards.

"There is a provision in the Bill for the appointment of an education standing committee. What is the education committee for if the members thereof are not going to supervise the schools in their charge and control the teachers working in those schools? If the members cannot take an active part in the administration of the district board, they will do well to leave education and other matters to be dealt with by the Government officers concerned. Then there will be no necessity for the members to sit on the board. They cannot claim themselves to be the accredited leaders of the people unless they care for the interests of the children of which they pose as the rightful custodians.

"If I oppose this provision, it is only out of sheer conviction that this appointment is unnecessary and not out of a desire to obstruct the business of the House or to delay the progress of the Bill. The Government officers who exist at present supervise the schools run by taluk boards, district as well as other agencies. So far as the Tinnevely district is concerned, all the schools continue to be managed properly at present and the appointment of an additional officer, means only more expense. I warn the House that, if we appoint officers in this way and it has been brought forward, the Bill may not achieve the object for which it has been brought forward. I request the Hon. the Chief Minister to reconsider his view in this matter and to see that unnecessary expenditure is not incurred by the appointment of several unnecessary officers."

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR: "Mr. President, Sir, I wish to draw the attention of the Hon. the Minister for Education to the state of affairs in the mufassal with reference to education and especially elementary education. We have got taluk board schools, aided schools and Government schools. The way in which several schools are being managed at present is sometimes very far from satisfactory. So far as the schools under the management of local bodies are concerned, there is no provision whatever for proper and efficient

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management of the schools. Of course, the papers connected with the management of the schools go, in the usual course of things, to the taluk board president or the district board president, and they dispose of them. But more than that, these presidents who have a large number of schools under them, many of which are situated far away from their headquarters, cannot get into personal touch with those schools, as, besides the large number of schools, they have various other matters to attend to as heads of the local bodies. Now, these presidents are also managing a number of secondary schools. There also, the touch between the correspondent, that is the president, district board, and the schools themselves is not as intimate as it should be. So that he is not in a position to manage the schools as efficiently as they should be managed. That has been my experience and I have heard several people say that that is their experience also. There should be some system of proper and efficient management and supervision. The question is whether, when you have so many Government officers inspecting these schools, it is necessary to have an additional district board officer for the purposes of supervision and thus duplicate the machinery. But it is clear that some sort of arrangement is necessary for the efficient management of these schools. For instance, if these deputy inspectors who are inspecting the Government elementary schools are made to manage and supervise the local bodies' schools also, probably the managers of aided schools might complain that they are partial to the public schools and that the aided schools are not being treated properly. Already there is a feeling like that. I submit that these are matters to which the Hon. Minister for Education should devote some attention and provide for a system of proper and efficient management for all kinds of schools with the existing establishment if possible and with a very little addition of officers, if necessary.

"As regards the provision for the appointment of an education officer contained in the Bill before us, I think it is a step in the right direction. At present there is practically no personal contact whatever between the head of the local body and the schools managed by him, except probably as my hon. Friend, Mr. Koti Reddi, mentioned, in the case of transfers or dismissals of teachers on account of election matters. That is probably all the personal contact there is between the two. I do not think, Sir, that this state of affairs should be allowed to continue. We want that there should be some stricter and closer control of these schools. The present provision only gives the option to the Government to appoint an additional officer when they think that the existing Government officers are not sufficient to do the work. The provision is made in a halting manner. Instead of saying, 'may require, etc.', it ought to have been said the Local Government shall require the local bodies, and so on. I think we should rather welcome the present provision rather than oppose it."

* Khan Bahadur MAHMUD SHAMNAD SAHIB Bahadur:—"Mr. President, Sir, my hon. Friend who moved the amendment as well as those

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who supported him have altogether missed the point. Most of what they said is not relevant to the point and there seems to be a confusion of ideas in their minds. They have been constantly speaking of inspections while from the provision made in the Bill it is clear that this officer is intended for the management and supervision of these schools. There is a vast difference between 'inspection' and 'management.' Inspection is done by the departmental officers and they are not to do anything further. What the departmental officers do is simply to see whether the prescribed syllabus is being followed by the schools whether the schools observe the departmental rules, and then to fix the grant for which the schools will be eligible especially in the case of aided schools. They cannot therefore be entrusted with the management and supervision of these schools. At present the presidents of taluk boards are managing the schools and supervising their work. But as taluk boards have been abolished and their duties transferred to the district boards, the district board president cannot single-handedly discharge all the duties which several taluk board presidents had been discharging previously. Mr. Koti Reddi said that there are so many aided schools; who have been managing those aided schools, etc.? Each school has a manager to manage it. The Labour Schools are managed by the Labour Department and the Fisheries schools by the Fisheries Department. But what I want to point out is that management is different from inspection."

"My hon. Friend, Mr. Ramalingam Chettiyar, said that the Education Minister should take note of this state of affairs. I am afraid the Education Minister is not concerned with this. He is only concerned with the inspection of the schools by his district educational officers and inspectors to find out whether the schools follow the prescribed syllabus and observe the departmental rules, and to ascertain for how much grant-in-aid they are entitled. He is not concerned with the management of the schools. If the Government officers are to manage the schools, there are schools of various kinds and they cannot manage one category of schools alone.

"My hon. Friend also said that the schoolmasters were used as election agents and so on. Well, that is an additional reason why there should be a separate officer for the management of these schools. If a separate officer is appointed to manage these schools, the presidents will not be in touch with the teachers and they will not be used as their tools. Therefore I oppose the amendment."

MR. ABDUL HAMEED KHAN:—"Mr. President, Sir, as my hon. Friend, Mr. Ramalingam Chettiyar, said, it would have been better if the Government had made the appointment of an educational officer obligatory on the part of the district boards. There should be a separate officer to manage and supervise the work of these various schools under the district boards and it will not be possible for the district educational officer and the deputy inspectors to look to the management of these

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schools and supervise them themselves. The Government officers are intended to inspect the schools under local bodies and the aided schools. If they are expected to devote longer time to schools under public management, there will be some heart burning in and criticism from the aided schools. If the hon. Member, Mr. Koti Reddi, had moved that the schools should be taken over from the local bodies and managed entirely by Government, I would have been at one with him.

"These local bodies are finding good deal of difficulty in the management of these schools and in carrying on their administration properly. Time seems to have come, when, in my opinion, it will be better if there is centralization of elementary education in our Province. That general question should, I think, be discussed in connexion with the Budget discussion on the Education grant. I do not want to take up much of the time of the House except to state that it would have been better if the Hon. Minister had made it obligatory on the various local boards to appoint inspecting and educational officers so that the schools may be managed properly. Now we have taken away the supervision of the schools by the taluk boards and there is no other agency which will look after the various schools that are spread throughout the district. There must be some authority and a large number of supervisors to control the schools in various parts of the district. One of our objections we had for the abolition of taluk boards was that elementary education would suffer. If education should not suffer in the absence of taluk boards, it seems to be necessary that there should be sufficient number of officers who can reach the different and distant parts of the district very often and have efficient control over the schools, teachers and headmasters; otherwise I am afraid it will not be possible to have regular control. Hon. Members are aware that the deputy inspectors and district educational officers are not available at all times of the year to supervise these schools. It is not possible for them to inspect these schools more than once or at the most twice a year. When such is the case, I wonder how it will be possible to have regular control and supervision over these schools. I am afraid that the motion moved by my hon. Friend, Mr. Koti Reddi, does not hold much water."

* Diwan Bahadur C. S. RAVNASABHAPATI MUDALIYAR:—"Mr. President, Sir, I should like to oppose this amendment. It is more a destructive amendment than a constructive one. The Mover of the amendment has forgotten that the clause provides both for management and supervision of elementary schools. If this clause is deleted, I do not know what his alternative proposal is for the management of these schools. Till now the management vested in the hands of the taluk boards and they have been proposed to be abolished. I cannot understand by what agency he would want the schools to be managed which are innumerable in number. As Mr. Abdul Hameed Khan observed, I am also in favour of the elementary education being entirely in the hands of the Government. If the entire management of elementary education is taken over by the Government, the whole Presidency will

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be indebted to them. But as long as it is not going to be, I think that some agency should undertake the management of these schools. Just like the district board engineers, district educational officers may be appointed by the Government, their pay being met by the Government. If that is done, the scheme for elementary education will have a better success than what it is to-day. Mr. Koti Reddi said that there would be duplication of work by having the officers contemplated in the Bill. In the first portion of his criticism he said that there is no need for the appointment of educational officers. Perhaps he has not understood the position correctly. The supervision exercised by the district educational officers of the Government is quite different from the management and supervision that will be exercised by the officer contemplated in the Bill. The Government district educational officer or the deputy inspector of schools may occasionally visit the schools and say that the number of teachers appointed are less, that the furniture is not adequate, that the school building requires repairs, etc. The supervision and management to be exercised by the officer contemplated in the Bill is quite different. He will have to attend to the everyday administration of the schools in a way which is entirely different from the supervision contemplated by the educational officers of the Government. For these reasons, I am for retaining the provision in the Bill."

* Mr. DANIEL THOMAS:—"Sir, my hon. Friend, Mr. Koti Reddi, seems to have been already smothered by way of criticism from every section of the House. It may appear rather harsh on my part to fling another stone on his motion. But in view of the importance of the cause of elementary education in our Province, I wish to make a few observations on this matter. In connexion with the proposed abolition of taluk boards, two things are contemplated. One is the organization of village panchayats which would take the place of these taluk boards and bring the affairs of Local Self-Government into intimate contact with the daily affairs of the villagers. The second thing that has to be considered in connexion with the proposed abolition of taluk boards is the question of elementary education, the work of elementary schools which was till now, undertaken by the taluk boards and supervised by them. As a matter of fact, even our non-official taluk board presidents in certain districts have had the aid of certain supervisors for actually managing and supervising the affairs of these schools. Even apart from the non-official supervision, a certain amount of expert, enlightened and specialized assistance is necessary for the management of these schools. It is a well-known fact that the Government are spending large sums of money in the cause of elementary education in the districts, but they are not getting proportionate results and proportionate returns from these elementary schools; there is good deal of wastage; there is good deal of duplication and repetition in the maintenance of these elementary schools. In connexion with matters of this character, the assistance of a well-qualified special educational officer who will be in the know of these things and who will be

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able to draw up a districtwar scheme of elementary schools for the purpose of furthering the cause of elementary education would be a great asset to the district board concerned. It has been suggested that there would be cause for a certain amount of conflict between the Government educational agencies and the educational officers appointed by the district boards. But I would suggest that the functions of these two sets of officers should be entirely different. The Government educational officers go to these institutions as outside agencies for the purpose of testing, criticizing and assessing the work of these elementary schools. On the basis of their criticism and assessment the district education council sanctions grants given to it by the Government, so that the work of these educational agencies is confined to criticism and assessment rather than to the practical day to day management and guidance from within. As has already been pointed out by various Members of this House, these deputy inspectors are able to inspect these schools only once a year and they will not be able to do so more than twice a year at the most. The inspection for arriving at the actual assessment of the grant to be given to the schools, is made only once a year. If time permits and if there are conveniences and opportunities, the deputy inspectors may inspect these schools another time but this is not obligatory or compulsory. By the Hartog Committee which toured recently all over India, it has been pointed out that the Government supervision by these deputy inspectors is rather too meagre, much too small for the purpose of the effective guidance and conduct of these schools and that more of these agencies will be necessary if we are to get due return from these schools. This appears to me the opportunity and the occasion when a competent and specialized establishment should be provided for the purpose of managing and supervising these elementary schools so as to be of real use to us without there being any wastage. It has been mentioned that the Champion scheme is shortly to be considered and that is another reason why the appointment of educational officers by the district board will not be needed. But it appears to me that the Champion scheme involved various considerations, such as centralization of schools, coordination of local board schools with private-aided schools and placing the whole system of elementary education on a better and more efficient basis. For this, it appears to me that the services of an educational officer to be appointed by the district board would be extremely valuable. There are other considerations that have already been submitted by various Members. I would strongly oppose the motion of my hon. Friend, Mr. Koti Reddi, and press the Government that, though the provision is only optional, the discretion may be exercised liberally. I would impress upon the attention of the Government the desirability and the necessity for extensively availing themselves of the provisions of the section for the purpose of furthering the cause of elementary education all over the Province."

Mr. P. PEDDI RAJU:—"I move for closure, Sir."

The closure motion was put and carried.

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The amendment of Mr. Koti Reddi to omit section 69-A was put and lost.

* Rao Bahadur T. A. RAMALINGAM CHELTHYAR: "Sir, I beg to move the following amendment:—

'In clause 32, after 69 (B) add a new paragraph as follows:

"Two or more panchayats may form themselves into an association for mutual assistance for carrying out the objects in which they are jointly interested and contribute to it out of their funds."

I know there is a provision already in the Act for the appointment of joint committees. But that is not enough for the purpose of bringing into existence organizations for mutual supervision like co-operative unions."

* The Hon. the RAJA OF BOBBILI: "Sir, although I will not oppose the idea underlying this amendment just now being moved by my hon. Friend, there are difficulties of incorporating this amendment in the Bill. The proper place would be section 30 of the old Act and that section is not sought to be amended by this Bill. In my opinion the amendment is not relevant to the section we are just now considering."

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Rao Bahadur T. A. RAMALINGAM CHELTHYAR: "In the speech of the Hon. the Raja of Bobbili, he stated that he was in favour of providing for supervision of panchayats. The object of my motion is to bring into existence unions of panchayats on the same model as the co-operative supervising unions. Rules will, of course, have to be framed by the Government as regards the constitutions of these unions, the conduct of their proceedings, their powers, etc. My amendment is purely intended for the purpose of securing mutual supervision and for enabling the panchayats to contribute towards the joint cost of such supervision. It is not necessary for me to say much, because my amendment is, as I said, purely with this end in view that we want several panchayats to be clubbed together for the purpose of supervision, so that the better panchayats may help the weaker ones, as in the case of the co-operative societies. In view of the large number of panchayats in the Province, it may not be possible to make any provision for their supervision otherwise than in this way."

* Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur: "I second this motion. All that is asked for in this amendment is that certain panchayats should be allowed to form themselves into an association for the purpose of mutual assistance. As was pointed out by the Hon. the Chief Minister, there is already a provision in section 30 which says that 'a local board may, and if so required by the Local Government, shall, join with one or more than one, other local authority in constituting a joint committee'; but there, the permission of the Government is necessary. Therefore, I think it is very desirable to accept this amendment. If however such a provision is considered to be out

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of place here, there can be no harm in its being put in any proper place. As the Minister says that section 30 has not been touched by this Bill, there can be no objection I think in allowing that section to be amended as proposed. The usefulness of such associations is admitted even by the Hon. Minister. This amendment would increase the usefulness of these panchayats and therefore I second the amendment."

* Mr. K. A. NACHIVARTTA GOUNDER:—"Sir, in further supporting the motion before us, I want to point out that even now there are some associations which have been formed and are doing very useful work, but they suffer for want of due recognition. For instance, there is one of such a committee by name Sub-district Panchayat Committee at Namakkal in my district and it is doing very useful work. But that committee could not get the recognition of Government because of some technical difficulties in the Act. In this amendment, I think, Sir, it will be proper to introduce a provision giving recognition to such committees. I have also received representations from my constituency that such committees should be recognized and allowed to continue the good work they are now doing in the matter of improving the works and administration of panchayats. I therefore give my full support to this amendment."

* The Hon. the RAJA OF BOBBILI:—"My preliminary objection to the adoption of this amendment under this section, without touching section 30 of the main Act, still stands, Sir."

Rao Bahadur T. A. RAMALINGAM CHELTHYAR:—"If the Government are prepared to amend section 30, I have no objection. All that I want is a provision of this nature somewhere in the Act."

The Hon. the RAJA OF BOBBILI:—"So far as Government are concerned they have no objection to amend section 30; but they feel that that section not having been touched by this amending Bill, it may not be in order now to introduce this amendment."

Mr. P. PRDDI RAO:—"It may perhaps be said: 'Notwithstanding anything contained in section 30, etc.'"

The Hon. the RAJA OF BOBBILI:—"That will be a question of drafting."

Mr. BASHEER AHMED SAYFED:—"Sir, I rise to oppose the amendment. The amendment speaks of an association—local boards combining into an association; that seems to be rather strange. Local boards can combine for carrying out certain common objects. They can appoint members to any common committee. But how can these panchayats combine? Further, is it the idea that this association should be a registered body, whether it should be brought under the Societies Registration Act? The words 'for mutual assistance' are very vague.

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What is meant by it is not clear and we cannot incorporate into an Act such vague terms as 'mutual assistance.' There is already section 30 which says that:

'A local board may, and if so required by the Local Government shall, join with one or more than one, other local authority in constituting a joint committee for any purpose in which they are jointly interested or for any matter for which they are jointly responsible.'

"That provision seems to be more than enough and adequate for the purpose for which my friend from Coimbatore wants this amendment. Moreover, the amendment itself is not in proper form. I do not think that local panchayats which are statutory bodies, can constitute themselves into an association. Then, there must be rules with regard to the constitution of these local panchayats into an association, how they should function, what their powers will be, how they should spend moneys, etc. All that will involve further complications and amendments to the rules. I do not think, Sir, this provision is necessary in view of section 30. As I said, what is this 'mutual assistance'—in which direction and for what purpose? If this amendment is for the same purpose as section 30, then that section 30 is quite adequate. I therefore oppose the amendment."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"Sir, I think there is some force in what Mr. Basheer Ahmed Sayeed has said. It is certainly not desirable that this amendment is accepted by the House. The object of the amendment can be better achieved by a group of villages combining together. That will perhaps be more in order rather than these panchayats forming themselves into an association. I think such a thing is opposed to the policy of the Local Boards Act. I suggest that the hon. Member from Coimbatore may usefully substitute the words 'Two or more panchayats will form themselves into an association' by the words 'One or more villages' may form themselves into a panchayat.' I think that would serve the purpose. Therefore, I beg to oppose this amendment."

* Mr. T. C. SRINIVASA AYYANGAR:—"With your permission, Sir, I move that the consideration of this amendment be postponed till after lunch time, to enable further consideration by the various parties in the House, with a view to see whether the wording of the amendment can be more properly put or the object of it can be otherwise given effect to."

Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"I second it."

The Hon. the RAJA OF BOBHILI:—"I have no objection, Sir."

The Hon. the PRESIDENT:—"The question is that the consideration of this amendment be adjourned till after lunch."

The motion was carried.

Clauses 33 to 38 were put and carried.

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Clause 39.

New section 114-A.

Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Sir, I beg to move—

'that for clause 39, substitute the following:—

"Section 114-A of the said Act shall be omitted."'

"This involve the reinstatement of the words in the original Bill under this clause.

"My reason for proposing that section 114-A as drafted by the Select Committee be omitted is that this is one of the clauses, as I was telling the Hon. the Chief Minister, which as originally drafted was quite alright but which, as redrafted by the Select Committee, was not an improvement in the right direction. The trouble is this: we are bringing into existence a large number of panchayats. Panchayats are not going to be constituted, as hitherto, only here and there; they are going to be the basis of our administration. I suppose the idea of the Government is that in every village there will soon be a village panchayat functioning. If that is the case, it is very necessary that these panchayats ought to be able to function with sufficient funds. It is not possible for any of the bodies to work at all without finance. Taking an average village in a dry district, the land revenue will be about Rs. 3,000. If three pies in the rupee on this amount are to be set apart for the expenses of the panchayat, I do not think it can even employ the services of a sweeper throughout the year. It is therefore necessary that their finances should be improved. Originally the Hon. the Minister proposed that six pies in the rupee should be given to the panchayats. Of course, we all contemplate that the district boards will be able to find funds in addition to give to these village panchayats after considering their other obligations and taking into consideration their own financial position at the time of the budget. I may say, Sir, that when I was in the Coimbatore District Board, we always made it a rule that the revenues of the district board should be set apart at least to the extent of Rs. 25,000 for rural water-supply and Rs. 25,000 for village roads. Some such arrangement will have to be made by each district board, and the district boards will have to find some money for the purposes for which the rural development fund is contemplated in the new clause 114-A.

"But, to allot only three pies in the rupee for the ordinary expenditure of the village panchayat will practically mean leaving very little for their expenses. That is why I am proposing that the present clause 114-A as reported by the Select Committee may be deleted and six pies in the rupee be given to the panchayats out of the collections. Of course this proposal goes with the other proposal of mine, namely, that the appropriation of funds should be two-thirds to the district board

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and one-third to the village panchayats. I may say, Sir, that since giving notice of this motion, I had a talk with several Members on the other side also and I think that most of them sympathize with the object of my amendment. I hope the Hon. the Chief Minister will agree to the arrangement proposed in the amendment and accept the amendment."

* Khan Bahadur MAHMUD SHAMNAD SAHIB Bahadur:—" Sir, I second this proposal because I agree with the principle underlying the amendment, but I feel, however, that the omission of the whole clause is not desirable. I see some confusion and vagueness in the clause, because it is said that under clause 114-A, one-sixth should go to the village panchayats and the other one-sixth should be constituted into a fund called the rural development fund. So, out of the cess collected in the villages, only three pies will go to the panchayats; out of the six pies collected in non-panchayat villages, three pies must go to the rural development fund and the other three pies to the district board. It is, therefore, necessary to consider this provision along with the provision in Schedule V and make suitable modifications. I hope, Sir, the Hon. the Chief Minister will consider these facts and do something to satisfy the requirements of the panchayats."

* The Hon. the RAJA OF BONNELL:—" Mr. President, I take it that the intention and the purpose of the amendment moved by my hon. Friend, Mr. Ramalingam Chettiyar, is to delete section 114-A and replace in its place the proposals originally embodied in the Bill as introduced by Government, namely, that section 114-A be omitted and that the village development fund should be distributed between the panchayats and the district board, as stated in the original Bill and the schedule thereto. The proposals originally made were drafted after giving considerable thought to this question, but we felt as discussions went on in the Select Committee that the consensus of opinion was in favour of retaining the village development fund in another form. Since yesterday, from the opinions expressed by various people, Government feel that it is desirable to revert to the original position. I may state for the information of House that the Government after reconsideration favour the original proposal as it is in the Bill. It is now for the House to choose between the proposals embodied in the original Bill and those in the Select Committee's report. I am aware that there are many intermediate proposals between these two, and as far as the Government are concerned, they can consider only one or the other; and as it will be confusing the issue, we will not be in a position to accept any other intermediate proposals."

* The Hon. the PRESIDENT:—" I would like that similar amendments also might be discussed, so that we can come to some conclusions later."

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* Mr. P. V. KRISHNAYYA CHOUDARI:—" Mr. President, Sir, I move—
' that sub-section (1) of section 114-A be omitted,'

for the following reasons:—

" The original Bill proposed that quarter anna should be given to the panchayat directly and instead of that we are now going to give half an anna. Instead of allowing that quarter anna to be paid directly to the panchayats in addition to what we were paying before, we have constituted a separate fund to be distributed by the rural development fund committee. During the discussions in the Select Committee, we explained our point of view that the constitution of such a fund would not be desirable in the interests of the various panchayats and some members have also argued that giving one-quarter anna to the panchayat is not sufficient as it would be only a paltry sum. My point is that if the one-quarter anna we have been giving is considered paltry, the other quarter-anna if it is added to that will bring in something more and I therefore see no point in the argument that that amount is not sufficient for the panchayats to manage themselves. As a matter of fact, several of the panchayats that have been organized and functioning in various districts are not entirely dependent upon this land-cess. They have got various other sources of income, by which they are in a position to run their administration. We therefore consider that the half-anna proposed to be given to them would materially benefit the panchayats. I am therefore in favour of the deletion of section 114-A (1).

" So far as section 114-A (2) is concerned, it will be found quite essential in the interests of rural development in non-panchayat areas. As a matter of fact, even at the time of the introduction of the Bill, the Hon. the Chief Minister stated that the panchayats are not progressing because the taluk boards come in their way. Now, this Bill provides for the district boards to come in their way and that is the very reason why I have given notice of an amendment to this section providing for the constitution of a rural development fund with the half-anna, because when once a panchayat is developed in a particular area, the district board must not be made to feel that it is losing its income by the existence of the panchayat board. According to this amendment even when a panchayat is not organized, the district board has to spend this half-anna even though it is not in favour of losing the amount. That is why the panchayats have not been progressing as the district boards come in their way obstructing their free development. Therefore the deletion of sub-section (1) of section 114-A will be very beneficial to the panchayats as a whole."

* Mr. A. RANGANATHA MUDALIYAR:—" Mr. President, Sir, I beg to second the amendment moved by my friend Mr. Krishnayya Choudari. I am fortified in my opinion by the hope that I have of the Government accepting the amendment that was tabled a little earlier by Mr. Ramalingam Chettiyar and that is to seek permission for more than one

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panchayat to join together and pool their funds for the purposes of administration and to spend them subject to the rules and restrictions imposed by the Government. If that is accepted by the Government, the object we had in view will be achieved, namely, the amount collected and pooled into a fund may be allotted to the various panchayats according to the necessities of each case. In view of that I do not think there is any longer the need as I felt at first for this section 114-A (1) and I shall be willing to have this deleted. But, I should deprecate any attempt on the part of the Chief Minister that the first and second class should go together. I think he must make a distinction between two. So far as the panchayats are concerned, we are willing to have half an anna to be given to each village and so far as the non-panchayat areas are concerned, I do beg of the House to have a soft corner in their hearts for these areas. The agitation in regard to this clause is really due to those district boards where the panchayats have been organized on a large scale. There is no doubt about that whatsoever. We all know that for some time past, many have been disbanded because they did not function properly and new ones have been very slow to be started. Don't you think it is up to us to see that the money that is collected out of the non-panchayat villages is ear-marked for expenditure in those areas? I would therefore request the Hon. the Chief Minister not to precipitate matters by insisting that the whole thing should be taken together or dropped. Let the matter be put in two parts. We shall omit the first part and see if we cannot retain the second part."

* Mr. K. A. NACHIYAPPA GOUNDER:—" Mr. President, I move that—

"In line 2 of sub-section (1) after the word "villages" add the words "where there are panchayats"; and in line 3 before the word "rural" add the word "panchayat".

"Sir, my object in moving these amendments is that the rural development fund which has to be constituted under this section should consist of two parts, one solely for panchayat areas and the other entirely for non-panchayat areas about which I have given another amendment and I will be moving it later on. I feel, Sir, that the panchayat, with the paltry cess contribution of 3 or 6 pies in the rupee of the land revenue, etc., of their village, cannot undertake to do any big work. It will be hardly sufficient even for looking to their daily needs. So, Sir, I feel that the fund that is to be constituted as panchayat village development fund shall be at their disposal for expenditure on works such as village roads, etc., in panchayat areas. The other fund which I propose, viz., non-panchayat rural development fund with greater contribution paid to it may cater the needs for non-panchayat areas. There are representatives of panchayats in the standing committee for rural development, and as there is no direct additional representation for non-panchayat areas on the committee. So

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I feel, Sir, that such a distinction is necessary and hence, I am moving this amendment."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—" I second the amendment."

* The Hon. the PRESIDENT:—" I would like to inform the House 12-45
that it will be convenient to dispose of the amendment of Mr. Rama- p.m.
lingam Chettiyar. If it is not carried, then Mr. Krishnayya Choudari's
amendment will be put. And if these two are not carried, the minor
amendments that have been given notice of may be taken up one after
another."

Mr. A. RANGANATHA MUDALIYAR:—" I would suggest that inasmuch
as Mr. Krishnayya Choudari's amendment is a part of Mr. Ramalingam
Chettiyar's amendment, if the former amendment is carried, then the
other part may be moved by Mr. Ramalingam Chettiyar."

* The Hon. the PRESIDENT:—" We take the bigger amendment first
and then dispose of the smaller amendments later on. That is the usual
practice and there is no necessity for going beyond that now. I will
now put Mr. Ramalingam Chettiyar's amendment to the vote of the
House. The question is

"For clause 39, substitute the following, namely:—

"Section 114-A of the said Act shall be omitted." "

The amendment was declared carried. Mr. A. Ranganatha
Mudaliyar demanded a poll and the House divided thus:—

Ayes.

1 The Hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur.	17 Mr. M. D. T. Ranganatha Mudaliyar.
2 " Diwan Bahadur Sir M. Krishnan Nayar.	18 Rao Bahadur A. T. Pannirselvam.
3 " Sir Archibald Campbell.	19 Mr. K. C. M. Venkatachala Reddiyar.
4 " Diwan Bahadur S. Kumaraswami Reddiyar.	20 " G. Ranganatha Mudaliyar.
5 " the Raja of Pobbili.	21 Khan Bahadur Yahya Ali Sahib Bahadur.
6 " Mr. P. T. Rajan.	22 Mr. M. Devadasan.
7 Mrs. K. Alamelumangathayaramma.	23 " N. Siva Raj.
8 Diwan Bahadur V. N. Viswanatha Rao.	24 Subadar-Major S. A. Nanjappa Bahadur.
9 Mr. J. A. Thorne.	25 Mr. M. Vedachala Mudaliyar.
10 " R. M. Flood.	26 " G. Sriramulu.
11 Diwan Bahadur N. Gopalaswami Ayyangar.	27 " P. C. Moses.
12 Mr. R. Madanagopal Nayudu.	28 " P. V. Rajagopal Pillai.
13 " E. Conran Smith.	29 " V. G. Vasudeva Pillai.
14 " T. Sundara Rao Nayudu.	30 " W. P. A. Soundarapandian.
15 Rao Bahadur G. Jagannatha Reddy.	31 " P. Barappa Reddi.
16 Khan Sahib Syed Taj-ud-din Sahib Bahadur.	32 Khan Bahadur T. M. Moidee Sahib Bahadur.
	33 Mr. P. K. Ramachandra Padayachi.
	34 " G. Lakshmana Reddi.

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Ayes—cont.

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| 35 Rao Sahib V. Dharmalingam Pillai. | 54 Mr. T. S. Ramaswami Ayyar. |
| 36 Kumararaja of Venkatagiri. | 55 „ V. T. Arasu. |
| 37 Zamindar of Mirzapuram. | 56 „ A. B. Shetty. |
| 38 Mr. M. A. Muthiah Chettiar. | 57 „ M. A. Manikkavelu Nayakar. |
| 39 „ Daniel Thomas. | 58 „ Abdul Hameed Khan. |
| 40 „ H. M. Jagannatham. | 59 „ Basheer Ahmed Sayeed. |
| 41 Rao Bahadur D. Krishnamurti. | 60 „ U. C. Subrahmanya Bhatt. |
| 42 Rao Sahib P. Subrahmanya Chetti. | 61 „ K. A. Nachiyappa Gounder. |
| 43 „ C. Jayaram Nayudu. | 62 Pattagar of Palayakottai. |
| 44 Diwan Bahadur A. Appadurai Pillai. | 63 Mr. P. Peddi Raju. |
| 45 Rao Sahib D. V. Narasimhaswami. | 64 Diwan Bahadur M. Gopalaswami |
| 46 „ Pandit Ganala Rama- | Mudaliyar. |
| murti. | 65 Mr. K. Koti Reddi. |
| 47 Mr. A. Harischandrudu Nayudu. | 66 Rao Bahadur C. Natesa Mudaliyar. |
| 48 „ A. McG. C. Tampoe. | 67 Raja of Parlakimedi. |
| „ K. Kesavaramamurti Nayudu. | 68 Diwan Bahadur S. Ellappa Chetti- |
| „ A. Ramakrishna Reddi. | yar. |
| 51 Mr. P. Subbarayan. | 69 Mr. C. Basu Dev. |
| 52 Mr. T. C. Srinivasa Ayyangar. | 70 „ R. M. Palat. |
| 53 Khan Bahadur Mahmud Schamnad | 71 „ G. Simhachalam Pantulu. |
| Sahib Bahadur. | |

Noes.

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| 1 Mr. K. P. Raman Menon. | 4 Mr. J. Kuppuswami Choudari. |
| 2 „ A. Ranganatha Mudaliyar. | 5 „ P. M. Thangal. |
| 3 „ P. V. Krishnayya Choudari. | 6 Rai Sahib C. Kolanda Reddi. |

Neutral.

- | | |
|----------------------------------|---------------------|
| 1 Mr. B. P. Sessa Reddi. | 3 Mr. C. Indrayya. |
| 2 Sriman M. G. Patnaik Mahasayo. | 4 „ G. R. Premayya. |

Ayes 71. Noes 6. Neutral 4.

The amendment was carried.

Clause 39, as amended, was then put and carried.

Clauses 40 to 52 were put and carried.

Clause 53.

Schedule V of the Act.

* Mr. K. A. NACHİYAPPA GOUNDER:—“ Mr. President, Sir, I beg to move the following amendment which stands in my name:—

‘Add as sub-clause 53 (iv) the following:—

“For rule 1-A of Schedule V after sub-rule ‘n’ add the following as sub-rule ‘o’:—

‘the opening and maintenance of elementary schools.’ ”

28th February 1934] [Mr. K. A. Nachiyappa Gounder]

“ My object in moving this amendment is that the elementary schools which are hitherto managed by the taluk boards should go to the panchayats. This question does not require very elaborate argument from me. It is repeatedly said that the very object of the present Bill which is now under our consideration is that the panchayats should improve in all matters and play the most important part in the local self-government arena. So it is needless for me to say that they must be given further opportunities and responsibilities in other spheres in which the public are much interested. The item of education is a very important one over which sufficient care should be bestowed. If schools are entrusted to panchayats, there will only be a very limited number of schools, to each panchayat and hence they will be in a better position to manage them in an efficient manner. Further it will minimise the confusion and competition caused by elementary schools working under different managements in the same village. The district boards will not be burdened with the management of a very large number of schools in the district, and they will be in a better position to bestow their undivided attention to roads and other amenities. With these words, Sir, I beg to move this amendment and I hope it will have support from all sections of the House.”

Mr. BASHEER AHMED SAYEED:—“ I second it.”

* The Hon. the RAJA OF BOBBILI:—“ Mr. President, Sir, it has been found that under the existing Act it is open to the district board or taluk board to transfer elementary schools with necessary contribution to the panchayats. Until some experience is gained as to how the abolition of the taluk boards would work, the giving of this independent power to the panchayats to maintain elementary schools may result in conflict between the district board elementary schools and the panchayat elementary schools. On principle Government have no objection to this amendment, but what we feel is that it is desirable to gain some experience of the working of the new Act under which we believe it is open to the district board to transfer elementary schools. So it will be better to consider this question later on. (Mr. Basheer Ahmed Sayeed: ‘What about the non-panchayat areas where there are no schools?’) In their case, the district board must maintain the schools.”

* Mr. K. A. NACHİYAPPA GOUNDER:—“ Sir, in view of what has been stated by the Hon. the Chief Minister and in the hope that the district boards will transfer schools together with necessary funds to panchayats in desirable cases for running the schools themselves, I beg leave to withdraw this amendment.”

The amendment was, by leave, withdrawn.

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* Mr. P. V. KRISHNAYYA CHOUDARI:—" Mr. President, Sir, I beg to move my amendment which runs thus:

' In the proposed rule 3 (1) in lines 8-12 for the words beginning with "of the district board" to the words ending with "opinion thereon," substitute the following:—

" consisting of one member from the panchayat, one from the district board and either the district collector or the revenue divisional officer having jurisdiction over the area ".

" The object of this amendment is to constitute a committee to say whether a particular market is a district board market or a panchayat market, whether a particular choultry is a district board choultry or a panchayat choultry. To sit in judgment over the matter, both the panchayats and the district board will have to select their own members, and naturally when they constitute their own members, the judgment will be always in their favour. So, if we have one representative of the panchayat and one representative of the district board on this committee it will be better. When there is a dispute about the ownership of the property, say over a market or a choultry, the better way would be to constitute a committee giving representation to the panchayats as well as to the district board. We may have as a mediator, the revenue divisional officer who is not connected with either of these boards. I think this will be in the interests of both the panchayats and the district board. Now the Government have got the power to revise or alter a decision in such matters, and instead of giving scope for these revisions, etc., the better method seems to me to be that the panchayats and the district board by their representatives themselves decide the question. If we constitute this committee in the manner suggested, it will work smoothly without any need for interference by the Government. So I request the Hon. the Chief Minister to accept this amendment, as this would remove a practical difficulty which arises in the running of the administration. I hope he would accept it without much opposition, as there is no point in opposing it."

1 p.m. * The Hon. the RAJA OF BOBBILI:—" Sir, I am afraid I have to oppose this amendment. This motion is for a committee consisting of one member for each panchayat and one for the district board and either the Collector or the Revenue Divisional Officer having jurisdiction over the area. First of all, there is the objection to Government officers being in the committee because ultimately the Government will have to give their opinion on the dispute. Secondly, as proposed by the hon. Member, if each member of the panchayats in the district, or one member for each panchayat in the district is to be taken on to the committee, the committee will consist of 200 or even 500 members. It will be so unwieldy and unworkable. As a matter of fact, I feel there won't be many cases at all of this nature. Already in all

28th February 1934] [The Raja of Bobbili]

other matters, the roads, etc., have been classified as that of the panchayats, the taluk boards and the district boards. All roads belonging to the taluk boards will be classified as that of the district board. All that belong to the panchayats will be that of the panchayats. The cases of dispute will be few and far between. Owing to the objections that have been pointed, I have to oppose the amendment."

* Mr. P. V. KRISHNAYYA CHOUDARI:—" There is nothing for me to explain. But I wish to bring to the notice of the Minister that he has not understood me, due perhaps to my not having made myself clear and definite. The panchayat has to elect only one man to constitute that committee. The disputes of all the panchayats won't come at a time and there need not be 200 or 300 members. Supposing there is a market, and the panchayat and the district board both claim it, then the dispute will arise between that panchayat and the board and in such cases only a committee will be constituted. The panchayats will send one man and the district board will send another. When they sit at one place, the Revenue Divisional Officer of that place, whomsoever he may be, will be an outsider and this committee will decide whether the market is that of the district board or the panchayat. Two hundred or three hundred members need not sit at all. With these words, I leave it to the Hon. Minister, to accept or reject it."

The amendment was put and lost.

* Mr. P. V. KRISHNAYYA CHOUDARI:—" I beg to move—

' In item (xiv), line 2, after the word "omitted" insert the following:—

" and in item (1) of rule 5 of Schedule V under the heading 'A—Village Funds' for the words 'one-sixth of the land-cess' the words 'one-third of the land-cess' shall be substituted ".

" The Hon. Minister has already supported it and I leave it to the House to accept it and I need not waste the time of the Council."

Mr. P. PEDDI RAJU:—" In seconding this amendment, I have to point out that there is some difficulty in drafting. The original clause in the original Bill should be substituted. The original clause runs thus:

' (xiv) in rule 5, in the opening paragraph, the words "taluk" shall be omitted and in item (1) under the heading "A—Village Funds," for the words "one-sixth of the land-cess" the words "one-third of the land-cess" shall be substituted.'

" In view of the amendments and the agreed amendment hitherto passed I think this amendment moved by Mr. Krishnayya Choudari and mine may be accepted, but the language ought to be 'substitute for clause 53 (xiv) the old clause in the Bill.' That will be the proper way to put."

[28th February 1934]

* The Hon. the PRESIDENT:—"The hon. Member may formally move it."

Mr. P. PEDDI RAJU:—"I move that sub-clause (xiv) of clause 53, substitute in rule 5, in the opening paragraph, the word 'taluk' shall be omitted and in item (1) under the heading 'A—Village Funds,' for the words 'one-sixth of the land-cess' the words 'one-third of the land-cess' shall be substituted."

* The Hon. the PRESIDENT:—"I think the hon. Member, Mr. Peddi Raju must have meant also the substitution of the next item in the original Bill."

* Mr. P. PEDDI RAJU:—"Yes, Sir, I move the following amendment:—

'(xv) In items (5), (7) and (8) under the same heading, for the word "taluk" wherever it occurs, the word "district" shall be substituted; and renumber the other items.'"

Mr. P. V. KRISHNAYYA CHOUDARI:—"I second it."

The Hon. the RAJA OF BOBBILI:—"I accept the amendments."

Mr. P. V. KRISHNAYYA CHOUDARI:—"I withdraw my amendment."

The amendment of Mr. Krishnayya Choudari was by leave withdrawn and Mr. Peddi Raju's amended amendment was put and carried.

The Hon. the RAJA OF BOBBILI:—"On page 13 of the original Bill, I presume that also has been restored."

Mr. P. PEDDI RAJU:—"With your permission, Sir, this is an agreed amendment that has been omitted previously. I move formally that—

'Sub-clause (xix) of the original Bill be also restored.'"

Mr. P. V. KRISHNAYYA CHOUDARI:—"I second it."

The Hon. the PRESIDENT:—"The question is:

'For the existing sub-clause (xix), substitute the following:—

"in the same rule, the heading 'B—Taluk Funds' and the items thereunder shall be omitted and for the heading 'C—District Funds,' the heading 'B—District Funds' shall be substituted; and in item (1) under that heading for the words 'one-third of the land-cess,' the words 'two-thirds of the land-cess' shall be substituted'."

The amendment was carried.

Clause 53, as amended, was put and carried.

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Clause 54.

* Mr. K. A. NACHIYAPPA GOUNDER:—"Since it has been agreed Sir, that at present elementary education shall be with the district board, it is not necessary for me to move my amendments * with regard to Elementary Education Act, and they may be deemed to have been withdrawn."

Clauses 54 to 63 were put and carried.

The schedule.

(Transitional provisions.)

* Mr. K. A. NACHIYAPPA GOUNDER:—"I beg to move—

'In line 1 after the words "all property" add the following words "including the office and all other institutions belonging to the taluk boards together with all the employees therein".'"

"I am very anxious Sir, that the interests of all the employees of taluk boards should be safeguarded, and so by moving this amendment, I think I can make their position secure. There is a great fear, Sir, in the minds of the employees working in the taluk board offices, that they will be thrown out of employment on the abolition of taluk boards. So, I think, Sir, that such a course may be stopped by adopting such an amendment. On the introduction of this piece of legislation, if all the office establishment of the taluk boards are to be thrown out of employment, it will be a very great hardship. Even if they are to be taken in service afterwards by giving preference, etc., they will be much affected, because many are holding pensionable posts. So it is necessary that they must have continuity of service. I therefore move the amendment."

Mr. ABDUL HAMEED KHAN:—"I second it."

* The Hon. the PRESIDENT:—"If the hon. Member's intention in moving this amendment is to take charge of the employees as well as the property of the taluk boards, he can move this amendment when rule 8 is reached. That will be perhaps the proper place to move it."

1-15
p.m.

Clause 54 (1).

* Mr. K. A. NACHIYAPPA GOUNDER:—

43-G Add at the end of the clause the following:—

"And after the proposed sub-clause 1 (b) add the following as sub-clause 1 (c):—
"1 (c) In the case of panchayats such sums as may be prescribed by the Local Government for payment to each panchayat from the funds of the District Board."

Mr. K. A. NACHIYAPPA GOUNDER:—

37-G In sub-clause XVIII (XIX as renumbered) in the last but one line for the words, 'five-sixths' substitute the words 'two-thirds'.
"The Elementary Education Act of 1920 shall be suitably amended in consonance with the above amendments."

[28th February 1934]

Mr. K. A. NACHIYAPPA GOUNDER:—"In that case, I shall withdraw the amendment now and move it later on."

The amendment was, by leave, withdrawn.

Rules 1, 2, 3, 4 and 5 were then put and carried.

Rule 6.

Mr. P. PEDDI RAJU:—"Mr. President, I move that—

'In rule 6, substitute the following for lines 2 and 3:—"holding office on the date of the commencement of this Act, who are not members of the district board on the first day of February 1934."

"My object in moving this amendment, and for the matter of that my second amendment also to the same rule, is that the presidents of taluk boards who might have been presidents of taluk boards on 1st February should also be members of district boards and should continue as such subsequently too. With that idea I have moved this amendment. My hon. Friend, Mr. Pannirselvam puts the date as the 15th day of March. I have no objection to that also. (Rao Bahadur A. T. Pannirselvam: 'Wait for that.') I am replying to what will be done, because supposing he is a president to-day, the provisions as they stand, allow him to be a member of the district board. I think it is not just and equitable. So I say that he must have been holding office on the date of the commencement of this Act and must not be a member of the district board on 1st February 1934."

Mr. K. P. RAMUNNI MENON:—"I second it."

The Hon. the PRESIDENT:—"Mr. Pannirselvam also may move his amendment."

* Rao Bahadur A. T. PANNIRSELVAM:—"Sir, before I move my amendment, I should like to understand the exact scope of the present amendment which says that 'all presidents of taluk boards in a district holding office on the date of the commencement of this Act, who are not members of the district board on the first day of February 1934, etc.' I am not quite able to understand what the result would be if a particular gentleman holds office as the president of a taluk board at the commencement of this Act, and is not a member of a district board on the first day of February but becomes one between the first day of February and the commencement of the Act. Is he to have a double vote first as a member and next in his capacity as a taluk board president? That is a matter for elucidation."

Mr. P. PEDDI RAJU:—"Sir, the idea is this: As there can be no election before the coming into effect of this Act on 1st April, a provision of this kind is necessary. I believe my suggestion will carry out the idea of the Government also that there should be no election to the district boards at this stage."

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Mr. ABDUL HAMEED KHAN:—"Sir, I rise to oppose the very principle that is involved in this rule. I know that this rule has been incorporated in this Bill as a temporary measure. I am afraid, even for the purpose of adjudging the affairs created by this new legislation, the Government should not have departed from the larger principles involved in legislation. When once you abolish a certain institution—in this case the local board—it is to be understood that those hon. Gentlemen who are either members of that body or presidents, automatically go out of office. I fail to realize by what method or means and under what principles these gentlemen are going to be allowed to continue as such, transplanted as it were from the old institution into the new one which is going to be created by this legislation. The whole district board should go out of existence. There must be fresh elections to the new district boards. Even if there is any urgency for the abolition of the taluk boards, we should not give the go-by to the larger principles that are involved in questions like this. Even though for financial reasons we are obliged to rush through with this measure, the Government should not cast to the winds as it were the high principles that are involved in legislation. As I have stated, Sir, the Government, instead of allowing the presidents of taluk boards to become ex-officio members of district boards, ought to have insisted on their going out of office along with the taluk boards which go out of existence. It will otherwise be anomalous. I hope, as I said, the Government will not throw to the winds the excellent principle of election in their hurry to create the new bodies by means of this legislation."

Mr. BASHEER AHMED SAYEED:—"Sir, the amendment of Mr. Peddi Raju does not make the position clear at all. I want to find out as to what exactly happens if a taluk board president holding office on the commencement of this Act becomes a member on the 1st February 1934. Does it mean, Sir, that he shall not be on the district board because he becomes a member after the 1st day of February 1934? That will be a very absurd position. He may be continuing as the taluk board president even after the commencement of this Act, but after the 1st February he might have become a member. He might not have been originally a member of the district board, but might have subsequent to 1st February become a member of the district board. Does it mean that that taluk board president, because he has become, subsequent to 1st February, a member of the district board, shall not hold office? These two parts of the rule go together. That means you are super-imposing a disqualification. You only contemplate such presidents of taluk boards as are not members of the district board on a certain date. If they become members after that date, in addition to their being taluk board presidents, to say that they shall not hold office, would be creating a very absurd position. I do not see why Mr. Peddi Raju should be so very anxious to deny

[Mr. Basheer Ahmed Sayeed] [28th February 1934]

the right of electing members when vacancies arise in the district board. If a taluk board president is also a district board member and resigns his membership because he wants to be there only in his capacity as taluk board president, I do not see why the vacancy should not be filled up. It is as good a vacancy as any other casual vacancy. I do not see why such casual vacancies should not be filled up. There is certainly no valid reason for not filling it up. The only position of the Government seems to be this: that taluk board presidents who are members on a certain date should be on the district board. They do not probably want to add to the number on the district board. So they say that such taluk board presidents who are not already members of the district board shall be on the district board. They do not want to prevent vacancies being filled up and fresh members being elected. After all such conditions may not be more than one or two. But the logic involved in the amendment of Mr. Peddi Raju does not seem to be sound. I would therefore oppose the amendment."

The House then adjourned for lunch.

(After Lunch—3 p.m.)

* The Hon. the PRESIDENT:—"Discussion on Mr. Peddi Raju's amendment will now be continued."

* The Hon. the RAJA OF BOBBILI:—"Mr. President, Sir, the intention of rule 6 of the Transitory Provisions is that those taluk board presidents, who under normal circumstances would be sitting on the taluk boards on that date, should, after the abolition of the taluk boards, be made members of district boards. No doubt one of the points raised by Mr. Peddi Raju was that in the normal course of things, between these two dates, vacancies will occur and others will come in as presidents and to provide for such a contingency he wants his amendment to be accepted. I quite concede his point. But I want to say this: that it will not be possible to legislate against all contingencies. I am afraid, to accept his amendment would mean that it will be giving scope to taluk board presidents to take advantage of this provision, in resigning their seats and allowing others to come in in their place. I feel, Sir, that that was not the intention of the Government when they originally drafted this Bill; nor was that the intention of the Select Committee, which has further restricted the scope of the Bill. I, therefore, have to oppose the amendment."

Mr. P. PEDDI RAJU:—"Sir, in order to avoid the difficulty which I have already pointed out, I suggest this amendment. After all there is not much difference between the idea of the Government and myself, and so, I would request you, Mr. President, to allow discussion on all the other amendments and finally put them to the vote of the House."

28th February 1934]

* The Hon. the PRESIDENT:—"Mr. Krishnayya Choudari's amendment 45-A^a is on a quite different principle altogether."

Mr. P. PEDDI RAJU:—"I am referring to amendment Nos. 45^b and 46^c."

* Rao Bahadur A. T. PANNIRSELVAM:—"Mr. President, Sir, the amendment of which I have given notice is that—

'In rule 6 of the transitory provision of the schedule substitute the words "16th day of March 1934" for the words "first day of February 1934".'

"Of course, a pertinent question may be asked, 'what charm is there in this date? One date is as good as the other.'"

Mr. ABDUL HAMEED KHAN:—"The Ides of March. (Laughter.)"

Rao Bahadur A. T. PANNIRSELVAM:—"Yes, the Ides of March. Apart from that it seems to me there is some force in having the date as the 16th of March 1934. For by that date we will know that this Bill has been passed by this House and it would only be awaiting the formal consent of His Excellency the Governor. As contrasted with this, if we fix the date as the first day of February 1934, it does not signify anything at all; for on that date the Bill had not been discussed by this House. So it is not advisable to fix a date prior to the discussion of the Bill by this House. It would be very arbitrary if we fix the date at the first day of February 1934. Further I really have no objection to taluk board presidents resigning and getting somebody elected in their stead. When once you accept the principle of taluk board presidents being made members of the district board, it would be only going one step further. It appears the Select Committee has considered that taluk board presidents should not be given an opportunity of getting somebody elected in their stead. And that is a matter which will come as a surprise to most of the taluk boards

Mr. P. V. KRISHNAYYA CHAUDARI:—

* 45-A After the word 'thereof' insert the following:—

'and where the presidents of the taluk boards are already members of the district boards, the concerned taluk board shall elect one of its members to be a member of the district board.'

Rao Bahadur A. T. PANNIRSELVAM:—

^b 45 In rule 6 of the transitory provision of the schedule, substitute the words '16th day of March 1934' for the words 'first day of February 1934.'

Mr. P. PEDDI RAJU,—

Diwan Bahadur B. MUNISWAMI NAYUDU:—

^c 46 In line 5, after the word 'thereof' add the following:—

"Provided a president of a taluk board who is a member of the district board on the first day of February 1934 is not entitled to resign his membership of the district board until the date of the commencement of this Act."

[Mr. A. T. Pannirselvam] [28th February 1934]

now, and so I would fix the date at the 16th day of March 1934. Further, as I said just now, that will be a date subsequent to the passing of this Bill in this House."

Mr. ABDUL HAMEED KHAN:—"I second it."

* The Hon. the PRESIDENT:—"The two amendments are for the discussion of the House."

Mr. K. P. RAMAN MENON:—"Sir, I would prefer the original draft which says that all presidents of taluk boards in a district holding office on the date of the commencement of this Act shall be members of the district board. With reference to the date, 1st February 1934, I see no reason why we should accept it. In fact, Mr. Pannirselvam's suggestion would be more convenient, as by that date we would know where we are, as the Bill would have passed through this House and as it would be awaiting the formal consent of His Excellency the Governor. So I support the amendment of Mr. Pannirselvam to substitute 16th March for 1st February."

Mr. P. PEDDI RAJU:—"I withdraw my amendment in favour of Mr. Pannirselvam's amendment."

The amendment was, by leave of the House, withdrawn.

The Hon. the PRESIDENT:—"The question is 'in rule 6 of the transitory provision of the schedule, *substitute* the words "16th day of March 1934" for the words "first day of February 1934".'"

The amendment was declared lost, and Mr. P. V. Krishnayya Choudari demanded a poll and the House divided thus:—

Ayes.

1 Rao Bahadur A. T. Pannirselvam.	11 Mr. K. P. Raman Menon.
2 Mr. M. Devadasan.	12 " M. S. Sreshla.
3 Rao Sahib V. I. Muniswami Pillai.	13 " P. V. Krishnayya Choudari.
4 Mr. P. C. Moses.	14 " J. Kuppuswami Choudari.
5 " T. C. Srinivasa Ayyangar.	15 " H. B. Ari Gowder.
6 " A. B. Shetty.	16 " G. R. Premayya.
7 " Abdul Hameed Khan.	17 Rai Sahib C. Kolanda Reddi.
8 " Basheer Ahmed Sayeed.	18 Rao Bahadur R. K. Venugopal Nayudu.
9 " P. Peddi Raju.	19 Mr. K. Koti Reddi.
10 A. M. Ahmed Meeran Sahib Bahadur.	20 " G. Simbachalam Pantulu.

Noes.

1 The Hon. Khan Bahadur Sir Mahmud Usman Sahib Bahadur.	7 Mr. P. Bayappa Reddi.
2 " Diwan Bahadur Sir M. Krishnan Nayar.	8 Rao Bahadur G. Jagannatha Raju.
3 " Sir Archibald Campbell.	9 Mrs. K. Alamelumangathayaramma.
4 " Diwan Bahadur S. Kumaraswami Reddiyar.	10 Diwan Bahadur V. N. Viswanatha Rao.
5 " Mr. P. T. Rajan.	11 Mr. J. A. Thorne.
6 " the Raja of Bobbili.	12 " H. M. Hood.
	13 Diwan Bahadur N. Gopalaswami Ayyangar.
	14 Mr. R. Madanagopal Nayudu.

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Noes—cont.

15 Mr. E. Conran Smith.	32 Rao Sahib V. Dharmalingam Pillai.
16 " V. M. Ramaswami Mudaliyar.	33 The Kumararaja of Venkatagiri.
17 " T. Narasa Reddi.	34 Mr. K. M. Duraiswami Reddiyar.
18 Khan Bahadur Yahya Ali Sahib Bahadur.	35 " H. M. Jagannatham.
19 Rao Sahib N. Siva Raj.	36 Rao Sahib P. Subrahmanya Chetti.
20 Subadar-Major S. A. Nanjappa Bahadur.	37 " C. Jayaram Nayudu.
21 Rao Bahadur R. Srinivasan.	38 " D. V. Narasimhaswami.
22 Mr. M. Vedachala Mudaliyar.	39 " Pandit Ganala Ramamurti.
23 " B. P. Sesha Reddi.	40 Mr. A. Harischandrudu Nayudu.
24 " G. Sriramulu.	41 " K. Kesavaramamurti Nayudu.
25 " P. V. Rajagopala Pillai.	42 " A. Ramakrishna Pillai.
26 " V. G. Vasudeva Pillai.	43 " M. A. Manikkavelu Nayakar.
27 Diwan Bahadur A. Appadurai Pillai.	44 Rao Bahadur C. Natesa Mudaliyar.
28 Mr. W. P. A. Soundara Pandian.	45 Diwan Bahadur S. Ellappa Chetti-yar.
29 " A. McG. C. Tampoe.	46 Mr. C. Basu Dev.
30 " P. K. Ramachandra Pada-yachi.	47 " R. M. Palat.
31 " G. Lakshmana Reddi.	48 " J. K. Metherell.
	49 " W. W. Ladden.

Neutral.

1 Zamindar of Mirzapuram.	5 Sriman M. G. Patnaik Mahasayo.
2 Mr. Daniel Thomas.	6 Diwan Bahadur M. Gopalaswami Mudaliyar.
3 Khan Bahadur Mahmud Schamnad Sahib Bahadur.	7 Mr. C. Indrayya.
4 Mr. K. A. Nachiyappa Gounder.	8 " M. B. Rangaswami Reddi.

Ayes 20. Noes 49. Neutral 8.

The amendment was lost.

* Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. President, Sir, I beg to move that— 3-15 p.m.

'In rule 6, after the word "thereof" the following be inserted:—

"and where the presidents of the taluk boards are already members of the district boards, the concerned taluk board shall elect one of its members to be a member of the district board."

Sir, the Bill as it stands provides for taluk board presidents to become members of district boards. My request is that we should give to every taluk board an opportunity to represent itself on the district board. Let us give representation to all the taluk boards and thus maintain uniformity. My idea is that where there are several taluk boards, such of those taluk board members who are now in a position to represent their particular constituencies in the district board by virtue of their having been elected by their constituencies will not be able to represent them now in the district board. Once you give representation to one taluk board, there must be uniformity throughout the whole Presidency. Where the president of a taluk board is already a member of the district board, even then the taluk board can have representation from that board to the district board directly. I want

[Mr. P. V. Krishnayya Choudari] [28th February 1934]

that uniformity should be maintained throughout the whole Presidency. So, I request that Government should consider this aspect of the question."

Sriman M. G. PATNAIK Mahasayo:—"I second the amendment. My objection to the present provision of the Bill is that the taluk boards will be represented by the presidents only in their personal capacity. If it is meant that the taluk boards should be represented on the district boards, then the mere fact that the presidents of taluk boards in another capacity happen to be members of district boards should not go against taluk boards being represented by other persons. I want the Government to be reasonable. If it is meant that the president of the taluk board will be represented in his personal capacity, in that case no representation need be given for the taluk board. I do not think any principle is involved in that. In fact there ought to be election by the taluk board of a president of a taluk board who is now going to be taken as a member of the district board, if it is not contended that such a member is there only in his personal capacity. I think the Government will do well to explain their position. I want to know whether the Government are going to please or placate the presidents of taluk boards or they really want to give representation to the taluk boards. If the latter is meant then the motion that is now proposed should be accepted. If they want to please or placate the presidents of taluk boards, then of course the motion will be defeated."

* Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"The hon. Member has missed the point altogether. The principle involved in the provision is not to give representation to the taluk board, nor to add to the number of members on the district board, but simply to profit by the experience of the presidents of taluk boards who have been in charge of the various institutions of the taluk boards. When the district board newly comes into being, it should have the advantage of the past experience of taluk board presidents on various matters. It is with that object that taluk board presidents have been given representation on the district board and not to give representation to the taluk boards as such or to increase the number of members of the district board. I therefore oppose the amendment."

* The Hon. the RAJA OF BOBBILI:—"It must be pointed out that this amendment is unworkable. When the amended Act comes into force all the taluk boards will be abolished. It follows that taluk boards will not be in a position to elect their representatives to the district board. Of course, my hon. Friend, Mr. Patnaik, wanted me to state the principles on which the Government has given representation to the taluk board presidents. I may first say that the idea of providing representation to the taluk board presidents is not to represent the taluk boards as such. On three grounds we

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have decided to give representation to the taluk board presidents. One is, after the abolition of the taluk boards, there will be many matters where consultation with taluk board presidents—for example, many unfinished works, works given on contracts and other agreements, audit objections and so forth—will be advantageous and it was felt that the presence of taluk board presidents on the district board would be helpful during transitory stages. The second reason is that when some of the larger district boards are bifurcated it is desirable to have a larger strength on the district board. The third reason is that, when the taluk boards are abolished, the presidents of taluk boards should be provided with seats on the district board. Apart from these reasons, as I said at the outset, this amendment will be unworkable."

* Mr. K. P. RAMAN MENON:—"I agree with my hon. Friend, Mr. Choudari. Very often you will find that a person does not stand for election to the district board because he thinks that he can do well in a more restricted area. If, as a matter of fact, taluk boards are dissolved, there may be persons who may be more competent than persons who are returned to district boards to represent particular areas which they have been representing in the taluk boards, if as a matter of fact the idea is that there must be representation of the various taluk board areas which were represented in the taluk boards, then it would be much better to have a person elected by the taluk boards."

"Then the Hon. the Raja of Bobbili said that the proposed amendment would be unworkable because the taluk boards will dissolve immediately this Act comes into force. That dissolution equally involves the idea of the president ceasing to be the president of the taluk board. Then how can a president of a taluk board be translated into the district board? I do not see any reason why a particular rule should apply in the case of presidents of taluk boards and another rule in the case of members of taluk boards. My hon. Friend, Mr. Schamnad, said that the benefit of experience gained by the presidents of taluk boards would be available. Of course, experience is not the monopoly of presidents of taluk boards alone. It is quite possible that the experience of other members will be perhaps better than that of the presidents. There may be ex-presidents who are members but who did not care to be presidents after a certain period. I know in certain instances their experience is available to the taluk boards. The Hon. the Raja of Bobbili also said that there may be unfinished work with reference to which it would be necessary to consult the taluk board presidents. With regard to unfinished works, certainly there will be some office records which will show what those works are and there may be officers connected with those proceedings who would be able to explain to the district board as to what stage a particular scheme has reached. Then another statement made by the Hon. the Minister was that it would be desirable that the district

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boards should be extended. If I understood him correctly he said that because there might be larger areas it was desirable to have more members than at present. What objection is there and is there any reason that the presidents alone should go there? If, as a matter of fact, the expansion of district boards is one of the objects with which the presidents should be translated to the district board that reason equally applies to any member who is elected by a taluk board. He can certainly extend the district board and sufficiently represent the various interests in the various areas that constitute the district board. I submit therefore that this amendment should commend itself to the Government and that it ought to be accepted."

Mr. BASHEER AHMED SAYEED:—"The arguments of the hon. Member from Malabar seem to be not convincing. The idea of the Bill seems to be that the taluk boards are going to be dissolved and that the presidents of taluk boards who may have gained experience and who are in a position to give advice should have representation during the transitory period. That being so, the idea will be fully served if the taluk board presidents or vice-presidents are taken in rather than to go in for other people and have them elected. Already there are in each district ten taluk board presidents—and ten must be the maximum—and if all the ten taluk board presidents are not members of the district board, and if another ten members will have to be elected it will really be unwieldy. The maximum strength of the district board members will be 54 and if 22 are added, that will make the figure 70 or 75 a little more than half of the Legislative Council. I do not think there will be any accommodation for this extra twenty men. I do not know whether it will be possible for the district board to hold meetings, and whether the funds of the district board will be sufficient to permit the extra payment of travelling allowance to these twenty members.

"The maximum might be twenty and the minimum will not be less than ten. Even with the minimum of ten, it will be making the strength of the district board 60 and 64. That will be a very huge number. If at all the purpose is to be served of taking in other people as a transitory measure, in cases where presidents of taluk boards are not already members of the district boards, the vice-presidents may be taken in. That will bring in only a very small number, because in many cases, it so happens that the presidents of taluk boards are already members of the district boards. And another reason and a weightier reason too, so far as I am concerned is, that in many of these taluk boards, the vice-president it is who really manages the whole affair. There are very many taluk boards—I have got figures, but I do not want to quote them here—where the presidents are merely figure-heads whereas the vice-presidents happen to be all in all. I know one or two district boards also where the presidents are mere figure-heads while the vice-presidents are *de facto* presidents. They

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carry on things more efficiently than presidents themselves do. These cases are well-known to the members of the House and I need not refer to particular instances. That being the case, it will be a healthier and saner view to say that wherever taluk board presidents are not already members of the district board, the vice-presidents who have got greater experience in many cases and who are actually in charge of the affairs of the taluk board should be appointed as members of the district board. That will add to the efficiency of the administration of the district board when its activities expand. Far from suggesting such a course, to say that another member should be elected to the district board which has already increased its number of members, will not really be a useful or feasible proposition. I would therefore say that if it is possible, the Hon. Minister in charge will abandon the method of election and provide that wherever presidents of taluk boards are already members of the district board, the vice-presidents may be taken in as district board members in order to enable the district board to function much better than it does now."

The Hon. the PRESIDENT:—"Mr. Madanagopal Nayudu."

Mr. R. MADANAGOPAL NAYUDU:—"I only wanted to move a closure."

Mr. BASHEER AHMED SAYEED:—"Closure motions are rarely moved when Bills are under discussion."

* Mr. M. S. SRESHTA:—"Mr. President, Sir, with regard to the objection of the hon. Member, I think it is merely a question of drafting and the wording can be so altered as to make it possible for the members of the taluk board to elect one of their number to the district board. I think it is best to err on the right side and have one more member on the district board rather than one less. As regards the second and third reasons, I think they also apply to the suggestion made by my hon. Friend, Mr. Choudari, that a member of the taluk board should be elected even when the president of the taluk board happens to be already a member of the district board. The president of the taluk board is there by virtue entirely of a different reason and I think both the taluk board and the people of the taluk will feel more satisfied if a member of the taluk board elected by the taluk board itself is on the district board not so much to represent the taluk board as to represent the taluk. As we are introducing a very drastic measure by which the taluk boards go out of existence, the people in the taluk may feel that they may not be sufficiently represented on the district board and that their needs may not be sufficiently represented to the district board. I think it will be gracious on the part of the Government to acquiesce in this recommendation. Moreover an elected member will be more responsible to the people of the taluk and he will be more earnest in his representation of the needs of the taluk

[Mr. M. S. Sreshta] [28th February 1934]

than a person who *ex officio* becomes a member of the district board. I therefore hope that this will not be pressed to a division and that the Raja Sahib would accept the amendment."

Mr. V. M. RAMASWAMI MUDALIYAR:—"Mr. President, Sir, I am afraid that hon. Members are apt to forget that the rule under discussion makes provision only for the transitory period between the abolition of the taluk boards and the constitution of the new district boards after fresh elections. Therefore it is inevitable that certain interests may be overlooked. The main object of the provision seems to be to my mind—I do not make any secret of the discussion that took place in the Select Committee—to provide for representation on the district board for such taluk boards which are not represented on the district board either by their presidents or vice-presidents or other members. Since the taluk boards were going out of existence, it was thought necessary to make the experience of presidents of taluk boards available for the district board. It is with that object that this provision has been made. The complaint is that this does not reach the ideal which hon. Members expect. But of course, during a transitory period there are bound to be shortcomings. I therefore think that any expansion of the district board by the addition of members elected by taluk boards other than their presidents will certainly not be welcomed by the district boards themselves. I am expressing my own feelings in this matter when I say that any expansion of the district board beyond the present limits will be resented, because the larger the number the lesser the quantity of work turned out. I think hon. Members will agree with the main object of this provision."

The Hon. the RAJA OF BOBHILI:—"I just want to say one word in order to correct what the hon. Member, Mr. Sreshta, has said. He said that as taluk boards are going to be abolished, the taluks will cease to have any representation on the district board. I am afraid that that is not the position. Each taluk has now got its own elected representatives on the district board and the people of the taluk will not suffer for want of any representation on the district board."

The amendment was put and lost.

Rule 6 was put and carried.

The Hon. the PRESIDENT:—"I do not think, Mr. Nachiyappa Gounder's amendment ^a will be in order after the discussion we have had yesterday on the bifurcation of district boards."

^a New rule 6-A.

Mr. K. A. NACHIYAPPA GOUNDER:—

46-A. After rule 6 add the following as rule 6-A:—

"6-A. Such of the district boards whose population is more than one million and whose revised income is more than fifteen lakhs of rupees shall be bifurcated."

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Rule 7.

* Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. President, Sir, I beg to move—

'that item (cc) of rule 7 be omitted.'

"Sir, I submit that even during the transitory period, there should be no nominations when the method of nomination was once for all buried under the Act of 1930 by the previous Ministers. It is not proper to revive that undemocratic principle again. When we expect nominations to be abolished even in the case of the Legislative Council under the new Constitution which is going to be very democratic and confer Provincial Autonomy, it is not desirable that we should go back to the principle of nomination even though it be for a temporary period. Not only that, we can run the district board administration even without resorting to nomination. At present there are elected members who represent the Depressed Classes and women on these district boards. When a board is bifurcated, these members can be made to represent their interests in both the boards. There is no harm in a procedure like that. Now there are several members representing two or three Universities, and there are members representing district boards and municipalities. When all these things are possible, why not the representatives of the Depressed Classes and women sit on both the boards for a temporary period of a few months? I know of a case where the president of the taluk board of Sattenapalle is also the chairman of the municipal council When the Act allows such things, what harm is there in providing that these representatives may sit on both the boards, instead of resorting to the retrograde step of nomination. If there is any difficulty or inconvenience in the suggestion I have made, I will throw out another suggestion. Now the members who are already elected represent the whole district. They may be divided into half and half and one member may be asked to sit on one board and the other member may be asked to sit on the other board. Even that is better than the method of nomination. There is another disadvantage also in resorting to the method of nomination. If the party in power wants to support a particular president of a bifurcated district board, they will dump their nominees to represent these communities and it will be most undesirable. It is better to allow the people concerned to elect their own representatives. If the Hon. Minister feels that the communities concerned should be given proper representation, he may order an election and as the election will be confined to members of depressed classes alone, it can be easily finished in a week or fortnight. There will be no expenditure also, I think. (An hon. Member: 'Women.') Yes, women representatives also can be elected easily. The people will prefer to have elected representatives even with a little difficulty, instead of allowing the Government to nominate their representatives. For these reasons, Sir, I move my amendment and request the Hon. Minister not to incur the odium of having reintroduced the method of nomination which was once for all buried."

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* Mr. K. A. NACHIYAPPA GOUNDER:—" Mr. President, Sir, I have great pleasure in seconding the amendment moved by my hon. Friend, Mr. Krishnayya Choudari. I have myself given notice of a similar amendment. The method of nomination was considered to be an undesirable one with regard to local self-government institutions and it was rightly abandoned once for all by the Act of 1930. If we are to go back to the method of nomination now, it will not be conducive to the interests of local bodies and of the public. Much time in the very short normal life of many of the district boards will be taken up in bringing this Act into force, getting particulars ready, and then bifurcating district boards and forming new district boards wherever necessary. By that time, a number of district boards may end their normal life and new elections may come up. Then at these new elections the Government can use its power to issue notifications reserving certain number of seats for these communities in the new boards. There may be in some cases that before the new boards are constituted, there will be a short period in the middle. During that very short period, I do not think anything will be lost even if there is no representation for a particular minority community on some of these bifurcated boards. But if it is the desire of this House and the opinion of those representing minority communities that local bodies should not function even for a single moment without due representation being provided for these communities, I find, as Mr. Krishnayya Choudari has suggested, no objection to allow the present representatives of these minorities to function as members on both the boards. This will make it unnecessary for us to resort to the method of nomination, which has been condemned and abandoned once and for all. After all the district boards which are bifurcated will have very short lives. Besides all these, I may tell the Hon. Minister that if he is to have the power of nomination, pressure will be brought to bear on him from all sides and it will be very difficult for him to get out of it and do things in the proper way and I hope he will welcome this amendment to get rid of those botherations. So, I commend this proposition to this House so that the system of nomination which has gone out of the statute of local bodies should not be re-introduced again."

* Rao Bahadur A. T. PANNIRSELVAM:—" Sir, I do not for one thing accept as an axiomatic principle that nomination under all circumstances and in all state of things is undesirable. I do not deny and it has been more or less accepted that elections are preferable to nominations. But in this case we have to choose either between the Government exercising this power of nomination or the minority communities going without adequate representation during the transitory period. After all we are investing the Government with this power of nomination not for all time to come but only for the transitory period of a few months, at the most about 18 months, and that with the object of securing adequate representation to the minority communities. If this amendment had

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been brought forward by one of the members of the minority communities, I might perhaps have understood it. It seems to me, Sir, that it comes—with due respect to Mr. Krishnayya Choudari—with ill-grace that a member of the majority community should think of trotting out the objectionable character, and things of that sort, in their desire and attempt to shut out the minority communities from having their proper share. My friend, Mr. Nachiyappa Gounder, observed that the heavens are not going to come down if the minority communities were not represented on the board. There again I should think it is for the minority communities to say whether it should be so or not. My hon. Friend, Mr. Krishnayya Choudari, put forth a very ingenious suggestion that the representatives of the minority communities—Depressed Class representatives, Christian representatives, etc.—shall be made members of both the boards. That overlooks the fact that representation to-day, though it is devised for the sake of securing certain representatives of the minority communities on the board, is essentially territorial and it is not communal. If it is only communal, then there would be no harm in asking people who were elected for one centre being asked to represent also the other centre; but here it is essentially a territorial election. For a man elected to the easternmost portion of a district to be the representative of the western end of the district would land us in absurdity. I would submit therefore that, in the interest of the minority communities, it is certainly necessary that some method should be devised of giving them adequate representation; because it might possibly happen, even with the very best of endeavours on the part of the Government that all the Depressed Class representatives all to-day on a particular board might find themselves in one board all together while the other board may have no minority representation at all. To seek to remedy that evil by asking all these four people to go there and speak on behalf of the Depressed Classes would be a mere farce of representation; they would have to go there and speak without knowing anything at all about the state of things in the particular areas affected.

" Another very great evil was trotted out, that the Hon. Raja of Bobbili would be placing himself in a very embarrassing position of pressure being brought to bear on him from all sides. That is a matter on which he will be able to speak for himself and we the minority communities hope at least that he would be bold enough, strong enough, to resist all temptations and deal fairly and squarely with the minority communities. I oppose the motion of Mr. Krishnayya Choudari."

Rao Sahib N. SRVA RAJ:—" Sir, I find that it is needless for me to interfere in this discussion after the very able and eloquent speech of my friend for the Christian Constituency from the south. He has very effectively pointed out that the object of those who move this amendment to delete this provision, is simply to shut out the representatives of the minority communities who would necessarily suffer on

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account of the bifurcation of the district boards and also on account of the abolition of the taluk boards. Once again I need not go into the question as to the value of representation by nomination and representation by election. I was one of those who held the view that whether or not a man is elected, his representation mostly depends on whom he represents and to what extent he actually represents them. The mere fact of election does not go to strengthen his representative character. Anyhow I shall not waste the time of this House by going into that question now.

"The first objection to this amendment is this; it seeks to delete the whole clause. I think my friend, Mr. Krishnayya Choudari, did not understand the exact scope of his own amendment, when he said that this section should be deleted. The consequence of the deletion of this section would be that there will be no representation at all—it does not matter whether by nomination or by election. I thought that he wanted representation by some sort or other; he said only that it ought not to be by nomination but by election. Now that the matter is fairly understood by all of us that there ought to be representation in the newly constituted boards, the only question now is whether that representation should be by election or by nomination. I have merely to state that, so far as we are concerned, our interests will be safe and we expect the Raja Sahib of Bobbili also to stand by us and see that the Government is given this power of nomination to make up for the loss of representation on account of the abolition of taluk boards.

"This point of view is very important. So far as members of our community are concerned, as long as these taluk boards were in existence, there were a certain number of men of our communities who had acquired certain status; these people will suffer by the abolition of these taluk boards; to make up for that loss, we not only expect that sufficient and adequate representation would be given to us in the newly constituted boards but that the loss would be made good by extra representation, by the Government."

* Rao Bahadur C. NATESA MUDALIYAR:—"Mr. President, Sir, although Mr. Krishnayya Choudari moved the amendment that this clause should be deleted, the speech he made shows that there should be communal representation. He never meant what the amendment leads us to conclude. None. The only question is whether the representation should be by election or by nomination. I think we all admit that representatives of minority communities should be on the board. It should be communal and territorial. When one district board is separated into two boards, the boards have nothing to do with each other. So there is no use of sending in all the minority community representatives to one board and leave the other without any representation.

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Again, why should we resort to election for a small period? It may be all right with the Christian members. But depressed classes and other minority communities will be put to unnecessary expenses to stand for election for this short period. I have to remind my friend, Mr. Krishnayya Choudari, that, on account of elections, according to Reforms coming next year, our Council has been extended; we are all nominated Members to-day. So, Sir, why not have nomination for these minority communities?"

Sriman M. G. PATNAIK Mahasaya:—"Sir, there is some confusion in the minds of previous speakers. There is no question of the minority communities not being represented. The only question is how they should be represented, and whether nomination is better. Mr. Natesa Mudaliyar said that we are all nominated Members now; though elected before, we should be treated as nominated Members now. All that Mr. Krishnayya Choudari said was let these people who are now on the district board continue to be on the bifurcated boards also. They would fulfil both the conditions; they will be elected as well as nominated. In that sense, there is absolutely no reason why his suggestion should not be accepted. On the other hand, what is proposed is that persons who were never elected by the people, would be put in there. That is nomination pure and simple. In the other case there is both election and nomination. What is suggested by my friend is much better than what is contained in the Bill. I cannot understand Mr. Pannirselvam saying that this is a mere farce. I think the principle of nomination is not liked by many people. What the amendment says is that, if these people are competent to represent the area from which they come, they can also represent the areas which are going to be separated afterwards. I do not think there is any reason why they should not represent people in the areas in which they do not reside. As you all know, residing qualification is given the go-by; because the president may go and live in any area; that principle has been accepted by the Select Committee. I do not see any reason why those people who were formerly elected by the people themselves should not be nominated to the bifurcated board also. Why should Government nominate persons who were never elected at all by the people? I think my friend's motion is quite reasonable. I do not see why members of the minority communities should stand up against this amendment, unless they want that some more members should have the honour of being members of these bifurcated boards. As far as safeguarding of their interests is concerned, that will be done very well by the very persons who are already on the board being on the bifurcated board also. Therefore it is now a question of having more persons getting into the bifurcated boards. I think the amendment makes very good suggestions."

* Diwan Bahadur A. APPADURAI PILLAI:—"Sir, as a member 4 p.m. representing a minority community, I should like to add my support to

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the opinion expressed by my hon. Friend, Mr. Pannirselvam. I submit that adequate representation can only be secured to the minority communities by having a provision such as the one that we find in the Bill, as amended by the Select Committee. Sub-section (1) of section 9 of the Act refers not only to Indian Christians and the depressed classes; it refers also to Muslims, Indian Christians, Adi-Dravidas, Europeans, Anglo-Indians or women. All these belong to minority communities and sufficient care has been taken in drafting this sub-section so as to conform to the provisions of sub-section (4), namely, that the total number of seats reserved in any local board under sub-section (1) shall not exceed one-fourth of the total strength. I believe, Sir, the Government, as a result of the power conferred on them by this transitory clause, will take care to see that duly qualified persons who are in a position to represent the needs of the community are nominated to the new boards. I do not think, Sir, that the words 'and to nominate qualified persons for such seats' will in any way swell the number of members on the district boards. Clause (a) of this clause clearly says that these provisions will apply to the new district boards. This would mean the district boards already existing and those to be newly carved out of them. If proper representation is to be given for the minority communities, I think this clause is absolutely necessary. The matter has been fully threshed out in the Select Committee and the Members of that Committee were of opinion that such a provision was essential. I have therefore very great pleasure in supporting the views of my friend, Mr. Pannirselvam, and opposing the amendment moved by my friend, Mr. Choudari. The argument that nomination of representatives of minority communities will make the district boards cumbersome and that therefore we should restrict such representation, is not valid. It comes with ill-grace from Mr. Choudari who just a short while ago advocated the inclusion in district boards of members thrown out of the abolished taluk boards, but would object to the inclusion of representatives from minority communities. I would appeal therefore to the hon. Members of this House that they should sympathetically consider the claims of the minority communities for due representation in the district boards."

* Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—" Mr. President, Sir, the case for the representation of minority communities has been very well put by my hon. Friend, Mr. Pannirselvam, and others who followed him; but there is one point which seems to have been overlooked. This clause was not in the original Bill as introduced, but at the Select Committee stage, this matter was brought to the notice of the Hon. the Minister, and after long discussions, it was thought necessary to make such a provision in the Bill. The Select Committee itself consisted of nearly half the strength of this Council. The minority communities are very sensitive about representation on representative

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bodies, and as regards their privileges and rights. The Hon. Minister perhaps did not remember this important point when he originally prepared the Bill, but when at the Select Committee meeting it was found necessary to have such a provision, he readily agreed. It was said then that the heavens would not fall if representation was not given to the minority communities for a short time; but I say even if it is for a long time I am sure the heavens won't fall. The only point to be considered is, some important things may happen in these local bodies which may adversely affect the minority communities during this short period. To leave the minority communities without any representation is not a proper thing to do; when in all cases it may not be possible to have such representation by election, representation will have to be given by nomination. Therefore, Sir, I oppose the amendment."

* Mr. K. P. RAMAN MENON:—" Sir, I fail to see the reason for the flutter that has been caused among the members of the minority communities, because the gentleman who proposed this amendment has given notice of another amendment to clause (d) of this section where the position is cleared up. It is admitted on all hands that the minority communities should have representation in both the district boards. The objection seems to be that it may so happen that the representative of minority communities elected to the district board, may be relegated in future to one of the two boards in the district and that there may be consequently no person at all in the other board. That objection is met by the amendment of Mr. Krishnayya Choudari later on to clause (d). Again, Sir, I fail to see much force in the argument that when a new board comes into existence, the representative who sits in that board will represent only one-half of the district; because, Sir, when elections have already taken place throughout the district and the representative has been elected by the community distributed throughout the whole district, how can he cease to represent the other half of the district too? For example, supposing in the Malabar district a member of the depressed classes has been elected by the whole district; when Malabar is split into two, can it stand to reason that he has not been elected for the other half of the district but only elected to one-half of it? When once he has been elected by the entire population of the district, he will remain as their representative for both the halves. Therefore, I say, Sir, that the argument that he will not be taken as elected by the particular bifurcated board cannot stand to reason.

" I have, however, nothing to say in answer to the remarks of my friend, Mr. Pannirselvam, when he questions the very foundations on which nominations and elections are based. As to whether elections are as good as nominations or nominations are equally good as elections, I have nothing to say; but I believe it is too late in the day now to say that nominations are as equally good as elections.

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“ Another objection that was raised was that we might have nominations only for a short period. Exactly so; whether for short or long periods, why not we have elections instead of nominations? That is a question of principle. The electorate in the case of all communities can find out its best representatives and it will elect a person who will adequately represent the community which is sought to be represented. Again, Sir, Mr. Natesa Mudaliyar stated that the members of the depressed classes may find it difficult to cope with the elections on account of pecuniary difficulties, that they would have to go to all members of the community who may be spread throughout the district, in order to influence them in their favour. But, Sir, it is not likely that the expenses would be so prohibitive as to prevent an election being held for the representation of any particular community. If the amendments tabled by Mr. Kolanda Reddi and Mr. Krishnayya Choudari are read together with this amendment, hon. Members will see that the contingencies referred to by some Members, that the depressed classes would go without any representation, will not arise at all.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ Sir, as a matter of principle, I do not think anybody can gainsay that elections are better than nominations. But, Sir, we are now faced with certain facts. In the Select Committee it was feared that when districts were bifurcated, it might so happen that representatives of the minority classes as a result of distribution, would go out altogether, so much so that every district board might not have representatives of all minority communities. It was in order to meet this contingency that this transitory provision was granted in the Bill. Sir, various arguments have been adduced to show that elections are better than nominations. It is needless for me to enter into the merits of that question. I have however to point out that the amendment, as it stands, would lead to certain anomalous results. For instance, if a member of the depressed classes is asked to choose between one district board and the other, the Mover will have to bear in mind that there are certain communities which are represented only by a single body. For instance, if I may give a concrete example, in the district board of North Arcot, there is only one representative of the Indian Christian community; and if he is to go into one district board, then the other district board will not have any Indian Christian representative. If on the other hand the idea is that this member should be allowed to represent the community in both the boards, then it seems to me that we will be shutting out another representative of that community from coming into the other board, as he is entitled to. Sir, I do not share the fears of my hon. Friend from Tanjore, Mr. Pannirselvam, who got perturbed very much that members of the majority community . . . ”

Rao Bahadur A. T. PANNIRSELVAM:—“ On a point of personal explanation, Sir. I was not at all perturbed.”

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Mr. V. M. RAMASWAMI MUDALIYAR:—“ I am glad, Sir, that he was not at all perturbed; but his speech seems to show so much agitation that I want to assure him that this House has on more than one occasion been anxious to safeguard as far as possible and to recognize the claims of minority communities, not only in local boards but in other bodies as well. I think that one argument almost clinches the whole matter. I agree with Mr. Natesa Mudaliyar that to expose the members of the minority communities to the trouble and vexation of elections at this stage when a good part of the tenure of office has expired, is preposterous.

“ My hon. Friend, the Member from Malabar, has imagined a certain state of things and has argued that elections would not lead to any trouble. He seems to have taken it for granted that the electorate which is to elect representatives of the depressed classes and minority communities is constituted on a communal basis, which is not the case. The electorate which is to elect members of the minority communities is the general electorate composed of all communities, and they elect in a certain method, with a view to return a member of a particular minority community. Every voter in the division will vote for that election. Therefore, Sir, much of the force of the argument which was put forward that much expense would not be incurred by the representatives of the minority communities, is lost. I think that this again is a case of an inevitable limitation which is consequential in the transition stage through which the local boards are at present passing.”

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—“ Mr. President, Sir, I regret very much that I have to oppose the amendment for one reason apart from the many other reasons given by other Members. I just want to point out one difficulty and that is this: the hon. Mover in moving his amendment said that the consolation would be that the existing representative would represent his community in both the boards; but my answer is that there may be this difficulty. Supposing he represents his community in both the boards and supposing there is to be a meeting of both the boards on one and the same day, how could he choose? I take it that the hon. the Mover of the amendment does not suppose that in such a case the representative can transform himself into two separate bodies and represent his community in both at the same time. That is an argument, Sir, which goes against his own amendment.”

Mr. M. DEVADASAN:—“ Mr. President, Sir, I want to make one observation in regard to the question as to who are the proper persons to decide whether nomination or election is preferable or not. All the members of the minority communities who spoke before me supported nomination and so there is no diversity of opinion so far as the members representing the minority communities are concerned. My hon. Friend,

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Mr. Raman Menon, who hails from Malabar, said that the electors of the whole district are to elect a member. Probably, he forgot that for the purposes of election, a district is divided into various circles or according to revenue divisions and a member representing an entire district has to seek the votes of one particular area which is reserved for a particular community and so there is no force in the argument that a member who is chosen for a particular minority community should be elected from the entire district. The provision in the Bill enables the members representing the minority communities to sit in the new board which may come into existence as a result of this Bill.

"My friend, Mr. Krishnayya Choudari, said that the members already representing the minority communities would very well become members of the new board. I would like in this connexion to ask him whether in case the meetings of the two boards are held on the same day at different places, the same member representing the minority communities will be able to attend the two meetings on one and the same day. Or, is he to send a deputy or a proxy to represent him in such a case. It is impossible.

"I should also support the principle that it would be unnecessary to ask the members of the depressed classes to seek the suffrage of the people only for short time. It is also an admitted fact that minority communities are not only in a minority, but they are also in a state of poverty. For this reason also, I say that nomination should be allowed to continue for the short period during which the bifurcated district board may last.

"The other fact that I wish to bring to the notice of the Council is this. I should think that the nominated member would be asked to discharge the same functions as an elected member and I am sure he would be able to discharge his duties in a more fitting manner than an elected member can possibly do. I believe that the choice of the Government in nominating a member of the depressed classes would prove to be much better than if members are elected by the people. With these few words I oppose the amendment moved by my hon. Friend, Mr. Krishnayya Choudari."

* The Hon. the RAJA OF BOBBILI:—"Sir, I just wish to point out that the amendment now under discussion in the House seeks to delete the whole clause itself, whereas the discussion ought to be mainly confined to the principle of nomination or election. I presume that the majority of the Members who spoke on this amendment are not against giving due representation to the minority communities. The intention of the Government is not to permit members to attend two boards or three boards but to strengthen the representation of minorities. I submit, Sir, that it would facilitate our business if the next amendment also is moved and discussion takes place."

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Mr. M. Devadasan rose to move his amendment ^a (No. 48-B).

* The Hon. the PRESIDENT:—"As for Mr. Devadasan's amendment, I think if the present amendment which has been discussed mainly with the idea of election *versus* nomination is accepted, then this and similar other amendments need not be moved at all."

The Hon. the RAJA OF BOBBILI:—"Then, it is all right, Sir."

* Mr. P. V. KRISHNAYYA CHOUDARI:—"Sir, I want to bring to your notice that my amendment No. 50 relating to rule 7 (d) can also be discussed along with this, because what I have suggested in my previous speech refers to that amendment. There I have suggested that members of the depressed classes in one board can represent both the boards. Now, Sir, I would like to reply to these two together . . ."

Mr. BASHEER AHMED SAYEED:—"Before the hon. Member replies, I would like to point out that the clause as introduced by the Select Committee refers to two aspects. The minor aspect is the one that has now been discussed, namely, to nominate qualified persons for such seats, the Government takes the power to reserve seats in the new district boards as well. That is a point which has to be discussed and with regard to this there is an amendment by a number of members representing the depressed classes to the effect that 'subject to the provision in sub-section (4), etc.' be omitted and the words 'notwithstanding anything contained in' be substituted. That amendment seeks to nullify the power of Government in the matter of reserving seats for the new

^a THE SCHEDULE.

Transitory provisions.

Rule 7 (cc).

Mr. M. DEVADASAN,—

Rao Sahib V. I. MUNISWAMI PILLAI,—

Rao Bahadur R. SRINIVASAN,—

Rao Sahib Pandit GANALA RAMAMURTI,—

Mr. P. V. RAJAGOPAL PILLAI,—

Mr. DANIEL THOMAS,—

Rao Sahib V. DHARMALINGAM PILLAI:—

48-B In transitory provisions, rule 7 (cc), in line 4, *delete* the words 'subject to the provisions of' and *substitute* 'notwithstanding anything contained in.'

Rule 7 (d).

Mr. P. V. KRISHNAYYA CHOUDARI:—

50 In line 6, after the word 'office,' *substitute* the words 'in both the district boards.'

Rule 7 (g).

Mr. K. A. NACHIYAPPA GOUNDER:—

50-A Omit sub-clause (g) (1) in rule 7 and *renumber* sub-clause (ii) and (iii) of that rule as sub-clauses (i) and (ii) and from sub-clause (i) so renumbered omit the words 'whereby the operation of sub-clause (1) no person becomes the president of a district board.'

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district boards. According to the section Government have got the power of reserving 25 per cent and out of that, seats are allotted to various communities. The amendment of Mr. Devadasan means that this 25 per cent reservation should not be acted upon. That being the case, it will be worth while to discuss that amendment as well."

* The Hon. the PRESIDENT:—"The hon. Member may remember that when once a wider amendment is moved and if it is carried, even Mr. Devadasan's amendment will not come in. If it is not carried, then the question arises whether the power to reserve or not will have to be taken by the Government. In these circumstances, I will first put Mr. Krishnayya Choudari's amendment and if it is carried then nothing more can be done. If it is not carried then Mr. Devadasan's amendment may be moved."

Mr. BASHEER AHMED SAYEED:—"Then there is this danger, Sir. If it is carried, then the attempt to make the clause better and then passing an improved rule will be lost."

* The Hon. the PRESIDENT:—"The hon. Member will have to guard himself against the danger."

Rai Sahib C. KOLANDA REDDI:—"There is my amendment (No. 49), Sir, viz., that in the last line *for* the words 'nominate qualified persons for such seats,' *substitute* the words 'open them to election'."

* The Hon. the PRESIDENT:—"His amendment practically means the same as the amendment of Mr. Krishnayya Choudari who has already dealt with the question of nomination and therefore it is not necessary for him to move his amendment separately, but he is at liberty to speak upon the amendment."

* Rai Sahib C. KOLANDA REDDI:—"Mr. President, Sir, I should like to know that on principle whether this Council to which we all have the honour to belong should be progressive or retrogressive and whether we should go forward or backward. Now, Sir, in the year 1930, this House did away finally with the vice of nomination, either as a transitory provision or as a permanent provision. Say what you will, that in the womb of nomination there is the germ of corruption. Sir, entrust even a saint or Harischandra for the matter of fact with power of nomination, certainly he cannot but be tempted, at least he cannot but oblige his friends and perpetrate a number of vices in the shape of nepotism, favouritism, jobbery and what not. So, in order to avoid this fruitful source of evil, the Council wisely did away so long ago as 1930 with it. Now, are we after a lapse of four years to rake up the evil? This Council or its predecessors had to fight a long battle with this vice of nomination. In fact, there were four enactments about the local bodies and their administration. The first Act was in 1871;

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then it was all nomination of both presidents and members. Subsequently in 1884 there was an amendment, then there was all nomination or in the alternative partly nomination and partly election. Again in 1920, all nomination has been done away with once for all. There was then partly nomination and partly election. But it was found to be so bad that by 1930 in the Amendment Act it was finally done away with once for all. Now, Sir, in the light of these facts, are we, the Members of the present Council to disinter the thing that has been buried by its predecessor? Now, it is for you the Members of this Council to see whether it will not be a blot on the escutcheon of this Council. I wonder, Sir, whether there is any necessity for this vice of nomination being revived. For the matter of that, if some care is exhibited in the carrying out of the district, there will be equal distribution of the representatives of minorities as also of women. Now, Sir, if, perhaps in order to oblige or accommodate a friend, you carve out a district in a zig-zag manner, then there may be some difficulty. Even that difficulty can be obviated very easily. My friend, Mr. Pannirselvam, said that the circles for the representatives of minorities or women are very extensive in the districts. As a matter of fact, it is not so at all. In the districts, only certain circles are reserved for the representation of minorities or women. When there is a casual vacancy what is being done now? It is simply thrown open to election, and there will be an election as soon as there is any such vacancy. I wonder why the same *modus operandi* should not be adopted in the case of minorities as well as women. So, should not be adopted in the case of minorities as well as women. So, my point is that it would not be difficult at all. I say, Sir, and I am sure that all the Members of this House will agree with me, that however bad or good it may be, is oftentimes better than nomination. The man elected will be a real representative of the people concerned. Whereas the man nominated will be a creature of his creator. We know the merits and demerits of election and nomination, and it is no good dilating upon the thing. If really we care for principle, certainly we ought not to revive the dead bones of nomination. And I submit that there is no difficulty. If really there is a will, there is a way. It would be very easy for the Government to do the needful in order to throw open the seats reserved for women and minorities to election. That is why I wanted that clause (cc) should be amended thus:

"In the last line *for* the words 'nominate qualified persons for such seats,' *substitute* the words 'open them to election.' If the paragraph is amended as proposed by me, it will read as follows:—

"For the purpose of giving representation to the communities referred to in sub-section (1) of section 9 and to women, the Local Government shall have power, subject to the provisions of sub-section (4) of that section, to reserve seats in the new district boards for such communities or for women and to open them to election."

(An hon. Member:—"Them" means what?) "Them" means reserved seats. So, there is no difficulty. I therefore earnestly request the Council to see the rationality of the thing and to adopt the most straightforward

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and easy course in the matter of throwing open the seats reserved for minorities and women to election instead of placing the power either in the hands of the Hon. the Chief Minister or any other human being for the matter of that. Of course, it is apparent that this provision as proposed by the Select Committee is on the face of it reactionary. But of course, it has been pleaded by that astute lawyer, Mr. Pannirselvam, that it is only for a few months and there is no harm in that. But I submit that principle is principle, and I say there is absolutely no difficulty whatsoever to have elections instead of these nominations. Elections won't take as much time as waiting upon the Hon. the Chief Minister and worrying him night and day and get an order of nomination. I think the Hon. the Chief Minister will be thankful to his stars if really he is rid of this bother of being entrusted with the power of nomination. So, for the good of the Hon. the Chief Minister and for the fair name of the Council to which all of us have the honour to belong and which we are proud of, I request all my friends in the Council to support this amendment."

* Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. President, Sir, as a matter of fact, it is I that brought this question to the notice of the Select Committee when they had entirely forgotten to consider it, in order to make some provision for the depressed class people. But my amendment should be taken along with another of which I have given notice and which is printed below on the paper. I am afraid Mr. Sivaraj has not noted that there is a provision that members already representing the district can be members of both the boards now. Already some friends have suggested that they cannot represent the new constituency. According to the present Act members already on the board are representing the whole district; though they come from a particular corner of the district they are representatives on behalf of the people for the whole district, which nobody can deny as the Act stands to-day. Now, as members representing the district boards, we are permitting them in the same manner to represent the people in both the boards when the district is bifurcated. This is not a new board constituted out of the jurisdiction of the present members that are already elected in the district.

"The next point which I want to refer to is this. Some members have put this question. 'Suppose there are two meetings of the different boards on the same day, how are the members to attend both? Which board meeting are they to attend?' Now, Sir, there are several members of the Legislative Council that are also members of district boards. How are these gentlemen attending the board meetings now? There are several members representing the taluk boards in the district board also. How are they now attending both meetings? Again, there are also some members of the District Educational Council; how are they representing the people in both bodies? So, there is such trouble

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always. On the 24th of this month there was a Senate meeting at Vizagapatam, and I could not attend it at all. One of the two must be chosen. We cannot attend all the boards on the same day. Generally such things will not occur frequently; we will have them only very rarely. So, it is not a material point on which we can stress very much. The member in such cases will have to choose which is the more important, or most important (if there are more than two) for the time being, when there is such an accident of two or more meetings being held at the same time. As a matter of fact, we can request the presidents, in such cases, to select another date, and most of the presidents of the district boards consult the convenience of the members, in fixing the date of the meetings. Moreover, Sir, this suggestion to introduce nominations again especially by gentlemen like the Raja of Bobbili and Mr. Pannirselvam who represented us in the Round Table Conference, it is not advisable for them to take that step now, especially at the present time when we are on the eve of further reforms with more privileges. So I request them not to press for nominations."

The amendment was put and lost. [Omission of clause (cc) of rule 7.]

The Hon. the RAJA OF BOBBILI moved:

'that in the line 3 of rule 7 (cc), after the word and figure "section 9," insert the words and figures "of the Madras Local Boards Act, 1920".'

Mr. E. CONRAN SMITH:—"I second it."

The amendment was put and carried.

Mr. M. DEVADASAN:—"Mr. President, Sir, I beg to move the amendment standing in my name which runs thus:

'In transitory provisions, rule 7 (cc) in line 4, delete the words "subject to the provisions of" and substitute the words "notwithstanding anything contained in".'

In moving this amendment I want to make a few remarks. We are now discussing the question of nominations, and I feel that nominations should be resorted to for some time to come. This fact, I think, has been admitted by this House. It is on that basis that I move this amendment. According to the original Act, some percentage of the strength of the local boards was reserved for minorities such as Anglo-Indian, Europeans, Depressed Classes, Christians and Women. And it is a recognized principle that the interests of the minorities should not in any way be jeopardized by the changes that may be introduced into the Act. Mr. Krishnayya Choudari said that when the Bill was being considered by the Select Committee, he brought it to their notice that there should be safeguards for the representation of minorities. Our thanks are due to him for this action, though he now comes forward and says that there should be no nominations. As we all know, these new boards

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that will come into existence will last for a short time, and during that time the Hon. the Minister and the whole Government should be empowered to choose such persons from among the minority communities as are able and qualified to represent minorities in the same way as they did in the past. In the past there was nomination and the members nominated to represent minorities played their part very well, and I hope in the future also during the life of the new boards that the members in whom the confidence of the Government is reposed in the matter of being nominated to the boards will play their part worthily and discharge their duties as nominated members satisfactorily and truly represent the communities for whom they are nominated. With these words, I move the amendment and I hope the Government will not have any difficulty whatsoever in accepting it."

Rao Sahib V. I. MUNISWAMI PILLAI:—"Mr. President, Sir, I have great pleasure in seconding the amendment proposed by my hon. Friend, Mr. Devadasan. The real object of the amendment is to increase the percentage of representation of the minority communities in these boards. Much has been said about the principle of nomination or election with regard to these boards, from the depressed classes and other minority communities. But knowing as I do the depressed classes, I must say that they have greatly suffered when the Act of 1930 came into operation. I was one of them and from my personal experience I can say it is not always possible for a community having such a low economic status to face elections. In this transitory period it must be the generosity of the Government and members representing various groups in the south to accede to our request that comes unitedly from the various minority communities. So, Sir, I think the House will accept this amendment."

* Mr. K. P. RAMAN MENON:—"Mr. President, Sir, first of all, I see an objection to this amendment. I believe it goes to the root of it. These are only transitory provisions. In the rules framed by Government under section 9, certain number of members is fixed for each minority community. Is it the function of a transitory provision to alter radically the main section regarding the percentage of such members of the minority community? That is one objection I see. I want to know exactly where I stand, in regard to that aspect. Then, if I understand rightly, while under the provisions of section 9 any number of members can be nominated to a particular district board or a bifurcated board, does it mean that it is within the competence of the Government to nominate any number even to the extent of swamping the original number that are in the board? Although I certainly think that this will not be done by any responsible Government. As to the merits of nomination and election, we have had a very long discussion. I have these doubts in the matter and I will be very glad if my friends opposite would explain the position, as I am unable to understand how we stand with regard to this amendment."

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* Rao Bahadur A. T. PANNIRSELVAM:—"With regard to the fundamental objection which, according to the hon. Member, is there, if I understand his point aright, it is this. The transitory provision cannot override the main provision or the principle of the Act itself. If the transitory provisions are not to serve this purpose of overcoming certain inconveniences which might arise out of the main provisions during the transitory period, I do not see the utility of the transitory provision at all. Their very object is to enable the various bodies constituted under the Act to get over the transitory state, overcoming certain difficulties which ordinarily might arise under the main Act. So far as the other argument is concerned, it seems to me, Sir, that it is almost a necessary corollary to the main provision itself. I say a necessary corollary for this reason. If this House has accepted that every minority community should be adequately represented in the new boards that will be set up in the place of the existing ones, it seems to me that such a provision is almost essential. Because, in the bifurcation of the district boards, it is just possible that one minority community, the Muhammadans, for instance, might be in one board, while to the other the depressed classes might be confined; so that, in one of the boards there will be Muslim representation, while in the other there will be depressed classes representation. It might also occur that the number of seats provided for the minorities is also equally divided the same as the full board, so that the full 25 per cent is covered by the members representing the minority communities. If we impose a restriction of 25 per cent and power is given to Government to nominate representatives of minorities, to make good any deficiency in the representation, it would be almost meaningless; it would be giving a power which Government could not use. We intend to give the power with a view to remedy the defects that might be found and this amendment is therefore essential. Therefore it is that I heartily support this amendment and I hope there will be no difficulty in accepting it."

* The Hon. the RAJA OF BOBBILI:—"Sir, the provision (cc) causes so much discussion on the floor of the House this evening. It was originally suggested by the Select Committee and if I am not giving away any secrets of the Select Committee, I believe it is my Friend, Mr. Krishnayya Choudari, who raised the difficulty of the minorities being adequately represented in the bifurcated district boards. Probably, I believe I am right in saying that his real intention was to make out a case for not bifurcating the district boards. But, unfortunately, he now finds that this provision has now taken a definite shape. It is a suggestion made by the Select Committee which has been accepted by Government. As regards this small amendment now moved by my Friend, Mr. Devadasan, Government have found considerable difficulty in giving adequate representation to the minorities within the limit of 25 per cent fixed by the Act. I believe

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I am right in saying that in the Budget discussion or questions, that point was raised by several Members representing minorities on the floor of this House. It will be found that, in some bifurcated district boards, if we add the taluk board presidents, the number will be 23 or 24. Sometimes there will be fractions, and it will not be possible to give adequate and sufficient representation to all the minorities mentioned in the Act. I therefore feel that if the representation we propose to give is to be adequate, it is necessary to remove this limitation. Of course, my hon. Friend, Mr. Raman Menon, has stated that it will be open to Government by nominating minority communities to completely swamp the district boards. No doubt, it has now become a fashion to say that whatever power is given, Government are going to abuse. I can assure hon. Members that Government can be trusted to act in a responsible manner in this respect. If the Government are to abuse their powers, there are many other powers, much more important than the amendment now under discussion. I therefore support the amendment of Mr. Devadasan."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"Now, that the amendment is supported by the Chief Minister, I suppose it will be passed without division. But I must say one thing for the information of this Council that it was also considered in the Select Committee which was formed to amend the Act of 1921. When the maximum representation was fixed as one-fourth the minority community was given the right to contest elections. I think that aspect has been entirely forgotten. When the Members of the minority communities have a right to contest seat in the general electorate, I do not think they can take more than 25 per cent of the seats reserved for them in the general election. I only want to submit this for the information of the House. If the amendment wants that more than 25 per cent of the seats might, by reservation, go to minority interests and also that people of minority communities like Mr. Pannirselvam might come by election, it would mean that other communities will suffer. If that is the intention of the House, I have nothing more to say."

The Hon. the RAJA OF BOBBILI:—"Sir, I won't take much of your time. As for the apprehension expressed by the last speaker it will not arise, because it will be applicable as a transitory provision only to the next election of the district boards. There is no possibility therefore of any minority community being returned by the general electorate during this period."

MR. BASHEER AHMED SAYEED:—"My hon. Friend from Coimbatore has raised a very larger issue in having brought to the notice of the Council that the minority communities would be securing more seats than what is really assigned to them under the 25 per cent limitation. I would challenge my hon. Friends to show in how many boards minority communities have secured general seats. (Voices: 'Malabar

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and Guntur.) Malabar has got one-third of the population as Muslims and several taluks are entirely Muslim taluks. I do not want Malabar to be taken into consideration. Leaving it, out of the 25 districts, will the hon. Members be in a position to point out a single instance where these people have come by general election?

"I have to remind the House that a seriously detrimental mentality has crept in by the 25 per cent reservation. The moment there are reservations even though it may be for one or two, a mentality is created throughout the electorate that the minorities have got a seat by reservation and that they need not therefore vote for them. That has been the pernicious mentality created by Act of 1930 and the sooner it is got rid of, the better it will be for the minorities as well as the majorities. After all, the Hon. the Minister in charge of the local boards has rightly understood the grievances of the minority communities. I have always been opposing reservation. Either give them on the basis of their population plus some weightage which is just and fair, or we shall have no reservation."

"Sir, what is sought to be amended now is that which has been 5 p.m. placed 'subject to the provisions contained in sub-section (4).' That ought to have been removed even at an earlier stage. This is but a temporary measure. If it is going to be removed as an experiment we can see how this 25 per cent limitation will be worked out. I consider that it is in the interests of the minorities that this 25 per cent reservation ought to go, and some other principle which is in the interests of the minorities as well as the majority, should be introduced. I am very thankful to the Hon. Minister for having appreciated the position of the minority communities and accepted this amendment."

The amendment was put and carried.

* The Hon. the PRESIDENT:—"To-morrow we shall deal with sub-clause 7 (d)."

The House will now adjourn and meet again at 11 a.m. to-morrow.

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

APPENDIX I.

[Vide answer to question No. 716 asked by Mr. K. A. Nachiyappa Gounder at the meeting of the Legislative Council held on the 28th February 1934, page 410 supra.]

Serial number and name of municipality.	Name of commissioner.	Community.	Previous experience.	Scale of pay in the regular line.	Pay drawn on the date of appointment.		Pay now drawn as commissioner.		Conveyance allowance.
					(6)	(7)	(8)	(9)	
(1)	(2)	(3)	(4)	(5)	RS.	RS.	RS.	RS.	
1 Berwada ..	M.R.Ey. B. Audisebhaya Pantulu	Brahman	Tahsildar ..	200-10-300	250	* 250	50	20	
2 Coimbatore ..	K. Ramavarma Raja Ayyar	Non-Brahman.	Deputy Collector ..	300-40-500-50	400	500	100	40	
3 Kumbakonam ..	A. S. Ramanatha Ayyar	Brahman	Superintendent, Revenue Secre-	200-20-400	280	280	50	20	
4 Madurai ..	S. Samuel Pillai	Indian Chris-	Deputy Collector ..	300-40-500-50	400	500	100	40	
5 Ootacamund ..	Satyid Nakhuda Sahib Bahadur, M.A.,	Muhammadian.	Do.	Do.	420	480	100	40	
6 Rajahmundry ..	M.R.Ey. B. Undeswaraswami Nayudu	Non-Brahman.	Tahsildar	200-10-300	250	* 250	50	20	
7 Salem ..	R. D. Paul Avargal, M.A.	Indian Chris-	Deputy Collector ..	300-40-500-50	500	500	100	40	
8 Tanjore ..	V. S. Krishnaswami Ayyar	Brahman	Tahsildar ..	200-10-300	240	* 240	50	20	
9 Trichinopoly ..	Mr. C. M. McLaughlin ..	Anglo-Indian.	Deputy Collector ..	300-40-500-50	500	500	100	40	
10 Tuticorin ..	M.R.Ey. L. R. Venkataraman Avar-	Brahman	Do.	Do.	480	500	100	40	
11 Saidapet ..	D. Thangayya Avargal, B.A.	Indian Chris-	Head Clerk, Tuticorin Munic-	..	..	125	..	15	
12 Nandyal ..	N. R. Sambandam Pillai	Non-Brahman.	Revenue Officer, Salem Munic-	..	..	250	..	20	
13 Negapatam ..	K. P. Kandaswami Pillai	Do.	Revenue Officer, Ootacamund Municipality.	..	..	250	..	20	

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4 Tadpatri ..	M.R.Ey. C. Sangam Babu Garu, B.A.	Non-Brahman	Clerk, Local Self-Government	70-70-10-	150	187½	..	15	
15 Dindigul ..	M.R.Ey. M. G. Punyakoti Mudaliyar	Jangam.	Secretariat.	150-5-175	..	200	..	15	
16 Tirupati ..	M.R.Ey. S. Ramadoss Nayudu Garu.	Non-Brahman.	Saristadar, Ootacamund Sub-	125-150	..	..	..	..	
17 Conjeevaram ..	M.R.Ey. G. Ratnam Garu, M.A.,	Indian Chris-	Court, and Revenue Officer,	..	..	155	..	15	
18 Bellary ..	(Columbia), v.B.E.S.	tian (D.C.).	Coimbatore municipality.	..	..	205	..	20	
19 Peddapuram ..	M.R.Ey. C. Balagurunatham Pillai	Non-Brahman.	Revenue Officer, Trichinopoly	70-70-10-150	160	..	..	..	
20 Hindupur ..	Mr. M. A. Rahman, B.A.	Muhammadian.	Officiating Superintendent,	-5-175-200	290	* 290	50	20	
21 Vellore ..	M.R.Ey. B. Krishnaswami Rao Garu,	Brahman	Finance Secretariat	200-10-300	..	125	..	15	
22 Vizianagram ..	M.R.Ey. K. Ramaswami Mudaliyar	Non-Brahman.	Tahsildar ..	..	..	125	..	15	
23 Adoni ..	M.R.Ey. C. Vengal Rao Garu, B.A.,	Do.	Board.	..	..	155	..	15	
24 Cuddapah ..	M.R.Ey. A. Raghava Reddi Garu,	Do.	Council.	..	150	175	..	20	
25 Masulipatam ..	M.R.Ey. B. Mallappa Garu ..	Do.	District Panchayat Officer,	..	220	175	..	20	
26 Cocanada ..	M.R.Ey. D. C. B. Venkata Rao Garu.	Do.	Vizagapatam District Board.	..	200	175	..	20	
27 Vanivambadi ..	J. I. Arputhanathan Avargal, B.A.,	Indian Chris-	Secretary, Cuddapah District	..	160	165	..	15	
	B.L.	tian.	Board.	..	140	175	..	15	
			Secretary, Adoni Municipal	..	..	..	..	..	
			Council.	..	..	..	..	..	
			Sub-Registrar	..	..	..	..	..	
			Tahsildar, Vizagapatam ..	200-10-300	..	..	..	..	
			Upper Division Clerk, Chief	70-70-10-150	..	..	..	..	
			Secretariat.	-5-175	..	..	..	..	

* As on the 1st April 1933.

APPENDIX II.

[Vide answer to question No. 718 asked by Mr. M. S. Sreshta at the meeting of the Legislative Council held on the 28th February 1934, page 412 supra.]

	The Medical College, Madras.	The Lady Wil- lington Medical School for Women, Madras.	The Indian Medical School.	The Teachers' College, Saidapet.	The Engi- neering College, Guindy.
(1)	No	(2)	(3)	(5)	(6)
Whether it is a fact that over and above the number of seats allotted to the Indian States a large number of Indian States candidates have obtained admission to :—	..	..	Yes. Two candidates were admitted.	No seats are reserved for candidates belonging to States.	No.

If so under what circumstances;

The question does not arise .. A sufficient number of candidates belonging to the Madras Presidency were not available.

Whether any complaints have recently been received by the Government from Indian States have managed to secure admission by representing that they were British subjects.

No such complaints have been received by the Government. The Surgeon-General however received one anonymous petition and petition from one L. A. Ramanathan of Chintadripet (without address) in the matter. As the Principal of the College was satisfied from enquiries that there was no room for suspicion in the matter no action was taken.

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Whether candidates are expected to produce any evidence to show that they are British subjects ?

The candidates were not in the past expected to produce any evidence to show that they are British subjects but during the current academic year, in certain cases of doubt, certificates showing that the candidates are British subjects were obtained. The Principal of the College has since arranged that in future all candidates who apply for admission to the College should produce certificate of nativity.

Candidates are required to mention in their applications for admission the name of the district to which they belong and the name of the institution in which they last studied. No evidence beyond the candidates' own declaration is prescribed in proof of the candidates' nationality as British subjects.

Candidates are required to mention in their applications for admission the name of the district to which they belong and the name of the institution in which they last studied. No evidence beyond the candidates' own declaration is prescribed in proof of the candidates' nationality as British subjects.

The production of evidence to show that an applicant is a British subject is required only in case the Principal has reason to doubt the correctness of the applicants' statement.

[28th February 1934]

APPENDIX III.

[Vide answer to question No. 721 asked by Rao Sahib V. Dharmalingam Pillai at the meeting of the Legislative Council held on the 28th February 1934, page 413 supra.]

Copy of letter from the Collector of Chingleput and Madras, dated 29th November 1933, L. No. 8262.

[Abkari shops—Reopening of toddy shop No. 269, Velliyur and location of certain other shops in Saidapet taluk—Legislative Council question.]

At a special meeting of the Excise Advisory Committee, Tiruvallur, held on 28th January 1929, the Committee resolved to close toddy shop No. 269, Velliyur, from 1st October 1929. This proposal was accepted and the shop remained closed for 1929–30, 1930–31, 1931–32 and 1932–33 leases.

2. At the beginning of the current lease the Excise officers reported that toddy shop No. 281, Tirukkananjeri, was in close proximity being within 2 miles of toddy shop, Monnavedu, and toddy shop, Vishnuvakkam, and more than 7 miles from toddy shop, Koman-gambedu, and therefore proposed the closure of toddy shop No. 281, Tirukkananjeri, and the reopening of toddy shop No. 269, Velliyur, for 1933–34 lease. The Tahsildar and the Revenue Divisional Officer, Tiruvallur, also supported this proposal as by the proposed transfer of the toddy shop from Tirukkananjeri to Velliyur, the distances from the adjoining Monnavedu, Vishnuvakkam and Pakkam shops would become 3, $3\frac{1}{2}$ and $5\frac{1}{2}$ miles and thus the shops would be fairly well distributed. This proposal was recommended by the Collector as it gave the shop a more central location. It was approved by the Excise Commissioner.

3. The Secretary of the Madras Depressed Classes Federation objected to the reopening of toddy shop No. 269, Velliyur. This objection was considered by the Excise Advisory Committee, Tiruvallur, at its meeting held on 14th June 1933, who overruled the objection and approved the reopening of toddy shop No. 269, Velliyur, instead of toddy shop No. 281, Tirukkananjeri. An extract from the Committee's proceedings is as follows:—

“ Extract from the Proceedings of the Excise Advisory Committee (Final), Tiruvallur, dated 14th June 1933.

Resolution 7 (b).—Read representation of the Assistant Secretary, Madras Provincial Depressed Classes Federation, that no shop should be opened at Velliyur, and that if one should be opened there, the shop at Vishnuvakkam should be closed. In the circumstances explained by the Inspector of Excise it is resolved that the original proposal to open a shop at Velliyur be continued.”

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4. Except toddy shop No. 197, Villivakkam, the other shops, viz., 173, 184, 185, 188 and 189 are within 5 square miles area.

5. A representation was made to the Excise Advisory Committee, Saidapet, by the Assistant Secretary to the Madras Provincial Depressed Classes Federation for the closure of toddy shops No. 185, Virugambakkam, and No. 189, Koyambedu. It was received by the Secretary of the Excise Advisory Committee on 10th June 1933 and was placed before the Committee on 12th June 1933 which was its final sitting for deciding the number and location of toddy shop for the current lease. The Committee adopted the following resolution:—

“ The petition having been received late, no action can be taken on the petition to close toddy shops No. 189, Koyambedu, and No. 185, Virugambakkam. The Assistant Secretary will be told to renew the application in time for consideration for the next lease.”

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Thursday, the 1st March 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.	Narasimhaswami, Rao Sahib D. V.
Krishnan Nayar, Kt., The Hon. Diwan Bahadur Sir M.	Narayanan Nambiyar, Mr. V. P.
Campbell, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., The Hon. Sir Archibald.	Natesa Mudaliyar, Rao Bahadur C. Pait, Mr. R. M.
Raja of Bobbili, the Hon. the.	Pannirselvam, Rao Bahadur A. T.
Rajan, The Hon. Mr. P. T.	Parthasarathi Ayyangar, Mr. C. R.
Kumaraswami Reddiyar, The Hon. Diwan Bahadur S.	Pattagar of Palayakottai, The.
Abdul Hameed Khan Sahib Bahadur.	Pocker Sahib Bahadur, B.
Alamelumangathayacamma, Mrs. K.	Premayya, Mr. G. R.
Appadurai Pillai, Diwan Bahadur A.	Rajagopala Pillai, Mr. P. V.
Arasu, Mr. V. T.	Raja of Parlakimedi, The.
Ari Gowder, Mr. H. B.	Ramachandra Padayachi, Mr. P. K.
Basheer Ahmed Sayeed Sahib Bahadur.	Ramamurti, Rao Sahib Pandit Ganala.
Basu Dev, Mr. C.	Raman Menon, Mr. K. P.
Bayappa Reddi, Mr. P.	Ramaswami Ayyar, Mr. T. S.
Devadasan, Mr. M.	Ramaswami Mudaliyar, Mr. V. M.
Dharmalingam Pillai, Rao Sahib V.	Ranganatha Mudaliyar, Mr. A.
Duraiswami Reddiyar, Mr. K. M.	Ranganatha Mudaliyar, Mr. G.
Ellappa Chettiyar, Diwan Bahadur S.	Ranganatha Mudaliyar, Mr. M. D. T.
Gopalaswami Mudaliyar, Diwan Bahadur M.	Rangaswami Reddi, Mr. M. B.
Gopalaswami Ayyangar, Diwan Bahadur N.	Ratnasabhapati Mudaliyar, Diwan Bahadur C. S.
Harischandrudu Nayudu, Mr. A.	Sahajanandam, Swami A. S.
Hood, I.C.S., Mr. H. M.	Sami Venkatachalam Chetti, Mr.
Indrayya, Mr. C.	Sesha Reddi, Mr. B. P.
Jagannatham, Mr. H. M.	Shetty, Mr. A. B.
Jayaram Nayudu, Rao Sahib C.	Simhachalam Pantulu, Mr. G.
Kesavaramamurti Nayudu, Mr. K.	Singam Ayyangar, Mr. K.
Kolanda Reddi, Rai Sahib C.	Siva Raj, Rao Sahib N.
Koti Reddi, Mr. K.	Smith, C.I.E., I.C.S., Mr. E. Conran.
Krishnayya Choudari, Mr. P. V.	Soundara Pandian, Mr. W. P. A.
Krishnamurti, Rao Bahadur D.	Sreshtha, Mr. M. S.
Kumararaja of Venkatagiri, The.	Srinivasa Ayyangar, Mr. T. C.
Kuppuswami Choudari, Mr. J.	Srinivasan, Rao Bahadur R.
Ladden, Mr. W. W.	Sriramulu, Mr. G.
Lakshmana Reddi, Mr. G.	Subbarayan, Dr. P.
Madanagopal Nayudu, Mr. R.	Subrahmanya Chetti, Rao Sahib P.
Mahmud Schamnad Sahib Bahadur, Khan Bahadur.	Subrahmanya Bhatt, Mr. U. C.
Manikkavelu Nayakar, Mr. M. A.	Sundara Rao Nayudu, Mr. T.
Metherell, Mr. J. K.	Syed Tajuddin Sahib Bahadur, Khan Sahib.
Moidoo Sahib Bahadur, Khan Bahadur T. M.	Thangal, Mr. P. M.
Moses, Mr. P. C.	Thomas, Mr. Daniel.
Muthiah Chettiyar, Mr. M. A.	Thorne, C.I.E., I.C.S., Mr. J. A.
Muthu Chettiyar, Rao Bahadur P. C.	Vasudeva Pillai, Mr. V. G.
Nachiyappa Gounder, Mr. K. A.	Vedachala Mudaliyar, Mr. M.
Nadimuthu Pillai, Mr. A. Pl. N. V.	Venkatachala Reddiyar, Mr. K. C. M.
Nanjappa Bahadur, Subadar-Major S. A.	Venugopal Nayudu, Rao Bahadur R. K.
Narasa Reddi, Mr. T.	Viswanatha Rao, Diwan Bahadur V. N.
	Yaycha Ali Sahib Bahadur, Khan Bahadur.
	Yakub Hasan Sahib Bahadur.
	Zamindar of Mirzapuram, The.
	Tampoe, I.C.S., Mr. A. McG. C.

[1st March 1934]

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Forests

Report of the Working Plans Officer on the reserve forests of South Kanara.

* 723 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Law Member be pleased to state—

(a) whether it is a fact that a Working Plans Officer, one Mr. Davis, was sent to South Kanara to submit a report for the working of the reserve forests of South Kanara and whether he submitted a report on the same; if so, whether the Government will be pleased to lay on the table a copy of the said report and state under what circumstances the Working Plans Officer was deputed to make the investigations;

(b) what the length is of time the said officer worked in South Kanara and what the cost was of the said investigations;

(c) whether the Government have given effect to the plans of the said officer to work the reserve forests; if not, why not; and

(d) whether it is a fact that it was the giving up of the plans suggested by Mr. Davis that necessitated the withdrawal of the concessions which the ryots of South Kanara were enjoying?

A.—(a) Yes; a copy of each of the working plans for the North and South Mangalore forest divisions prepared by Mr. Davis, which are in print, will be placed in the Council Library. Ordinary silvicultural principles require that all forests should have working plans to ensure that they are managed to the best advantage.

(b) *North Mangalore Working Plan*.—Time of preparation—Seventeen months—Cost Rs. 26,106.

South Mangalore Working Plan.—Time of preparation—Three years—Cost Rs. 63,104.

(c) Yes.

(d) No.

Mr. U. C. SUBRAHMANYA BHATT:—“ May I ask the Hon. the Law Member whether it is not a fact that Mr. Davis proposed working plans for working the reserved forests while Mr. Padmanabha Pillai, the Forest officer of Mangalore, proposed that the unreserved forests could be worked and the requirements of the Government could be met? ”

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ There is nothing in the question about unreserved forests. I want notice of the question.”

Mr. U. C. SUBRAHMANYA BHATT:—“ May I know in what respects the Government have accepted the working plans? ”

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ In all respects, as far as I can say now.”

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Land Revenue Administration

Damage by floods caused to the pisanam crops in Srivaikuntam taluk.

* 724 Q.—Mr. M. DEVADASAN: Will the Hon. the Member for Revenue be pleased to state—

(a) whether his attention has been drawn to resolution No. IV of the Tinnevely District Conference, dated 21st January 1934, about the pisanam crops in four villages in Srivaikuntam taluk, having been washed away by floods; and

(b) whether the Government have passed any and, if so, what orders in regard to these four villages?

A.—(a) The answer is in the affirmative.

(b) No, as no special orders of Government are necessary; in the Board's standing orders it is within the power of the district officers to grant remission to ryots applying for it on the ground that their crops have been washed away.

Agriculture

Importation of rice from foreign countries.

* 725 Q.—Mr. M. B. RANGASWAMI REDDI: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government are aware of the fact that imports of rice into the Madras Presidency from Japan, Indo-China and Siam have considerably increased during the past five years; and

(b) whether there are any measures under proposal to raise the prices of the local products?

A.—(a) The Government are aware that rice is imported into the Presidency from these countries and that there has been an increase in the last three years.

(b) The measures taken by Government to facilitate the freer movement of rice have been referred to by the hon. Revenue Member in his speech on the debate on the resolution for land revenue remission on 31st January 1934.

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I ask what investigations the Government have made to find out the extent of foreign rice imported into Madras? ”

The Hon. Mr. P. T. RAJAN:—“ No investigations have been carried out.”

Mr. V. M. RAMASWAMI MUDALIYAR:—“ May I ask whether the Government do not think it necessary to carry out investigations in this respect? ”

The Hon. Mr. P. T. RAJAN:—“ The customs authorities will give us the information required.”

[1st March 1934]

Mr. T. C. SRINIVASA AYYANGAR:—" May I know what protection the Government propose to give the people in this respect? "

The Hon. Mr. P. T. RAJAN:—" As I said in my reply to the general discussion of the Budget, the Government of India have been addressed in the matter. In view of the recent import of paddy into the Madras Presidency the Government of India are being addressed again."

Mr. A. RANGANATHA MUDALIYAR:—" May I ask the Hon. Minister how far the measures taken by the Government have achieved the object they have in view? "

The Hon. Mr. P. T. RAJAN:—" My reply must have made it clear."

Mr. T. C. SRINIVASA AYYANGAR:—" Are the Government aware that large quantities of paddy are still being imported from Siam? "

The Hon. Mr. P. T. RAJAN:—" The Government cannot answer a question of that kind off-hand."

Mr. A. B. SHETTY:—" Have the Government received any reply from the Government of India to their communication on this matter? "

The Hon. Mr. P. T. RAJAN:—" As far as I am aware, no reply has yet been received."

Mr. A. RANGANATHA MUDALIYAR:—" Sir, the answer refers only to the measures taken by the Government. It does not at all refer to the results that have been obtained from those measures. The answer is not clear."

The Hon. Mr. P. T. RAJAN:—" The Government of India is being addressed on the subject of the imposition of a preventive tariff on the import of foreign rice. That is what I have stated."

Mr. ABDUL HAMEED KHAN:—" Sir, in view of the fact that our agriculturists are doubly suffering on account of this import of rice, will the Government make a further strong representation to the Government of India and persist in that representation till a solution is found for this problem? "

The Hon. Mr. P. T. RAJAN:—" I can assure hon. Members that the Local Government will go on making representations till they succeed."

Khan Bahadur MAHMUD SHAMNAD SAHIB Bahadur:—" The answer to clause (b) speaks of the measures taken by Government to facilitate the freer movement of rice. May I know what those measures are? "

The Hon. Mr. P. T. RAJAN:—" That refers to the appointment of an officer to make investigations into the conditions of marketing of rice and reduction of freight on the South Indian Railway and the attempt to get the Hyderabad import duty reduced."

Mr. V. M. RAMASWAMI MUDALIYAR:—" Are the Government aware that during the last two weeks about 8,000 tons of paddy have been imported to Madras and that this has adversely affected the market? "

[1st March 1934]

The Hon. Mr. P. T. RAJAN:—" The Government got the information from the same source as the hon. Member, viz., the newspapers."

Mr. T. C. SRINIVASA AYYANGAR:—" With reference to the answer contained in clause (a), namely, that there has been an increase in the import of rice in the last three years, may I ask whether the Government will be pleased to lay on the table the reply received from the Government of India in regard to the representations on this matter? "

The Hon. Mr. P. T. RAJAN:—" The hon. Member's suggestion will be considered, Sir."

Mr. M. A. MANIKKAVELU NAYAKAR:—" Are any steps taken to expedite the reply from the Government of India? "

The Hon. Mr. P. T. RAJAN:—" The Government of India are being addressed in the matter."

Mr. A. B. SHETTY:—" May I ask whether, besides facilitating freer movement of rice, Government have under consideration any special steps for raising the prices of the local products? "

The Hon. Mr. P. T. RAJAN:—" I do not think we have any special measures for raising the prices."

Mr. P. V. KRISHNAYYA CHOUDARI:—" Are the Government constituting a marketing board as advised by the Government of India?"

The Hon. Mr. P. T. RAJAN:—" It will be done at the beginning of the next financial year."

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

II.—AMENDMENTS TO STANDING ORDER No. 80 OF THE MADRAS LEGISLATIVE COUNCIL.

* The Hon. the PRESIDENT:—" The first item in the Agenda is a motion by the Hon. the Leader of the House to amend Standing Order No. 80. Under Standing Order No. 79, I have now to read the draft amendment and ask whether the Hon. Member has the leave of the House. The amendment has been circulated to the hon. Members of this House and is also printed in the Agenda. The amendment reads as follows:—

Insert the words " the Member giving notice of the amendments and in case he is a non-official Member, the Member of Government concerned " before the words " and a Chairman of the Council to be nominated by the President," occurring in the first sentence of the Standing Order."

" I wish to know whether the Hon. Member has the leave of the House. (After a pause) Since no Member objects, I take it that the Hon. Member has the leave of the House. The draft amendment is now to be 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

[The President] [1st March 1934]

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 1 p.m. to-day 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, there will be an election between 4 and 5 p.m. to-day."

III.—A BILL TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920, AND THE MADRAS ELEMENTARY EDUCATION ACT, 1920 (BILL No. 2 OF 1934).

The Hon. the PRESIDENT:—"The consideration of Bill No. 2 of 1934 will now continue."

THE SCHEDULE.

Transitional Provisions.

Mr. P. V. KRISHNAYYA CHOUDARI:—"I am not moving my amendment, under rule 7 (d), viz., in line 6 after the word 'office' substitute the words 'in both the district boards.'"

Rule 7 (g) (i).

* Rao Bahadur A. T. PANNIRSELVAM:—"Sir, the amendment of which I have given notice is:

'Omit "(g) (i) in rule 7 of the Transitory provisions."'

"My amendment will have the effect of removing the provision in the Bill as reported upon by the Select Committee, which enables the present president of a district board to continue as president of that portion of the board within which his constituency would lie. My idea is that, after the bifurcation, the present presidents go out of office and the boards get an opportunity of electing their own presidents. The reason is this: A person occupies the position of a president only on the ground that he commands the confidence of a majority of the Members constituting that board. That guarantee of his commanding the confidence of the majority in his board disappears, I submit, with the bifurcation or the division of the district board. I presume it would be almost impossible to so divide the board as to give the person presiding now to have a majority of supporters. The chances will be 50 per cent either way. He might, in the bifurcated board, have a majority, or he might not have a majority. And if he does have a majority, I think it would be the easiest thing for him to get himself re-elected; but if he does not have a majority, it would be unfair to him and unfair to the board over which he presides that he should be continued as president.

"One argument that has been advanced for retaining the present occupant of the presidential office is the trouble and the inconvenience of and the bad atmosphere, I may add, that is generally generated by an election. On the other hand, as against this, I have to point out that, if you retain as president, a person who does not command the confidence of the board as reconstituted, you will be making him face

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the alternative of a non-confidence motion. Between these two evils—the evil of an election and the evil of a no-confidence motion, the question for us to decide is, which is the greater. To me it appears, Sir, that the dangers attendant on a no-confidence motion, the bad blood, that is consequently created and the unpleasant atmosphere that is thereby introduced are very much greater than in the case of an election. Considering the advantages either way, I should certainly submit, Sir, that it would be conducive to the better administration of the local boards, if, on the bifurcation of these boards, all the presidents are asked to vacate their offices and seek election and secure the same if they command a majority in their own boards. It is on these grounds that I propose this motion."

Mr. G. SIMIACHALAM PANTULU:—"Mr. President, Sir, in rising to support this amendment I have to say that it is not good from the point of view of administration and policy that the person who happens to occupy the presidentship for the time being should be continued as president in the reconstituted district board. For more reasons than one, to ask him to seek re-election is good, as pointed out by the hon. the Moyer. For it is very rare that these presidents who have already got themselves elected command the confidence of the board in which they may find themselves as presidents. So it is only to make the scheme unworkable and to make matters more complex, this provision has been retained. I therefore support the proposition that the presidential seat should be thrown open for election."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"Sir, I do not think it is fair to ask a president who has been elected as president for a board for a period of three years, to get out after a year or so and seek re-election. The present arrangement is only a transitory one intended just to avoid all inconvenience and unpleasantness incidental to a re-election. So I oppose this motion."

Mr. K. SINGAM AYYANGAR:—"Sir, I have to oppose the motion because the Government have at present come to the conclusion that the presidents of district boards should continue in office and that in the case of the bifurcated district boards alone the presidents should seek re-election. No doubt the reasons advanced by Mr. Pannirselvam are very good. But at the same time I would not suggest that we should have re-election for both the boards."

Rao Bahadur A. T. PANNIRSELVAM:—"On a matter of personal explanation, Sir, I said that to begin with we shall retain the presidents of district boards which are not bifurcated, and that in the case of bifurcated district boards the presidentship shall be thrown open to re-election."

Mr. K. SINGAM AYYANGAR:—"So far as that is concerned, I have no objection, Sir. So Sir, I have no reason to oppose the motion."

Mr. BASHEER AHMED SAYEED:—"Mr. President, Sir, I do not see the legitimacy of the reasons that my friend wants to put forward in support of the proposition now under consideration. There seems to

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be no force in the argument that, because a person has continued to be the district board president—i.e., his having been elected by 52 members—he can continue to be the president. Again, Sir, simply because there is going to be bifurcation of a certain board and there is going to be a president elected for it, that is no reason why the president who has already been elected president by the whole body should also go out of office. It would be reasonable if all the members of the district board go out of office, and then there is election for the district board membership, and consequently re-election for the presidentship as well. But so long as a certain number of members continue to be members of the old board, although a few members may go out to constitute a new board, the *status quo* should prevail even though those who have elected him are now no more in office. I do not see any good reasons advanced in support of this motion. On the other hand it will be highly detrimental to the peace of the local boards once again to have an election eighteen months after the previous one, as it would interfere with public peace, bringing in its train several other things, of which only very recently we had sufficient experience. So I do not think it would be in the interests of the board, the public and the members of the district board that the presidentship of the old board should be thrown open for election. So I oppose this motion.”

Rao Sahib N. SIVA RAJ:—“ Mr. President, Sir, I do not think on principle anybody would take objection to the proposition now before the House. As regards the new board that is to be constituted, hon. Members have very little difference of opinion. It is with regard to the old board there is some difference. Mr. Basheer Ahmed says that the president of the old board may continue to be the president, since he has been elected by the whole body. On the other hand I fear that where a man has been elected by the whole board as president, he may not find in the new board his old supporters. Anyhow there is a lot to be said in favour of both. (Laughter.) But after all as this clause happens to be only a transitory provision, I do not think we need have any serious objection to support it.”

Mr. DANIEL THOMAS:—“ Mr. President, Sir, I am sorry I have to oppose this motion. (Laughter.) [Mr. A. T. Pannirselvam: ‘ You need not feel sorry for opposing it.’ (Laughter.)] Then, I am glad to do so. Sir, the hon. Mover has placed before us two alternative evils, namely, re-election and no-confidence, each having its own peculiar evil consequences. But one thing has to be borne in mind. According to the proposition of my hon. Friend in all district boards in which there has been bifurcation, as a matter of routine and necessity there will have to be election for both the boards. But so far as the no-confidence motion is concerned it is not in every case that this thing will happen. Again in the case of no-confidence motion the majority required is three-fifths. In view of these circumstances I beg to oppose the motion.”

* The Hon. the RAJA OF BOBBILI:—“ Mr. President, Sir, the proposition contained in the amendment of Mr. Pannirselvam was considered

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in the Select Committee, which ultimately decided to stick to the original draft. No doubt it is logical, and so I do not on that score propose to oppose it. But what Government feel is that at a transitional stage it is desirable to cause as little disturbance as possible. The cases cited by Mr. Pannirselvam where presidents of old district boards, if retained, may not find adequate support in the new district board are quite true. But such contingencies will only be an exception and not the general rule. And we do not want to compel in such cases where a president does not want to continue as president to remain there. As I said, after all, this is only a transitory provision, and so I appeal to hon. Member not to press this motion.”

* Rao Bahadur A. T. PANNIRSELVAM:—“ I am glad that my amend- 11-30
ment has made hon. Members sitting opposite rise one after another in a.m.
support of the Government's position. Just one word with reference to what my hon. Friend, Mr. Basheer Ahmed, said. I thought that in what I said in support of my amendment I made myself perfectly clear—at least from my own point of view I thought it was logical. I am sorry to find that he has not followed my argument. If he has followed my argument even a bit, he would have easily found why a member who is elected for a board consisting of, say, 52 Members could not continue as president after bifurcation. I must say that it is a simple matter of arithmetic and if he has bestowed a little thought over the matter he would have been able to see the fallacy of his own argument. Supposing in a board consisting of 52 the president was elected by 29 against 23 and this board of 52 is bifurcated and we find 26 people allotted to each district board, and supposing the 26 people that go over to the new board are out of the 29 people who gave their support to the president in the old board, I ask what would be the position of that president whom you want to shelter? As far as I can follow, the arguments of hon. Members who opposed my motion after all amount to one thing, viz., as to why we should disturb a certain gentleman who entered into his office with the expectation of continuing all through the full period of three years by reason of this Legislative Act. My reply will only be this: when taluk board presidents entered into their office, they stood for election at considerable expense and in the hope that they would continue for three years. When taluk board servants took up particular service, they thought that their services would not be disturbed, in the normal course of events, for their life and by this Act of Legislature we are disturbing them. We have no consideration for taluk board servants, we have no consideration for taluk board members or presidents. But then hon. Members of this House seem to be very solicitous, for reasons which it would be unnecessary for me to explain, about the sensibility of presidents of district boards being disturbed. Out of deference to the wishes expressed by the House and more particularly the appeal made by the Hon. the Chief Minister and with your permission, I withdraw my amendment.”

The amendment was, by leave, withdrawn.

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* Mr. P. V. KRISHNAYYA CHOUDARI:—"I beg to move the amendment which stands in my name as follows:—

'In lines 1 and 5 after the words "president" insert the words "or vice-president"'

'and for the words "of the district board of which he becomes a member under clause (b)" substitute "of whichever of the bifurcated boards they choose."'

"I move this amendment as a via media between the two points of view. So I request the Hon. House to adopt it. Before I do so, I shall give just a few reasons. The Hon. the Chief Minister in his statement just a few minutes back in reply to Mr. Pannirselvam said that he was not in favour of creating many changes in the present administration during the transitory period. The Hon. Minister's original idea was that the presidents and vice-presidents ought to continue. I do not know what made the Hon. the Raja Sahib to withdraw this concession in the case of vice-presidents alone.

"The second part of my amendment refers to the question of option that may be exercised by the president or the vice-president. I do not know which part of the amendment I can move, whether the first part or the second."

* The Hon. the PRESIDENT:—"The hon. Member may move both."

* Mr. P. V. KRISHNAYYA CHOUDARI:—"That is why I am talking on both the amendments. Thanks very much, Sir.

"Sir, as far as the Hon. the Raja Sahib is concerned his first thought was to leave the things as they are so far as this Act is concerned. But now on a second thought he has changed his views probably with regard to vice-presidents. If we had allowed the Bill without referring it to a Select Committee we might have got some benefit with regard to the various provisions in the Bill. After the report of the Select Committee he has not allowed the vice-presidents to continue. When the president who is elected by the same body is allowed to continue, I do not know the reason why the vice-president who is also equally elected by the same members of the board should be deprived of this opportunity. Now some hon. Members have stated that we must give some privilege for the election of new members and for the election of presidents and vice-presidents. If we want to give some privilege to the presidents, why should that be denied to vice-presidents? I want the Hon. the Chief Minister who opposed Mr. Pannirselvam's amendment to apply the very same reasoning that he applied in opposing his amendment with regard to my amendment and extend the privilege in the case of vice-presidents also. Several hon. Members who opposed the amendment of Mr. Pannirselvam are in favour of retention of presidents. So I request them to be in favour of the retention of vice-presidents also. I see no reason why we should make

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a difference between the president and the vice-president. So far with regard to the first portion of the amendment.

"With regard to the second portion of my amendment Mr. Pannirselvam has explained lucidly about the no-confidence motions, etc. Now to avoid the trouble of no-confidence motions, I have submitted to this House a solution. The presidents and the vice-presidents can have the option of choosing as to which of the bifurcated boards they want to become presidents or vice-presidents. For example the presidents in order to get voting strength for themselves may choose to get as many members as possible to their sides. For that reason they may go to a corner place where there is not so much opposition to them, and make themselves happy. But in another portion they may not have good support to run the administration smoothly. Now to avoid such contingencies if we give option to the presidents and vice-presidents to choose whichever boards they like, it would be in the interests of proper administration. It is the duty of the Government to avoid trouble as much as possible. If they do not accept this amendment, they will be courting trouble. Supposing a board has got 52 members which is divided into two. In a particular board to which the president is returned as a member he may not have sufficient strength to support him but in the other board where he has not got a seat he may have sufficient strength to carry on the administration smoothly. In the Select Committee we have removed the disqualification on account of their residence both in the case of members and presidents. That will itself be a great facility for the president even though he happens to be a member of a board of a particular area to get the presidentship of the other board. With these few words I appeal to the Hon. the Chief Minister to accept my amendment."

Rai Sahib C. KOLANDA REDDI:—"I have been wondering as to why there should be this invidious distinction made between president and vice-president. For the matter of that the vice-president is elected in the same manner as the president. In fact they hold the same status. Recently the Government removed the distinction that was observed in respect of travelling allowance too. So, as I have already said, I was wondering all the while as to why they proposed to chuck out the vice-president and retain the president. After a laborious search, I stumbled upon the reason, and that is, there was absolutely no representative on behalf of these poor vice-presidents on the Select Committee and worse still, in the whole House. That is the only reason, if reason it were for drawing a distinction between presidents and vice-presidents. It is neither morality, nor justice, nor fairness to treat the vice-presidents like that. Without dilating further on this matter I propose that no distinction should be drawn between presidents and vice-presidents after the introduction of this Act. So I have tabled the amendment which runs as follows:—

"After the words "The president" insert the words "and the vice-president" and after the words "he the president" insert the words "and the vice-president" and for the words "he becomes a member" substitute the words "they become members" and after the other concerned rules accordingly."

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* The Hon. the PRESIDENT:—"He need not move his amendment separately, because it is similar to Mr. Choudari's."

* Rai Sahib C. KOLANDA REDDI:—"Very good, Sir, I follow your advice. I second the amendment moved by my hon. Friend Mr. Choudari."

* Mr. T. C. SRINIVASA AYYANGAR:—"I support my hon. Friend, Mr. Choudari. The amendment of my hon. Friend consists of two propositions, viz., that instead of the president alone, as provided by the report of the Select Committee continuing in office even after bifurcation, the vice-president also may be allowed to continue in office instead of creating confusion by throwing open the office of vice-presidents alone for election. All the reasons that the Hon. the Chief Minister adduced, viz., that during the transitory period there should be no dislocation and as much as possible the *status quo ante* should continue apply equally for this purpose also. Therefore I support the first part of the amendment."

"As regards the second part of the amendment it appears to me that there is an inconsistency between clause (b) of rule 7 and the amendment."

11-45
a.m.

"By clause (b) of rule 7 it is provided that the president or vice-president can belong only to that board within whose jurisdiction the circles they represent are situated. Therefore the president or vice-president cannot choose to be the president or vice-president of the board within whose jurisdiction the circle they represent are not situated. Therefore the latter portion of the amendment does not seem to be quite in order. I would request you, Mr. President, to put the two parts separately to the vote of the House."

Mr. ABDUL HAMEED KHAN:—"Mr. President, Sir, the arguments that have been advanced by Mr. Srinivasa Ayyangar are certainly very wholesome. He has said what I myself wanted to suggest, namely, that there is a difference of opinion even among the supporters of the first part of this amendment. If the whole amendment is put to vote, there will be some difficulty. Therefore, I also suggest that the two parts might be put to vote separately."

"With regard to the first part of the amendment, I wish to point out that the Hon. the Chief Minister advanced the argument a little while ago that it was the intention of the Government not to create any unnecessary disturbance in the existing conditions and therefore the president of the existing board should be the president of one of the bifurcated boards. The same argument can equally forcibly be advanced with regard to vice-presidents also. I have not so far heard any argument for disturbing the vice-president while retaining the president. If the Government want not to disturb the president, I do not see why the vice-president should be disturbed and fresh election

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held in his case. All the troubles of an election will have to be undergone by the new district boards if the vice-presidents are to be disturbed and fresh elections held. If the Hon. the Chief Minister had proposed that the vice-president should be the president of the new board, and the president should be the president of the existing board, we would have understood him. Evidently he has not done so and does not propose to do so. Such being the case, I hope, Sir, that the Hon. Minister would agree to this proposition which is supported by his own logic and not disturb the existing vice-presidents from their places."

Mr. R. M. PALAT:—"Mr. President, Sir, as Mr. Hameed Khan has said, it is better to put these two propositions to vote separately. I want to say a few words on the second proposition put forward by Mr. Krishnayya Choudari, namely, that the president should be allowed to choose whichever board he likes after the board is bifurcated. When he puts forward that statement, I think he forgets that the constituency from which the president has been elected as a member will be disfranchised if the president chooses to be the president of the other board within whose jurisdiction his constituency is not situated. It will be unfair to that constituency not to have a member of its own on its own board and allow its representative to go to another board which does not administer the affairs of the board of which that constituency forms part. I submit, therefore, that on principle, it is wrong to allow the president to choose whichever board he likes. He must be made to stick to the board within whose jurisdiction his constituency lies."

Mr. DANIEL THOMAS:—"Mr. President, Sir, reason and logic are quite as much in favour of the vice-president as in favour of the president. Every one of the arguments advanced by both sections of the House in support of the proposition that the president of a bifurcated district board should not be disturbed applies with equal force and cogency to the case of the vice-president also. If the Government were to say that the president alone was not to be disturbed, while the vice-president might be asked to seek re-election, it would appear as though the Government wanted to conciliate the big-wig of a district board president while they were prepared to throw the underdog of vice-president to the wolves."

Mr. K. P. RAMAN MENON:—"Mr. President, Sir, I too suggest that the two parts might be put to vote separately. The first part of the amendment seeks to confer on the vice-president the same privileges that are conferred on the president. As has been pointed out by several hon. Members, all the reasons that go in favour of the president apply equally to the case of the vice-president also. There is also this further fact to be borne in mind. In some boards, to avoid friction and faction, arrangements are arrived at by which a prominent member is given the president's place and another prominent member, perhaps

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a little less prominent than the other, is given the vice-president's place. If this sort of arrangement among the members is sought to be respected in the new enactment so far as the president is concerned, there is no reason why that should not be respected even in respect of the vice-president. That is another reason I would advance in support of the suggestion to extend this privilege to vice-presidents also. With reference to the second suggestion put forward by Mr. Choudari, no doubt there will be the difficulty pointed out by Mr. Srinivasa Ayyangar, but that can be got over if an amendment is moved to Mr. Choudari's amendment, namely—

'Add at the end of the words, "notwithstanding anything contained in rule 7 (b)."

Then there will be no inconsistency whatsoever. With your permission, Mr. President, I move the amendment."

MR. G. R. PREMAYYA:—"I second it."

* MR. P. V. KRISHNAYYA CHOUDARI:—"I accept the amendment."

* The Hon. the RAJA OF BOBBILI:—"Mr. President, Sir, as regards the first part of the amendment, I have to point out that it was the intention of the Government to give this protection to the district board president only. But in the drafting of the Bill, by an oversight vice-presidents also were included. Of course, the objection from my point of view is this. In a bifurcated district board, the vice-president and the president may belong to different district board areas. Therefore there would not be that amount of co-operation between the president and the vice-president which is necessary and desirable in the interests of the administration. I have therefore to oppose the amendment. As regards the second part of the amendment, on principle it is objectionable that a member who does not represent a constituency in the district should be the president of that district board. And, as has been pointed out by Mr. Srinivasa Ayyangar, such a course will be inconsistent with the main provisions of the Act. I therefore oppose both parts of the amendment."

* MR. P. V. KRISHNAYYA CHOUDARI:—"Sir, the Raja Sahib said that it was not the intention of the Government to include the vice-presidents also and that it was only by oversight that they were included in the Bill. Perhaps that shows that justice demands that vice-presidents should get the same privileges as presidents, and at least for that reason, the Raja Sahib might have allowed the clause to remain as it was, even though it was against his wishes."

"With regard to the second part of it, when we have provided that the president should be at the district headquarters and removed the residential qualification so far as members are concerned, when we have accepted amendments to that effect, I do not see why we should not accept this amendment also. I request the Hon. the Chief Minister to accept the amendment permitting the president to choose

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the board in which he has a majority. Otherwise, suppose in the board in which he has to be the president, there happen to be only ten members supporting him and twenty members opposing him. Although the Government make him the president of the board, the board may remove him the very next month by passing a motion of no-confidence against him. Not only that, the other board in which he has got a majority of supporters would have elected another president of its own by the time he is removed by a no-confidence motion in the other board. Thereby, he will be deprived of an opportunity to be president of either board. Considering this aspect of the question, I request the Hon. the Chief Minister to accept my amendment. So far as the objection raised by Mr. Srinivasa Ayyangar is concerned, it can be overcome by the amendment proposed by Mr. Raman Menon. Therefore there will be no technical objection to the amendment. For these reasons, I request the Hon. Chief Minister once more to accept the amendment."

Rai Sahib C. KOLANDA REDDI:—"Have I got a right of reply, Mr. President?"

* The Hon. the PRESIDENT:—"No."

"I shall put the first part of Mr. Krishnayya Choudari's amendment to vote."

"The question is that—

In line 1 and 5 of rule 7 (g) (i), after the word 'president' insert the words 'or vice-president.'"

The amendment was declared lost. A poll was demanded and the House divided thus:—

Ayes.

1 Dr. P. Subbarayan.	14 Mr. M. S. Sreshta.
2 Mr. T. C. Srinivasa Ayyangar.	15 .. P. V. Krishnayya Choudari.
3 .. T. S. Ramaswami Ayyar.	16 .. C. Indrayya.
4 .. V. T. Arasu.	17 .. J. Kuppuswami Choudari.
5 .. A. B. Shetty.	18 .. H. B. Ari Gowder.
6 .. Abdul Hameed Khan.	19 .. G. R. Premayya.
7 .. Basheer Ahmed Sayeed.	20 .. P. M. Thangal.
8 .. U. C. Subrahmanya Bhatt.	21 Rai Sahib C. Kolanda Reddi.
9 .. K. A. Nachiyappa Gounder.	22 Mr. B. P. Sesha Reddi.
10 The Pattagar of Palayakkottai.	23 .. G. Lakshmana Reddi.
11 A. M. Ahmed Meeran Sahib Bahadur.	24 .. Daniel Thomas.
12 Mr. K. P. Raman Menon.	25 .. G. Simlachalam Pantulu.
13 Diwan Bahadur C. S. Ratnasabhapati Mudaliyar.	

Noes.

1 The Hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur.	3 The Hon. Sir Archibald Campbell.
2 .. Diwan Bahadur Sir M. Krishnan Nayar.	4 .. Diwan Bahadur S. Kumaraswami Reddiyar.
	5 .. the Raja of Bobbili.
	6 .. Mr. P. T. Rajan.

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Noes—cont.

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| 7 Mrs. K. Alamelumangathayaramma. | 24 Mr. P. C. Moses. |
| 8 Diwan Bahadur V. N. Viswanatha Rao. | 25 „ P. V. Rajagopal Pillai. |
| 9 Mr. J. A. Thorne. | 26 „ V. G. Vasudeva Pillai. |
| 10 „ H. M. Hood. | 27 „ W. P. A. Soundarapandian. |
| 11 Diwan Bahadur N. Gopalaswami Ayyangar. | 28 „ P. Bayappa Reddi. |
| 12 Mr. R. Madanagopal Nayudu. | 29 „ P. K. Ramachandra Padayachi. |
| 13 „ E. Conran Smith. | 30 Rao Sahib V. Dharmalingam Pillai. |
| 14 Khan Sahib Syed Tajuddin Sahib Bahadur. | 31 The Kumararaja of Venkatagiri. |
| 15 Mr. M. D. T. Ranganatha Mudaliyar. | 32 The Zamindar of Mirzapuram. |
| 16 Rao Bahadur A. T. Pannirselvam. | 33 Mr. M. A. Muthiah Chettiar. |
| 17 Mr. K. C. M. Venkatachala Reddiyar. | 34 „ K. M. Duraiswami Reddi. |
| 18 „ G. Ranganatha Mudaliyar. | 35 Rao Sahib P. Subrahmanyam Chetti. |
| 19 Khan Bahadur Yahya Ali Sahib Bahadur. | 36 Mr. H. M. Jagannatham. |
| 20 Mr. M. Devadasan. | 37 Rao Bahadur D. Krishnamurti. |
| 21 Subadar-Major S. A. Nanjappa Bahadur. | 38 Rao Sahib C. Jayaram Nayudu. |
| 22 Mr. M. Vedachala Mudaliyar. | 39 Diwan Bahadur A. Appadurai Pillai. |
| 23 „ G. Sriramulu. | 40 Rao Sahib D. V. Narasimhaswami. |
| | 41 Mr. A. Harischandrudu Nayudu. |
| | 42 „ K. Kesavaramamurti Nayudu. |
| | 43 Rao Bahadur C. Natesa Mudaliyar. |
| | 44 Mr. Basu Dev. |
| | 45 „ R. M. Palat. |
| | 46 The Raja of Parlakimedi. |
| | 47 Mr. A. McG. C. Tampoe. |

Neutral.

- | | |
|---|--------------------------------------|
| 1 Mr. V. M. Ramaswami Mudaliyar. | 4 Diwan Bahadur S. Ellappa Chettiar. |
| 2 Khan Bahadur Mahmud Schammad Sahib Bahadur. | 5 Mr. V. P. Narayanan Nambiyar. |
| 3 Mr. M. B. Rangaswami Reddi. | |

Ayes 25. Noes 47. Neutral 5.

The amendment was lost.

12 noon.

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

“and for the words “of the district board of which he becomes a member under clause (b)” substitute “of whichever of the bifurcated boards they choose, notwithstanding anything contained in rule 7 (b)”.”

The amendment was lost.

Rao Bahadur A. T. PANNIRSELVAM:—“Sir, when I gave notice of my last amendment I anticipated the decision of the House and therefore I gave notice of this alternative^a amendment also, because it seemed to me that this would naturally and logically follow from

Rule 7 (g).

^a Rao Bahadur A. T. PANNIRSELVAM:—

54 Renumber sub-clauses (ii) and (iii) as sub-clauses (i) and (ii) and omit from sub-clause (i) so renumbered, the following words:—

“where by the operation of sub-clause (i) no person becomes the president of a district board.”

If this should not be carried, omit from sub-clause (i) as so renumbered the words from “the members of the board” to the end and substitute the following:—

“The Local Government shall nominate a president from among the members of such board.”

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the decision which has been arrived at over the last amendment which I moved. But seeing that in all matters pertaining to the present district board presidents and prospective candidates for presidentship, logic and argument do not appeal to this House, I do not move this amendment.”

Rule 7, as amended, was put and carried.

Rule 8.

* Rao Bahadur A. T. PANNIRSELVAM:—“Sir, the amendment I have given notice of is this and I move it:—

“54-A. For rule 8 of the schedule substitute the following:—

“The officers and servants of the taluk and district boards in each district, shall, at the commencement of this Act, be deemed to belong to a single district establishment for the purpose of firing, under the provisions of sub-section (3) of section 67 of this Act, the number, designations and grades of the officers and servants of the district board or boards re-constituted in each district and such persons as may be thrown out of employment shall, subject to such directions as may be issued by the Local Government, have preference in future appointments under the district and panchayat boards so long as such persons desirous of such preference are available and continue to be qualified and suitable for the posts.”

“My amendment is merely this; according to the Bill, as reported on by the Select Committee, the moment this Bill comes into force all persons who are serving under the various taluk boards will be automatically thrown out of office, whatever period of service they may have put in, whatever may be the scale of pay they may be drawing and whatever inconvenience they may be put to. On the other hand, the latest recruit to the district board service who might be very much younger than members of the taluk board service, who may be an acting clerk on the lowest scale of pay and quite a young man and who can seek out his service elsewhere,—would be perfectly safe. My amendment aims at equalizing things between the servants of the district boards and those of the taluk boards. In considering the merits of the amendment of which I have given notice, it might perhaps be better to trace the history of local board services. It is only during the last ten years or a little over ten years that local boards have come under non-official management and superintendence. Previous to that, the district board was presided over invariably by the Collector of the district and the taluk boards in almost all cases by Revenue Divisional Officers. The persons serving the various local boards were under the control of the Collector in his capacity as president of the district board. But for all practical purposes, it was almost a quasi-Government service. It was nothing unusual for persons who have put in some service in a district board, to be drafted into regular Government service and promoted in

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the usual course, taking into account the service they have put in district boards. To-day there are men acting as senior tahsildars and deputy collectors, who began service as Rs. 15 clerks under the district board, and people who entered the district board service or the taluk board service in those days, do still continue to serve under the district boards in certain other cases. Therefore in the case of people who entered the local board service, say, about 15 years ago, or a little over that, entered service in the hope and with the prospect and advantages of getting into Government service. When the local boards were transferred from official control to non-official superintendence, local board service was, so to say, put into a separate compartment altogether. The prospect of entering Government service with its greater advantages was removed from them. But apart from this, so far as I know we have not been treating the district board service as something distinct from the taluk board service. Any change of service between the various boards in one district was no uncommon event. As a matter of fact, under the rules regulating the recruitment of servants to local boards—in the case of appointments carrying a scale of pay beyond Rs. 50 though the men had to serve under a taluk board, the appointment had to meet with the approval of the district board president, even in cases of original recruitment. Cases again are not wanting of young men who have put in five or six years of service and who have no immediate prospect of promotion in district board service, volunteering or sometimes even being directed to come over from district board service to taluk board service because of better prospects there. So far as the district of Tanjore is concerned, most of the head clerks now working in the various taluk boards were really men who entered service under the district board or who had been trained in the district board; either they volunteered or they were asked to be sent out because of exigencies of the situation, as head clerks of taluk boards. For all practical purposes, service under district boards and service under taluk boards have always been treated as belonging to one unitary service. It seems to me that, after having listened to the last sermon about the sanctity of pledges of employers to servants, by the Finance Member in his Budget speech, we should view the case of these servants who are going to be thrown out of employment for absolutely no fault of their own and with hardly any notice, with as much sympathy and consideration as possible. I do not advocate that they should be retained even if we find that there are no places for them. But then we are creating a situation which deprives them of the places which they are now occupying. Though this consequence may be quite inevitable—consequence of the action we take in the larger interest of the country—it seems to me that we should treat their cases as sympathetically as possible. Some of the advantages, the more immediate advantages which would accrue from accepting my proposition would be this. If you send out all taluk board servants on the coming into force of this Act, you will be sending out men, men with large responsibilities, with big families, men who had absolutely

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no danger of the future even at the commencement of this year, men who could not turn to any other avocation at this age of their lives. You will be turning them out. On the other hand, if you accept my proposal you will be retaining these men who have put in long service, who are drawing salaries of 80 or 90 or 100 rupees and you will be sending out—if you send them out at all—naturally younger men whose services in the ordinary course of events, would not exceed three years; we are making provision for taking them at as early a date as possible. I hope the Government would certainly act in such a manner as not to leave it to the whims and caprices of district board presidents but to regulate it by rules in such a manner that those persons would be absorbed at as early a date as possible. I ask hon. Members of this House to consider the matter carefully; they should send out persons who are not fairly advanced in age and who are not getting fairly high pays and who have got minimum demands on their purse; we can ask them to be away for a few months; they will of course get places in the district board in a short period. But men who are advanced in age and who have great responsibilities cannot certainly afford to wait even for a few days in a year. Considering the inconvenience which we are causing to these two sets of persons, I do certainly think that the argument would be in favour of my proposition being accepted. I am sure, Sir, that whatever decision the Select Committee might have come to on this matter, apart from the logic of the situation, I would merely close with the hope that a sense of fairness, a ¹²⁻¹⁵ sense of justice and may I say, Sir, a sense of mercy would actuate ^{p.m.} our attitude towards these people who will be thrown out of office."

* Mr. M. DEVADASAN:—"Mr. President, Sir, in seconding the amendment of my hon. Friend, Mr. Pannirselvam, I would like to say a few words about the employees of taluk boards who are going to be thrown out of their employment."

* The Hon. the PRESIDENT:—"The hon. Member may speak louder."

* Mr. M. DEVADASAN:—"I hope the Hon. the Chief Minister will consider the points that have been explained by the hon. Mover and accept the amendment without any difficulty. I understand that the taluk board employees waited in deputation upon the Hon. the Chief Minister and represented to him their grievances."

* Mr. C. BASU DEV:—"Mr. President, Sir, in rising to support this amendment I do not think I can add anything to the very exhaustive and eloquent arguments advanced by one who has served as president of a district board for several years with such great credit as my hon. Friend, Mr. Pannirselvam. But I would like on this occasion to make one or two observations, that is, the employees of the taluk boards and the employees of the district boards should all be recognized as servants of the same district board and liable to the same joys and sorrows. Before I say anything further, let me not

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be understood as in any way standing in the path of reforms of the local self-government institutions because of the unhappiness or discomfort of a few hundred employees spread over the Presidency. Wherever it is possible to help these employees, I would earnestly appeal to the Government to extend their sympathy and kindness and render them effective protection and help.

“ Sir, I understand that the taluk board employees as well as the district board employees are all members of the same common district provident fund institution. I also learn that some of the taluk board employees were some time back servants of the district boards and some of those were transferred from the district boards to taluk boards against their will by the district board presidents. Till the year 1932, presidents of district boards had full power to transfer the servants of not only district boards but also servants of taluk boards from one place to another or from one board to another board. As a matter of fact recently the Government contemplated forming district units for these employees but did not pursue the matter further on account of the adverse attitude of the district board presidents. In these circumstances, it will be a great hardship, if the Government should fail to recognize the common employer, the district board, which all these employees have been serving. My Friend, Mr. Pannirselvam, referred to the kind and sympathetic solicitude of the Hon. the Finance Member in regard to Government servants and I am sure that that solicitude represents the attitude of the whole Government. I hope that the Hon. the Chief Minister who is in charge of local self-government institutions and their employees will also extend to them that sympathy in the same measure and concede to the taluk board employees the rights that are enjoyed by their brethren employed in the district board. This amendment only asks that they should be treated in the same manner as the employees of district boards and I do not think the taluk board employees are asking for anything more than the barest justice. The Hon. the Minister may say that instead of one particular set of people suffering, you want that another set of persons who are not for the present affected should be affected, but I have already answered that probable argument by saying that the taluk board employees as well as those of the district board are employees of the same local fund service of the district and should be equally liable to the same privileges and liabilities. With these few words, I have great pleasure in appealing to the Hon. the Chief Minister to accept the amendment.”

* The ZAMINDAR OF MIRZAPURAM:—“ Mr. President, Sir, I rise to support the amendment of my Friend, Mr. Pannirselvam. I think it is only fair that the taluk board servants and district board servants should be treated alike. Till recently, the presidents of district boards had power of transferring these servants of local boards from one taluk board to another even against their will. There are some taluk board servants who have been drawing higher salaries than some of the

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servants of the district board and it would be very hard if all the taluk board servants should be asked to vacate their offices and go away at this juncture especially after they have put in many years of service in the local boards. Sir, taluk board servants should be given the same treatment as those of the district board. I know, Sir, recently in my district some of the clerks of the district board were sent to some of the taluk boards and now because they are at present in those taluk boards, unfortunately they have to lose their appointments. If the Government are not prepared to accept this very reasonable amendment, I request that Government will at least see that all the acting people in the district board service and those persons whether they were confirmed or not within a period of about one year, are sent away and all the taluk board servants who have put in longer service, are absorbed in the district board service and thus help the poor servants of the taluk boards. By means of this amending Bill, we are in a way dissolving both the district and taluk boards and I do not see any reason why the taluk board servants alone should be given a different treatment from those of the district board. Of course the transitory provisions in this amending Bill give power to the Local Government to frame rules and give directions to the district boards concerned for appointing new clerks after the commencement of the new Act. So far as my district is concerned, Sir, I know several cases where the district board president has appointed clerks even in anticipation of sanction of the district board, and now if these clerks also are given the same treatment as other servants of the district board, it would be most unfair. I therefore request the Hon. the Chief Minister to see that justice is done to the clerks of the taluk boards that are going to be abolished. With these remarks I heartily support the amendment of my Friend, Mr. Pannirselvam.”

* Mr. P. V. KRISHNAYYA CHOUDARI:—“ Mr. President, Sir, I have also great pleasure in supporting the amendment moved by my hon. Friend, Mr. Pannirselvam, for the reason that we should try to make the local board services as one unit of the district instead of keeping separate services as district board service, taluk board service and so on. Now, section 71 of the Local Boards Act provides for the transfer of the members of the establishment of the taluk board to the district board and vice versa, though about two years ago, Government have issued an order restricting district board presidents not to make such transfers without previous consent of the concerned taluk board presidents. As a matter of fact, when I was president of the taluk board, I sent one inefficient clerk from my taluk board office to the district board office and took instead an efficient clerk. Now according to this rule, that poor efficient clerk in whom I had confidence, will be deprived of his job, whereas the inefficient clerk whom I sent will be benefitted. Again that clerk who has put in some 10 or 12 years of service in the district board, simply because he happens to be employed at present in the taluk board will have to suffer on account of this

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legislation. It is really a great injustice to such persons. Considering all these anomalies, and considering also the qualifications, efficiency, communal representation and security of tenure, I request the Hon. the Chief Minister to see that all these services are considered as one unit of district board administration. Now, there are some people who have put in a service of about 25 or 27 years who are eligible to full pension on account of their past service and there are also others who though they are not eligible to pension, they have got their provident fund and if they put in some more years of service they will become eligible to full bonus of the provident fund. I suggest that these might be made to retire, even by giving the full pension or bonus to which they are entitled after a service of 25 years.

12-30 p.m. "Then again, Sir, the Hon. the Chief Minister stated yesterday that persons belonging to the education and medical branches of the taluk board will be provided in the district board. I do not know whether the district boards will actually take persons serving in those departments and those paid from the Elementary Education Fund are going to be taken on to the district board or whether they are going to take the concerned clerk from the taluk board and these are matters which have to be elucidated by the Hon. the Chief Minister. For instance if the clerk who has been in charge of the Elementary Education Fund in the taluk board for the last several years, is not taken over to the district board, it will be another trouble. Instead of giving room for all these complications, it would be better if the whole local board service is made into one unit and people are discharged in the order of service. This procedure seems to me to be a more reasonable one to follow. As the Raja Sahib of Mirzapuram has stated that people who have put in two or three years of service and who are acting in the district board have to be continued and that the people who have put in 20 years or 15 years service in the taluk boards have to be discharged it is nothing but cruel. But though the Raja Sahib has stated that it should be only for a period of one year, I am not in agreement with the last portion of what he said, because it is more personal I think. Because he has vacated his seat about a year or a year and a half ago, he has put in the last portion as one year. But I am not in agreement with that. But I agree with the general principle enunciated, that is, people who have put in a few years service can be discharged and those who have served for long periods in the taluk boards can be retained. I would request my hon. Friend, Mr. Pannirselvam, to also add communal representation. If he has not got any objection and if the Chair permits me, I will add that amendment, instead of moving my amendment No. 59 lower down, because all these amendments contain more or less the same principle. I just want to know the opinion of the Chair whether this can be added to the present amendment."

* The Hon. the PRESIDENT:—"The hon. Member may draft an amendment and hand it over to me."

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* Mr. V. P. NARAYANAN NAMBIYAR:—"Mr. President, I rise to give my fullest support to the amendment that has been moved by my hon. Friend, Mr. Pannirselvam. The amendment embodies but a reasonable demand of the taluk board employees. A very sad aspect of the abolition of the taluk boards is the possibility of a large number of men who have served local bodies honestly, efficiently and well for many years being thrown out of work. In these days of acute economic depression and large unemployment, a special responsibility rests with this House to deal with the fate of the employees with sympathy and care. These unfortunate employees have to go for no fault of theirs."

"Apart from the above humanitarian reason, the history of the local bodies as narrated by my hon. Friend, Mr. Pannirselvam, makes it clear that there is no point in differentiating between taluk board employees and district board employees. My hon. Friend, Mr. Krishnayya Choudari, a former taluk board president, has frankly owned that he had during his regime as a president sent an inefficient clerk to the district board and got from the district board an efficient clerk for his taluk board. We do not know how many more taluk board presidents would thus have contributed to the inefficiency of the district boards. Anyway, the fact remains that interchange of clerks is also a question to be borne in mind. Persons who have served district boards well for a long number of years and who were sent for the more efficient work of taluk boards to those bodies to be now told that the two services cannot be treated as one is indeed to be unfair and unjust to them."

"Reliance has been placed by my hon. Friend, Mr. Pannirselvam, also, on the observations of the Hon. Gentleman, the Finance Member, regarding the security of tenure of employees. That too should be taken note of in arriving at a decision in the matter."

"Sir, my hon. Friend, Mr. Pannirselvam, has also pointed out that in case it is not possible to absorb all the employees at once the amendment suggests preference being given to persons thrown out whenever vacancies occur in future. That also proves the demand is absolutely reasonable and I support the amendment."

* Rai Sahib C. KOLANDA REDDI:—"Mr. President, Sir, it is said in many quarters that this Bill is a harbinger of a crop of evils and I am afraid this throwing out of employment of the taluk board staff appears to be the worst of these evils. Now, Sir, we all crave for democracy. We have been pining for democracy because we believe that democratic government will be human and humane. And we want to slip away from bureaucracy for the obvious reason that it is supposed to be a machine sans feeling, in short sans human touch about it. But unfortunately here we have democracy and in the fair name of democracy we are sacrificing so many individuals by one stroke of the pen. In these hard times, it is terribly hard for these poor people who have

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been in the employ of these taluk boards for years together, almost throughout their lives and without any other avocation or any other means of subsistence, now to be all on a sudden thrown out of employment. Some consolation is offered by a provision in this Bill that if they go on waiting and waiting, God knows how long, perhaps until the Greek calends, a day will come when they will be taken up either by the district board or any panchayat board. And this is more or less adding injury to injury. When they are asked to wait, it is not known what they are expected to do during the waiting period. Perhaps they may be willing to obey the orders of the Government, and may wait, but will their bellies wait too, I wonder? So, it is rather unfortunate that such a proposal should emanate from the Government. Now, Sir, my idea is that these people who are all thrown out may be merged or absorbed in the district board staff and then retrenchment may be effected according to seniority, efficiency, communal rotation, etc. That will be some consolation. Instead of that, throwing out all these people who have put in service of about 20 years or less and for absolutely no fault of theirs, asking them to wait and wait is *reductio ad absurdum*. It is a well-known fact that the district board presidents were equipped with power until recently to appoint clerks on more than Rs. 50 per month and transfer them from the district board to taluk boards or to make inter-board transfers, that is, from one taluk board to another. Now under this power, these presidents have sent away people from the district board to various taluk boards of course in the interests of efficiency or it may be for some other reasons. But whatever it may be, there the fact remains that many of these head clerks in the taluk boards belonged originally to the district board, and those people came to the taluk board not *suo motu* or willingly. Even against their consent some of them were transferred to the taluk boards. Now, Sir, if at all anybody is to blame for their remaining in the taluk boards, it is the folly of the district board president concerned. And I should like to know why for the folly of the district board president concerned these men are made to pay the penalty. So, looked at from all points of view, it is rather inhuman that such a large number of people who have no other means of subsistence should be asked all on a sudden to quit service for good. I am very glad to see, Sir, that at least in this respect myself and my friend, the Zamindar of Mirzapuram are in agreement. ('Hear, hear.') At least for this, I earnestly request the Government to adopt the amendment given notice of by me, that is, to add the following paragraph at the beginning of rule 8 of the Transitory provisions:—

'The staff of the abolished taluk boards shall be absorbed in the staff of the district board and retrenchment shall be effected according to seniority.'

Of course, you may add communal rotation also. So I think this appears to be the panacea for all the evils that are engendered in this respect by this Bill. Therefore in the name of democracy and in the

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name of humanity as well, I hope and trust that the whole House, irrespective of parties, will join with us, the Movers of this amendment, and help the poor employees of the taluk boards out of the present dilemma."

* Khan Sahib SYED TAJUDDIN SAHIB Bahadur:—"Mr. President, Sir, this motion has already been discussed threadbare on the floor of this House. Prominent members of this hon. House, members who are competent to express an opinion on this subject have already advanced cogent reasons on behalf of the taluk board employees. Therefore I have very little to add on this subject. But yet, if I rise to speak or to offer a few remarks, it is only to express my opinion according my fullest support in favour of the employees of the taluk boards. Mr. President, these employees are interchangeable from district board to taluk board, and from taluk board to district board. This is the only point I wish to impress upon the House. When such posts are interchangeable, where is the justification for turning these poor employees out of employment? I believe that all sections of this House have already been convinced of the justice of the cause of these poor taluk board employees.

"And I know, Sir, that the milk of human kindness is not 12-45
curdled in the breast of the Hon. the Raja of Bobbili, the Chief P.m.
Minister in charge of this portfolio. He will, I hope, do his utmost to save these unfortunate beings from the clutches of misfortune. Sir, it will be a very great hardship if these poor employees are made the scapegoats for the financial stringency whatever it might be. They are not responsible directly or indirectly for this financial strain and why should they be sacrificed on that ground? Administration might be faced with grave financial considerations. But at no cost should these poor employees be turned out of service. On the other hand, they ought to be saved from this predicament as they are not responsible for any financial strain. I, therefore, Sir, have got very great pleasure in supporting the motion before this House."

* B. POCKER SAHIB Bahadur:—"Mr. President, Sir, I have no doubt that it is my duty to oppose this amendment and that too strongly. I am afraid that the Mover of this amendment and those who have spoken in support of it have not considered another aspect of the question which they ought to have taken into consideration. The result of the section as it stands and as passed by the Select Committee is that the persons who are thrown out of employment by the abolition of the taluk board, will be preferred in the matter of employment of new hands in the district board according to such principles as the Government may prescribe. The result of this amendment is that both the present employees of the district board and the present employees of the taluk board should be taken as one unit and when the taluk board is abolished, the juniormost people out of the joint number consisting of the employees of the district and taluk boards should be sent away according to some principle or other. The result is that the seniormost

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employees of the district board and the seniormost employees of the abolished taluk boards will be there and the juniormost employees of the district board and the taluk boards will all be thrown out of employment. I certainly do feel as strongly for the people who are to be thrown out by the abolition of the taluk board as the hon. Mover and other supporters of the amendment. But, at the same time, one has to take into consideration what its effect is upon others who are already employed in the district board. It is the district board that is retained and it is the taluk board that is to be abolished. The result of the amendment is, as a result of the abolition of the taluk board, some of the staff of the district board which is not abolished are to be sent away. I shall use the very same phrase which the hon. Mover and some others have used. They are being sent away for no fault of theirs. The juniormost employees of the district boards are to be sent away, not only for no fault of theirs, but for no fault of the district board too, because their board has not been touched, but still they are to go out. I do not know, Sir, what is the principle of fairness or justice underlying in sending away number of employees from the district board which is not abolished simply because some other body has been abolished. There is absolutely no justice in sending away people from the staff of the district board which has not been touched by the Bill. After all, what is the reason alleged? The reason is that once upon a time the employees of the taluk board and the district board formed one unit called 'Local Fund Service.' Even that is questioned by Mr. Schamnad, who knows more about it than myself and who is himself the president of a taluk board. I can also say that he has spent his whole life in the administration of local bodies. It is not just or proper to do anything which will have the effect of sending away some of the staff of the district board which has been left untouched by this Bill. Therefore, I say there is absolutely no justice in proposing this amendment. In fact, I do feel that the amendment has been proposed on account of the many representations made by the taluk board employees—I too have received ever so many representations as several Members of this House—resolutions passed by the taluk board employees. The reason why the district board employees have kept quiet is that they know nothing about it. They are in the dark about this amendment. According to the Bill as it has come out of the Select Committee, they are absolutely clear that their position will be left unaffected. It will be a stab from behind so far as the employees of the district boards are concerned, if we are to pass this amendment. Because one fine morning they will find that they will be sent away. The taluk board staff have had sufficient notice. The proposal for the abolition of the taluk boards and the consequential sending away of its employees were before their minds and that is the reason why they are very vociferous and those representations are moving our tears. If only some of the staff of the district boards know what we are proposing to do, perhaps their tears will be much more than the taluk board employees'.

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I do say that it will be very unfair and unjust to send away the staff of the district board in order to give employment to the staff of the taluk board. In fact, you will be robbing Peter and paying Paul. That will be the result of this amendment. There is another ground on which also I will put my view on this point. In the matter of retrenchment, the Government was acting on the principle that in sending away people it is the juniormost that ought to be sent away and the seniormost should always have preference. I do not know, Sir, whether that principle is a just or a sound one. That principle also ought not to be applied in that form without any kind of modification. The juniormost people have as much right to exist and their position is as miserable as that of the seniormost. That the juniormost men can find employment anywhere cannot be substantiated in the state of depression and unemployment that prevail at present. At least the seniormost men have had their days, and would have earned something, and laid something by. The juniormost people's position is very miserable. By this amendment, the juniormost both in the taluk and district boards will be thrown out of employment and their position will be one of extreme misery. Then I would also like to point out another aspect of the question, namely, the effect of the amendment on minority communities. I can very well say without fear of contradiction that so far as the minority communities are concerned, it is only very recently that minority communities have had occasion to get employment in either the taluk board or the district board. I do not deny that there are some members of minority communities in the senior ranks of the staff of the taluk board and the district board. But most of them are persons who have been recently employed both in the taluk board and district board. If this amendment is given effect to, the result will be that the members of the minority communities in both the taluk board and the district board will be very seriously affected and they will be nowhere either in the taluk board or in the district board. On these grounds, Sir, I oppose this amendment."

* Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"Mr. President, Sir, the existing presidents of the local boards and some of the ex-presidents have spoken in favour of this amendment. It falls to my lot to oppose this amendment. Before speaking against this amendment, I should trace how the scales of pay of taluk board staff have been increased during the last twelve years, ever since the Amendment Act of 1921 came into force. During these years, there have been four general elections of the taluk boards and you can take it from me that the scales of pay have been revised and enhanced at least on four occasions. If you take the scales of pay before 1921 the maximum was only Rs. 40, and in exceptional cases it was Rs. 50. The minimum pay was only Rs. 15 or Rs. 20. If you now take up the scales of pay, you will find that the maximum in most cases is more than Rs. 100 and I know so far as the taluk boards in Coimbatore district are concerned in some cases in addition to their pay they also draw personal allowances. As I told

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the House, the pay went on being enhanced and the taluk boards have come to grief on account of topheavy administration. If you want to perpetuate the same thing in the new boards, I am sure the scheme will be given the go-by and it will not be successful.

1 p.m. " Besides, I have got greater sympathy for the clerks in the lower scales. Those in the higher scale are senior people and their number is greater. Further, what will be the financial effect of this amendment should also be considered by the Council. A district board will have one head clerk on Rs. 150—200, two clerks on Rs. 80—100 or Rs. 120, etc. If this amendment is passed, you may have to take all the head clerks of the taluk boards into the district board, i.e., all the ten of them on Rs. 80 to Rs. 120."

Rao Bahadur A. T. PANNIRSELVAM:—" It was never my intention, in moving this amendment, that the hands of the Government should be tied with respect to the rates of pay. I am concerned only with the persons who will be thrown out."

* Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—" If the Government should get the local boards to revise the scales of pay and if lower scales are fixed, the result will be that people who are drawing higher scales of pay will get preference and those in the lower scales of pay—all the new men better qualified than the people in the higher scales of pay—will be thrown out. I do not think it is the intention of the House that the people who have been longer in service and have been enjoying larger emoluments should be given preference to people who have just entered service as members belonging to unrepresented communities. As I said, as against two people in the district board drawing Rs. 80 to Rs. 100 you will have to provide employment to ten people on Rs. 80 to Rs. 100. I may inform the House that in several taluk boards the lowest scale of pay for clerks is Rs. 40 to Rs. 60 as against Rs. 35—1½—50 in Government service. If this amendment is accepted, I am sure, the scheme adumbrated in the Bill will prove a failure on account of its financial implications. With these few words I oppose the amendment."

* Mr. K. A. NACHİYAPPA GOUNDER:—" Sir, with your permission, I beg to move the following as an amendment to the amendment of Mr. Pannirselvam:—

' Omit the words commencing from " such persons " in line 7 to " by the Local Government " in line 9 and substitute in its place " then if necessary retrenchment may be made in accordance with the principles laid down in G.O. No. 486, Public (Services), dated 31st March 1932, and allowing concessions as laid down in G.O. No. 124, Finance (Pension), dated 24th March 1932. The persons thrown out of employment shall ", and

' Omit the words in line 11 and onwards " so long as such persons . . . for the posts." '

1st March 1934] [Mr. K. A. Nachiyappa Gounder]

The object of my first amendment is to see that no trouble and anxiety are evolved in or before framing rules and other things and that retrenchment may be made in accordance with the methods adopted by the Government for retrenchment in Government service. This will minimize the anxieties of many of the clerks now in employ of local boards since they know now itself what are the rules to be adopted to decide their fate. From the many representations that we have received from the employees of taluk boards we find that they will be satisfied if retrenchment is made on the principles laid down in the said Government Orders.

" As regards my second amendment I too feel, Sir, that there is some difficulty in it, but my object in moving it is to know what is the exact and precise meaning and implication of the term ' continue to be qualified and suitable for the post.' With regard to the office establishments of local boards, so far as I know, qualifications are prescribed only for the posts of managers, the head clerks and accountants and no separate qualification or any such thing is prescribed for the clerks. On a reference made to Government some time ago when I was connected with a taluk board as its vice-president the reply received was that no qualification is prescribed for clerks in local fund service. So, Sir, I am in doubt as to what is meant by the words ' continue to be qualified and suitable for the post.' If the intention is that this should apply only to persons such as accountants and so on for whom definite qualifications have been already prescribed, there would be no need for me to press this part of my amendment. But, if on the other hand, new qualifications are to be prescribed for the clerks who will be thrown out of employment and will be awaiting re-entertainment, and if those qualifications are to be insisted on in their cases, it will create great hardship for them and I will have to press this amendment."

Mr. BASHEER AHMED SAYEED:—" Sir, I rise to second the amendment moved by my hon. Friend, Mr. Nachiyappa Gounder. This amendment has been moved with a view to secure the claims of persons who have already served for long in the taluk boards but are likely to be thrown out and also to secure the claims of representatives of minority communities who have entered service quite recently after some agitation in the public. Personally, I feel that Mr. Pannirselvam has not quite appreciated the implications involved in the amendment that he has moved. I think the amendment adopted by the Select Committee serves the purpose adequately. Now, if this amendment of his is to be accepted, it will give rise to a lot of complications. Moreover, I consider that there is no need for the time being for taking the entire establishment of the taluk boards as well as district board into a single unit. If difficulties arise, in this respect, in the working of the amended Act, it will be time enough for the Government to come forward with suggestions for taking the entire establishment as one unit for the purpose of fixing salaries, grades, number, etc. But, as it is, what the Council and the representatives

[Mr. Basheer Ahmed Sayeed] [1st March 1934]

of the people are anxious about is this: that such persons as are going to be thrown out of employment by reason of the abolition of the taluk boards should not be subjected to any unnecessary hardship if it can be helped.

"Now, as has been pointed out by the previous speaker the great difficulty will be that several people who have secured permanent tenure in the taluk board establishment will have to be sent out if there is no provision made for their retention. This is very important. With regard to the question of qualifications which was hotly discussed, I submit, Sir, that even though people at the time they were entertained were not qualified for employment, once they were entertained and made permanent, there is no reason why they should be sent home if they can be absorbed in the district board establishment. Sir, our foremost concern must be not to turn away people who have now certain rights which they can ask to be recognized by the district board which takes the place of the taluk boards. Then there are the claims of those communities which have not had adequate representation hitherto but which have had just now some justice done to them. Their cases should not be overlooked, nor should anything be done to prejudice their interests. These two points alone matter most at the present juncture in connexion with the amendment now under discussion. I would therefore say that the result of the amendment proposed by Mr. Pannirselvam is still in doubt."

* The Hon. the PRESIDENT:—"Mr. Nachiyappa Gounder's amendment is as follows:—

'Omit the words commencing from "such persons" in line 7 to "by the Local Government" in line 9 and substitute in its place "then if necessary retrenchment may be made in accordance with the principles laid down in G.O. No. 486, Public (Services), dated 31st March 1932, and allowing concessions as laid down in G.O. No. 124, Finance (Pension), dated 24th March 1932. The persons thrown out of employ shall," and to omit the words in line 11 and onwards "so long as such persons . . . for the posts.'

If the amendment of Mr. Nachiyappa Gounder is incorporated in the amendment of Mr. Pannirselvam it will read thus:

'The officers and servants of the taluk and district boards in each district, shall, at the commencement of this Act, be deemed to belong to a single district establishment for the purpose of fixing, under the provisions of sub-section (3) of section 67 of this Act, the number, designations and grades of the officers and servants of the district board or boards reconstituted in each district and then, if necessary, retrenchment may be made in accordance with the principles laid down in G.O. No. 486, Public (Services), dated 31st March 1932, and allowing concessions as laid down in G.O. No. 124, Finance (Pension), dated 24th March 1932. The persons thrown out of employment shall have preference in future appointments under the district and panchayat boards.'"

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Rao Bahadur A. T. PANNIRSELVAM:—"I have certainly no objection, Mr. President, to agree to the principle underlying the amendment. I agree that, as far as possible, in sending out these persons who will have to go by reason of the reduction of staff, the principles of the Government Order governing retrenchment might be applied. But, I think, the words 'subject to such directions as may be issued by the Local Government' occurring in my amendment should be retained. I should also not be able to agree to the last two lines, viz., 'so long as such persons desirous of such preference are available and continue to be qualified and suitable for the posts' being deleted. I am not also able to agree to the control which the Government would retain under this, because, whatever proposals might emanate, it is best for the Government to accept one policy for the whole Province and give detailed instructions. I know it will be difficult to work out details for every district, but I think the situation requires one controlling and central authority who will issue specific instructions to govern every case in every district. And if Mr. Nachiyappa Gounder agrees to that, I would be only too glad to accept his amendment."

The Hon. the RAJA OF BOBBILI:—"Am I to speak on the amendment of Mr. Nachiyappa Gounder or on both the amendments, Sir?"

* The Hon. the PRESIDENT:—"On both the amendments if he 1-15 pleases. Or if the Hon. the Minister wishes to speak after lunch, he P.m. may do so."

The Hon. the RAJA OF BOBBILI:—"Yes, I shall speak after lunch."

* The Hon. the PRESIDENT:—"The House will now adjourn and reassemble after lunch at 2-30 p.m."

After Lunch (2-30 p.m.)

II.—AMENDMENTS TO STANDING ORDER No. 80 OF THE MADRAS LEGISLATIVE COUNCIL.

* The Hon. the PRESIDENT:—"I have to announce that the following candidates have been duly nominated for election to the Select Committee to amend Standing Order No. 80:—

- (1) Dr. P. Subbarayan.
- (2) Mr. K. P. Raman Menon.
- (3) Mr. J. K. Metherell.
- (4) The Hon. the Raja of Bobbili.
- (5) The Hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur.
- (6) Rao Bahadur C. Natesa Mudaliyar.

"As the number of candidates nominated for election is equal to the number of vacancies to be filled, namely, six, I hereby declare the abovementioned members to be duly elected under Regulation II (4) of the regulations for the holding of elections by means of the single transferable vote."

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"I nominate Mr. M. A. Muthiah Chettiyar, Kumararaja of Chettinad, a Member of the Panel of Chairmen, to be a member of the Select Committee."

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

THE SCHEDULE.

Transitory Provisions.

Rule 8.

Diwan Bahadur A. APPADURAI PILLAI:—"Mr. President, Sir, rule 8 of the Transitory Provision as amended by Mr. Pannirselvam and Mr. Nachiyappa Gounder makes the matter rather complicated. The amended rule runs thus: 'The officers and servants of the taluk and district boards in each district, shall, at the commencement of this Act, be deemed to belong to a single district establishment for the purpose of fixing, under the provisions of sub-section (3) of section 67 of this Act, the number, designations and grades of the officers and servants of the district board or boards reconstituted in each district' and

"From this portion onwards we follow Mr. Nachiyappa Gounder's amendment: 'and then, if necessary retrenchment may be made in accordance with the principles laid down in G.O. No. 486, Public (Services), dated 31st March 1932, and allowing concessions as laid down in G.O. No. 124, Finance (Pension), dated 24th March 1932. The persons thrown out of employment shall' (here we again come to Mr. Pannirselvam's amendment) 'have preference in future appointments under the district and panchayat boards' (here Mr. Nachiyappa Gounder stops but Mr. Pannirselvam wants to add the following also) 'subject to such directions as may be issued by the Local Government.'

"Having read this, I am really at a loss to know where we really stand. On the other hand, the provision made in the Bill is clear cut, and it provides for all the grades of local board service. Rule 8 as embodied in the amending Bill and as accepted by the Select Committee with a slight alteration makes the matter clear and provides for all the contingencies contemplated with reference to the abolition of taluk boards and the disbandment of their staff. I request I may not be misunderstood when I speak on this matter as though I am in any way prejudicial or opposed or unsympathetic to the interests of the taluk board staff. Far from it, my sympathies are entirely with them. It is a pity that after a long period of service some of the hard-worked staff should be disbanded. It is really doing them injury, and so it behoves this House to do all it can to devise ways and means to somehow or other alleviate their distress. The proposal put forward by Mr. Pannirselvam to drag in the district board people also to the taluk board people and make them suffer equally, because they also belong to the same service, namely, the local board service, is not an argument that would appeal to several of us here as sound and correct. For the fact remains that it is the taluk boards that have been affected

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by this measure. Whether rightly or wrongly, unfortunately it is the taluk boards that have come to grief on account of the financial stringency. So, because the taluk board people suffer, the district board people also should suffer is a rather novel argument put forward. It seems, I submit, safer to let one set of people suffer and find out the best means of rescuing them, rather than drag in the rest of these people and make the whole lot suffer.

"I am informed on very good authority that the distress of the taluk board people, so much talked of here, will not be acute after all. There are 480 people who would be affected by the abolition of the taluk boards. Out of these 480 subordinates that will be thrown out, it will be possible to absorb into the new district board service no less than 300. Because there are a variety of officers in the district board service, like the district board engineers, the district educational officers, who will be appointed very soon, the health officers and the panchayat officers, etc. These will require some hands, and so some of these disbanded people will be taken into service. Not only that, elementary education business would go bodily to the district boards in future. The clerks attached to elementary education—there are two clerks attached to this in the taluk boards—and they will bodily go over to the district boards. Similarly the two clerks attached to works and communication in the taluk boards would bodily go over to the district boards. That means, Sir, four out of the six clerks in the taluk board service will go over to the district boards. Then with regard to these two remaining clerks also we can provide work in the district board service in this way. The panchayat officers who will be appointed may require some hands to assist them, and these may be put under their control; or even in the district board service, there will spring up several standing committees for education, for health and medical help and for rural development. Surely these will require some staff, and so these remaining two clerks also may be absorbed. Thus the question of distress can be solved in this way, or at least it can be alleviated to a very great extent. In view of that, Sir, I do not think it is necessary for us to provide in the Bill any provision besides what has been put in in the amending Bill.

"One other point I wish to make in this connexion. I am very sorry, if what I hear is to be true, that even after the Government Order prohibiting the filling up of acting vacancies in district board service in view of the abolition of the taluk boards and the consequent absorbing of taluk board staff in the district board service, several posts in district board service have been filled up for the simple reason that the presidents of these boards wanted that their clerks should not suffer by the coming into force of this amending Bill. In some cases, I am afraid, even retrospective effect was given to these appointments and confirmations, simply because these posts may not be utilized in the interests of the taluk board employees. So to put an end to this injustice I think it will be better to lay down a specific rule and entrust the whole affair to a responsible officer, say, the Inspector of Local

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Boards and Municipal Councils. He should maintain a list of persons thrown out of the taluk boards and he should see that these are absorbed in the district board service first before any outsider is appointed.

“Then, Sir, there is another difficulty in straightaway absorbing discharged taluk board staff into district board service. It was pointed out by Mr. C. S. Ratnasabhapaty Mudaliyar the other day that while the lowest grade clerk in some taluk boards is drawing a salary on the Rs. 40 to Rs. 60 grade, the lowest grade clerk in the district board is drawing only Rs. 35-1½-60.

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p.m.

“But in some of the taluk boards the scales of pay adopted by the Government have been bodily taken into and I believe they are following those scales of pay. In some instances in the case of taluk boards—I have got a concrete instance—the presidents have given three or four increments over the pay that ought to be drawn by the subordinate. One can understand the reason for such a sudden increment. The subordinate concerned may be a very intelligent man and might have been carrying on his work with considerable ability and the taluk board president might have taken it into his head to give advance increments for three or four years. In such cases, it may be very difficult to bring all on a sudden the taluk board man into the district board staff. A certain amount of time must elapse. Some of those men that are brought into new scale of pay may not get the same pay as those who were getting old scales of pay, but only a lower amount, but I am sure such men would prefer to draw a lower pay to remaining without appointment. I believe some of the taluk boards are following the Fundamental Rules followed by the Government and one of the rules says that if a subordinate loses the pay that he was originally drawing on account of his taking up a post on a lower scale of pay, the difference of pay must be made good to him. The taluk board official, I hope, would only consent not to insist upon such difference in pay being secured to him although it may be possible for the officers in charge to arrange for such things. I think there will not be much difficulty in absorbing the taluk board staff. It may also be necessary—it is for the consideration of the Government whether it is possible or feasible—to introduce bifurcation of the district boards, at the same time the taluk boards are abolished. If these two things are brought about at the same time, I think the difficulty of trying to find job for the taluk board staff will be overcome to a considerable extent. In the place of one district board, there will be two district boards to one of which the officials of the existing district board will go and the taluk board officials will be absorbed in the other district board. Whatever it may be, my final argument is that these are matters that ought to be regulated more by departmental executive orders rather than by provision of law. Reference to Government Orders and all that sort of thing which generally find a place in executive orders ought not to find a place in legal provision. There is a place for everything. I think

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these restrictions and references to Government Orders can very well be relegated to rules framed by the Government having the force of law. It will be the object of the Government and the business of the local boards—I daresay they will avail themselves of the provision contained in the Bill—to secure prompt and rapid absorption of the taluk board officials that are thrown out of employment. In view of these things, I would only beg of my hon. Friend, Mr. Pannirselvam, not to press his amendment, but to leave it to the rules to bring about a real relief that he has asked for.”

* Rao Bahadur C. NATESA MUDALIYAR:—“Sir, this is a very difficult problem. I think arguments can be adduced on either side. The taluk board clerks are not going out of their own accord. We are sending them away. They thought, when they entered service, that their positions were secure. We are discharging not only the employees that went into the taluk board from the district board but also those employees who went to the taluk board service from Government service. For instance one gentleman in North Arcot, a man who was a Magisterial clerk in a Deputy Collector's office went as a taluk board clerk and rose to the position of head clerk after some years of service and he is drawing Rs. 100. It is hard for such men to be told to go away from service. On the other hand the argument that if the taluk boards are abolished, the district boards ought to suffer is a thing which one cannot understand. If the Survey office is abolished, the Board of Revenue need not suffer. The staff of the district board were not told when they entered service that the taluk boards and the district boards were a single unit. So it is a very difficult problem. Another thing is that if both are taken as one unit and if seniors are provided with appointments, the junior will have to be thrown out. The minority communities say that the juniors who were entertained recently in the district board service are mostly from minority or backward communities and so minority communities would be thrown out and there may be no representation of minority communities in the district board service. The amendment proposed by the hon. Member, Mr. Nachiyappa Gounder is this: the Government might consider both the district board and taluk board as one unit and take all the staff from both the boards together and then select the most senior and retrench the juniors. To an amendment of this sort there is no place in this Council at all. Retrenchment, this Council hates mostly. We have had enough of retrenchment asking the people to go home without providing for future. I do not want that retrenchment should be introduced during the transitory period. On the other hand I would request the Government to keep these subordinates in the waiting list, then absorb them as and when vacancies occur. There will be no difficulty. Apart from that, if the Government are sympathetic they may send these people to other places where appointments are available. Why should you consider about dispensing with the services of the people once and

[Mr. C. Natesa Mudaliyar] [1st March 1934]

for all. I am afraid my hon. Friend, Mr. Nachiyappa Gounder, has misunderstood the phrase 'continue to be qualified and suitable for the post.' What the Select Committee meant was this: they took it for granted that all those who were permanently employed in the taluk board are qualified, because a man reading in the fourth form might have been appointed as a permanent clerk in the taluk board. That means the president of the taluk board accepted him and exempted him from all qualifications. The implied understanding is that Government can take all those people, whether they have read up to fourth, third or second form. They were all exempted. Let them be on the waiting list and we shall absorb them as vacancies occur. So I request my hon. Friends, Messrs. Pannirselvam and Nachiyappa Gounder, to withdraw their amendments. We have got our own Chief Minister. He has got an able Secretary, Mr. Conran Smith, who is very well known to all of us. We can trust both of them and ask them to do as much as possible for these men. Services of all those people who have put in more than 25 years of service may be dispensed with. However, I request the Government to see that some gratuity is paid to these people or a pension given. Let them not be left adrift in the world without being able to maintain themselves. Government will be well advised in doing as I have suggested. So once again I request the Government to see that these superannuated people are given some gratuity or pension and with regard to other people they may take them according to seniority. The district boards can absorb them, the Government can absorb them. So I request my hon. Friend, Mr. Pannirselvam, to trust our Chief Minister and I am sure he will do everything well. I also request my hon. Friend, Mr. Nachiyappa Gounder, to withdraw his amendment. It was also suggested that these matters might be referred to the Standing Committees that are going to be formed. I think it is much better to vote upon these things here rather than referring them to Standing Committees. Anyhow, let me hear what the Hon. the Chief Minister has to say."

* The Hon. the RAJA OF BOBBILI:—"The amendment under discussion naturally affects a large number of people and it has now taken up the attention of this House for over two hours. The first point that I wish to answer is with reference to the statement made by many hon. Members of this House that all the employees in the taluk boards will be sent out. I have stated and repeated more than once that it will be only a small proportion which will, in the first instance, be retrenched and that they will be absorbed ultimately. I am afraid no useful purpose will be served by my repeating the same arguments to people who refuse to be convinced. Then it has been stated by some speakers that the most objectionable feature of the Bill is retrenchment. But the amendment now proposed does not give us any other alternative in this respect. The amendment only seeks to throw the burden on the district board employees also. It has to be conceded on all sides that there will be some retrenchment which

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is unavoidable and the question now is who should bear this hardship. I have stated in my opening speech when I introduced the Bill as well as in the discussions in the Select Committee that Government are not lacking in sympathy for these taluk board employees and that they will devise every means in their power to minimize the hardship as far as possible. The question now resolves itself into this: whether we should retire the juniors or the seniors. Much can be said in favour of both the propositions and it is a matter of opinion whether the hardship will be greater in the case of juniors or seniors. It may be said, in the case of seniors that, they have had their innings and they have earned a pension or provident fund; anyhow the time for their retirement is drawing near and if it is a matter of only one or two years, it will not be such a great hardship. In the case of juniors, it may be said that the future of young men who have just entered on their careers will be marred by their being sent out.

"So, Sir, the question comes now to this: whether juniors are 3 p.m. to be sent out or seniors are to be sent out according to this amendment. I have already stated that as regards the education staff and the medical staff there will be no retrenchment. As regards the other clerical staff it will be necessary for district boards to employ some additional establishment and ultimately I believe that the approximate number of people who will be thrown out of employment and that too temporarily will be on an average about one and a half for each taluk board. And there are 208 taluk boards. In the various discussions this morning, hon. Members have ignored the provision in the Act which lays down the conditions for recruitment both in the case of district boards and panchayats. I feel, Sir, that by applying these rules, we will be able to find places for a large number of these retrenched employees.

"Another point this House and Government have to consider is that it is not possible off-hand to assess the financial implications of this amendment. I do not say I am opposed to the spirit of this amendment, but Government will have to consider what the implications will be before they could agree to have their hands tied by a legislative enactment of this nature. The various ways by which we propose to retrench the present employees in the district boards are to send out those who have reached the age of superannuation and those who have not yet been confirmed. In other words, those who are employed temporarily will be retrenched first. Then the question of retiring those who have completed 25 years' qualifying service will come in. Of course, they will have to be paid compensation and it has to be considered whether it would be cheaper and more desirable to send them out or to send some of the extra clerks in the taluk boards. We have to consider all these questions. We have to consider the interests of local bodies also.

"My hon. Friend, Mr. Devadasan, has made a speech supporting the amendment. I believe it is only during the last five or six years that members of the Depressed Classes and backward communities have been

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sufficiently qualifying themselves to enter these local boards. I do not know whether my hon. Friend realized the implications of this amendment when he supported it. My hon. Friend, Mr. Pannirselvam, who has moved this amendment, cannot be said to be opposed to the claims or interests of backward and Depressed Classes. Nor can I think that being a clever lawyer as he is, he has moved this amendment without knowing its implications. Probably he is guided by the conditions existing in his own district. But from what I hear from people coming from the other districts, I believe I will not be wrong in saying that if we confine this retrenchment solely to the junior most and retrench them according to the order of juniority, we will be really sending out members of the minority and backward communities who have been employed during the last few years. If, without further consideration and examination, Government are to accept this amendment, it might result in heavily increasing the budgets of district boards as most of these clerks who have put in 10 or 15 years service and who now occupy the higher posts in taluk boards will be on a much higher pay than other employees of local boards with equal service. By making a hard and fast rule like this, we might make the establishments top-heavy.

“Another doubt has been raised by several hon. Members as to the meaning of the phrase, ‘continue to be qualified and suitable for the post.’ For the benefit of those who have not attended the Select Committee where I explained the position of Government, I may repeat the argument that by qualifications Government do not propose to fix any educational qualifications for the first time now and give them retrospective effect in the case of taluk board employees. So there can be no objection. As a matter of fact, the amendment as it now stands makes the rule more elastic. I have heard the speech of Mr. Pannirselvam with great attention and I find that he has placed great stress on the fact that a good many of these taluk board employees were transferred from district board service and that it will be unfair to retrench them now, because their services in the taluk board would be very short. I do not know whether my hon. Friend will be satisfied if all those who have been sent from the district boards are protected. Of course, I have no authority, before a thorough examination of the position, to commit Government. But I may just indicate the directions in which we propose to issue the rules. As regards these establishments, we propose to prepare lists in the order of seniority in which the previous service of employees in district boards will be counted. (An hon. Member: If they have been in Government service?) That also will be taken into consideration. And in filling up vacancies, it will not be left entirely to the discretion of the district board. They will have to appoint these men in the order of seniority, unless any employee is found unfit or **unsuitable** to discharge the responsibilities attached to his post. Taking all these into consideration, it will be difficult for me to say whether in a year's time or a couple of years' time, all these people who are now retrenched will be absorbed.

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“There seems to be another misapprehension that the moment this Act is passed all the taluk board employees will be thrown out. Although formal notice has been given that their services will be terminated from the 1st of March, Government propose that they should be retained in service for three months or given three months' pay in place of notice. That means that there will be three months' time before which Government can carefully go into the various problems involved and come to definite conclusions in framing their rules and pass orders. The point I wish to make is there is no immediate hardship caused in this respect and we hope to give the utmost possible protection to these employees consistent with the interests of local boards. The rule as now framed is very wide and gives ample powers to Government to frame rules and carry out the wishes expressed by various Members of the House to the fullest extent. Although I have explained that it will not be possible for me to accept the amendment, I may assure my hon. Friends that to the fullest extent possible Government will try to carry out the spirit, if not the letter of this amendment bearing in mind the opinions expressed by hon. Members. I therefore appeal to the Mover not to press this amendment to vote.”

Mr. A. RANGANATHA MUDALIYAR:—“Sir, I have only one or two remarks to make on what the Hon. the Chief Minister has said with regard to this matter. Sir, we have to remember that it is the presidents of district boards who have to take work from their employees and not the Government sitting at the Provincial headquarters. If the president, district board, is responsible for the work of his subordinates, I think we must be ready to concede to him a certain latitude in regard to the choice of the people who have to work under him. If you press this amendment and insist on district board presidents appointing those taluk board employees who have been thrown out of employment, I am by no means sure that we will be doing these people whose interests we have at heart any good turn. People who have any experience of administrative matters know that the head of a department, has always certain means at his disposal to make things too hot for his subordinates and send them out. That is not at all a rare phenomenon. If we are going to force on these district board presidents men whom they do not want simply because according to rules of seniority or other rules they are entitled to places on district boards, what guarantee is there that these district board presidents after giving these men a chance or two, will not frame charges of incompetency, dilatoriness or something else and not merely dispense with their services in which case, they can get employed elsewhere but take the more drastic step of dismissing them which would render them ineligible for employment in any other place for ever. We have to remember this fact also, that the district board presidents should have the power of picking and choosing their own men in order that the work of the board may be carried on in the most efficient manner possible.

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3-15 p.m. "They have been trained for their respective pieces of work and one expects that they are even now qualified to continue to do their work. What you are going to do is to dislocate the work. You will be putting in people who will certainly take some time before they can adopt themselves to the requirements of the office. After all we cannot judge people merely by their experience and seniority. It is necessary that people who are going to employ them must have a certain amount of discretion; for some appointment they may require a young man; for other appointments they may require persons of ripe experience. I think that we should not fetter the discretion of heads of departments who, in my opinion, should be allowed some discretion. So, I would earnestly request the House to leave these matters to be decided by rules to be framed by the Government and not to put these things in the statute. It will be difficult to give effect to these amendments and they may defeat the very purpose we have in mind, namely, protection to the employees of taluk boards."

Rao Bahadur P. C. MUTHU CHETTIYAR spoke in Tamil.

Mr. MUTHU CHETTIYAR said that he would suggest an amendment to the amendment before the House.

* The Hon. the PRESIDENT:—"Is the hon. Member suggesting a new amendment or an amendment to the one under discussion?"

Rao Bahadur P. C. MUTHU CHETTIYAR:—"Yes; an amendment to this amendment."

Mr. A. RANGANATHA MUDALIYAR:—"The hon. Member need not move any amendment now. He may give advice to the Government as to what they should do in this matter, that they should absorb these employees in all departments of the Government both Reserved and Transferred, without regard to the Services Commission Rules, etc."

* The Hon. the PRESIDENT:—"The amendment given notice of by Mr. Muthu Chettiyar now runs as follows:—

'The employees of taluk boards thrown out of employment by the abolition of taluk boards be given places in Government service.'

The amendment is totally out of order."

* The KUMARARAJA OF VENKATAGIRI:—"Sir, the object with which I rise now is to make a few observations, before I appeal to the hon. Mover of the amendment to withdraw it. It is not because I have no sympathy for those who will be thrown out of employment owing to the abolition of taluk boards, but it is because I have full faith in the assurance given by Hon. the Chief Minister. He will take sufficient care and give adequate attention to this problem and solve it in such a manner as to be satisfactory and as to achieve the objects the Mover of the amendment as well as various other speakers have mentioned. The Hon. the Chief Minister has assured the House that every care will be taken and that he would see that justice will be done. In the light of that assurance, I as one who received a mandate from my constituency

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to the effect that I should support the principle underlying this amendment, feel satisfied now that I need not vote for this amendment for the very simple reason that as a member of the party which is in power I should accept the definite assurance given by the head of the party that sufficient attention will be paid to this question. Now I feel, Sir, that I have no obligation on my part to vote for the amendment.

"I feel, Sir, that there is no obligation on my part. On the other 3-30 p.m. hand, I think it is an obligation on the part of every member of the party to support the attitude taken up by the Hon. the Chief Minister. I have to make these observations for the reason that many of the members of the party who have received mandates, or at any rate, who are in great sympathy with the spirit underlying the amendment do not vote for the amendment, if for any reason it is to be put to vote. It is not because we are lacking in sympathy, but it is because we have implicit confidence in the Government and because we look to the Government to see that all the views expressed and the suggestions made on the floor of this House for the removal of grievances are given effect to in the same spirit in which the Hon. the Chief Minister has made his speech. I consider it unnecessary on my part to go into details after the very able advocacy of the cause for which I also stand, by my hon. Friend, Rao Bahadur Pannirselvam, who, whenever he speaks, speaks with authority and deals with the subject in such a manner as to compel attention to and agreement with his views. Sir, in view of the various difficulties pointed out by certain friends belonging to the minorities, I consider that this is really a complicated problem which cannot be solved on the floor of this House, and that it is better to leave it to the Government to solve it, particularly in view of the assurance given by the Hon. the Chief Minister. My hon. Friend, Mr. Appadurai Pillai, has dealt with the various aspects to the effect that the problem is not of such a nature as to make it impossible of solution. I therefore appeal to my hon. Friend to withdraw his amendment, after making any further suggestions to the Hon. the Chief Minister on the floor of this House."

* Rao Bahadur A. T. PANNIRSELVAM:—"Let me immediately state, Sir, that in moving this amendment I was not in the least degree actuated by any distrust of the Government or of the Hon. the Chief Minister. I need hardly say that, if there had been even the slightest distrust on my part towards the Hon. the Chief Minister, I should not be found speaking from this side of the House. In fact, Sir, the amendment which I have moved would show the trust I have in him of dealing fairly and squarely with the people whose fates he has to decide. Nor, was there any the least desire on my part to tie up the hands of the Government. In fact, I felt, Sir, that the provision in rule 8, as it stood, tied up the hands of Government and my amendment was going to unloosen the tie. The provision, as it stands, provides that taluk board servants shall go out and very many of them shall be absorbed once again. My desire was only to make the whole group into one,

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so that it might be open to the Government to see which among this larger group shall be immediately retained and which shall be sent out or rather be put on the waiting list to be absorbed in course of time as and when occasion arises. If I have laid so much emphasis on the necessity and the reasonableness of my demand, it is solely because of this that, whatever you might say, there is no running away from the fact that, as a matter of fact, the whole local board service is one. Till recently, the district board presidents could transfer taluk board servants from one board to another, from a taluk board to a district board and from a district board to a taluk board. Appointments over Rs. 50 had till recently to be sanctioned by the district board president and to-day the provident fund contributions for all local board servants have to be made by the district board president. Those were the reasons which led me to think that they were all members of one service and therefore there should be no distinction at this stage. Another reason also why I said that no distinction ought to be made was this, that to-day by this Act we are abolishing not merely taluk boards. What, in fact, we are going to do, except perhaps in the case of a few district boards which may not be immediately bifurcated—but, if as I expect, bifurcation is to work successfully they will also be bifurcated in course of time—what we are doing is not merely the abolition of the taluk boards, it means also the abolition of district boards as well. So, it is a matter of doing away with both the local boards and setting up in their stead what we might call a circle board; and it is merely an accident that we are retaining the name 'district board,' while in fact, they will not be district boards as they now are.

"So, Sir, it was not that we were not convinced by the arguments of the Hon. the Chief Minister or the statement of the Hon. the Chief Minister when he said that most of these servants who will under the Act be thrown out of office will, whether immediately or in the near future, be absorbed. We realize that fact and it is because of the desire to inconvenience as few as possible and to take in as many as possible, that we have made a specific provision to the effect that in all the future vacancies that should be filled up, none shall be appointed except those thrown out if any of them are qualified to fill the places and are available. I was only dealing with reference to that very few—it might be only a few—that are thrown out, but still the cases of these few persons also deserve consideration, if on the merits we thought their case was deserving more of sympathy than the case of the young men from the district board service who might be thrown out.

"Sir, another argument was advanced that the interests of the backward classes and the depressed classes might suffer by the acceptance of the amendment which I have moved. Far be it from me, Sir, to say or do anything which would affect adversely the interests of the depressed classes or for that matter of any minorities, and being myself a representative of a minority community, it would certainly not do for me to say anything which would adversely affect the interests of the

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minorities. It seems to me, there is no need for giving myself a certificate about my adherence to the principle of communal representation. That has always been the policy for which I have stood and wherever I have had an opportunity of exercising any little patronage, I have been always actuated by the principle of communal representation, not merely of the minorities but of the huge non-Brahman community that they should also have their share. But, if in spite of the fact that in certain districts—it might be just possible that members of the minority communities might, for the time being, be thrown out—I urged this amendment, it was only due to the desire that in claiming a right for a minority or for an unrepresented community, we should not consciously expose ourselves to the charge of doing an injustice to another community, even though it be the Brahman community. That has always been my motto, that in trying to do justice for ourselves we should not do an injustice to others.

"If I say all this, it is not because I am not responsive to the very sympathetic and kindly speech which the Hon. the Chief Minister has now made and after that speech I do certainly think with all respect to my hon. Friend, the Kumararaja of Venkatagiri, that an appeal from him was absolutely unnecessary. If the speech of the Hon. the Chief Minister, with the promise he made of considering every point of view and with the power of implementing that promise, if that speech was not going to move me, the appeal made by the Kumararaja of Venkatagiri would certainly not move me. But, before I say anything further on the point, there are just one or two suggestions which I should like to make. You are going to throw out all taluk board servants—not all of them, but a few of them and those that would be as a matter of fact retained, I believe, would be the people on the lower scale of pay, people who are dealing with the branch of education and my hon. Friend, Mr. Appadurai Pillai, who seems to be in the secret, said that clerks dealing with communications also will be absorbed immediately; but they are all ordinary clerks in the lower grades of pay. So, the seniormost clerks in the taluk boards and those in the higher scale of pay though they are likely to be immediately affected, it is presumed they will also be taken back at as early a date as possible. May I therefore suggest to the Government that it should not be thought to be a favour done to them that they are taken back, but some plan should be devised by which they will be fitted in into the district board service in as high a pay or into a pay which would correspond as much as possible to the scale of pay that is now being drawn by them. In saying this I do not forget or overlook the statement made by the hon. Member from Coimbatore that some taluk boards have been arbitrarily and unreasonably fixing a very high scale of pay. The rules to-day do not prevent the Government from altering that scale; the whole thing is in their hands and in fixing the scale of pay for such of the senior clerks as might be taken back, I only hope that the Government would so fix the scale as would without any injury to public finance fit in with their present scale of pay as well.

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“There is just another suggestion which I wish to make and that is this. To those of the servants of the taluk boards who would immediately be thrown out of office, would it not be possible for the Government to give them an alternative about withdrawing their provident fund immediately, or continue to wait till they are absorbed again, the intervening period perhaps being treated as leave on loss of pay, so that there might be absolutely no interruption in their service. And, if they are clerks entitled to pension and not to provident fund, some such arrangement can be made by which they are not actually thrown out at once, because when once they are told off, Government might frame rules—and Government will certainly interest themselves in the matter for a few months at least—but if there is to be any delay, the matter will ultimately devolve on the district board presidents and there is the possibility of some of these people being overlooked. If, on the other hand, some of them desire to have their name in the list, without any financial commitment on the part of the Government, the Government may allow their provident fund contributions to continue with the local boards or delay their right to claim proportionate pension, or some such thing, as they think fit, so that they would at least have the feeling that they are still in service. They are not given any pay because they are not doing any work and they are not doing any work because they have no work to be done. The moment the work is available, they would have the place. That would give them at least a sort of encouragement to get on with during the intervening period.

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p.m.

“Just one word, Sir, about what the hon. Member from Bellary said. Naturally in saying anything about a speech made by a gentleman of that ripe experience, one has to be rather careful. But I would only warn the Hon. the Chief Minister not to listen to his advice about leaving things in this confused state to the person who has to extract work from them. Because, after all, who are the persons that are going to extract work from them, and what is the state of things you are going to have? These district boards, most of them, are going to be bifurcated. Who shall be sent out to the other district board and who shall be retained in the existing district board? Who is going to decide this question? And are we not going to have in each district many difficulties on this question? In one board, servants whom that particular president wants may be retained, and all the undesirable members of the establishment, and all those that are not wanted by him may be sent out to the new board, the board that is really to be put into action, which is to be set on the wheels so to say, whose president is still unknown, who will have yet to be elected? On him will be thrown all the refuse of the district boards. (Mr. A. Ranganatha Mudaliyar: ‘Is bifurcation to be the rule then?’) That is the assumption on which we have been going these three days and if the hon. Member from Bellary thinks otherwise, I can only say that I have not been able to follow it in the same spirit in which he has followed it. Sir, I certainly must express my sense of indebtedness to the Hon. the Chief Minister for the deference he has shown to my view and the promise

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he has made for himself personally that he would see to it that the district board servants who have been sent out to the taluk boards, or rather the persons who were once in the district board service and have been subsequently sent out to the taluk board service, would be specially considered. I may say, Sir, that when I said that, it was not with a view to get special protection to particular individuals. I only mentioned it in passing, my object being to demonstrate that all the units constituted one service. It is no question of any personal satisfaction to me, and I can assure him that in this matter my action is wholly impersonal. Having said that, Sir, as I said to begin with, it would certainly not be fair on my part to insist on going on with this amendment. I am doubtful, Sir, and I would bow to your ruling in the matter as to whether I would be absolutely within my right to withdraw the motion, when there is another gentleman who has given a motion for adjournment of it and who probably would have moved the original amendment itself in some other shape if I have not moved it. Subject to that, Sir, I do not feel the least hesitation in requesting you and the House to give me permission to withdraw the motion.”

The amendment was, by leave, withdrawn.

* The Hon. the PRESIDENT:—“I believe all the other amendments on rule 8 have been covered by this amendment, and I will therefore put rule 8 to the vote of the House.”

Rule 8 was put and carried.

Rules 9 to 13 were then put and carried.

Clause 53.

* The Hon. the PRESIDENT:—“In connexion with clause 32, yesterday, Mr. Ramalingam Chettiyar moved an amendment and the Government promised to bring in another amendment to convey the idea contained in that particular amendment. Accordingly Mr. Conran Smith has given notice of an amendment under clause 53. We have now to reopen clause 53 and incorporate that amendment in that clause, and later on put clause 32 to the vote of the House.”

* Mr. E. CONRAN SMITH:—“Mr. President, Sir, I move the following amendment in clause 53:—

‘In line 3, of sub-clause (ii), for the words “a village” substitute the words “the village”.’

‘For sub-clause (iv), substitute the following sub-clause:—

“(iv) in sub-rule (2) of rule 1-A—

(a) in clause (a), the words ‘or taluk’ shall be omitted;
(b) in clause (m), the word ‘and’ at the end shall be omitted;

(c) after clause (m), the following clause shall be inserted, namely:—

‘(mm) contributions to joint committees constituted under section 30 for any purpose

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in which the panchayat is jointly interested or for any matter for which it is jointly responsible with any other panchayat or panchayats; and' and

(d) *in clause (n), for the expression 'rules 1-B and 1-C,' the expression 'rule 1-B' shall be substituted.'*

I need not, I think, explain to the House that the major portion of this amendment is devoted to the redrafting of the clause consequential on the amendment which I have moved. The important portion of the amendment is clause (mm). This amendment is designed to achieve as far as possible the object of the amendment which was moved yesterday on the floor of the House by my hon. Friend, Mr. Ramalingam Chettiyar. I am sorry Mr. Chettiyar is not himself in the House to-day, but I trust that the amendment which I am now moving will be found acceptable. I am not sure whether I fully understood the intentions or the implications of the amendment which Mr. Ramalingam Chettiyar moved. If he intended to provide for a federation of panchayats as a body corporate with general administrative powers and functions, then the amendment is unacceptable, because it is inconsistent with the spirit and the intention both of the amending Bill and of the Act. I do not think however that was the intention of my hon. Friend; I think from what he stated in his speech on the floor of this House, that he merely desired by his amendment to make it clear that two or more panchayats could join together for purposes or objects in which they have a common interest and could provide funds for those purposes or objects. Such a common purpose might be the execution of some important work, or it may be the appointment of a sanitary staff or an overseer. The difficulty which I think has been felt in this connexion under the present Act has been concerned with the provision of funds and the important portion of my hon. Friend's amendment was, I take it, to make possible such provision of funds for carrying out common purposes. This object is achieved by the amendment which I have just proposed since it makes it permissible for a panchayat to make contributions for these common purposes. Furthermore, if hon. Members refer to Schedule V, I-A, sub-rule (2), they will find that the sub-rule gives Government power to make rules, and that power can be utilized for the purpose of regulating these contributions and the works for which they are intended. Finally, I would draw the attention of hon. Members to new section 69-B in the Select Committee's Bill which definitely empowers two or more panchayats to appoint the same person to exercise or discharge any powers or duties of a similar nature for both or all of them. I trust therefore that this amendment which I now move would meet the object which my hon. Friend, Mr. Ramalingam Chettiyar, had in mind, and that the House will regard it as acceptable."

Mr. T. C. SRINIVASA AYYANGAR:—"Mr. President, Sir, in seconding this motion, I have only to add that there are difficulties in the way of accepting the amendment of Mr. Ramalingam Chettiyar. The Act

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provides three sets of corporate bodies, panchayats, taluk boards and district boards. If the amendment is accepted, there will be a new corporate body composed of two distinct corporate entities. What are its powers, liabilities, obligations and finances? All these will be complications. The difficulty was pointed out yesterday. But, however, although it may be conceded that the present amendment moved by the hon. Mr. Conran Smith does not exactly achieve what all may be desired if the federation is accomplished, still the amendment goes a long way. The original Act enabled joint committees not only wherever two such bodies desired, but also where the Government points out the necessity, it shall appoint a joint committee for the purpose in which both are jointly interested. The new clause introduced by the present Bill, 69-B, enables servants common to more than one body to be appointed. Now the present amendment moved by the hon. Mr. Conran Smith, that is, clause (mm), enables diversion of funds of both the panchayats although the joint committee will be unable to function and the fund will be spent properly. This will go a considerable way in achieving the object, and I second the amendment."

The amendment was put and carried.

Clause 53, as amended, was put and carried.

Clause 32 was then put and carried.

The preamble was put and carried.

The Hon. the RAJA OF BOBBILI moved—

"that the clauses of the Bill be renumbered serially."

Mr. E. CONRAN SMITH:—"I second it."

The amendment was carried.

* The Hon. the RAJA OF BOBBILI:—"Sir, I beg to move—
'that the Bill, as amended, be passed into law.'"

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I second it."

Mr. K. P. RAMAN MENON:—"There is a rule, Sir, that there should be three days intervening before this motion can be made."

* The Hon. the PRESIDENT:—"The rule is like this:

'48. (2) If any amendment be made, any Member may object to the passing of the Bill at the same sitting; and such objection shall prevail, unless the President, in the exercise of his power to suspend this order, allows the Bill to pass.'

Mr. K. P. RAMAN MENON:—"Amendments have been moved and some have been accepted and some carried. And so I submit, Sir, that three days should elapse. Mr. Muniswami Nayudu who made a particular study of this matter has been ill and could not attend this sitting. Not that he may be able in any way to effect any change in the Bill. But I take it the House would like to have his views on the various important clauses that have been passed. That can be done only if he is allowed to be present."

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4 p.m. * The Hon. the RAJA OF BOBBILI:—"My hon. Friend is mistaken, Sir. In the third reading, we can bring in only drafting or verbal amendments. As far as the House is concerned, they have not carried out any material or far-reaching changes. No doubt, one or two substantial amendments have been carried out but they are only to restore the original clauses as introduced by me. I therefore consider, Sir, that no case has been made for observing the usual rule and this is a fit matter for you to use your discretion."

* The Hon. the PRESIDENT:—"As a matter of fact, the hon. Member has not objected and the necessity for the exercise of my discretion does not arise."

Mr. K. P. RAMAN MENON:—"I am sorry, Sir, if I did not make myself clear. I object to the third reading going on when some substantial amendments have been made. We, as a minority party, have to see the effect of the amendment and must have our own say on the amendments."

* The Hon. the PRESIDENT:—"With regard to the amendments, substantial amendments have been made, in some cases by common agreement in the House. As such, I do not think there is any necessity to go into them during the third reading. I therefore feel that I should overrule the objection and allow the motion to be discussed."

Mr. M. A. MUTHIAH CHETTIYAR:—"Sir, I only wish to congratulate the Hon. the Chief Minister for the great patience with which he has piloted this Bill in this House. I should congratulate on his patience not only in this Council, but also in the Select Committee, of the Council. In the Committee stage, it required more tact to get through the provisions of this Bill and I can easily say that but for the very accommodating nature and tact of the Raja Sahib, the report could not have been as unanimous as it has been. It is due to his good work that the easy passage of the Bill in the Council is responsible. This measure is a great experiment and it has been opposed not only by some Members of the Council, but by the public, by the employees and by the many presidents and vice-presidents of the taluk boards. It is natural that they should have opposed this for fear of losing their seats in the respective bodies. But I am sure the Justice party and the Minister came forward with this Bill with the best intention of saving these local boards. As the experiment has not been a great success, we consider this a very useful experiment that has now been made and being coupled with the establishment of more district boards in the Presidency, it is also being welcomed by many persons in the Presidency. I am sure this Bill will be made into law and be approved. I should associate the name of Mr. Conran Smith with this Bill. Mr. Smith has taken great pains and during the time Mr. Smith has been the Secretary, many experimental measures regarding Local Self-Government institutions have taken place. They have been criticized and he has withstood those criticisms. The measures so far passed have been very beneficial. I have very great pleasure in moving that the Bill be passed into law."

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* Rao Bahadur C. NATESA MUDALIYAR:—"I really congratulate the Hon. the Chief Minister for having piloted the Bill so beautifully. Somehow or other, Sir, he has the credit for bringing in a Bill which on introduction is opposed all over the Presidency. In the Council almost everybody seemed to oppose it. But when it came to the Select Committee, he makes it so palatable that when it comes out to the Council again everybody appreciates it and congratulates the Hon. the Chief Minister. Even in the other Bill, the Estates Land Act Amendment Bill, he sacrificed his own community for the sake of the ryots. He forgot he was an aristocrat; the aristocrats became nothing and the ryots had everything in that Bill which was passed into law the other day. Although he had the necessity of abolishing the taluk boards, yet he saw that nobody was affected by that abolition. So, I would describe him as one with an aristocratic superstructure with a deep democratic foundation. (Laughter.) During his Ministry, I am sure the country will achieve many things that are useful to the people. So, I congratulate the Raja Sahib. In addition my congratulations are also to his able lieutenant Mr. Conran Smith."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"Sir, really the Hon. the Chief Minister deserves the congratulations for the able way in which he has conducted and piloted the Bill in this House. Of course, it requires rare courage and his courage of conviction is really admirable. As has been said by Mr. Natesa Mudaliyar, he could make an apparently unacceptable thing really acceptable. Therefore, Sir, I congratulate him and also the Secretary who was of great use. Mr. Smith has done so much for putting the Bill in form."

Mr. SAMI VENKATACHALAM CHETTI:—"Mr. President, Sir, it is not want of appreciation of the able manner in which the Hon. the Raja of Bobbili has piloted this Bill that makes me warn against the possible consequences of this measure. I do not know, Sir, if this House has realized the consequences that will result by the abolition of the taluk boards, by displacing as many as 2,000 to 3,000 honorary public men who would help us in the matter of training people for political education and administration and also for displacing as many as 2,000 employees employed in the taluk boards and only making provision for a few of them under very uncertain conditions and also for the abolition of the village development fund. As I have said in the preliminary stages of this Bill, the Hon. the Raja of Bobbili is taking a very, very serious step in the matter of local self-government institutions. It would almost appear as if we are to-day tolling the deathknell of the local self-government institutions in this Presidency. (Hear, hear.) There is no good of deriving satisfaction from the fact that other presidencies also are in the process of abolishing the taluk boards. Probably having regard to the excellent record of public work of the Madras public, the other presidencies are under the impression that the Madras public would not take step without considerable deliberation and that therefore they would be doing the right thing, if they are guided by the Madras public. They are perhaps not aware of the changes that

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have come over the Madras public and the actual absence of public opinion on many matters of recent days. That accounts for other Presidencies also following the Madras public in the matter of the abolition of taluk boards. I need not personally feel sorry for the abolition of the taluk boards, if only the alternatives that are provided in this Bill are going to give us more powers and more benefits which the public have got a right to expect from the Government. The original idea for the necessity of the abolition of taluk boards was due to the inadequacy of funds. I do not think, Sir, in the juggling that was performed either by the Select Committee or subsequently by the Council, they have increased the resources of these local bodies, whether they are going to be taluk boards or whether they are going to be divisional boards. As a matter of fact, the Hon. Minister and those who spoke in favour of this Bill have been significantly omitting to make any reference to the increase of revenues consequent upon the present changes. The financial position being as it was, I do not know how any good can be derived by these alterations. Well, Sir, if the taluk boards are considered to be a fifth wheel in the coach and their abolition is going to ease matters, and bring these local self-governing institutions in more contact and touch with the people, I should certainly be very glad. And if the abolition of the taluk boards is going to be an encouragement for the creation of village panchayats and of their duties to the public, I should certainly be glad. But, having regard to the material that we have got in the village panchayats, I am really pessimistic of the results which are expected by the mere constitution of the village panchayats without the intermediary supervision and assistance of the taluk boards. Apart from this, the constitution of the redistribution of the taluk boards is a matter of speculation, though the Raja of Bobbili has said that he will be guided by certain definite considerations, namely, adequacy of finance, compactness of the area, geographical considerations and other administrative conveniences. Well, these are big comprehensive terms and it is possible to give room to a good deal of criticism. Added to that, I am very sorry that the old evil of nomination is allowed to remain even for a transitory period of two years, in the boards that are going to be reconstituted. However much I do not like to refer to the relationship of the new boards to the impending elections, it is impossible to think, Sir, that these new boards will not be used for the purpose of election campaign. Well, Sir, the bane of the local self-governing institutions has been that they have been hitherto used as the bases of election operations. If only the Party Government and the parties had allowed these self-governing institutions to remain without being touched by party politics, they would have certainly acquitted themselves more creditably and more honourably than they are able to do. It is because of the interference of the inward corruption of these local self-governing institutions, it is because of the interference from the headquarters either from one party or the other that these institutions have been reduced to the plight in which they are to-day. If only to-day, a Commission is set about to investigate into the conditions of these local self-governing institutions,

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apart from the inadequacy of finance, it would not be a surprising thing if the findings of that Commission would be that their work was being interfered with by the Government at headquarters. May be the intention was very good when the Government interfered. But, it is impossible to resist the conclusion that in all matters they have been considered solely by considerations of efficiency and honesty of the local self-governing institutions. Instances have not been wanting that a certain discipline which might have been enforced by the Government in respect of one municipality is suspended in the case of other municipalities or other self-governing institutions for considerations other than that which would possibly be put on paper.

"I therefore fear, Sir, that these new boards might be used for the 4-15 purpose of election. And it is rather a very disconcerting news that ^{p.m.} reached us that, even before the taluk boards are abolished, even before this Bill is made into an Act, the Government have announced that a certain gentleman belonging to this House has been appointed as an inspecting officer with regard to the reconstitution of these boards and other things. It is a rather surprising act of the Government. I have never known that, pending the passing of an Act, an appointment is made to investigate into the conditions which will result by the passing of the Act, certainly anticipating the assent of His Excellency the Governor, apart from anticipating the decision of this House, which, perhaps they may take for granted. But I do not know how they are going to fetter the opinion or the sanction of His Excellency the Governor and His Excellency the Viceroy by appointing an officer to do acts which are contemplated in a Bill which has not yet received the assent of His Excellency the Governor or the Viceroy. Granting that an officer of that type is necessary, where is the necessity, Sir, to appoint a person from among the members of this Council? Is the Government Secretariat so devoid . . . ?"

The Hon. the RAJA OF BOBBILI:—"May I rise to a point of order, Sir? Is the hon. Member talking on the merits of this Bill or is he putting forth the arguments which he ought to reserve for the Budget discussion?"

Mr. SAMI VENKATACHALAM CHETTI:—"I do not know the relevancy of the Budget to the third reading of this Bill. That apart, I thought the appointment was made in advance on account of the anxiety for reconstituting the boards as a result of this Bill. If the Hon. Minister is in a position to contradict or deny that statement, I shall not make any reference to that appointment.

"Sir, in view of the steps that have been already taken by the Hon. Minister for carrying out the objects of the Bill now being passed, there is naturally consternation in the minds of the people that, after all, the provisions and the powers that are given to the Government under this Bill, may not be used only for the benefit and efficiency of these local self-governing institutions. Sir, it is no doubt, as I said, a very serious piece of legislation which the Hon. Minister has undertaken. If, as he

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hopes, this will result in the greater efficiency of local self-governing institutions, my sympathies and good wishes are entirely with him. But, speaking for myself, as most of the Members of my Party think, I do not think that will be the result. I am only sorry that such an important piece of legislation should have been hurried through in the manner in which it has been done. It has become a common feature, with this Legislature particularly, to hurry on very important legislation and bring in amending Bills soon after. I know whatever may be the delusion under which his party members are labouring, there is still considerable dissatisfaction with regard to this measure which the Hon. Minister has sponsored. I congratulate those chivalrous Gentlemen who, despite their convictions and their own opinions, do not want to desert or give the go-by to that party but are standing by the Hon. Minister. Well, Sir, that chivalry and that courage is worthy of a better cause than the abolition of taluk boards. (Ironical laughter from the Ministerial Benches.) Well, Sir, we can afford to laugh, because after all, we are not going to be affected. But future historians will record whether this legislation brought in the millennium the Minister and some of his supporters have in view."

* Rao Bahadur A. T. PANNIRSELVAM:—"Mr. President, to begin with, let me enter a caveat on behalf of the 2,000 members of the taluk boards against the unworthy motive of selfishness attributed to them by the hon. Member, the Kumara Raja of Chettinad, for their opposition to the Bill. The bane of public life in our country, and in our Province in particular has been that on no little matter whatsoever can anyone differ from another without having some sort of vile motive attributed to him. And here is a case of selfish motive being attributed to their opposition to the passing of this Bill. I can only say, Sir, that, speaking on the floor of this House, the Chief Whip of this Party should ever have adopted such a light attitude in respect of an important matter like this and in reference to 2,000 respectable people of the Province people who have been elected by the masses to represent them in the various local bodies. It is no secret, Sir, that . . ."

Mr. M. A. MUTHIAH CHETTIYAR:—"A word of personal explanation, Sir. I wish to assure the House that I did not mean any insult to any member of the district board or of the local board. I only said that I would remind the House that it is only human nature that the large number of people who have been aggrieved over this measure should oppose it. I do not think that I, in any way, deprecated the opposition of the members of the taluk boards."

* Rao Bahadur A. T. PANNIRSELVAM:—"Well, I am glad that the hon. Member, the Kumara Raja of Chettinad, has assured these two thousand and odd people that no insult was meant to them. I am happy that to that extent, I have misunderstood him, because I was going to say what motive will be attributed to me for the consistent opposition which I have put up towards this Bill. It is no secret either to this House or to the Hon. the Chief Minister himself that, personally, I feel that it is a huge experiment that he is making.

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"Next, Sir, turning to the hon. Member from the City of Madras, well, I suppose the moment he gets on his legs on any matter, we should be prepared for a sermon and, this being, so to say, a ceremonial occasion, we should not have any cause for surprise if this has been no exception. That he, representing the premier Corporation or the premier local body of the Province whose representatives do not miss any opportunity of putting themselves forth as the model for the representatives of the mufassal local bodies to follow, should take this occasion again to think of preaching a sermon, is not unusual. He said that local bodies were being used or that this was one of the measures intended to use the local bodies as electioneering agencies. If that had been the intention of the Hon. the Chief Minister, I can only say that he has gone about it completely the wrong way. By this measure, instead of having 10 or 12 electioneering agencies in every district, he is reducing them to one or at the most two or three. If that was his motive, I believe the Hon. the Raja of Bobbili has acted in a manner which is certainly not consistent with what we know him to be.

"Next, reference was made to the appointment of the special officer and surprise was expressed that the appointment should have been made even before the Bill had been passed into law. I should have thought that no administrator would be worth his salt if he could not foresee events even by a few days. The appointment was published in the Gazette the day before yesterday. Did anybody think that between then and this day there was any the remotest chance of this Bill being thrown out or not passed into law almost in the form in which it emerged from the Select Committee?"

Mr. ABDUL HAMEED KHAN:—"In spite of your opposition."

Rao Bahadur A. T. PANNIRSELVAM:—"Yes, in spite of my opposition. I really see nothing in this appointment being made some time before the election, the object obviously being one with which, the hon. Member for the City of Madras would agree, if he would only think over it for a moment, viz., that the new boards should be brought into existence or the provisions of this Act should be put into force at as early a date as possible.

"But the most surprising thing was that the hon. Member from the City should have referred to the vetoing power which is vested in the Governor and the Viceroy. That he should have, for a moment, become so unnationalistic as to suppose that in a Bill which refers wholly and exclusively to local self-government which is entirely within the province of the Transferred Half, any Governor or any Viceroy is going to interfere, that that fear should have emanated from a gentleman of the reputation of Mr. Sami Venkatachalam Chetti in the nationalistic circles and that he should have hinted at it, seems to be the most surprising thing of all."

Mr. SAMI VENKATACHALAM CHETTI:—"By being a nationalist, I do not cease to be a constitutionalist."

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Rao Bahadur A. T. PANNIRSELVAM:—“ As a constitutionalist, Sir, he ought to have known what the constitution is. He ought to have read it in the spirit in which it ought to be read and he should have known that the constitutional Governor and the Viceroy we have the good fortune to possess would certainly hesitate to withhold assent to a Bill which has been passed by a majority in reference to a matter which is exclusively within the province of the people.

“ Then, Sir, coming to the merits of this Bill, I certainly join in the chorus of praise that is sought to be showered on the Hon. the Chief Minister for the courage with which he has conceived this Bill and has sought to push on with it. To me, it seems, Sir, that he is making an experiment of a tremendous magnitude the consequences of which might prove very useful as he hopes, or might prove very disastrous as I fear. And I reserve my congratulations about the wisdom of the Bill itself to a later period when, as I wish—and none would be gladder than myself—this experiment of the Hon. the Chief Minister should prove a success. I reserve my congratulations for the day when this measure of his which will revolutionize the whole local self-government constitution, which, though in name only an amending Bill, goes to the root of local self-government in this Province and which in its magnitude and in its scope certainly goes far beyond any other Bill that has been passed in this House, proves to be a success. Compared with this, I should think, the Act of 1930 was merely a tinkering with the whole constitution. Here everything has been uprooted and new things are going to be put in their stead. I am sure that the Government have given their best thought to it. The Hon. the Chief Minister with the expert advice behind him and with all available opinion behind him has certainly better facilities to come to conclusions in the matter against which my conclusions, based on *a priori* grounds as it were, on account of my prejudice for institutions in the shadow of which I had the privilege of serving and which might have clouded my judgment, might not be of much weight. Anyway, I congratulate him on the courage he has displayed in forging this Bill and on the tact and patience with which he has got it passed intact.

“ In conclusion I may state that my opposition to the Bill and whatever I might have said, whether in the House, or in the privacy of the Hon. the Chief Minister's room, or in party meetings, were said only in the best interests of local self-government and solely with a desire to extend what little help I could, with the little experience I have in local administration, in shaping the Bill into proper form.”

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Mr. A. RANGANATHA MUDALIYAR:—“ Sir, it is but proper that an opportunity should be given to the Council to express its final view on a matter like this: and I have no hesitation in associating myself with the sentiments expressed by my predecessor in complimenting the Hon. the Chief Minister on the way in which he has piloted this Bill to its successful termination. But, Sir, at the same time I feel I would be failing in my duty if I do not say a word or two showing how far this Bill has

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been a success. If we go back into the history of local self-government legislation in this Province we would find that we have been for the last so many years, so to say, leading a hand-to-mouth life, by bringing in one Bill after another, giving a touch here and a touch there to the local self-government institutions. And what is the result? One cannot say what result has so far been achieved. Because with the coming into power of one Minister after another, we see one Bill or another. Originally we had roughly one taluk board for each taluk. But by the Act of 1930 it was declared that a taluk board should ordinarily be created for each revenue taluk, with the result that the number of taluk boards increased from 130 to 208. That Act also introduced the levy of an obligatory land-cess of one-anna in the rupee. Then came the abolition of the tolls, which deprived the district boards roughly of 50 per cent of their annual income. Originally motor buses were contributing a substantial sum to the funds of district boards in the shape of licence fees. But as a result of the Motor Vehicles Taxation Act, this income disappeared, and with it came financial stringency, and so this Bill has been brought to tide over the difficulty. Every time a Bill was brought before the House it appeared that that was brought with a view to secure a party advantage, and so it was opposed by the Opposition Party, but still the Government carried the day. And not content with this, it seems the Government are going to bring forward a Bill for the levy of tolls on non-motor vehicles. This is the result of the agitation that has been going on for some time past! I wish the Hon. the Chief Minister would not rest on his oars, having piloted this Bill through the Council, but would bring a comprehensive measure which would remove all the defects.

“ My friend from Tanjore deprecated the idea of attributing motives to Government in not having taken the Council into their confidence in appointing the special officer, which was very recently made. Here I would appeal respectfully to the Hon. Gentlemen in the Treasury Benches to extend to us the same courtesy, which we show them, and to believe that we are actuated in our proposals by the same motives of charity like them, and so I request them to take us also into their confidence. For example, the Hon. the Chief Minister assured us that he would take the earliest opportunity of appointing executive officers to district boards. In this Bill provision for such a thing could have been easily made. The House may remember that, when I had the honour and privilege of piloting a Bill for the appointment of executive officers to municipalities I had a similar Bill with regard to the district boards. I did not then propose to introduce that Bill (A voice: Why?) for obvious reasons. Because I knew it would raise a storm of opposition from certain quarters; already the other Bill raised a cloud of opposition from the chairmen of municipalities and so I thought I had enough trouble, and so I did not want to aggravate it by bringing in the other Bill. (Laughter.) But what guarantee is there now that the Hon. the Chief Minister will or will not bring a Bill for the appointment of

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executive officers to district boards? It may be that he has a Bill already in his file; or it may be he has not. How am I to know that, unless he gives us a gesture. That is why an attempt was made to recommit the Bill to the Select Committee. Time was when the Members of the Treasury Bench courted the least pleasure from the Opposition, and I hope those days are not altogether gone. I hope there will be plenty of opportunities hereafter when possibly Members of the Treasury Bench would be profited by the help and suggestions of the Opposition. Having said that, let me now come to offer my praise to the Hon. the Chief Minister for the way in which he has piloted this Bill to its successful termination, and I hope he would not rest on his oars now, but will bring, as I said before, an all-comprehensive measure removing all the defects in the Act."

* Dr. P. SUBBARAYAN:—"Mr. President, Sir, I am glad that the Hon. the Chief Minister has been able to pilot this Bill through the Council, even though, as Mr. Pannirselvam pointed out, I myself had my own doubts whether this was the proper method of tackling the financial stringency in which the local boards find themselves at the present moment. But I am glad he has been able to convince the majority of this Council that this was the only step which might save us from the situation, in which we find ourselves to-day. I am sorry that an amendment was carried late last evening, by which power has been given to Government to nominate members to the new boards to be constituted by bifurcation in excess of the 25 per cent of the total seats, as is provided for in the original Act; and I hope this would not be utilized to reap any party advantage. I know the Hon. the Chief Minister mentioned yesterday, I am thankful to him for that, that it is not his intention to do so, and I am sure, being what he is, he would keep his word. (Laughter.) But still there is a feeling abroad that this power which has been vested in Government might be used for purposes of party advantage. As I have said before, knowing the Hon. the Chief Minister as I do, I am sure that he for one will not be a party to any such movement on his side. But I know the difficulties, having had myself some experience of these matters while being Minister for Local Self-Government. (Laughter.) People will come and try to influence him in any manner they could in order to reap an advantage. But from what I have seen of the Hon. the Minister during the last two years, I can say that he is not a person who would yield to any of these pressures. (Hear, hear.) Because I know he is a strong man. I am glad to see Mr. Pannirselvam laughing, because he knows himself that he is one of the worst sinners in this respect. (Laughter.) When I say this, I say this from my own personal experience. (Laughter.)

"Mr. President, I must say the Hon. the Chief Minister will not make any difference in the principle of bifurcation of district boards as between one board and another, and I hope he would resort to bifurcation only in such cases where he feels that it is necessary in order to

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strengthen the administration and to make the administration run smoothly. Even now, I feel sure, if only the Hon. Minister will watch the events and see whether it is not possible to place the functions of the abolished taluk boards in the hands of the existing district boards themselves and thus carry on the administration without bifurcation, he can do so; and I hope he will follow that step. But if in any case the work involved is such that it is necessary to bifurcate some of the district boards, I hope it will not be done as to gain any party advantage either for one side or the other. I see Mr. Pannirselvam nodding his head. (Laughter.) I am not a person who can divine the thoughts of others from their mere nods. (Laughter.) (Mr. Pannirselvam: What would you have done?) If I had the power, you would see what I would have done. (Laughter.) Obviously Mr. Pannirselvam dissents from me, because as I have said, he is one of the worst sinners and it is probably because of that he dissents. (Laughter.)

"Mr. President, I hope also, the hopes with which the Hon. the Chief Minister piloted this Bill will fructify in the near future, and as Mr. Ranganatha Mudaliyar mentioned he will find methods by which Local Self-Government may be placed in a position as to show to the other parts of this country how Local Self-Government can work to the advantage of the people at large."

* The Hon. the RAJA OF BOBBILI:—"Mr. President, Sir, I wish gratefully to acknowledge the congratulations and advice I received from various parts of the House. I do not think this is really an occasion to speak in detail on the merits of the measure, which we have already discussed at great length from all sides of the House. No doubt we have been responsible for formulating various proposals introduced in this Bill. Sir, if we have successfully piloted this Bill through this Council in spite of the vigorous opposition at certain stages—I must say, Sir, to this the credit must be really given to my party which has loyally stood behind me.

"My hon. Friend, Mr. Sami Venkatachalam Chetti, has made certain remarks. In all the speeches I have heard from him I must express my disappointment, in that I do not find any constructive suggestion at all. (Laughter.) And so I must come to the conclusion that he can only play the role of a destructive critic. No doubt his speech exhibited a good deal of disappointment, because, according to him the role of the opposition is always to oppose and see that there is disruption in the party. No doubt he has expected, hoped and prayed (laughter) that on this question there will be split in our party; but now he is disappointed as his expectations have not been fulfilled. He has also stated that the Bill contains retrograde and undemocratic provisions. I am afraid his knowledge is really out-of-date, as he has not been following the discussions on the floor of this House during the last three days, since he was away from here. I remember he has stated that in spite of opposition, the Village Development Fund has been abolished. If he

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had been present in the House he would have seen that the proposal in the Bill as adopted by the Select Committee was altered with almost the unanimous vote of this House. But personally I think there is scope, as I have already said before, for difference of opinion in the matter on various points. But taken as a whole I feel this Bill has been a reform in the right direction.

“ Mr. Sami Venkatachalam Chetti has stated I don't know whether he was himself misled, or whether he wanted to mislead the House, I don't know which (laughter)—that this measure was introduced for political purposes. (Mr. Sami Venkatachalam Chetti: ‘ I did not say like that.’) Certainly he said so.”

Mr. SAMI VENKATACHALAM CHETTI:—“ On a matter of personal explanation, Sir, I never said that this Bill was brought in for political purposes. As a matter of fact what I said was that we should centralize power for substantial reasons only, and that, I said, was not realized by not making any provision to augment the resources of these bodies.”

* The Hon. the RAJA OF BOBBILI:—“ Sir, I remember, the hon. Member has clearly stated that the effect of the new bifurcated district boards would be that these would be used for political purposes. Anyhow, I don't want to pursue this point any further. In fact any Minister who feels that he is going to have political advantage by carrying a measure against vested interests would be foolish indeed. It is only after coming face to face with the problem of local self-government and after feeling that matters are coming to a crisis that I have decided to bring forward this measure, which no doubt introduces, as some hon. Members characterised, revolutionary changes in the structure of local self-government.

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“ I have also been encouraged to introduce this measure, in spite of opposition which I was sure would be forthcoming from certain quarters, because I was assured of the support and loyalty of my party. In this connexion I may state with pardonable pride that history will show, not as expected by my hon. Friend, Mr. Sami Venkatachalam Chetti, but that this is one of the achievements of the Justice Party. As we are on the eve of great political changes and as greater responsibilities are devolving on the shoulders of Indians, I feel no constitutional Government will be successful without party loyalty which my hon. Friend, Mr. Sami Venkatachalam Chetti, has styled as ‘ muzzled party ’ or ‘ well-drilled party ’ and so on. I do not feel without party loyalty any constitutional Government will be successful and any Government will be able to pilot any measure that cuts across the vested interests. I therefore feel that if any credit is to be taken for piloting this measure, it is due to my party and I feel therefore that this party will set an example, as Madras has always done, to other Provinces in India.

“ Coming to the main features of the Bill, various hon. Members sitting in the Opposition no doubt look to the measure from the point of

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view of their own districts. I may assure them that this is no party measure. This legislation is introduced in the interests of the Province as a whole and either in bringing the provisions into force or in administering the Act they will find that this Government will deal with the matter in the interests of the Province and not for any political or party purposes. In conclusion I once again wish to acknowledge the valuable assistance rendered by the Members of the Select Committee during the Select Committee stage, and by the Secretary to the Legislative Council for the expeditious manner in which he has helped me in pushing through this measure without any delay. Before I close my remarks it is my duty to acknowledge the valuable services rendered to the Government in this connexion by my Secretary, Mr. Conran Smith, who in spite of the heavy normal duties of his department has been able to deal with this measure in an expeditious manner with the least possible delay and without whose help and co-operation it would not have been possible to get ready this Bill which contains so many important changes. (Applause.)”

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

The House then adjourned to meet again at 11 a.m. on the 8th March 1934.

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

THE LEGISLATIVE COUNCIL OF THE GOVERNOR
OF MADRAS.

Thursday, the 8th March 1934.

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

P R E S E N T :

Usman Sahib Bahadur, K.C.I.E., The Hon. Khan Bahadur Sir Mahomed.	Muniswami Pillai, Rao Sahib V. I.
Krishnan Nayar, Kt., The Hon. Diwan Bahadur Sir M.	Nachiyappa Gounder, Mr. K. A.
Campbell, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., The Hon. Sir Archibald.	Nadimuthu Pillai, Mr. A. Pl. N. V.
Stokes, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Hopetoun.	Nanjappa Bahadur, Subadar-Major S. A.
Raja of Bobbili, The Hon. the.	Narasa Reddi, Mr. T.
Rajan, The Hon. Mr. P. T.	Narasimhaswami, Rao Sahib D. V.
Kumaraswami Reddiyar, The Hon. Diwan Bahadur S.	Narayanan Nambiyar, Mr. V. P.
Abdul Hameed Khan Sahib Bahadur.	Natesa Mudaliyar, Rao Bahadur C.
Ahmed Meeran Sahib Bahadur A. M.	Palat, Mr. R. M.
Alamelumangathayaramma, Mrs. K.	Pannirselvam, Rao Bahadur A. T.
Annamalai Chettiyar, Mr. S. A. A.	Patro, Kt., Rao Bahadur Sir A. P.
Appadurai Pillai, Diwan Bahadur A.	Pattabhiramayya, Mr. K.
Arasu, Mr. V. T.	Pocker Sahib Bahadur, B.
Ari Gowder, Mr. H. B.	Premayya, Mr. G. R.
Basheer Ahmed Sayeed Sahib Bahadur.	Rajagopala Pillai, Mr. P. V.
Basu Dev, Mr. C.	Raja of Khallikote, The.
Bayappa Reddi, Mr. P.	Ramachandra Padayachi, Mr. P. K.
Birley, Mr. F.	Ramachandra Rao, Diwan Bahadur M.
Dharmalingam Pillai, Rao Sahib V.	Ramakrishna Reddi, Mr. A.
Ellappa Chettiyar, Diwan Bahadur S.	Ramalingam Chettiyar, Rao Bahadur T. A.
Foulkes, Mr. R.	Ramamurti, Rao Sahib Pandit Ganala.
Gopalaswami Ayyangar, Diwan Bahadur N.	Ramaswami Ayyar, Mr. T. S.
Harischandrudu Nayudu, Mr. A.	Ranganatha Mudaliyar, Mr. A.
Hood, I.C.S., Mr. H. M.	Ranganatha Mudaliyar, Mr. G.
Jagannatham, Mr. H. M.	Ranganatha Mudaliyar, Mr. M. D. T.
Jayaram Nayudu, Rao Sahib C.	Sami Venkatachalam Chetti, Mr. Shetty, Mr. A. B.
Kesavaramamurti Nayudu, Mr. K.	Siva Raj, Rao Sahib N.
Kolanda Reddi, Rai Sahib C.	Smith, C.I.E., I.C.S., Mr. E. Conran.
Koti Reddi, Mr. K.	Soundara Pandian, Mr. W. P. A.
Krishnayya Choudari, Mr. P. V.	Sreshta, Mr. M. S.
Krishnamurti, Rao Bahadur D.	Srinivasan, Rao Bahadur R.
Krishnan, Mr. C.	Sriramulu, Mr. G.
Ladden, Mr. W. W.	Subbarayan, Dr. P.
Lakshmana Reddi, Mr. G.	Subrahmanya Chetti, Rao Sahib P.
Madanagopal Nayudu, Mr. R.	Subrahmanya Bhatt, Mr. U. C.
Mahmud Schamnad Sahib Bahadur, Khan Bahadur.	Syed Tajuddin Sahib Bahadur, Khan Sahib.
Manikkavelu Nayakar, Mr. M. A.	Thorne, C.I.E., I.C.S., Mr. J. A.
Metherell, Mr. J. K.	Vasudeva Pillai, Mr. V. G.
Moses, Mr. P. C.	Venugopal Nayudu, Rao Bahadur R. K.
Muniswami Nayudu, Diwan Bahadur B.	Viswanatha Rao, Diwan Bahadur V. N.
	Yahya Ali Sahib Bahadur, Khan Bahadur.
	Zamindar of Mirzapuram, The.

[8th March 1934]

I.—SWEARING IN OF A NEW MEMBER.

Mr. R. Foulkes made the prescribed oath or affirmation of allegiance to the Crown and took his seat.

II.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Arms and Ammunitions

Cancellation of gun licences in South Kanara.

* 726 Q.—MR. U. C. SUBRAHMANYA BHATT: Will the Hon. the Home Member be pleased to state—

(a) whether it is a fact that a large number of gun licences have been recently cancelled in the district of South Kanara; if so, what the number is of the licences so cancelled;

(b) what the number is of licences cancelled on the ground that the licence-holders did not purchase cartridges during the current year;

(c) whether any notices were issued to the licence-holders or explanation taken from them before the licences were cancelled;

(d) whether the gun licences were cancelled by the Collector of South Kanara on his own initiative or under instructions from the Government; and

(e) whether the people of Puttur taluk complained to the Collector at the recent jamabandi regarding the cancellation of licences; if so, what action the Collector has taken on the same?

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

(c) Neither under the Indian Arms Act, 1878, nor under the Indian Arms Rules, 1924, is it necessary to issue any notice to or obtain the explanation of licensees.

(d) No special instructions were issued by the Government to the District Magistrate of South Kanara.

MR. U. C. SUBRAHMANYA BHATT:—“ May I know whether the Government have received any further information now? ”

The Hon. Sir MAHOMED USMAN:—“ Yes, Sir, we have received further information from the District Magistrate and I shall read it out to the House:—

(1) Number of licences for guns cancelled owing to death of licensees and other causes since August 1933 to 31st December 1933—423.

(2) Number of licences for guns cancelled for non-purchase of ammunition—273.

(3) At the ryots' conference at the jamabandi of Puttur taluk, the cancellation of licences was brought forward as a

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grievance but the only concrete instance given was of an elderly Muhammadan trader living in Puttur town. Several licensees brought petitions on the jamabandi days; each petition was dealt with on its merits; but the licences of headmen were renewed whenever they made representations.

“ The District Magistrate says that during the year 1933, 963 applications for licences were entertained in his office of which 652 were granted.”

MR. U. C. SUBRAHMANYA BHATT:—“ May I ask whether the Government consider that it is proper to cancel such a large number of licences as 273 for the mere reason that ammunition was not purchased during the year? ”

The Hon. Sir MAHOMED USMAN:—“ It is a matter of opinion.”

MR. SAMI VENKATACHALAM CHETTI:—“ Are the Government aware that a big landholder was refused licence for the possession of a gun on the mere ground that he had not been purchasing ammunition? ”

The Hon. Sir MAHOMED USMAN:—“ I have no information, Sir. If the hon. Member brings any specific case to the notice of the Government, I will consider the matter.”

MR. U. C. SUBRAHMANYA BHATT:—“ Could it not be that if ammunition was not purchased during the year, he might have used the ammunition purchased during the previous year? ”

The Hon. Sir MAHOMED USMAN:—“ It is hypothetical, Sir.”

Police

Recruitment of the members of the Depressed Classes to the constabulary of the District Police Force, Tinnevely and South Arcot.

* 727 Q.—SWAMI A. S. SAHAJANANDAM: Will the Hon. the Home Member be pleased to state—

(a) how many police constables have been recruited to the Police Force by the District Superintendents of Police of Tinnevely and South Arcot since January 1933;

(b) how many applied for the post of Police constables;

(c) how many of the applicants belonged to the depressed classes, and how many belonged to Christians;

(d) whether all of them are taken in service, and if any were rejected, why;

(e) whether any circular has been issued to the District Superintendents of Police requiring them to liberally recruit men for service in the Police Force from the depressed classes;

(f) if so, whether the Government will be pleased to place the circular on the table of the House; and

(g) whether the Government have taken steps to see if the circular has been respected by the District Officials in the matter of recruitment?

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A.—(a) Forty-two by the District Superintendent of Police, Tinnevely, and

Twenty-nine by the District Superintendent of Police, South Arcot.

(b) Tinnevely 713; South Arcot 894.

(c)—

	Tinnevely.	South Arcot.
Members of the depressed classes ...	66	46
Indian Christians ...	72	4

(d) No; the following who were below the required standard were ejected:—

	Tinnevely.	South Arcot.
Members of the depressed classes ...	60	37
Indian Christians ...	57	4

(e) Yes.

(f) A copy * of the circular issued by the Inspector-General of Police is appended.

(g) The Inspector-General has taken steps which the Government consider adequate, to see that the circular is respected.

Regulation of Betting and Gambling

Alleged gambling in the amusement parks at Mangalore.

* 728 Q.—MR. U. C. SUBRAHMANYA BHATT: Will the Hon. the Home Member be pleased to state—

(a) whether it is a fact that the Police of Mangalore reported to the Collector or to the Government that gambling was going on on a large scale in the amusement parks when Gunboat Jack's American Shows were in Mangalore recently;

(b) whether it is a fact that the Collector of South Kanara refused to give licence or objected to the shows or any of them on the ground that there was gambling on the same;

(c) whether it is a fact that the local Government have in spite of the objections referred to above granted them the licence; and

(d) whether the Government will be pleased to lay copies of the reports of the police officers referred to above and that of the Collector and other correspondence regarding the same on the table of the House?

A.—(a) The Government have no information as to whether any report was made by the Police to the Collector. No such report has been received by the Government.

(b) The Chairman, Municipal Council, and not the Collector, is the licensing authority.

(c) The Government have granted no licence.

* Printed as Appendix I on page 587 infra.

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(d) The Government have issued general instructions to the Commissioner of Police and District Magistrates including the District Magistrate of South Kanara about travelling circuses and shows. They are not prepared to lay on the table of the House correspondence with the Commissioner of Police or District Magistrates.

MR. A. B. SHETTY:—" May I know what the nature of the general instructions issued by the Government is? "

THE HON. SIR MAHOMED USMAN:—" The Government have issued general instructions to the Commissioner of Police and District Magistrates asking them to discourage gambling."

MR. U. C. SUBRAHMANYA BHATT:—" May I ask whether it is not a fact that the Government have issued general instructions to allow these travelling circuses and shows to have betting or intelligent games? "

THE HON. SIR MAHOMED USMAN:—" I do not think so, Sir."

MR. V. M. RAMASWAMI MUDALIYAR:—" May I ask what is the policy of the Government with regard to travelling circuses and shows: are they prohibited as such or is gambling alone prohibited in such places? "

THE HON. SIR MAHOMED USMAN:—" They are not prohibited as such, but when there is an element of gambling in these shows, the Government discourage them."

MR. SAMI VENKATACHALAM CHETTI:—" May I ask whether the Government have received a further report from these officers as to the observance of these instructions? "

THE HON. SIR MAHOMED USMAN:—" There is no necessity for any report, Sir."

RAO BAHADUR T. A. RAMALINGAM CHETTIYAR:—" Will the Government be pleased to place a copy of the instructions on the table of the House? "

THE HON. SIR MAHOMED USMAN:—" I do not think it is necessary."

MR. V. M. RAMASWAMI MUDALIYAR:—" May I ask who is the authority to decide whether a particular game is of a gambling nature or is an intelligent and scientific one? "

THE HON. SIR MAHOMED USMAN:—" The District Magistrates and the Commissioner of Police are perfectly competent to do so."

MR. SAMI VENKATACHALAM CHETTI:—" Are the Government aware that, in spite of the general instructions of the Government, such games of betting are being allowed in the city of Madras? "

THE HON. SIR MAHOMED USMAN:—" The Government are considering the question. They have called for a report from the Commissioner of Police; when the report is received, they will go into the question very carefully."

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Mr. U. C. SUBRAHMANYA BHATT:—“ Will the Hon. the Home Member be pleased to call for the report, if any, made by the Police of South Kanara to the District Magistrate? ”

The Hon. Sir MAHOMED USMAN:—“ I do not think there is any necessity for it. If my hon. Friend brings to the notice of the Government any instance where he thinks there has been gambling, I am prepared to inquire into the matter.”

Mr. SAMI VENKATACHALAM CHETTI:—“ Are the Government aware that the land opposite to the Moore Market is being leased out for the purpose? ”

The Hon. Sir MAHOMED USMAN:—“ Is it by the Corporation? ”

Mr. SAMI VENKATACHALAM CHETTI:—“ Not at all. The land was recently alienated in favour of the Government for the construction of quarters for the officers of the General Hospital? ”

The Hon. Sir MAHOMED USMAN:—“ I must ask for notice of the question.”

Mr. C. BASU DEV:—“ May I ask if the Government are aware that in that very show, even games of skill are being prohibited by the Deputy Commissioner of Police on the ground that there is an element of chance in them? ”

The Hon. Sir MAHOMED USMAN:—“ I am very thankful to the hon. Member for the information.”

Regulation of Professional Qualifications and Standards

Applications received in 1933 from Medical men for registration under the Medical Registration Amendment Act of 1932.

* 729 Q.—Mr. M. DEVADASAN: Will the Hon. the Home Member be pleased to state whether applications were received by the Surgeon-General of Madras under the Medical Registration Amendment Act of 1932, for the registration of medical men in 1933; if so, how many; and how many of them have been registered?

A.—No such applications were received.

Administration of Justice

File on the Original Side of the High Court, Madras, for the quinquennium 1922–26.

* 730 Q.—Mr. BASHEER AHMED SAYEED: Will the Hon. the Law Member be pleased to state—

(a) what the number of judges and officers exercising judicial functions on the original side of the High Court was prior to the year 1926 with the designation of each of the officers so exercising original judicial functions;

(b) what the number of suits, petitions and applications filed was and the number disposed of in each of the years 1923, 1924, 1925 and 1926 on the original side of the High Court, Madras; and

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(c) what the valuation of each suit was, how many below Rs. 2,500, how many above Rs. 2,500, how many above Rs. 5,000 and below Rs. 10,000 and how many above Rs. 10,000 in the years 1922, 1923, 1924, 1925 and 1926?

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

(b) & (c) The information so far available with Government is contained in the statistics of Civil Courts which are published annually. The attention of the hon. Member is invited to judicial statements Nos. 7, 9, 11, 12 and 8 in these statistics.

B. POCKER SAHIB Bahadur:—“ May I ask whether the Government have at any time considered the advisability of transferring the whole of the original jurisdiction of the High Court to the City Civil Court by amending the City Civil Court Act accordingly? ”

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ No, not the whole jurisdiction of the original side of the High Court, but jurisdiction only up to Rs. 10,000.”

B. POCKER SAHIB Bahadur:—“ I want to know whether the Government have at any time considered the advisability of transferring the whole jurisdiction? ”

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ No.”

B. POCKER SAHIB Bahadur:—“ Will the Government be pleased to consider that aspect of the question in connexion with the Bill dealing with the City Civil Court? ”

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—“ No, Sir.”

Disposal of files on the Original Side of the Madras High Court during the years 1932 and 1933.

* 731 Q.—Mr. BASHEER AHMED SAYEED: Will the Hon. the Law Member be pleased to state—

(a) the number of judges and officers exercising judicial functions on the original side of the High Court, Madras, in the years 1933 and 1934;

(b) the number of suits, petitions and applications filed, disposed of and pending on the original side of the High Court in the calendar years 1932 and 1933; and

(c) the number of suits below Rs. 2,500, above Rs. 2,500, above Rs. 5,000 and above Rs. 10,000, filed on the original side of the High Court in the calendar years 1932 and 1933?

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

(b) & (c) Information so far available with Government relates to 1932 and it is contained in the judicial statements Nos. 7, 9, 11, 12 and 8 of the statistics of Civil Courts which are published annually. The figures for 1933 have not been received by Government.

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Mr. V. M. RAMASWAMI MUDALIYAR :—“ With reference to the answer to clause (a), may I ask whether the Government will please call for the information? ”

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

Forests

Forest grievances of the ryots of South Kanara.

* 732 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Law Member be pleased to state—

(a) whether the Government or the Collector of South Kanara have received representations from the ryots of Puthur, Udipi, Coondapoor and other parts of the district of South Kanara recently regarding the forest grievances; and

(b) what action the Government have taken or propose to take in the matter?

A.—(a) & (b) Copies of resolutions passed at the ryots' conferences held at Puttur in December 1933 and January 1934 have been received and are under the consideration of Government. Information regarding the receipt of representations by the Collector of South Kanara, is not available.

Mr. U. C. SUBRAHMANYA BHATT :—“ May I ask when orders are likely to be passed on this question whether they will be passed in the near future? ”

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—“ As I told my hon. Friend the other day in the Council, the Government have called for reports from the District Collector and the Chief Conservator of Forests. They have not yet been received. I hope they will soon be received.”

Mr. SAMI VENKATACHALAM CHETTI :—“ May I ask whether the Government are aware that the proximity of forests to cultivable areas in this district would cause a great hardship if the concessions which were granted to the cultivators were withheld? ”

* The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—“ The Government are not aware of it, Sir.”

Mr. SAMI VENKATACHALAM CHETTI :—“ May I ask whether the Hon. the Law Member himself did not inspect these forests when he visited the district recently? ”

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—“ I only passed through some of these forests.”

Mr. SAMI VENKATACHALAM CHETTI :—“ May I ask whether the villagers did not bring this grievance to the notice of the Hon. Member? ”

* The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—“ The concession had not been withdrawn on that date. So, they could not have brought it to my notice.”

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Irrigation

Sanction of the revised estimates for repairs and improvements to the Maranthai channel.

* 733 Q.—Mr. M. DEVADASAN: Will the Hon. the Member for Revenue be pleased to state in regard to the Maranthai channel and anicut in the Tinnevely district—

(a) whether the revised estimates for (i) the repairs and (ii) the improvements of the channel and anicut have been sanctioned by the Government; and

(b) whether and when the estimates are likely to be taken up for execution?

A.—(a) No.

(b) The report from the Board of Revenue, recently received, is under consideration.

Sanction of the estimates for the Tirumalaikozhunthupuram drainage channel.

* 734 Q.—Mr. M. DEVADASAN: Will the Hon. the Member for Revenue be pleased to state with reference to the Tirumalaikozhunthupuram drainage channel in the Tinnevely district—

(a) whether the estimates of the Chief Engineer have been sanctioned by the Government; and

(b) whether, and when they will be taken up for execution?

A.—(a) No.

(b) A report on the revenue aspects of the scheme has been called for from the Board of Revenue.

Land Revenue Administration

Appointment of an Indian as Member, Board of Revenue.

* 735 Q.—Mr. M. B. RANGASWAMI REDDI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether an Indian Civilian or a Madras Statutory Civilian has been appointed as Member of the Revenue Board within the past five years; and

(b) if not, why?

A.—The answer to (a) is in the affirmative.

Taxation on improvements effected by tenants.

* 736 Q.—Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur: Will the Hon. the Member for Revenue be pleased to state whether tenants' improvements such as levelling and bunding grounds for cultivation purposes, and digging wells and tanks for irrigation purposes are proposed to be taxed in South Kanara in the forthcoming resettlement?

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A.—The attention of the hon. Member is invited to the answer given to his question No. 380 on the 4th November 1933. Proposals for the resettlement of the South Kanara district have not yet been submitted to the Government.

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—Sir, the question I asked was whether tenants' improvements such as levelling and bunding grounds for cultivation purposes and digging wells and tanks for irrigation purposes were proposed to be taxed in South Kanara in the forthcoming resettlement. The answer is: Attention of the hon. Member is invited to the answer given to question No. 380 on the 4th November 1933. Sir, the answer to question No. 380 does not at all cover the point. The question there was whether the rule that ryots' improvements ought not to be taxed applied in the case of South Kanara. The reply was: Yes, but the mere cultivation of a particular land is not in itself an improvement of the kind protected by this principle. What is now asked is whether improvements like levelling and bunding grounds and digging wells, etc., are protected by this principle?"

The Hon. Sir ARCHIBALD CAMPBELL:—"Digging wells and tanks are not usually taxed, but mere levelling and bunding are part of the ordinary agricultural operation and are not protected."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"Supposing the ryot has to cut down big hill slopes and level and bund the land, would that also be considered to be in the course of the ordinary agricultural operation?"

The Hon. Sir ARCHIBALD CAMPBELL:—"Probably so, Sir."

B. POCKER SAHIB Bahadur:—"Levelling and bunding grounds for cultivation purposes are considered to be improvements within the meaning of the Malabar Tenants' Improvements Act?"

The Hon. Sir ARCHIBALD CAMPBELL:—"Possibly, Sir. I have not got the Act here."

B. POCKER SAHIB Bahadur:—"If that is so, Sir, is it not the duty of the Government to see that such tenants' improvements are not taxed?"

The Hon. Sir ARCHIBALD CAMPBELL:—"No, Sir, the Government are entitled to a share of the produce."

Mr. U. C. SUBRAHMANYA BHATT:—"May I know whether it is the policy of the Government to lay a premium on improvements effected by tenants?"

The Hon. Sir ARCHIBALD CAMPBELL:—"We wish to see improvements carried out."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"If the tenant spends a large sum, say, Rs. 500 in levelling and bunding his land, will the Government take that into consideration in fixing the assessment and will they give a set-off for the expenditure incurred by the tenant?"

The hon. Sir ARCHIBALD CAMPBELL:—"The Government cannot go into details of that nature."

[8th March 1934]

Representations against the imposition of revised water-rates and the reclassification of irrigation sources in Tanjore.

* 737 Q.—Mr. K. S. SIVASUBRAHMANIA AYYAR: Will the Hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that repeated representations have been made from the Tanjore district and the Presidency Ryotwari Conference held at Madras on 27th January 1934 that it is just and proper that—

(i) G.O. No. 1853, dated 5th September 1932, directing levy of new and heavy water-rates rising up to Rs. 21-4-0 per acre;

(ii) G.O. No. 474, dated 15th March 1933, directing an imposition of a flat water-rate of Rs. 7-8-0 per acre on second-crop lands; and

(iii) G.O. No. 1238, Revenue, dated 14th July 1933, reclassifying the irrigation sources in the Tanjore district and increasing the rates of land revenue on the major portions of the wet lands in that district by more than one rupee per acre, should be cancelled; and

(b) if so, what action the Government have taken in the matter; if not, why not?

A.—(a) The Government have received several representations against the orders issued in the Government Orders mentioned, but have not received the proceedings of the Presidency Ryotwari Conference held on 27th January 1934.

(b) The rules issued in G.O. No. 1853, Revenue, dated 5th September 1932, provide for the levy of concessional rates of water-cess during the first few years of irrigation under the Cauvery-Mettur Project. These concessional rates are also subject to the suspension of land revenue ordered in G.O. No. 72, Revenue, dated 10th January 1934, for fasli 1343. The orders issued in G.O. No. 474, Revenue, dated 15th March 1933, and G.O. No. 1238, Revenue, dated 14th July 1933, do not come into force earlier than 1st July 1934. The Government see no reason why the Government Orders should be cancelled.

Representations against the imposition of revised water-rates and the reclassification of irrigation sources in Tanjore.

* 738 Q.—Mr. A. P. N. V. NADIMUTHU PILLAI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that repeated representations have been made from the Tanjore district and the Presidency Ryotwari Conference held at Madras on 27th January 1934 that it is just and proper that—

(i) G.O. No. 1853, dated 5th September 1932, directing levy of new and heavy water-rates rising up to Rs. 21-4-0 per acre;

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(ii) G.O. No. 474, dated 15th March 1933, directing an imposition of a flat water-rate of Rs. 7-8-0 per acre on second-crop lands; and

(iii) G.O. No. 1238, Revenue, dated 14th July 1933, reclassifying the irrigation sources in the Tanjore district and increasing the rate of land revenue on the major portion of the wet lands in that district by more than Re. 1 per acre should be cancelled; and

(b) if so, whether the Government propose to take action thereon; and if so, what action?

A.—(a) & (b) The attention of the hon. Member is invited to the answer given to question No. 737.

Provincial Gazetteers

Arrangements for editing the gazetteers.

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

(a) when the work of the gazetteers was entrusted to the late Mr. J. J. Cotton, I.C.S.;

(b) for how long Mr. J. J. Cotton was in charge of the office of Editor of the Gazetteers;

(c) for how many districts he was entrusted with the duty of revising the gazetteers;

(d) for what districts there are no gazetteers at all;

(e) what the strength was of the establishment sanctioned to him;

(f) what the arrangement is for editing gazetteers after Mr. J. J. Cotton's death;

(g) what the progress made by Mr. J. J. Cotton was in the preparation of the gazetteers (i.e., in what stage he left the work when he died); and

(h) who the present Editor of the Gazetteers is and what the strength of the present establishment is and what the qualifications are of the head clerk of the special staff?

A.—(a) 1st July 1926.

(b) Until his death on 20th June 1927.

(c) The following duties were entrusted to him:—

(i) Preparation of gazetteers of the following districts:—

Ganjam,	North Arcot,
West Godavari,	Ramnad,
Kistna,	Chittoor,
Kurnool,	Guntur and
Chingleput,	Nellore.

[8th March 1934]

(ii) Preparation of supplementary chapters embodying additions and alterations to the text of the Gazetteers or District Manuals of the following districts for which Gazetteers or District Manuals exist:—

The Nilgiris,	Malabar,
Cuddapah,	Tanjore,
Bellary,	Tinnevely,
Anantapur,	East Godavari,
Madura,	Vizagapatam,
Trichinopoly,	Coimbatore and
Salem,	South Kanara.
South Arcot,	

(iii) Compilation of Statistical Appendices for all districts except Madras.

(d) Gazetteers or District Manuals exist for all districts, except Madras, West Godavari, Guntur, Chittoor and Ramnad.

(e) One Personal Assistant on Rs. 400.

One Statistical Assistant on Rs. 400.

One head clerk on Rs. 100.

Two clerks on Rs. 50 each.

One attender on Rs. 20.

Five peons on Rs. 18 each.

(f) The preparation of Gazetteers for the districts mentioned in item (i) in the answer to clause (c) except Nellore was dropped. The remaining items of work were entrusted to the Personal Assistant who now continues to do the work under the supervision of the Board of Revenue. When the Personal Assistant gets matter ready, the Board sends it to the Collector of the district concerned for scrutiny and approval.

(g) Mr. J. J. Cotton had written drafts for eight chapters of the Nellore Gazetteer.

(h) There is no Editor of Gazetteers. The present establishment consists of one Personal Assistant on Rs. 400, a clerk on Rs. 60, a steno-typist on Rs. 40 and two peons on Rs. 18 each. There is no head clerk. This staff works under the Board of Revenue.

Mr. U. C. SUBRAHMANYA BHATT:—" May I know whether, beyond writing a few chapters on Nellore in the Gazetteer, any other work was done during the last nine years? "

* The Hon. Sir ARCHIBALD CAMPBELL:—" Yes, but I must ask for notice of the question, if the hon. Member wants detailed information."

[8th March 1934]

Progress in the preparation of the district gazetteers.

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

(a) in what stage the preparation of the district gazetteers is at present;

(b) whether any Gazetteers have been prepared and issued so far;

(c) what the amount spent yearwar on the gazetteer work has been from 1926 up to date; and

(d) whether there is any time-limit within which the gazetteer for any district has to be written up?

A.—(a) & (b) (i) *Nellore Gazetteer*.—Three out of fifteen chapters have yet to be written.

(ii) Supplements have been published for all districts except East Godavari, Vizagapatam, South Kanara and Tinnevely. The supplement relating to Tinnevely is under print, and the rest are in progress.

(iii) Statistical appendices have been published for all districts except Kistna, Ganjam, Guntur, West Godavari, East Godavari, Vizagapatam, South Kanara, Ramnad and Tinnevely. The appendices for these districts are in print.

(c)

Year.	Amount.	
	Non-voted.	Voted.
	RS.	RS.
1926-27	24,900	11,056
1927-28	11,644	11,002
1928-29	...	9,077
1929-30	...	8,613
1930-31	...	7,025
1931-32	...	7,651
1932-33	...	7,194
1933-34 (up to 1st February 1934)	...	6,050

(d) The answer is in the negative.

Medical Administration

Appointment of a woman doctor for the Government Headquarters Hospital, Kasaragod.

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

(a) the daily attendance of in- and out-patients in the Government Headquarters Hospital, Kasaragod, South Kanara, during the month of January 1934;

[8th March 1934]

(b) how many of the patients mentioned above were attended to by the Honorary Surgeon; and

(c) whether there is a proposal before the Government to appoint a woman doctor for this hospital?

A.—(a) In-patients—24.

Out-patients—340.

(b) There is no Honorary Surgeon attached to the hospital. There is only an Honorary House Surgeon who assists in the hospital work.

(c) No.

* Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"In view of the large number of patients especially women patients who attend the hospital, may I ask whether the Government will appoint an additional medical officer preferably a lady doctor to the hospital?"

The Hon. the RAJA OF BOBBILI:—"I do not follow exactly whether the hon. Member wants a lady doctor or a male doctor. As regards a male doctor, there is already one doing work."

* Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"May I know whether the Government are aware that the Honorary House Surgeon is not able to cope with the work, that the attendance is very large, and that, if a lady doctor is appointed, the assistant surgeon would be relieved of his heavy work and enabled to go home for his mid-day meal?"

11-15
a.m.

The Hon. the RAJA OF BOBBILI:—"The Government are not aware that the staff is not able to cope with the work."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"In view of the large number of women patients there, do not the Government think that a lady doctor is quite necessary?"

The Hon. the RAJA OF BOBBILI:—"It is not possible to provide lady doctors for every hospital."

UNSTARRED QUESTIONS

Depressed Classes

Inclusion of the Viswa-Brahmans in the list of depressed classes for purposes of educational and political privileges.

742 Q.—Rao Sahib Pandit GANALA RAMAMURTI: Will the Hon. the Home Member be pleased to state—

(a) whether the Government have received a copy of the resolution adopted at the First Andhra Viswa-Brahmana Youth Conference organized at Bezvada, Kistna district, by one Mr. P. Suryanarayana with Mr. Somanath Vellatore in the chair sometime in the month of December 1932 for the inclusion of the name of this community in the list of the depressed classes in respect of educational and political privileges; and

(b) whether the Government have considered the request made in the said resolution?

[8th March 1934]

- A.—(a) No.
(b) Does not arise.

Irrigation

Memorandum of the Tinnevelly District Association, dated the 21st November 1932, to the Executive Engineer, regarding the Kangayan system in the Tinnevelly district.

743 Q.—MR. DANIEL THOMAS: Will the Hon. the Member for Revenue be pleased to state with reference to the Kangayan system under the Gatanar river in the Tinnevelly district—

(a) whether the report that was called for by the Government in regard to the grievances set out in a memorandum of the Tinnevelly District Association presented to the Executive Engineer on 21st November 1932, has been received;

(b) what action, if any, has been taken with reference to the matters disclosed in the report; and

(c) whether the report will be placed on the table of the House?

A.—(a) Yes.

(b) A further report has been called for from the Board of Revenue.

(c) This will be considered after the Board's further report has been received.

Resolution passed by the Tinnevelly District Conference on 21st January 1934 regarding the kudimaramat.

744 Q.—MR. DANIEL THOMAS: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the attention of the Government has been drawn to resolution No. XVI about kudimaramat passed by the Tinnevelly District Conference on 21st January 1934; and

(b) if so, what action the Government have taken regarding the resolution?

A.—(a) Yes.

(b) None.

Land Revenue Administration

Representations against the imposition of revised water-rates and the reclassification of irrigation sources in Tanjore.

745 Q.—MR. G. RANGANATHA MUDALIYAR: Will the Hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that repeated representations have been made from the Tanjore district and the Presidency Ryotwari Conference held at Madras on 27th January 1934 that it is just and proper that—

(i) G.O. No. 1853, dated 5th September 1932, directing levy of new and heavy water-rates rising up to Rs. 21-4-0 per acre;

[8th March 1934]

(ii) G.O. No. 474, dated 15th March 1933, directing an imposition of a flat water-rate of Rs. 7-8-0 per acre on second-crop lands; and

(iii) G.O. No. 1238, Revenue, dated 14th July 1933, reclassifying the irrigation sources in the Tanjore district and increasing the rate of land revenue on the major portion of the wet lands in that district by more than one rupee per acre, should be cancelled; and

(b) if so, whether the Government propose to take action thereon; and, if so, what action?

A.—(a) & (b) The attention of the hon. Member is invited to the answer given to question No. 737.

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

III.—ELECTION OF MEMBERS TO THE PUBLIC ACCOUNTS COMMITTEE FOR 1934-35, TO THE FINANCE COMMITTEE FOR 1934-35 AND TO THE ADVISORY COMMITTEE OF THE MADRAS AND SOUTHERN MAHRATTA RAILWAY COMPANY.

* The Hon. Sir HOPETOUN STOKES:—"Sir, I beg to move—
'that, with a view to the constitution of a Committee on Public Accounts for the financial year 1934-35, this Council do proceed, on a date to be fixed by the Hon. the President, to elect seven members to be members of the said Committee'."

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

The motion was put and carried.

* The Hon. Sir HOPETOUN STOKES:—"Sir, I beg to move—
'that, in accordance with resolution No. 2 passed at the meeting of the Legislative Council on the 8th August 1929 regarding the constitution of the Finance Committee, this Council do proceed, on a date to be fixed by the Hon. the President, to elect eight members to be members of the Finance Committee for the financial year 1934-35'."

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

The motion was put and carried.

The Hon. Sir HOPETOUN STOKES:—"Sir, I beg to move—
'that with reference to G.O. No. 55, Railway, dated 10th December 1923, this Council do recommend to the Government to communicate to the Madras and Southern Mahratta Railway Company the names of two persons elected by this Council in accordance with the arrangements made in that behalf by the Hon. the President to sit on the Advisory Committee of the said Railway after 31st March 1934 when the term of office of the present members of the Committee will expire'."

[8th March 1934]

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

* Mr. V. T. ARASU:—"May I move an amendment to the motion of the Hon. the Finance Member?"

* The Hon. the PRESIDENT:—"No notice of the amendment has been given."

* Mr. V. T. ARASU:—"The orders of the day were placed on the table just now."

* The Hon. Sir MAHOMED USMAN:—"Notice of this item of business was sent long ago."

* The Hon. the PRESIDENT:—"Hon. Members must have received notice of this motion long ago."

* Mr. V. T. ARASU:—"Sir, I may be permitted to make a few remarks on this motion. I would suggest that the election to this body be conducted by means of the single transferable vote. The results of the elections to this body conducted according to your instructions in the previous years will go to show that the majority party in this Council has been getting both the seats allotted for this body. It is but fair that minority parties in this Council should also have an opportunity of getting representation on this body. Therefore I would suggest to the Hon. the Finance Member that the election to this body should be conducted according to the principle of the single transferable vote. That would give an opportunity to the minority parties in this Council to get one seat on this body."

* The Hon. Sir HOPETOUN STOKES:—"Sir, the process and method of carrying out the resolution rests with the President himself, whether it should be by the method of the single transferable vote or by what method it should be done. As my hon. Friend has just asked me to consider his suggestion, I would reply to him that he had better make the suggestion to you, Sir."

* The Hon. the PRESIDENT:—"For a long time past a certain procedure has been followed by this House in the matter of election of members to this Advisory Committee. Till now no objection has been raised to the method that has been followed. If the hon. Member had suggested it some time earlier, I would have thought of any other arrangement if it was found necessary. Now the usual method may be followed and the suggestion might be considered next year."

The motion of the Hon. the Finance Member was put and carried.

* The Hon. the PRESIDENT:—"In accordance with the regulations framed under Standing Order No. 80 for the election of Members of the Public Accounts Committee by means of the single transferable vote, I fix 5 p.m. on Monday as the time within which notice of nominations should be given to the Secretary. If the number of candidates exceeds the number of vacancies, viz., seven, there will be an election between 12 noon and 2 p.m. on Wednesday the 14th instant."

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[The President]

"In accordance with the regulations framed under Standing Order No. 80 for the purpose of election of Members to the Finance Committee by means of the single transferable vote, I fix 5 p.m. on Monday as the time within which notice of nominations should be given to the Secretary. If the number of candidates nominated exceeds the number of vacancies, viz., eight, there will be an election between 12 noon and 2 p.m. on Wednesday the 14th instant."

"With regard to the election of two Members to the Advisory Committee of the Madras and Southern Mahratta Railway, I would suggest that hon. Members hand in nominations to the Secretary before 3 p.m. on Monday the 12th instant. If the number of candidates nominated exceeds two, an election will be held between 12 noon and 2 p.m. on Tuesday the 13th instant. The election will be by the ordinary method and not according to the method of single transferable vote."

IV.—AMENDMENTS TO STANDING ORDERS OF THE MADRAS LEGISLATIVE COUNCIL.

* The Hon. Sir MAHOMED USMAN:—"Sir, I beg to present the Report of the Select Committee appointed to consider certain draft amendments to the Standing Orders of the Madras Legislative Council and move that the report be taken into consideration."

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

The motion was put and carried.

Standing Order No. 2 was put and carried.

Standing Order No. 4.

* Mr. SAMI VENKATACHALAM CHETTI:—"Sir, I beg to move the following amendment:—

"In line 2 for the figures and letters "11 a.m." and "5 p.m.," substitute the figures and letters "2 p.m." and "6 p.m." respectively."

"My object is that this House may be enabled to sit during the afternoon instead of in the forenoon. A famous citizen of Madras said that Madras is nine months hot and three months hotter. 11 a.m. to 5 p.m. is not at all suitable for any serious work, particularly the first few hours of the forenoon. Coming as we do soon after breakfast—so far as Indian Members are concerned—and perhaps soon after a heavy meal so far as European Members are concerned, it is rather a great strain upon the activities of individuals who sit for serious work. It happened to be reading the lives of the Nawabs of the days of Jonn Company. They seem to have started their work early in the morning;

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as a matter of fact the hours between 11 a.m. and 3 p.m. were devoted to harem and hooka. This is not the first time when this question is raised. Some time ago this question was raised and the Government were in favour of it, though the mufassal Members were not quite willing for a change. I think the House need not be against this change simply because this change comes from a City Member. I am suggesting this change not only in the interest of the City Members alone but also in the interest of all concerned. I should think that poor attendance is solely due to the unsuitable hours in which we are meeting; between 2 to 6 or 7 p.m. will be more suitable for work. I do not think the Government need object to this change, for it will enable the Members of Government to prepare in the morning what they have got to say with regard to questions raised in the Council; they need not waste the previous day for this purpose. Early in the morning they may equip themselves with the necessary information, and in the afternoon the Council may meet. There will not be much serious inconvenience to the mufassal Members. They may leave the Council much earlier if there is a continuous sitting according to this change. With these words I move that the hours I have referred to be substituted for the hours in the Standing Order."

11-30
a.m.

* Dr. P. SUBBARAYAN:—"Sir, I rise to second this amendment. I think few words are needed from me to commend this amendment to the House. This question was not left unconsidered by the Conference, and the Conference came to the decision that they did not desire to express a decided opinion on this point but that they were in favour of the suggestion being considered by the Select Committee that was appointed to consider the revision of the Standing Orders. The Conference itself, you will remember, Mr. President, had an open mind on this question. Mr. Venkatachalam Chetti has given reasons for the change. It is not only a question of mere City Members. I cannot be counted as a City Member in more respects than one. (Rao Bahadur T. A. Ramalingam Chettiar: 'But you are living here.') My friend, Mr. Ramalingam Chettiar, may wait for my argument before he proceeds to interrupt me. As Mr. Venkatachalam Chetti pointed out, I think it would be to the convenience of the Members of the House if the morning hours were left free, especially for party meetings and other purposes such as the consideration of the agenda in advance both by the Members of Government and by the Leaders of Parties. I think it should be to the advantage of the House if the House meets in the afternoon, instead of meeting in the forenoon. I know that one of the difficulties that confront the Hon. Members of Government is that they feel that Hon. Members of the Legislative Council would like to sit from day to day, and that the number of days for which the Council meets in a year may be increased by this change in the hours of sitting. I can assure Hon. Members of Government that all the Members of this House are as much concerned with the financial plight of the province as Hon. Members sitting on the Treasury Bench, and we have our own responsibilities. There can be no question of extending the number of

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days on which the Council would sit; on the other hand, if the Council sat continuously from 2 to 6 p.m., as is suggested by my hon. Friend, Mr. Sami Venkatachalam Chetti, I feel it might lead to expedition of business, and we might be able to get through the business before us more quickly than is the case at present, with the usual intervals allowed for lunch."

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Sir, I am sorry I have to oppose the amendment moved by Mr. Venkatachalam Chetti and seconded by the Leader of the Opposition. In spite of the fact that the Leader of the Opposition protests that he is not a City Member, he is living in the City and he knows very little of the convenience of the mufassal Members coming here for the meetings of this Council. He has got his own house in Madras and he has so much work to do in the City, for which he has to find time. But most of the Members from the mufassal are not in the same position as he. They come here only for the Council work. Moreover, Sir, the proposed change will involve the reduction of the Council hours by one hour. In addition, we may probably have to adjourn for some time for tea or lunch—and that is another question to be considered. The Leader of the Opposition also spoke about party meetings being held in the forenoons. If according to Mr. Venkatachalam Chetti the early hours of the day are very hot and therefore if he does not want Members to come to the Council in the forenoon, how is he going to work for the party meetings or any other extra work that has to be done here? That being the case, I do not see that any case has been made out at all for a change. I was surprised, Sir, at the arguments put forward by Mr. Sami Venkatachalam Chetti. First, he said that there is very little work done from 11 a.m. to 2 p.m. He forgets that all the offices in the City, whether they be of the Government or of private agencies, are working from 10 o'clock to 5 o'clock. I do not see why in the Legislative Council alone we should think of cutting the day short by more than half and start work only at 2 o'clock.

"Then, Sir, as regards past history, on which he seems to have spent some time for making researches, I am sure Mr. Sami Venkatachalam Chetti does not want to follow the footsteps of the old Nawabs; and I do not think he is going to have as the avocations those people in those good old days had. The mufassal Members, as I said, are coming here only for the Legislative Council work. Whatever other work they have to do here, they do in the mornings. They come here at 11 o'clock and start work at once and they go back home in the evening at 5 or 6 o'clock and have some exercise. This will become impossible if the hours of work are now changed to 2 to 6 in the evening. Therefore, Sir, from every standpoint, it seems to me that the proposal now made is very unsuited to the work of the Council, more especially to the Members from the mufassal."

* Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"Sir, I have also to disagree with my Leader. I am sorry for the same, but I have to do so because the Mover himself admitted that he moved this amendment on behalf of the City Members. (An hon. Member: 'He did not

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say so.') At least he said 'for the convenience of the City Members.' The reason that he gave as to the convenience of the mufassal Members is not at all convincing, and as was pointed out by Mr. Ramalingam Chettiyar, the mufassal Members come here only for the work connected with the Council. They do not have any other work to do. It was said by the Mover that the time may be from 2 to 7 o'clock and need not necessarily be 2 to 6 as stated in the amendment. That would mean a continuous sitting of five hours in the evening; that is a very tiresome affair and nobody will be able to give any serious attention to the work. If some time is to be given for tea in the evening, that would take away some time out of these five hours. The work of the Council cannot therefore be finished within the time allotted. Surely the Council will have to sit for some more days to finish the work. Therefore, Sir, I oppose the amendment."

* Rao Bahadur A. T. PANNIRSELVAM:—"Sir, I rise to oppose this amendment moved by Mr. Sami Venkatachalam Chetti. The hon. Member from Coimbatore has dealt with all the reasons that can be advanced for retaining the present hours, and I have very little to add to them beyond stating that it would be a real infliction on the Members of the House to expect them to sit continuously from 2 to 6 or, as my hon. Friend, Mr. Venkatachalam Chetti, suggested, to 7 o'clock. If this sort of arrangement will lead to any expedition of work, it can be only in this way: Probably from 2 to 4 or 4-30 p.m. we will be very attentive and afterwards when we begin to be tired out and are not able to really concentrate our attention, the Trasury Bench will be able to ride roughshod over us and get through their business. Beyond that, Sir, I am not able to see any advantage in this proposal, to have a continuous sitting of four hours from 2 to 6. As far as the question of sparse attendance is concerned, which my hon. Friend from the City ascribes to the heavy breakfast or dinner—I do not know what he calls it—and personally, if he takes his dinner at 10 o'clock in the morning, I can only be sorry for him—I would only say that we will continue to have the same thin House when we begin at 2 o'clock for the simple reason that if Members have to be here at 2 p.m. they will have to leave their homes at 1 or 1-30 in a scorching sun. As one from Coimbatore and South Kanara, that we would be really wasting our time here. It is already troublesome for us to have to waste the whole morning and if the mufassal Members are to spend their time idly lolling about, from 10 to 2 p.m., I am sure it will be a very troublesome affair. I therefore very strongly oppose the amendment."

B. POCKER SAHIB Bahadur:—"Mr. President, Sir, I am very sorry that the question is taking a turn which it ought not to have taken. Mr. Venkatachalam Chetti clearly stated at the very outset that he was not moving this motion either to suit the convenience of the City Members alone or on their behalf. He has made the motion after considering the convenience of the City Members, of the Government officials and also of the mufassal Members. So, my Friend,

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Mr. Schamnad, is quite inaccurate in saying that he made the motion only in the interests of the City Members. Now, Sir, one point of view from which we have to look at this question is this: This House, I take it, consists of Members who have other work also to attend to. We cannot assume that this House consists only of Members who have no other work to attend to. It is quite necessary that the Members of the House should have sufficient facilities to attend to their other work also, in addition to attending to the work of the Council. So far as inconvenience to the mufassal Members, is concerned, that is confined to the period from 5 to 6. Even now they are sitting up to 5 p.m.—or they are expected to sit—and if by the proposed change they are inconvenienced at all, it is only with regard to that period from 5 to 6; and I do not think the objection can be so much to their being taxed with work during this additional hour. The real objection of the mufassal Members, if I have understood them aright, seems to be that they are unemployed in the morning hours between 11 and 1-30, i.e., for 2½ hours. My experience of Members coming from the mufassal is, however, that outside the hours they are occupied in this Council, they are very busy doing so many other kinds of work. As a matter of fact, most of them are gentlemen who have got some work or other to do in the City; they accumulate all their work to the period when they have to be here for Council work. Apart from that, is it not really in the interests of the public work which we have to carry on in the Council, that we should have at our disposal two or three hours more in order to study the questions coming up and prepare ourselves for the work to be done in the Council? After all, what is the additional thing that we will have to do? We will be asked to sit for one more hour in the Council, in the place of which we will get 2½ hours in the morning which we can devote for the preparation of the Council work.

"Again, Sir, such of the Members here as happen to be lawyers know what amount of work they have to do to a client whose work is entrusted to them. I take it that every Member of the Council is a vakil representing millions of his constituents. If a vakil has to devote so much time to the work that we are carrying on on behalf of such a large number of people? If I have studied the work of the Council in the right manner, I should think that the work of the Council will be more perfectly done if there is more time at the disposal of the Members for studying the questions that come up before the Council from day to day. So, from the point of view of mufassal Members also it is in the interests of work that has to be done here that I would support the change, so that they may have the morning hours at their disposal for preparing themselves for the questions that are to be discussed here.

"There is another thing, Sir. The hours of work in the Parliament is from three to half past ten in the night and there not all the Members are resident in the City—there are many who come from the mufassal. (A voice: 'They are paid.') As for pay, it is for my hon.

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a.m.

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Friends to make a suggestion at the time of the Budget that the Members of this House should be paid. What I am concerned with is the question of efficiency of the work. From the point of view of the work that has to be carried on in this Council, I have not the least doubt that work will be got on much more efficiently than at present if hon. Members have the forenoon at their disposal for preparing and studying the questions that come up to this House for consideration. It is particularly with that end in view that the hours of work of Parliament is fixed from 3 p.m. to half past ten—we are not going so far as that. At any rate by this amendment we are coming nearer to the hours of work obtaining there.

“There are two other aspects which we have to consider. The Conference convened by His Excellency with a view to suggesting these amendments have suggested two points which have to be considered by this House. One of them is that during the time that the Council is sitting, Select Committees which are appointed to consider Bills can sit in the forenoon and transact business. In that way even from the point of view of economy, it will be a gain to the Government. If it is not allowed, the Select Committees will have to sit on days subsequent to the sittings of the Council and this will mean financial loss to the Government, not to mention the inconvenience which will be caused to Members coming from the mufassal leaving much of their work unattended. In consideration of these, Sir, I support the amendment as it is necessary that the forenoon should be saved.

“There is another aspect also and it is very necessary for the Members of this Council to consider—this has been suggested by the Conference in their report—and it is the convenience of the Members of Government and Officers of Government who are nominated as Members and who have to attend the Council. Considering that their time also is the public time, it is the duty of this Council to take into consideration that aspect of the question also. I would request hon. Members not to look at this question as a matter between the city and the mufassal. It is not so. We have to look at the question from the point of view of efficiency of work and saving of public time.”

* Mr. R. MADANAGOPAL NAYUDU:—“Mr. President, Sir, I am really surprised that my hon. Friend, Mr. Sami Venkatachalam Chetti, should move an amendment that we should have the sittings of this Council between 2 to 6 in the afternoon. There are ten members of the Corporation who are also members of this Council. How does he propose to go on with the Budget by having a sitting of the Council in the evening? I am sure all the members of the Corporation will find it inconvenient to attend the meetings of the Corporation. Is he going to suggest morning sittings of the Corporation Council? If so,

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how many will attend, and how many will work? I think that the balance of convenience will be in favour of the present hours of sitting of the Council.

“As regards the one point Mr. Pocker referred to, namely, having the meetings of the Select Committee in the mornings, if really he is anxious that the meeting of the Select Committee should not cost any extra amount to the Government, I for one would, as has been already suggested, ask him if it will not be convenient to have the Select Committee meetings say between 5 to 7 in the evenings. This may be more convenient than having the meetings of the Select Committee in the mornings. Therefore, I feel that the balance of convenience is certainly in favour of the present hours of sitting. A change in the hours of sitting of the Council as is proposed, would certainly jeopardise much of the public work which we, several Members of this Council, are doing elsewhere in the City Corporation and various other institutions in the City.”

* Mr. F. BIRLEY:—“Mr. President, Sir, I am one of those who favour this amendment. My reasons are mainly selfish. It must be inconvenient for many Members to attend the Council morning and afternoon and if it can possibly be arranged to sit from 2 to 6 or 1 to 6 if necessary, it would be more convenient to the majority of Members. Personally, I would prefer 6 to 10 in the mornings. (Laughter.) I do, however, hope that the Members will agree that the hours of the Council may be so fixed as to suit the majority of the Members.”

* Rao Bahadur Sir A. P. PATRO:—“Mr. President, Sir, the Leader of the European group did not speak without any reason. He said that the strongest reason for his supporting the amendment was that he was selfish. Surely, I will not charge him with anything like that. I would say that he is very reasonable in suggesting, as reasonably as the Mover of this amendment, that the sittings should commence from 6 in the morning to 10 and meet again from 2 to 5. That is no doubt as reasonable as the amendment proposed by Mr. Sami Venkatachalam Chetti. I hope that it is not without reason that the hon. Mover has brought forward the amendment. Whatever may be the practice elsewhere, we, in this part of the country, are accustomed to do our work from 10 or 11 o'clock to 5 o'clock. All the officers commence their work from that hour. Judges of the High Court come to the Bench at that hour and vakils are also before them there. Therefore, absolutely no dislocation of any kind of work either here or anywhere else or any kind of inconvenience at any time has been felt. We have had no inconvenience, nor any section of the House had occasion to represent to the House that they have been handicapped or inconvenienced in their business owing to these hours of sitting. I sympathize with the businessmen. It would be better if they have some time to go to their offices to dispose of work there and come here after attending to their business. I can understand that kind of easy

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work but duty demands more than that, namely, if we are to do duty as Members of this Council, we must so arrange our time to enable us to attend to all our business even if it entails our working longer hours. The more busy a man, the better he ought to be able to adjust his time to his work. Therefore there is no reason whatever to say that any inconvenience is felt by the present hours of sitting. The hon. Mover has some reason but what that reason is he has not disclosed to us as yet. I find that some reason which Mr. B. Pocker discovered on behalf of the Mover is that efficiency of work demands the change. I fail to see what efficiency will be brought about by effecting this change. (A voice: You will better come prepared for the work.) I hope that in due course the hon. Member will enlighten us as to what efficiency will be gained by the Council sitting from 3 to 6 p.m. I have great sympathy with the suggestion of the Leader of the European Party. Surely that will be very helpful to us. Personally I would like to sympathize with him very much but on principle I am not able to do so. Hon. Members say that in the mornings much work could be turned out. What is the work that is going to be done? The Leader of the Opposition is doing his work as Leader of the Party and Party work is getting on without any kind of inconvenience. No member has said that Party work suffered or that Party meetings could not be held on account of the Council sitting between 11 to 5. How Party work would be facilitated and how efficiency could be created by a change in the hours of sitting still remain to be explained. I do not like any change at present. The present system is quite all right."

Mr. ABDUL HAMEED KHAN:—"Mr. President, Sir, it is, I think, the second time to my knowledge that this question has been raised on the floor of this House. Unfortunately, there seems to be a very artificial division made by certain hon. Members between members belonging to the City and those from the mufassal. I wish them to look into this question independently of this artificial and flimsy argument. As it is, in every other country where parliamentary system of Government is carried on, they have adopted the afternoon or the evenings as the time for carrying on parliamentary business. They have not done so without some reason or without an understanding of the condition of the place. When in a country like England which is much colder and climate is certainly very different from the climate of Madras, they are compelled to sit late at nights, sometimes till the early hours of the morning also, I wonder why hon. Members should have any objection to sit not in the night, not late in the evenings, not till the early hours of the morning but later by one hour. The question will then arise as to whether those hours are sufficient for the business that we are expected to carry on. As it is, we meet from 11 in the morning and adjourn at 1-30, excepting on Fridays when we adjourn at 1 p.m. and meet again at 3 p.m. and then we meet at 2-30 p.m. and go on till 5 p.m. Hon. Members who have experience

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of this House and of former Houses, I am sure, are aware of the fact that the longer we sit in this House the less is the business we do. I would like to understand the arguments that have been advanced or are likely to be advanced, that the logical conclusion of shorter hours is no hours at all. I suppose that also can be logic for some logicians, but we are laymen who also wish to be practical men and I do not think we need worry ourselves about this question.

"Sir, I wish hon. Members coming from the mufassal do not look at the question from that point of view. Arguments have been advanced by hon. Members who have supported the motion that we will have more time at our disposal to devote ourselves—I mean to such of those as do not have any business in the City and even for those who have business in the City—to the preparation of the subjects that come up before us. The library is there, we have got very many libraries and so many other facilities at our disposal, and we do not make use of those facilities in connexion with the preparation for the business of the Council. Most of us come here, of course there are certain honourable exceptions, without preparation. I am sure there are some hon. Members who sit for some hours in the night for the preparation of the subjects that come up before the Council. But in order that we may have more time and to enable us to take advantage of the library and other facilities that we may come across—the Secretariat would certainly be available for them, and the Secretariat can also help them, so that they might minimize the business of the Council—it would be helpful to have the hours changed. It is of course very well understood that hon. Members who are well-acquainted with the subject take less time than hon. Members who are not well acquainted with the subject. Hon. Members may not agree to the change of time now, because conservative as we are, we want to adhere to old things and we do not want any change to be brought about in our habits and customs. As suggested by the hon. the Mover of this amendment, even though they will not agree to a change now in this Council, I am sure they will be compelled under the new Reformed Council to change the hours of our sitting. Without such a change, I am afraid, it will not be possible for us to sit day in and day out for a number of days in the year. The argument to hold the sittings of the Council from 6 to 10 in the morning will not hold good, because the Secretariat will not be there and then it would be inconvenient to the Secretariat and the Council office if they are asked to come very early in the mornings. Of course, it may be convenient for hon. Members to come here, but it would put the Secretariat to a good deal of inconvenience. So, the only thing we can do is to begin our work later on in the day, instead of at 11 or 12, and it need not necessarily be at 2; and in order to have more hours at our disposal it would be better if we meet at 1 o'clock and carry on our work till 6 p.m. with half an hour's interval for tea. Therefore I thought that instead of waiting for the new Reforms for a change, it would be better even for

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this Council if we come to some agreement, to try it as an experiment. I do not think that you should accept the amendment as it is, but instead of 2 p.m. we may begin at 1 p.m. and go on till 6 p.m. in the evening with an interval for tea.

“Then, Sir, with regard to the difficulty that was pointed out by my hon. Friend, Mr. Madanagopal Nayudu, coming as he does from the City, that our work in the Corporation will suffer, I consider that our work there can certainly be adjusted, because even in the Council we do not sit throughout the day. As a matter of fact we have a certain number of days’ interval between the presentation of the Budget and the actual consideration of the demands, and on those days we can certainly arrange to have the budget of the Corporation considered and decided upon. I do not think that that argument need stand in the way of our coming to a decision on this question.”

* The Hon. Sir MAHOMED USMAN:—“Mr. President, Sir, my hon. Friend, Mr. Sami Venkatachalam Chetti, made no case whatever for the change that he proposed. He referred to the heavy strain from which we all suffer in the Council by meeting here from 11 to 5. I am sure, hon. Members will realize that every kind of work involves some kind of strain or other. To say that it is a heavy strain to meet from 11 to 5 does not carry us any way. He said that Madras being very hot, it is not possible to meet from 11 to 5. I was astonished that a democrat like my hon. Friend, Mr. Sami Venkatachalam Chetti, should have deplored his lot on remaining in this palatial building from 11 to 5 when so many people including some of his voters are working in the hot sun outside. After all, we all know that in the hottest part of the year, namely, from April to July, for about four months, there is no meeting of the Council; so there is no meaning in the complaint.

“Then, Sir, my hon. Friend, Dr. Subbarayan, spoke of the financial responsibility of the Legislative Council. He said that Government alone should not think that they were responsible for the finances of this province and that the Members of the Legislative Council were equally so. But, what I say is, is it not better to run this institution with the minimum of expenditure rather than with the maximum? If we are to sit only for four hours, naturally we have to meet for more days and spend more money and therefore I am sure that hon. Members will agree that in the working of this institution, our aim ought to be that we should not spend more money than what is absolutely necessary.

“My hon. Friend, Mr. Pocker, spoke, of course, for his own personal convenience. He said that as a lawyer he wanted more time to attend to his court work. This argument does not appeal to me. He also said that if we meet for four hours, the House would be very efficient. I repudiate that statement. On the other hand, what will happen is, that the House will not be as efficient as it is at present. Already we know that during the Budget sessions, we are not able to

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finish more than 24 or 25 demands out of 39, when we sit for five hours a day. While we are working five hours a day we are not able to do more than 24 or 25 demands out of 39, surely we will do not more than 20 demands if the working hours are reduced to four. Thus the efficiency of the Council will suffer.

“I find there has been no unanimity even among the non-official Members of this Council in regard to the matter. Some hon. Members want four hours and others five hours. All that I would suggest is, that the Leaders of the various Groups in the House should meet together and come to some agreement on this question. I agree with what my hon. Friend, Mr. Hameed Khan, has said, and that is, let us wait for a year or two till the new Reforms come into existence. Then we will be in a position to know the exact amount of work which this Council will be called upon to perform, and then I think, will be the time for effecting any change that may be found necessary. If hon. Members then think that the present hours are unsuitable, it is quite possible for them to devise some scheme which may be acceptable to the Government and the Legislative Council. But, I think at present let us continue the present practice.

“Sir, my hon. Friend belonging to the European Group said that the present hours are inconvenient to them on account of their business. I would not dismiss that contention as Sir Patro has done. I realize the great assistance that Government has been receiving from hon. Members belonging to the European Group, whenever they think that we are in the right. I would request them to come to some agreement with the other groups.

“Therefore, I would suggest once again, that for the present leave things as they are and when the new Reformed Council come into existence, change the hours, if necessary.

“I have therefore to oppose this motion, because as I have said already the expenditure will increase and the efficiency of the Council will be affected to a certain extent by the proposed change.”

* Mr. SAMI VENKATACHALAM CHETTI:—“Mr. President, it is very rarely indeed that we provoke the Hon. the Leader of the House. I am glad that my proposition served the purpose of eliciting a lengthy speech covering a number of subjects which I never anticipated to cover. Sir, my motion was an innocent one and it was not moved purely in the interests of the City Members. I only said that it will no doubt confer a good deal of benefits to Members representing the City—and there are also Members belonging to the mufassal living in the City—and I daresay it would not be a matter of inconvenience to hon. Members representing the mufassal. I am not going to base my case on that point. I am only repeating my argument that sitting from 2 to 6 or even 7 as the case may be, would certainly be more convenient than sitting from 11 to 1-30 and again from 2-30 to 5. It will be a matter of convenience also to hon. Members representing the

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mufassal. Without knowing by experience the advantages of the change and without knowing what the convenience would be, to say that the change would be inconvenient, it seems they are objecting merely without point against our representations. I am only surprised at the speech of Sir Patro and apart from serving no purpose, his speech was incoherent. So far as the City Members are concerned, I am sorry that my hon. Friend, Mr. Madanagopal Nayudu, has been set up to oppose this proposition"

Mr. R. MADANAGOPAL NAYUDU:—"Mr. President, Sir, on a matter of personal explanation, I repudiate the statement that I have been set up by anybody to oppose the motion. On the other hand, I oppose it in my individual capacity."

12-15 p.m. Mr. SAMI VENKATACHALAM CHETTI:—"Very well then. I take it that he has put his case on his own behalf. Sir, probably, he forgot that at one time Government also was of this view, as to whether the session of the Council should begin from 2 o'clock. If the Government have now changed their view, that is a different matter, but the Hon. the Leader of the House after an elaborate speech said that if the Leaders of the Groups confer and suggest constructive methods, Government would have no objection; and that is what we are doing. At the Conference held for the purpose of amending the Standing Orders, this matter was brought up and the Conference did not come to any decision. Probably they left the matter open for the decision of the House. Therefore it is a logical sequence of that Conference that the matter should be considered at a meeting of the Legislative Council. If the Government, in spite of the open mind that they assumed during the time of the Conference, now want to marshal their arguments against it, I have only to say that we are disappointed. I thought the Government will be neutral in this matter, allowing the matter to be settled according to the convenience of the Members coming from the districts. It is immaterial to the Government when it meets provided the hours of work are the same. I am rather surprised that the Hon. the Leader of the House should have referred to Members remaining in this palatial hall in so patronizing a way provided by the benign British Government of the Hon. Sir Mahomed Usman, while the voters are basking in the hot sun. If the voters are in the hot sun, it is neither his fault nor that of anybody. (A voice: It is the Government's fault.) If Hindu theology should be accepted then, Government representing God ought to be responsible for this. These views I put before you and leave the matter entirely to the House."

The motion was put and lost.

* Mr. SAMI VENKATACHALAM CHETTI:—"I move—

'In line 5 of the proviso to the Standing Order omit the words "which has been the subject of a question on that day" occurring after the word "importance".'

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"Sir, with regard to this Standing Order, I unhesitatingly acknowledge with gratefulness the opportunity provided to the Members of this House to discuss matters of urgent importance at the end of the day. This is a new Parliamentary method, and the report says that His Excellency the Governor was responsible for introducing this change. But I am afraid that what is sought to be given by this change is likely to be taken away by the qualifications that are attached to raising a question at the end of the meeting. It is said that a Member can raise a debate on any matter of importance which has been the subject of a question on that day. From all points of view, I am afraid what we are likely to gain from this Standing Order is lost in other respects. In the first place, if a debate on any matter of urgent importance is allowed at the end of the meeting for about an hour without any division or without any full debate, the Hon. the President and the House might feel inclined to disallow ordinary adjournment motions. Ordinary adjournment motions have got a special significance of their own. They are primarily in the sense of a censure on the Government. As a matter of fact, that is the only opportunity for the Opposition to test the strength of the Government from time to time. If, on matters of such importance also, the debate that is contemplated in the new Standing Order is allowed, there may be a tendency on the part of the President and of the House to disallow important motions as adjournment motions. Apart from that, if the raising of a debate is confined to a matter which is the subject of the question of the day, it will further restrict the scope of the subject which can be taken for discussion at the end of the meeting. It would look, Sir, that, if the matter that should be taken up for debate at the end of the meeting, should be confined only to the subject raised during the question time, as there is ample scope for the hon. Members of the House to put supplementary questions on any subject that has been raised by means of a question, it would appear to be superfluous to allow the same question to be debated at the end of the meeting. But there may be instances when such subjects may be raised on a question to which the Government might not be in a position to answer fully at the time, but the Government might be able to get information which may be placed later on in the day. I quite concede it will be very convenient on such matters to raise such matter at the end of the meeting. Supposing two or three important matters are raised in question time in the course of one day, if at the end of the meeting only one question can be raised, the other two questions will be barred by time from being raised at any time. Therefore, Sir, the privilege that is sought to be conferred by allowing this matter to be raised at the end of the meeting will be very much restricted and will even prove disadvantageous to the Members if it should be confined to the subject that is raised during question time. I only suggest that any matter of urgent importance may be raised just after the question time so that the President might have fixed up for that evening for half an hour. I daresay that even the Government might feel the necessity for such a change. After all, putting down questions for answers for

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a particular day is not guided by any particular rule. As the answers are received, they are put down on the paper. Therefore, the Secretary will be not in a position to choose important or unimportant questions. They will be put down merely as a matter of routine. It might happen therefore on a particular day there may be two questions of very great importance and on a particular day there may be no questions of importance at all. It will only mean that very important questions for which opportunities are intended to be given by this rule cannot be on any day, except on the day when the question is raised. I do not think any convenience is caused by the amendment to the Government. If His Excellency and President are so generous as to give this Council an opportunity for a discussion, let it be given in full measure. I do not think the Parliamentary procedure restricts the discussion of such matters only during question time and on questions. I am therefore placing amendment for the acceptance of the Hon. the Leader of the House and the Government."

* Dr. P. SUBBARAYAN:—"Mr. President, Sir, I second this amendment. The amendment, as it left the Conference, Mr. President, if you remember right, was as follows:—

'Provided that on notice given to the President, the President may in his discretion adjourn the Council at 5-30 p.m. instead of at 5 p.m. to enable any member to ask for any information or statement from a Member of Government on any matter within his special cognizance, and such Member of Government to give such information or make such statement.'

"As has been now amended and put forward before the House, you would see this right is restricted to this extent. The Member is allowed to raise a debate on any matter of importance which has been the subject of a question on that day. I have been told that the amendment as it now stands before the House is more in consonance with Parliamentary practice than what was suggested by the Conference. But to that my answer will be this. In the House of Commons, questions are put and Members of Government have got to give the answers within a fixed time. Therefore a Member who puts the question is always present on that day and the answer is given, and if he is not satisfied with that answer, he naturally raises it under the half an hour adjournment rule. But, Mr. President, you know the present practice as it prevails in this House. If only hon. Members would turn to the questions answered and the length of time taken to answer questions—for instance to-day question 727 put by my hon. Friend, Mr. A. S. Sahajanandam, was given notice of as long ago as 5th February 1934, and has been answered to-day, that is 8th March 1934. More than a month has passed since this question was put down. I am not taking this question as an example of the urgency of the matter concerned, but by the time the answer is put down, we have not got the House of Commons practice by which the Member concerned gets a notice if any question is to be answered. The hon. Member was not even here this morning and therefore was not in a position to take advantage of the half an hour adjournment if it existed. If hon. Members are prepared to follow Parliamentary practice in other matters, i.e., giving answers to the questions

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put, give notice to the Members asking questions about the time of answering it, and giving the Member an opportunity to raise a question by adjournment if he is dissatisfied with the answer. But if, according to the present practice, the answer is given months after the question is put down, I do not think any purpose will be served by this amendment, because the urgency of the matter would have passed long ago and the Member concerned may not be in a position to raise the question on an adjournment at all. Mr. President, if you remember right, this method was proposed by the Conference because there was a feeling that the time of the House was being wasted on adjournment motions even on matters which concern purely local interests. Adjournments have been moved when there was no intention either to censure or take to task the Member of Government concerned, in charge of the department. It was felt there must be some method by which hon. Members of the House may be able to raise any urgent and important matter and thus give opportunity to the Members of Government to explain why such action was taken. Not only would it be an advantage to the hon. Members of the House, but it will be an advantage to the public also. It would in a way allow opportunities to Government to explain a particular policy which they have adopted on a particular question. On the other hand, if this right is going to be restricted by means of questions put, I am afraid then it will not be as useful as people think. I would therefore personally appeal to the Hon. the Leader of the House to see whether our Standing Orders cannot be amended at least in the matter of questions so that urgent questions are put and Members of Government may be prepared to answer them in a day or two. If the answers given by the Members are not satisfactory, the Member who puts the question may be able to raise the question in the afternoon on an adjournment motion.

"But as the rule stands now, even though an urgent question is admitted and the member concerned is fortunate enough to obtain your consent for the question being put, it may still not be put, because the Hon. Member of Government who is in charge of the department concerned, might refuse to accept short notice. Therefore, unless some such method could be found by which Hon. Members of Government may be in a position to give urgent answers to short notice questions enabling the interpellator to raise the question on an adjournment motion, if he is not satisfied, it is of no use. I am afraid, this amendment, even though it may look as if we are bringing our practice in consonance with the practice in the House of Commons, will not really lead us to the position which we want to attain. I would therefore ask the hon. the Leader of the House to see whether we cannot find out a method by which the object we have in view may be achieved."

* The Hon. Sir MAHOMED USMAN:—"Mr. President, all that I should like to point out is that what we are now doing is to give an additional privilege to the Members of the Legislative Council. As at present, hon. Members will have the right to ask questions and, if they

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are not satisfied with the answers, move for the adjournment of the House to censure the Government. The present proposal is a new privilege by which, if an hon. Member who puts the questions is not satisfied, he can raise the question during the half an hour enabling the Member of Government to give a detailed reply. If the hon. Member is not satisfied even with this, it is open to him to have the House adjourned to censure Government. If the condition that such a motion should be preceded by a question being asked should be done away with, I am afraid it is likely to be misused and almost everyday there may be adjournments and it might interfere with our normal work. Being a new thing, I would suggest that we should work this for some time, and, if it is to the advantage of the House, well and good; otherwise it will be necessary for us to consider the change suggested by Mr. Sami Venkatachalam Chetti.

"Then, Sir, Dr. Subbarayan made a constructive suggestion that, for the proper working of this, the Government should undertake to answer urgent questions sooner than we are doing at present, on short notice. Sir, I shall have the suggestion of my hon. Friend examined. I would therefore request the hon. Members to pass this and work it for some time and if it is not successful we can consider the necessity for a change. I hope the hon. Mover will withdraw his amendment."

* Mr. SAMI VENKATACHALAM CHETTI:—"Sir, I agree it is an additional privilege, but I thought the privilege may be left unhampered by other qualifications. But if the hon. the Leader of the House wants some time to see how this privilege works, I would be wrong to obstruct such a gesture. I daresay, however, that there is no probability of this privilege being abused by the House inasmuch as the permission of the Hon. President, has to be obtained to raise the question.

"I beg leave to withdraw my amendment."

The amendment was, by leave, withdrawn.

Items II, III, IV and V—Standing Orders 4, 5, 7 and 8—were then put and carried.

VI—Standing Order No. 19.

* Mr. SAMI VENKATACHALAM CHETTI:—"Sir, I move to—

'Omit the words "and obtain his consent . . . to make the motion" at the end in lines 7 and 8.'

"Sir, the amendment I am moving is really a very important one. I expect this House to take a dispassionate view of the change that has been suggested by the Select Committee on Standing Orders. Standing Order No. 19 runs thus:—

'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.'

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"As it is, a motion for adjournment for the purpose of debate is subject only to two restrictions, namely, the leave of the President and the leave of the House. There is a third restriction and that is the right of His Excellency the Governor to disallow the motion at any stage. So far as His Excellency's right is concerned, it is a privilege in respect of every subject that is brought up before this House irrespective of other sanctions. Therefore, ignoring for the present His Excellency's right to allow or not, a motion, there are only two conditions which must be satisfied before a motion can be moved in the House. The history of these urgent motions seems to me that it is the privilege of the non-official Members of the House to interrupt the agenda that has been put down for the consideration of the House. It is the only right by which a Member of the House can stop the discussion of other matters to take up a matter which in his opinion is urgent. But, in order that the individual will not dominate over the collective body, it is provided that that right to interrupt the agenda should be subject to the decision of the House. For this purpose a vote was generally taken on the motion made for considering a particular matter which is considered to be urgent irrespective of the speaker's permission. But, later on, it was also provided that, in order not to cause even the inconvenience of suspending for some time the regular business of the House by a vote being taken on the urgent motion, the speaker's permission was necessary. But all that the President has got to do is to decide whether the motion for which leave is sought to be moved satisfies the conditions laid down for the moving of ordinary motions. For moving ordinary motions there are certain restrictions. One of them is that the motion should not refer to a matter which is not allowed to be discussed by the Statute. It must not raise a matter which is not within the purview of the Local Government. All these tests have to be applied even to motions for the adjournment of the House. In the place of ballot and the scrutiny at the Secretariat of the Hon. the President, there is the scrutiny by the Hon. the President of the motion handed in by the Member wishing to make it. He will examine whether the motion satisfies the conditions laid down in the Standing Orders, and if it does so, allow the Member to ask for the leave of the House. If, at this stage, there should be any objection, the President would ask the Member to produce sufficient strength in order to allow that motion and if, more than 20 Members, according to the Standing Orders, come forward to support him, the motion would be allowed to be moved at a particular time fixed by the Hon. the President. This has been the practice hitherto followed in this Council. There is no other ground on which the President can exercise his authority of disallowing motions. The conditions under which he can disallow motions are laid down in the Standing Orders. It was never the intention of the framers of the Standing Orders or of the Legislative Council instructions to invest the President with any power irrespective of the powers laid down in the Standing Orders. It was not intended to invest the President with any autocratic power. As a matter of fact, if you examine the Standing Orders which are observed

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and the procedure that is maintained in the House of Commons and the general instructions guiding the procedure there, you will find not a word about the consent of the President being taken outside the House and in his room. As a matter of fact, there is a distinct statement in one of the small volumes found in the Library that this power was not intended as a general power of suppression of motions. What is exercised by the President is only an authority that can be exercised in the House subject to such criticism or censure as violation of the rules will entail upon the Speaker himself. If, in addition to these two conditions, the consent of the President also is insisted upon, as in the change now sought to be introduced, any Member of the House will have to anticipate what the urgent motion that he may have to move will be. As a matter of fact there are various instances necessitating the moving of urgent motions consequent on the unsatisfactory nature of the replies to questions put in the first hour of a day. If one such urgent motion is to be raised, it is impossible for the Member concerned to see the President in his room before the commencement of the sitting of the House and obtain his consent. I daresay it is not the intention either of the Government or of the President to rule out any urgent motion that may arise from the subject raised during question time. If, in these cases, you insist upon previous consent being obtained from the President, you will be practically ruling out the moving of urgent motions that might arise out of the questions answered by the Government. That is one inconvenience.

"The second reason is that it becomes necessary for the President to remain in his room sufficiently early to receive urgent motions and decide whether he could give his consent or not. Supposing, Sir, the Hon. the President falls ill on a particular day and we have no idea who is going to be the officer who will preside on that particular day.

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"It may be the Deputy President, or it may be one of the Panel of Chairmen. Well, if an urgent motion has got to be tabled for that day, from whom is the hon. Member to obtain consent? That is the second thing.

"Thirdly, what are the conditions under which the President is to allow or disallow, or rather, give or refuse to give his consent? Is his consent guided by any known or fixed principles? Or is it merely a matter of his will and condescension? I do not think any President would like to be put in a position of exercising his authority unguided by some rules or other. Suppose I give notice of a motion to the President, am I to depend on his condescension? If it is said that he has got certain principles to guide him, but that they must be different from those which are exercised in the House, what are those principles by which he would decline to give his consent, and which are not to be discussed in the House? That thing has not been made clear. I am not saying for the moment of other reasons which would influence the President to give or refuse his consent.

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"It is said, supposing more than one Member rises in his seat to make an urgent motion, whom should the President allow? Sir, that difficulty will arise, whether it is in the House or in his room. If it is in the House he can easily assess the relative importance of every motion which may be brought up and allow only one of the motions, disallowing the rest, because only one motion can be made. Moreover, the Standing Orders do not contemplate the possibility of more than one motion being raised during a particular day. After all, the person who catches the eye of the speaker will be the first to move the motion of adjournment, or among the several people that may rise up, as in the case of other motions, it is the person who catches the eye of the speaker that will be asked to move for leave, and the President, thereupon, having regard to the Standing Orders, or the tests provided in the Standing Orders will give his leave. Moreover, the Standing Orders also say distinctly that the handing over of the motion is just at the time when the Member asks for leave. Therefore it is clear that obtaining consent does not mean obtaining consent to make a motion asking for the leave of the House. Obtaining consent is only with regard to making a motion, and not for asking for leave to make a motion. I think the confusion arises in this way: it is presumed that the word 'consent' refers even to asking for leave. I do not think so, Sir. The 'consent' applies only to make a motion. Having regard to the fact that in none of the Standing Orders, either here or in the other rules of the Council Manual, there is provision for the previous consent of the President being taken and having regard to the fact that during the earlier period of this Council, no such consent was even asked for even for a motion asking for notice to move—all these things only corroborate my statement. Sir, I distinctly remember the time, when, soon after I became a Member of this Council for the first time, it was my lot to move an adjournment motion. The late Sir P. Rajagopalachariyar was then the President. Perhaps it is a matter well within the recollection of some hon. Members here. When I spoke to him in his room about the adjournment motion and was about to hand over to him a copy of the motion that I intended to move, he distinctly told me in so many words that the time to hand over the motion was at the time of asking for leave to make the motion. Though he knew the terms of the notice then, he did not officially receive a copy of the statement. And subsequently when I made the motion in the House, he received a copy of it; and no doubt he disallowed it. But that is quite intelligible. And latterly this question of previous notice cropped in on account of a change in the Standing Orders and fixing a time for the discussion of that urgent motion either on that day itself or the next day. It was due to the fact that Government might not be in the possession of all the information in respect of which the adjournment motion was moved that we agreed to the suggestion that the motion might be taken up the next day. It was due to this that the question of previously handing in the motion to the President came in. And during your predecessor's time, Sir, we acquired

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the idea that we should not surprise him with any new thing during the proceedings of the House. That was why he insisted upon the notice of an adjournment motion being handed over to him earlier. We did not object to that kind of thing, because there was no necessity to make any complaint. If necessary, if the President feels that he should be forewarned of a person intending to make a motion, what he used to do was only to ask for sufficient notice, and he did not insist upon the consent being taken. I therefore submit, Sir, that the change that is introduced is a change crippling the rights of the House; it is a change imposing a very irksome duty on the President and it is a change not calculated at any rate for either the convenience or the expedition of the business of the House. I therefore move that the words 'and obtain his consent to his asking for such leave to make the motion' be omitted."

* Dr. P. SUBBARAYAN:—"Mr. President, Sir, if I explain to my hon. Friend, Mr. Sami Venkatachalam Chetti, how this amendment came to be adopted after consideration by the Conference, he may find out why this amendment has been proposed. The actual practice as it exists in the House to-day, Mr. President,—if you remember rightly, and it has become a convention—is that if a member wishes to move an adjournment of the House he should give notice of it to the President in his room before the House sits, obtain his consent and move it afterwards. (Sami Venkatachalam Chetti: 'No, no. That is not so.') No, it has been the practice in this House, and I believe, it is being followed in all the other Indian Legislatures also. Of course, my Friend, Mr. Sami Venkatachalam Chetti, may quote the House of Commons practice. If the hon. Member is in the knowledge and possession of the facts existing in the House of Commons, he will find that the Speaker of the House of Commons is perhaps the biggest autocrat known in any House. His ruling prevails, and whatever ruling he may give, it has to be observed; and you will find an adjournment motion being disallowed, even though the Member of Government has no objection to its being moved, for if the Speaker finds that that privilege is being misused, he refuses to allow the adjournment motion to be moved. But here, on the other hand, I think our Presidents have been rather kind in the matter of adjournment motions. Time and again adjournment motions have been allowed, though, as a matter of fact, the strong hand of the President might have put an end to some of them, as they were not of such urgency or of importance. Therefore, if the restrictions imposed by this amendment give power to the President—and, after all, the President does not belong to any party of the House, but is only a keeper of the privileges of the House—I am sure any President, who sits in your Chair, Sir, is not going to misuse the power that is being vested in him. Therefore, I would ask my hon. Friend not to press his amendment, because, after all, it is confidence we are placing in the Chair and not in the Government. Suppose if the motion had been 'that the consent of the Member of the Government concerned,' I

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would have been the first to vehemently oppose it. But when it is vested in the Chair, I do not think, we, the Members of the House, need be concerned with it, because after all, the President is the keeper of the privileges of the whole House, and as such he will know whether a matter is urgent or important. And I am sure, Mr. President, you or your successors in office are not going in any way to restrict the freedom of the hon. Members of this House in raising questions of urgency or of public importance.

"And besides, I would point out to my hon. Friend, Mr. Sami Venkatachalam Chetti, this, that if a President is so biased or partisan as to help only one particular side of the House, we have it in ourselves to teach such a President a lesson, because a motion of no-confidence in the President can certainly be moved. In my opinion it does not matter if the motion is lost. For the fact, that the President has acted in such a way as to give cause for such a motion being moved, will still stand against his impartiality."

* Khan Bahadur YAHYA ALI SAHIB Bahadur:—"Mr. President, Sir, after the lucid speech of the Leader of the Opposition I do not think there is much to be said in favour of the amendment of Mr. Sami Venkatachalam Chetti. My view of the amendment is that it will not serve the purpose for which it is intended and that further, obviously, it is impracticable. My hon. Friend is aware that a provision is made under the Legislative Council Rules, the effect of which is that the previous consent of the Chair has to be obtained before an adjournment motion is moved. The Legislative Council Rules are of greater force than the Standing Orders, inasmuch as they have been framed under powers vested in the Secretary of State under the Government of India Act. Therefore they are of higher authority than the Standing Orders. Rule 11 of the Madras Legislative Council Rules runs thus:—

'A motion for an adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the President.'

"The rule of course does not specify the time when that consent has to be obtained. But we are aware of the fact that the same kind of language is used in other Acts, from which we can understand when that consent has to be obtained, and therefore when the Legislative Council Rules prescribe previous consent, we naturally know when that consent has to be obtained, i.e., the consent has to be obtained before the motion is made, and not as part of the making of the motion. Therefore my submission is that the power proposed to be vested in the President with regard to the giving of consent comes in only at a stage anterior in point of time to its being moved in the House. Besides, Sir, the further stages are described, such as the handing over of the paper and later on the President allowing or disallowing the motion on the ground of urgency or otherwise which has to be done in the House. Naturally these come in after the giving of the consent. Hence I feel, Sir, that this amendment is altogether ineffective and impracticable.

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"On the other hand the restrictions referred to by Mr. Sami Venkatachalam Chetti are still there in spite of the Standing Order; and so even if the Standing Orders are amended as desired, there are the Legislative Council Rules, which will still require that such consent should be previously obtained. Therefore it is I say that the amendment, even if it is carried, will not achieve the mover's object.

1 p.m.

"With regard to the second aspect adverted to by Mr. Sami Venkatachalam Chetti, I wish to say a few words. I believe he said that the new Standing Orders practically give greater powers to the President, in that he is being vested with the power to consider the question even at the initial stage whether he should give his consent to an adjournment motion or not long before it is brought before the House. The object of moving an adjournment motion is that the Government should be in a position to consider over the matter and make a statement on the question raised in the motion. If the hon. Member who wishes to raise a debate on an adjournment motion does not want that the Government should make a statement on the question that is raised in the adjournment motion, then he need not give notice of moving his motion. So the object of giving notice of moving an adjournment motion in the room of the President is that he should be in a position to judge whether the Government will be able to come forward on that day itself and satisfy the hon. Member who gave notice of such a motion with regard to any information which he wanted or any grievance which he wanted to ventilate. If the President is given an opportunity of sounding this matter to the concerned Member of the Government and finding out whether the latter is prepared to come forward on the very same day with any information that the hon. Member who is going to move the motion wants or whether the Government Member is going to object to it, then it will be a great help to all concerned.

"Secondly, supposing the President is unaware of such a motion being made and as soon as questions are over and the work of the day is about to be taken up, he finds that a number of Members stand in their places thus signifying their intention to ask for leave to move adjournment motions on various matters, the President may not be able to decide all on a sudden one way or the other. As one of my hon. Friends pointed out, if there are multiple adjournment motions it will be difficult for the President to come to a conclusion as to which of them is comparatively more important than the other without being able to devote sufficient time for it. So any decision which he may make on the spot without applying his mind to the subject for a sufficiently long time, may expose him to all kinds of animadversions from the various sides of the House. I therefore submit that the amendment of my hon. Friend is not likely to promote smooth working of the Standing Orders. I therefore oppose the amendment."

* The Hon. Sir MAHOMED USMAN:—"All that I would like to say is that enough has been said by my hon. Friends, Dr. Subbarayan and

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[Sir Mahomed Usman]

Mr. Yahya Ali, as to why the Government cannot accept this amendment. Even if this amendment is accepted, it will be absolutely ineffective, for according to Rule 11, the consent of the President is necessary. The present practice has not given us any trouble. On the other hand it has smoothened matters. Supposing there are two adjournment motions and the President has to decide which of them shall have preference, then he would like a discussion in his room rather than in the open Council. Therefore the consent of the President must be taken before moving an adjournment motion and I hope my hon. Friend, Mr. Sami Venkatachalam Chetti, will not press his amendment."

* Rao Bahadur C. NATESA MUDALIYAR:—"There was a convention in this House that any adjournment motion to be moved was to be given notice of, though not legally, at least the President being told about it in his room. This was the practice even when the Council was first formed and Sir P. Rajagopalachari was its President. There was not a similar Standing Order then. In spite of that, we, in the Council, used to know that an adjournment motion was coming most probably on account of informal information which the President gets of the motion. What was then not legal is now sought to be legalized and we should be grateful to the Conference for attempting to legalise it. We have got a President who is always very anxious to safeguard the privileges and liberties of this House. So I request my hon. Friend, Mr. Sami Venkatachalam Chetti, not to press his amendment, taking into consideration what my hon. Friends, the Leader of the Opposition and Yahya Ali Sahib, were mentioning in their speeches."

* Mr. SAMI VENKATACHALAM CHETTI:—"I am sorry my hon. Friend, the Leader of the Opposition, though he set up an example of discussing these matters irrespective of party leanings has not thrown any light on the question that has been raised. I must say that my hon. Friend, Mr. Yahya Ali, has attempted at any rate to understand the motive and possibly the objections which arise from the change that is proposed. But I do not know if it was deliberate or unintentional that he omitted to make a distinction which exists between a motion for adjournment of the business and leave to make a motion for adjournment of the business. He is too much of a lawyer not to have noticed it. I should think the rules have made the distinction quite clear between a motion for adjournment and between a motion asking for leave to make a motion for adjournment. At the time of making the motion for adjournment the consent of the President ought to have been obtained. For leave to make the motion the consent of the President is not necessary. The President's consent can only be given in the open House provided the motion satisfies the conditions laid down under the Standing Order. The power vested in the President under Rule 11 can be exercised in the open House. Why should it be done in his room? It is not a consideration of Rule 11 that must govern the refusal of the consent. It must be different from what is laid

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down in rule. There are other things which are laid down in the Standing Order which must govern the giving of consent or the refusal to give consent and which must influence the President one way or the other. That is my point. It is no doubt a fact that in the other Provincial Legislatures this sort of consent is being obtained, and we accept that statement. But I am not sure with what other qualifications that that consent is got. It is a convention set up by the Conference of Presidents. I even now assert that the consent of the President is not necessary. If the President asks the opinion of the House and, if more than 20 members stand in their places, then he gives his consent, if the other conditions are satisfied. Some distinction ought to be made between 'notice' and 'consent.' I agree with hon. Members that the President should be forewarned of an adjournment motion being moved in the Council. Notice does not mean consent. What we are now doing is we are giving notice to him and he says 'you may make a motion.' That does not mean that his consent was final and that he has exercised every other right which he can exercise in the open Council. So with these remarks I press my motion."

The motion was put and lost.

Items VI, VII, VIII and IX (Standing Orders Nos. 19 and 20, 29, 29-A, 32 and 37) were put and carried.

Item X.—Standing Order No. 39.

* Mr. SAMI VENKATACHALAM CHETTI:—"Sir, I have given notice to move the following amendment:—

- '(4) In the proposed paragraph (3) (iii), in line 2, *insert* the words "or consequential" between the words "relevant" and "to."
- (5) In the proposed paragraph (6), *for* the second sentence, *substitute* the sentence "A Select Committee may sit at Madras or at the headquarters of the Government while the Council is not in session as may be fixed by the Member of Government concerned."

I do not move the first part of the item. As regards the second I concede it is wrongly worded. If the Hon. the Leader of the House is willing to agree to my amendment he may do so. Anyhow I shall explain my position. According to the draft amendment, the Select Committee may sit either at Madras or at the headquarters of the Government if it sits anywhere outside its usual place. It cannot sit anywhere else except by a resolution of the Member in charge of the Government while the Council is in session. What I wanted to provide was that a Select Committee which was formed and which was going or with its work might feel the necessity of changing the venue and

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may like to sit at any other place away from the headquarters of Government while the Council is not in session. If the Member in charge of the portfolio is agreeable, he may on his own initiative make the Select Committee sit outside the headquarters of Government. It is only a matter of convenience of the Government and if the Hon. the Leader of the House sees the reasonableness of my proposition, he may agree to my amendment."

* The Hon. Sir MAHOMED USMAN:—"I am sorry I am unable to see the reasonableness of the proposition. Hence I cannot accept it."

The amendment was, by leave withdrawn.

Items X to XVII (Standing Orders Nos. 39, 40, 41, 43, 48 and deletion of Standing Orders Nos. 60 and 64) were put and carried.

* The Hon. Sir MAHOMED USMAN:—"I now move that the amendments be passed. In doing so, I should just like to express our most grateful thanks to His Excellency the Governor for the great interest he has shown in the working of these Standing Orders and for the lead he has given us by bringing about a Conference with the Hon. the President, the Hon. the Leader of the Opposition and myself, and also for the interest he has taken in explaining the reasons to the Select Committee that met him informally as to why these changes were made. I must also say that we are very thankful to the Secretary to the Council for the able assistance he has given both to the Conference and to the Select Committee in connexion with these Standing Orders."

* Dr. P. SUBBARAYAN:—"In seconding this motion, I associate myself with the remarks that have fallen from the lips of the Hon. the Leader of the House. His Excellency was certainly most helpful in telling us the procedure that is followed in the House of Commons. We are indeed grateful for the additional privilege that has been given to this House by the amendment of Standing Order No. 4. I admit that it is advantage, but at the same time I may say that it does not go far enough. We are thankful to His Excellency for the help given in arriving at conclusions. But the Hon. the Leader of the House has said that if in the working of the Standing Orders the Government feel that the power given is such as cannot be made much use of, they will bear this in mind when amendments to Standing Orders are further considered."

"In conclusion, I wish to thank you, Mr. President, for the part you took as Chairman of the Select Committee and our indefatigable Secretary of the Legislative Council for the way in which he drew up the Report of the Conference and for the work he did for the Select Committee in bringing together the various conflicting amendments and drawing up its report. With these words, I second the motion of the Hon. the Leader of the House."

The question that the amendments be passed was put and carried.

[8th March 1934]

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

* The Hon. Sir MAHOMED USMAN:—" Mr. President, Sir, I beg to present the Report ^a of the Select Committee on the Bill to amend the Madras Nurses and Midwives Act, 1926, for certain purposes (Bill No. 8 of 1933) and move that the Bill as amended by the Select Committee be taken into consideration."

The Hon. Mr. P. T. RAJAN:—" I second it."

The question that the Bill as amended by the Select Committee be taken into consideration was put and carried.

Clause 1.

Clause 1 was put and carried.

Clause 2.

* The Hon. Sir MAHOMED USMAN:—" Mr. President, Sir, the amendments I have given notice of are merely verbal amendments intended to make the meaning clear. I move, Sir, that in new clause (b) of clause 2 (i) for the words, 'nominated by the Government' the words 'nominated by the Local Government' be substituted."

The Hon. Mr. P. T. RAJAN:—" I second it."

The amendment was put and carried.

* The Hon. Sir MAHOMED USMAN:—" I beg to move the following amendment. In clause 2 (i) (d)—

'For new clauses (i), (j) and (k), substitute the following clauses, namely:—

- "(i) one member, being a person registered under this Act, elected in the manner prescribed by such of the members of the Trained Nurses' Association of India as are so registered;
- (j) one member, being a person registered under this Act, elected in the manner prescribed by such of the members of the Nurses' Association of Madras as are so registered;
- (k) one member, being a person registered under this Act, elected in the manner prescribed by such of the members of the Nurses Auxiliary of the Christian Medical Association of India (South India branch) as are so registered; and "

The Hon. Mr. P. T. RAJAN:—" I second it."

The amendment was put and carried.

Clause 2, as amended, was put and carried.

The Preamble was put and carried.

The Hon. Sir MAHOMED USMAN:—" I now move that the Bill, as amended, be passed into law."

The Hon. Mr. P. T. RAJAN:—" I second it."

[8th March 1934]

* Rao Bahadur C. NATESA MUDALIYAR:—" Mr. President, Sir, I heartily congratulate the Hon. the Home Member for the trouble he has taken in having this Bill passed into law. There were grievances that there were not enough number of representatives of the Nurses' Association on the Council and also that the Director of Public Health, who is in charge of the Child Welfare Scheme and other public health activities had no seat on the Council. All these grievances have now been redressed by the Bill which has been brought forward by the Hon. the Home Member and which is now about to be passed into law. In this connexion, I wish to express my thanks not only to the Hon. the Home Member, but also to the Secretary to the Legislative Council, to the Surgeon-General, the Director of Public Health and the representatives of the Nurses' Association who helped us in the consideration of the Bill in the Select Committee. I once more congratulate the Hon. the Leader of the House."

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

VI.—A BILL TO AMEND THE MADRAS LOCAL AUTHORITIES ENTERTAINMENTS TAX ACT, 1926, FOR CERTAIN PURPOSES (BILL NO. 7 OF 1934).

* The Hon. the RAJA OF BOBBILI:—" I beg to introduce a Bill to amend the ^a Madras Local Authorities Entertainments Tax Act, 1926, for certain purposes (Bill No. 7 of 1934) and move that the Bill be taken into consideration."

"As the law stands at present, it is necessary for a local authority before levying the tax to apply to the Local Government for sanction. But before they could apply, they would have to meet and decide the question. In the case of entertainments of very short duration, it has been found by experience it was too late by the time all these formalities had been gone through. It is therefore proposed in this amending Bill to authorize the executive authority of the local body to make the application to Government in cases of urgency and get the sanction of Government for the levy of the tax."

The Hon. Mr. P. T. RAJAN:—" I second it."

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

Clauses 1 and 2.

Clauses 1 and 2 were put and carried.

The Preamble was put and carried.

The Hon. the RAJA OF BOBBILI:—" Sir, I beg to move that the Bill be passed into law."

The Hon. Mr. P. T. RAJAN:—" I second it."

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

[8th March 1934]

VII.—A BILL TO FACILITATE THE WORKING OF CO-OPERATIVE LAND MORTGAGE BANKS IN THE PRESIDENCY OF MADRAS (BILL No. 5 OF 1933).

* The Hon. Mr. P. T. RAJAN:—" May I suggest, Sir, that, with your permission, the Bill might be taken up for consideration to-morrow in view of the fact that the sanction of the Government of India was received late last evening and also of the fact that the various amendments to the Bill were circulated to the Members only this morning? I believe that it will facilitate the work if time is given to Members till to-morrow."

Diwan Bahadur B. MUNISWAMI NAYUDU:—" Mr. President, Sir, it was announced in the papers that the Bill would not be brought forward during this meeting. It was also said that the Government of India would introduce a Bill of their own to facilitate the passing of this Bill in this Council and that at any rate the sanction of the Government of India had not been received. But this Bill has been put on the agenda and none of us have been able to give notice of amendments. I do not know, Sir, whether you will be willing to relax the rule of three days' notice and permit us to give notice of amendments now. It will be noticed, Sir, that while there are 34 clauses in the Bill, there are more than 34 amendments given notice of by the Hon. Minister himself. Some of them are of a far-reaching character. I only want, that the Hon. Minister, before he wants the Council to consider the Bill, should give us some time to go through his amendments and give notice of amendments ourselves."

The Hon. Mr. P. T. RAJAN:—" Mr. President, Sir, I wish to point out that these amendments have been found to be necessary as a result of the discussions of the Select Committee. I do think that one day's time will be sufficient for the Hon. Member to consider these amendments and give notice of amendments of his own. There are 24 hours within which my hon. Friend can consider the Bill and give notice of amendments. If, in the meantime, he gives us any suggestions, I am prepared to consider them."

* The Hon. the PRESIDENT:—" I may inform the House that amendments will be received till this evening, otherwise there will be no time for roneeing and circulating them to Members."

Diwan Bahadur B. MUNISWAMI NAYUDU:—" Mr. President, Sir, if the Government want to go on with the Bill to-morrow and if you, Mr. President, are not prepared to extend the time for the receipt of amendments, we will abide by your decision and as far as possible, try to send our amendments before this evening. But as I have said before, the Government have given notice of 36 amendments while there are only 34 clauses in the Bill. Therefore, I hope, you will have no objection to consider our application to move further amendments to-morrow also, if necessary."

* The Hon. the PRESIDENT:—" I have already said that I have no objection to receive amendments even to-morrow morning, but the difficulty will be that, if amendments are not received sufficiently early in the office, there will be no time for roneeing them and circulating them

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[The President]

to Members. Because not only Members giving notice of amendments, but other Members also must have ample time to read the amendments and discuss them. Therefore, it is better that amendments are sent in even to-day and even if they are sent in at 6 o'clock in the evening, they will be received in the office.

" I think it is agreed that the Bill will be taken up to-morrow, and I decide accordingly."

NON-OFFICIAL BUSINESS.

VIII.—THE MADRAS DEBT CONCILIATION BILL.

Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—" Mr. President, Sir, I beg for leave to introduce the Madras Debt Conciliation Bill."

Mr. P. V. KRISHNAYYA CHOUDARI:—" I second it."

The motion was put and carried.

Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—" I introduce the Bill."

IX.—A BILL TO AMEND THE MADRAS HINDU RELIGIOUS ENDOWMENTS ACT, 1926 (BILL No. 3 OF 1934).

* Mr. K. KOTI REDDI:—" I beg to move that the Bill^a to amend the Madras Hindu Religious Endowments Act, 1926 (Bill No. 3 of 1934), be referred to a Select Committee, consisting of the following Members:—

- (1) Hon. the Chief Minister (The Hon. the Raja of Bobbili).
- (2) Mr. E. Conran Smith.
- (3) Rao Bahadur D. Krishnamurti.
- (4) Rao Sahib V. Dharmalingam Pillai.
- (5) Mr. A. Harischandrudu Nayudu.
- (6) Mr. G. Ranganatha Mudaliyar.
- (7) Mr. T. Narasa Reddi.
- (8) Rao Bahadur C. Natesa Mudaliyar.
- (9) Mr. R. Madanagopal Nayudu.
- (10) Dr. P. Subbarayan.
- (11) Mr. U. C. Subrahmanya Bhatt.
- (12) Mr. M. A. Manikkavelu Nayakar.
- (13) Rao Bahadur R. K. Venugopal Nayudu.
- (14) Diwan Bahadur C. S. Ratnasabhupati Mudaliyar.
- (15) Mr. A. Ranganatha Mudaliyar.
- (16) The Mover (Mr. K. Koti Reddi).

" Mr. President, Sir, I do not think any long speech is necessary from me in order to commend this Bill to the acceptance of this House. Since the Bill is going to a Select Committee, I am sure whatever defects there may be in it, will be removed by the Select Committee.

" Sir, with regard to certain very important temples, schemes have been framed by the Court and by the Hindu Religious Endowments Board but when experience shows that changes are necessary in those schemes, they have to be referred back to courts and a lot of time is often

^a Published in the Fort St. George Gazette, dated 13th February 1934.

[Mr. K. Koti Reddi] [8th March 1934]

wasted and sometimes protracted litigation is found to be necessary. All that should be avoided in the interests of the temples. It is also necessary, especially in the case of very important and big temples, to appoint a salaried officer on the model of the Tirupathi Devasthanam, who will devote his full time to the administration of the temples. To achieve that object, power is given to the Government to notify temples after consulting with the Hindu Religious Endowments Board.

1-30 P.M. "The Hindu Religious Endowments Board has power to appoint a salaried official, to prescribe the duties he has to perform; various other functions are entrusted to the Board; the Government has only to satisfy itself as to the necessity of notifying the important temples; that is one of the chief clauses of the Bill.

"It is also found that the Hindu Religious Endowments Board have not sufficient funds to see that proper audit is made with regard to the religious endowments. In order to meet the present difficulty the Board as well as some members of this Council made a request that the Government should supply funds necessary for audit and other purposes, and the request has not been complied with, with the result that the accounts of a number of institutions are not audited at all. You know, Sir, how important it is, that proper audit of the accounts of these religious endowments is done; in order to meet the present difficulty of finance, provision is made in this Bill that the expenses of audit should be met from the funds of the institutions themselves. The doubt regarding whether certain provisions of the Act with regard to audit, etc., can be applied to specific endowments is sought to be removed in the Bill. These are some of the important provisions of the Bill.

"Sir, it is held that the power to direct the taking of accounts is not included in section 73 of the Hindu Religious Endowments Act. The directing of taking accounts of a trustee's management of a religious institution is essential in the interests of the trust. With these words I move that my Bill may be referred to the Select Committee."

Mr. BASHEER AHMED SAYEED:—"I second it."

The Hon. the RAJA OF BOBBILI:—"Sir, I accept the principle underlying this Bill. With regard to some of the provisions we find it necessary to make very great changes. Of course it will be the duty of the Select Committee to look into these matters."

The motion was put and carried.

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

X.—PAPER LAID ON THE TABLE OF THE HOUSE.

* G.O. No. 83, Development, dated 19th January 1934, recording the Audit report on the accounts of the Cinchona department, Ootacamund, for the year ending 31st March 1933.

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

* Printed separately.

8th March 1934]

APPENDIX I.

[Vide answer to question No. 727 asked by Swami A. S. Sahajanandam at the meeting of the Legislative Council held on the 8th March 1934, page 542 supra.]

Memorandum No. 6685-1, Public (Police), dated the 13th July 1933.

[Subject.—Police—Flower Bazaar Police Station—Shifting—
Depressed classes—Recruitment.]

* * * *

3. The Inspector-General of Police and the Commissioner of Police are informed that the Government desire—

- (i) that depressed classes should be recruited in larger numbers to the lower ranks of the Police Force in accordance with the principle that all communities should as far as possible be represented in the Police force; and
- (ii) that notice of recruitment to posts in the Police department for which selection is made by themselves or their subordinates should be published as widely as possible so that the depressed classes may be aware of it.

G. T. H. BRACKEN,
Chief Secretary to Government.

C. No. 1165/Audit of 1933.

Copy communicated to all District Superintendents of Police, Principals of Training Schools and Deputy Inspectors-General of Police for information.

Chief office,
Madras, 19th July 1933.

(Signed) _____,
for Inspector-General of Police.

[8th March 1934]

APPENDIX II.

[Vide item IV—Amendments to Standing Orders of the Madras Legislative Council—at page 557 supra.]

To

THE HONOURABLE MEMBERS OF THE
MADRAS LEGISLATIVE COUNCIL.

We, the undersigned members of the Select Committee appointed to report on certain draft amendments to Standing Orders of the Madras Legislative Council moved by the Hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur at the meeting of the Legislative Council held on the 2nd February 1934, have the honour to submit the following report.

2. We met on the 17th February 1934 to consider the draft amendments, and on the 19th February 1934, to pass our Report.

3. We approve of all the amendments except X to XIII and XV.

4. As regards amendments X to XIII and XV, we have made the following changes in them.

Amendment X—Standing Order No. 39.

Clause (v) of proposed paragraph (3) of this Standing Order provides that the Council may give instructions to a Select Committee to sit outside the place of session of the Council or the headquarters of the Government for the time being. We consider that this clause is unnecessary as provision is made in proposed paragraph (6) of Standing Order No. 39 for the place of meeting of a Select Committee. We have therefore deleted clause (v) of proposed paragraph (3) of Standing Order No. 39.

Amendments XI, XII and XIII.

These amendments refer to Select Committees on Bills. We agree that the report of a Select Committee need not be signed by every member thereof, but we think that it should be authenticated by the signature of the person presiding. To paragraph (2) of Standing Order No. 40, we have, therefore, added the words "and shall be authenticated by the signature of the person presiding". We also approve the provision to delete paragraph (4) of Standing Order No. 40 which refers to the dissenting minutes of members. We, however, consider that the minutes of the proceedings of a Select Committee should be circulated to the members of the Legislative Council along with the report of the Select Committee and the Bill as amended by the Select Committee. We have accordingly amended Standing Order No. 41 by substituting the words "the minutes of the proceedings of the Committee as approved by the person presiding" for the words "any minutes that may have been recorded by

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individual members of the Committee" in the first sentence, and by omitting the words "and the minutes, if any" after the words "The report" in the second sentence.

We consider that as the member in charge of the Bill is required by the Madras Legislative Council Rules, to make each motion for the progress of the Bill, there is no reason why he should not also himself be called upon to present the final report of the Select Committee on a Bill. We have accordingly omitted amendment No. XII which provided for the presentation of the report of a Select Committee by its Chairman instead of the member in charge. This has necessitated the omission of the first paragraph of Amendment numbered XIII to Standing Order No. 43.

Standing Order No. 51 provides that the member who introduced a Bill may at any stage of the Bill move that the Bill be withdrawn. We consider that this Standing Order may be useful in those cases where a member wishes to drop a Bill after having proceeded with it to some stage and have therefore resolved to retain the Standing Order and omit amendment No. XV.

We have annexed a list^a of the amendments as approved by us and also a list^b of the Standing Orders amended as they would stand if the amendments recommended by us are carried out.

B. RAMACHANDRA REDDI (*Chairman*).

MD. USMAN.

H. G. STOKES.

P. SUBBARAYAN.

M. A. MUTHIAH CHETTIAR.

J. K. METHERELL.

A. KRISHNASWAMY.

R. RANGA RAO
(Hon. the Raja of Bobbili).

G. JAGANNADHA RAJU.

B. MUNISWAMI.

19th February 1934.

^a Vide Appendix A.

^b Vide Appendix B.

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APPENDIX A.

LIST OF AMENDMENTS TO THE STANDING ORDERS OF THE MADRAS LEGISLATIVE COUNCIL AS PASSED BY THE SELECT COMMITTEE.

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.”

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.”

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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 :—

“29-A. 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.

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.”

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(2) After paragraph (2) *insert* the following :—

“(3) 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; or

(iv) report within a particular time.”

(3) *For* paragraph (3), *substitute* the following paragraphs :—

“(4) 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.

“(5) In the case of an equality of votes in the Committee the person presiding shall have a second or casting vote.

“(6) 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.”

(4) *Re-number* paragraphs (4) and (5) as paragraphs (7) and (8) respectively.

XI

Standing Order No. 40.(1) In paragraph (2), *add* the following words at the end :—

“and shall be authenticated by the signature of the person presiding.”

(2) In paragraph (3), *for* the words “in their report,” *substitute* the words “in their final report.”

(3) *Delete* paragraph (4).

XI-A

Standing Order No. 41.

(1) In the first sentence, *for* the words “any minutes that may have been recorded by individual members of the Committee,” *substitute* the words “the minutes of the proceedings of the Committee as approved by the person presiding.”

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(2) In the second sentence, *for* the words “The report and minutes, if any,” *substitute* the words “The report.”

XII

Omitted.

XIII

Standing Order No. 43.

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.”

XV

Omitted.

XVI

*Standing Order No. 60.**Delete* this Standing Order.

XVII

*Standing Order No. 64.**Delete* this Standing Order.

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APPENDIX B.

LIST OF THE STANDING ORDERS OF THE MADRAS LEGISLATIVE COUNCIL,
EMBODYING THE AMENDMENTS PASSED BY THE SELECT COMMITTEE.

I

Standing Order No. 2.

2. (1) A session of the Council is terminated by prorogation. The Council is prorogued by the Governor by notification or otherwise.

(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.

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.

5. (b) (9) The precedence of motions as determined by each ballot shall hold good for thirty days from the date on which the ballot is held exclusive of the day on which it is held:

Provided that any motion which is under the consideration of the Council at the time of an adjournment shall be taken as the first item of non-official business of the same class as itself on the next day available in that session for non-official business of that class.

IV

Standing Order No. 7.

7. (1) A list of business for the day shall be prepared by the Secretary and circulated to all members.

(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.

(3) No business requiring notice shall be set down for a day earlier than the period of the necessary notice.

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V

Standing Order No. 8.

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.

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.

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.

29-A. 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.

32. (1) At any time after a motion has been made a member may move "that the question be now put," and unless it shall appear to the President that such motion is an abuse of the rules of the Council or an infringement of the rights of reasonable debate, the question "that the question be now put" shall be put forthwith and decided without amendment or debate.

(2) When the motion "that the question be now put" has been carried, the question on the motion, the debate on which has thus been terminated, shall be put and decided without amendment or further debate.

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IX

Standing Order No. 37.

37. (1) At any time after a Bill has been introduced and published in the Gazette, the member in charge of the Bill may make one of the following motions in regard to his Bill, namely :—

- (a) that it be taken into consideration by the Council either at once or at some future day to be then specified ; or
- (b) that it be referred to a Select Committee ; or
- (c) that it be circulated for the purpose of eliciting opinion thereon :

Provided that any member may object to any such motion being made unless the member in charge has given at least six clear days' notice to the Secretary, **after publication of the Bill in the Gazette**, and such objection shall prevail unless the President, in the exercise of his discretion, allows the motion to be made.

(2) On the day on which any such motion is made, or on any subsequent day to which the discussion thereof is postponed, the principle of the Bill and its general provisions may be discussed, but the details of the Bill must not be discussed further than is necessary to explain its principle.

X

Standing Order No. 39.

39. (1) The Member of the Government in charge of the department to which the Bill relates and the member who introduced the Bill shall be members of every Select Committee.

(2) The other members of the Committee shall be named by the Council when the motion that the Bill be referred is made, or at any subsequent sitting. **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.**

(3) **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 ; or
- (iv) report within a particular time.

(4) **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.**

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(5) **In the case of an equality of votes in the Committee the person presiding shall have a second or casting vote.**

(6) **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.**

(7) A Select Committee may hear expert evidence and the representatives of any special interests affected by the measure before them.

(8) The Secretary of the Legislative Council shall be the ex-officio Secretary of the Select Committee and send notices of its meetings and conduct all correspondence connected with its business.

XI

Standing Order No. 40.

40. (1) After publication of a Bill in the Gazette, the Select Committee to which the Bill has been referred shall make a report thereon.

(2) Reports may be either preliminary or final **and shall be authenticated by the signature of the person presiding.**

(3) The Select Committee shall, in their **final** report, state whether or not, in their judgment, the Bill has been so altered as to require republication, whether the publication directed by the rules or by the Council has taken place, and the date on which the publication has taken place, or, if publication in more than one language has been ordered, the date on which the publication in each such language has taken place.

XI-A

Standing Order No. 41.

41. The report of the Select Committee, **the minutes of the proceedings of the Committee as approved by the person presiding** and if the Bill has been amended, the Bill, as amended by the Committee, shall be printed and copies furnished to each member of the Council. **The report** and, if the Bill has been amended, the Bill, as amended, or such portion thereof as may have been amended, shall also, unless otherwise directed by the Select Committee, be published in the *Fort St. George Gazette* in the languages in which the original Bill was published.

XIII

Standing Order No. 43.

43. (1) After the presentation of the final report of a Select Committee on a Bill the member in charge may move—

- (i) that the Bill, as reported by the Select Committee, be taken into consideration, but any member may object to its being

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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, or if three months have not elapsed from the date of the first publication of the Bill; and such objection shall prevail unless the President, in the exercise of his power to suspend this order allows **such Bill** to be taken into consideration; or

(ii) that the Bill be recommitted either—

- (a) as a whole, or
- (b) with respect to particular clauses or amendments only, or
- (c) with instructions to the Select Committee to make some particular or additional provision in the Bill.

(2) If the member in charge moves that the Bill be taken into consideration, any member may move as an amendment that the Bill be recommitted.

XIV

Standing Order No. 48.

48. (1) If no amendment be made when a motion that a Bill be taken into consideration has been agreed to by the Council, the Bill may at once be passed.

(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.

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APPENDIX III.

[Vide item V—at page 582 supra.]

BILL No. 8 OF 1933.

A Bill to amend the Madras Nurses and Midwives Act, 1926, for certain purposes.

To

THE HONOURABLE THE LEGISLATIVE COUNCIL
OF THE GOVERNOR OF MADRAS.

WE, the Members of the Select Committee appointed to consider the Bill to amend the Madras Nurses and Midwives Act, 1926, for certain purposes (Bill No. 8 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 20th June 1933, in Tamil, Telugu and Malayalam on the 25th July 1933, and in Kanarese and Hindustani on the 18th July 1933.

3. We met on the 29th September 1933 and decided to hear the views of the Surgeon-General with the Government of Madras, the Director of Public Health and a representative of the Nurses' Association, Madras, in person, in respect of the Bill. They accordingly appeared before us on the 26th January 1934, and stated their views.

4. We agree that the constitution of the Madras Nurses and Midwives Council should be modified in the manner proposed in the Bill; but with a view to give additional representation to private nurses and midwives, we have included a representative of the Nurses' Association of Madras in the Council. We have also made it clear that the representatives of the various nurses' associations on the Council and their electors should be persons registered under the Act. We have substituted, in the place of the Director of Public Health, Madras, any Officer of the Public Health Department of Government nominated by the Government.

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5. A copy of the Bill as amended by us is annexed and we think that it need not be re-published.

1. C. NATESAN.
2. H. M. JAGANNATHAM.
3. M. D. T. RANGANATHA MUDALIAR.
4. C. BASU DEV.
5. U. C. S. BHATT.
6. V. M. RAMASWAMY.
7. P. V. KRISHNAIAH CHOWDARI.
8. G. R. PREMAYYA.
9. K. ALAMELMANGATHAYARAMMA.
10. C. JAYARAM.
11. V. T. ARASU.
12. V. NADIMUTHU PILLAI.
13. W. W. LADDEN.
14. ABDUL HAMEED KHAN.
15. MAHOMED USMAN.
16. E. CONRAN SMITH.

[Note: Changes made by the Select Committee are shown in Clarendon type.]

BILL No. 8 OF 1933.

A Bill to amend the Madras Nurses and Midwives Act, 1926, for certain purposes.

(As amended by the Select Committee.)

Short title
and com-
mencement.

WHEREAS it is expedient to amend the Madras Nurses and Midwives, Act, 1926, for the purposes hereinafter appearing;

Madras
Act III of
1926.

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. (1) This Act may be called the Madras Nurses and Midwives (Amendment) Act, 1934.

(2) Sub-clause (b) of clause (i) of section 2 shall come into force on such date as the Local Government may, by notification in the *Fort St. George Gazette*, appoint. The remaining provisions of this Act shall come into force at once.

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Madras
Act III of
1926.

2. In section 3 of the Madras Nurses and Midwives Act, 1926—

Amendment
of section 3.

(i) in sub-section (1)—

(a) clauses (b), (c), (d), (e), (f) (g) and (h) shall be re-lettered (c), (d), (e), (f), (g), (h) and (l) respectively and the following shall be inserted as clause (b), namely:—

“(b) an officer of the Public Health Department of Government nominated by the Government;”

(b) in clause (f) as so re-lettered, for the words “two Registered Medical Practitioners, one of whom shall be a woman”, the words “one Registered Medical Practitioner” shall be substituted;

(c) in clause (h) as so re-lettered, the word ‘and’ at the end shall be omitted;

(d) after clause (h) as so re-lettered, the following clauses shall be inserted, namely:—

(i) one member registered under this Act elected by the members of the Trained Nurses’ Association of India, who are also so registered;

(j) one member registered under this Act elected by the members of the Nurses’ Association of Madras who are also so registered;

(k) one member registered under this Act elected by the members of the Nurses Auxiliary of the Christian Medical Association of India [(South India Branch), who are also so registered and;

(e) the proviso shall be omitted; and

(ii) in sub-section (2), the words and figure “except members nominated under the proviso to sub-section (1) who shall hold office till the expiry of one year from the commencement of this Act” shall be omitted.

[8th March 1934]

APPENDIX IV.

[Vide item VI—at page 583 supra.]

BILL No. 7 OF 1934.

A Bill to amend the Madras Local Authorities Entertainments Tax Act, 1926, for certain purposes.

WHEREAS it is expedient to amend the Madras Local Authorities Entertainments Tax Act, 1926, for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

Short title.

1. This Act may be called the Madras Local Authorities Entertainments Tax (Amendment) Act, 1934.

Amendment
of section 3,
Madras Act
V of 1927.

2. In sub-section (5) of section 3 of the Madras Local Authorities Entertainments Tax Act, 1926—

(i) after the words “substantial portion of the income is derived,” the words “or is likely to be derived” shall be inserted ; and

(ii) after the existing proviso, the following proviso shall be added, namely :—

“Provided further that in cases of urgency, an application under this sub-section may be made on behalf of the local authority concerned, by the Commissioner in the case of the Corporation of Madras, by the executive authority in the case of any other municipality and by the president in the case of a local board. A report of such application having been made shall be made to the local authority at its next meeting.”

Madras
Act V of
1927.

STATEMENT OF OBJECTS AND REASONS.

Under sub-section (5) of section 3 of the Madras Local Authorities Entertainments Tax Act, 1926 (Madras Act V of 1927), which relates to the levy of entertainments tax in areas situated within the limits of one local authority but within five miles of the limits of another local authority, on the application of the latter authority two essential conditions have to be satisfied, namely :—

(1) there should be an application from the latter local authority in respect of each individual place of entertainment ; and (2) the Local Government have to be satisfied that a

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substantial portion of the income is derived from the area of that local authority. For complying with the first condition, it is necessary that the local authority concerned should meet and decide in each case whether an application should be made or not ; and it is not easy to fulfil either this condition or the second condition where the entertainment lasts only for a short period. It is therefore considered desirable to amend sub-section (5) of section 3 of the Act so as to provide (a) for the Local Government sanctioning the levy of the tax after satisfying themselves that a substantial portion of the income is likely to be derived from the local area concerned and (b) for the executive authority of the local authority concerned making an application on its behalf in cases of urgency.

FORT ST. GEORGE,
27th January 1934.

RAJA OF BOBBILI.

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Friday, the 9th March 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. | Nanjappa Bahadur, Subadar-Major, S. A. |
| Krishnan Nayar, Kt., The Hon. Diwan Bahadur Sir M. | Narasa Reddi, Mr. T. |
| Campbell, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., The Hon. Sir Archibald. | Narasimhaswami, Rao Sahib D. V. |
| Stokes, K.C.I.E., C.S.I., I.C.S., The Hon. Sir Hopetoun. | Narayanan Nambiyar, Mr. V. P. |
| Raja of Bobbili, The Hon. the . | Natesa Mudaliyar, Rao Bahadur C. |
| Rajan, The Hon. Mr. P. T. | Palat, Mr. R. M. |
| Kumaraswami Reddiyar, The Hon. Diwan Bahadur S. | Pannirselvam, Rao Bahadur A. T. |
| Abdul Hameed Khan Sahib Bahadur. | Patro, Kt., Rao Bahadur Sir A. P. |
| Ahmed Meeran Sahib Bahadur. | Pattabhiramayya, Mr. K. |
| Alamelumangathayaramma, Mrs. K. | Pattagar of Palayakottai. |
| Appadurai Pillai, Diwan Bahadur A. | Pocker Sahib Bahadur, B. |
| Arasu, Mr. V. T. | Premayya, Mr. G. R. |
| Ari Gewder, Mr. H. B. | Rajagopal Pillai, Mr. P. V. |
| Basheer Ahmed Sayeed Sahib Bahadur. | Raja of Khallikotte. |
| Basu Dev, Mr. C. | Ramachandra Padayachi, Mr. P. K. |
| Bayappa Reddi, Mr. P. | Ramachandra Rao, Diwan Bahadur M. |
| Birley, Mr. F. | Ramakrishna Reddi, Mr. A. |
| Devadasan, Mr. M. | Ramalingam Chettiyar, Rao Bahadur T. A. |
| Dharmalingam Pillai, Rao Sahib V. | Ramamurti, Rao Sahib Pandit Ganala. |
| Duraiswami Reddiyar, Mr. K. M. | Raman Menon, Mr. K. P. |
| Ellappa Chettiyar, Diwan Bahadur S. | Ramaswami Ayyar, Mr. T. S. |
| Foulkes, Mr. R. | Ramaswami Mudaliyar, Mr. V. M. |
| Gopalaswami Ayyangar, Diwan Bahadur N. | Ranganatha Mudaliyar, Mr. A. |
| Harischandrudu Nayudu, Mr. A. | Ranganatha Mudaliyar, Mr. G. |
| Hood, I.C.S., Mr. H. M. | Ranganatha Mudaliyar, Mr. M. D. T. |
| Jagannatham, Mr. H. M. | Rangaswami Reddi, Mr. M. B. |
| Jayaram Nayudu, Rao Sahib C. | Sami Venkatachalam Chetti, Mr. |
| Kesavaramamurti Nayudu, Mr. K. | Shetty, Mr. A. B. |
| Koti Reddi, Mr. K. | Siva Raj, Rao Sahib N. |
| Krishnayya Choudari, Mr. P. V. | Smith, C.I.E., I.C.S., Mr. E. Conran. |
| Krishnamurti, Rao Bahadur D. | Soundara Pandian, Mr. W. P. A. |
| Krishnan, Mr. C. | Sreshta, Mr. M. S. |
| Krishnaswami Ayyar, Kt., Diwan Bahadur Sir Alladi. | Srinivasan, Rao Bahadur R. |
| Ladden, Mr. W. W. | Sriramulu, Mr. G. |
| Lakshmana Reddi, Mr. G. | Subbarayan, Dr. P. |
| Madanagopal Nayudu, Mr. R. | Subrahmanya Chetti, Rao Sahib P. |
| Mahmud Schamnad Sahib Bahadur. | Subrahmanya Bhatt, Mr. U. C. |
| Khan Bahadur. | Sundara Rao Nayudu, Mr. T. |
| Manikkavelu Nayakar, Mr. M. A. | Syed Tajuddin Sahib Bahadur, Khan Sahib. |
| Metherell, Mr. J. K. | Thangal, Mr. P. M. |
| Moses, Mr. P. C. | Thorne, C.I.E., I.C.S., Mr. J. A. |
| Muniswami Nayudu, Diwan Bahadur B. | Vasudeva Pillai, Mr. V. G. |
| Muniswami Pillai, Rao Sahib V. I. | Venugopala Nayudu, Rao Bahadur R. K. |
| Muthiah Chettiyar, Mr. M. A. | Viswanatha Rao, Diwan Bahadur V. N. |
| Nachiyappa Gounder, Mr. K. A. | Yahya Ali Sahib Bahadur, Khan Bahadur. |
| | Yakub Hasan Sahib Bahadur. |
| | Zamindar of Mirzapuram. |

[9th March 1934]

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Agriculture

Provision of marketing facilities for paddy and other produce.

* 746 Q.—MR. K. S. SIVASUBRAHMANYA AYYAR: Will the Hon. the Minister for Public Works be pleased to state the reply of the Agent of the South Indian Railway Company said to be awaited in clause (b) of the answer to question No. 354, dated 4th November 1933?

A.—The attention of the hon. Member is invited to the answer to question No. 541 given on 30th January 1934.

MR. V. M. RAMASWAMI MUDALIYAR:—“ May I ask, Sir, whether any facilities have been applied for to be granted by the Madras and Southern Mahratta Railway, and if not, why not? ”

The Hon. MR. P. T. RAJAN:—“ I do not think, Sir, the Madras and Southern Mahratta Railway, have been addressed on the matter; there was no occasion for that.”

MR. V. M. RAMASWAMI MUDALIYAR:—“ Will the Hon. the Minister be pleased to consider the question of addressing the Madras and Southern Mahratta Railway, to give facilities for the free movement of rice from different parts of the Province and between different Provinces, if necessary? ”

The Hon. MR. P. T. RAJAN:—“ The hon. Member's suggestion will be considered.”

MR. A. B. SHETTY:—“ May I know what the facilities given by the South Indian Railway are and for what period? ”

The Hon. MR. P. T. RAJAN:—“ I am afraid I cannot answer that off-hand; but the South Indian Railway have reduced their rates in order to facilitate the free movement of paddy from both the South Arcot and the Tanjore districts, and the concession holds good until further notification.”

RAO BAHADUR T. A. RAMALINGAM CHETTIYAR:—“ Is it a fact that the Ceylon Railway are increasing their rates? ”

The Hon. MR. P. T. RAJAN:—“ I am afraid I cannot answer it.”

Provision of marketing facilities for paddy and other produce.

* 747 Q.—MR. A. PL. N. V. NADIMUTHU PILLAI: Will the Hon. the Minister for Public Works be pleased to state—

(a) the reply of the Agent of the South Indian Railway Company said to be awaited in clause (b) of question No. 354, answered on the 4th of November 1933?

A.—The attention of the hon. Member is invited to the answer given to question No. 541 on 30th January 1934.

[9th March 1934]

Irrigation

Progress of the Palar River Committee.

* 748 Q.—MR. M. B. RANGASWAMI REDDI: Will the Hon. the Member for Revenue be pleased to state—

- (a) whether the Palar Committee has sent its report; and
- (b) at what stage the Committee's work stands?

A.—(a) The Committee sent its report on 28th February 1931.

- (b) The Committee suggested among other things that the Mysore Government should be asked to supply certain statistics relating to the tanks in the Palar basin in Mysore State. The information was first asked for on 27th April 1931. As a result of discussion at the conference held at Bangalore on the 4th and 5th September 1933 the Mysore Government 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. The result of this examination is awaited.

MR. V. M. RAMASWAMI MUDALIYAR:—“ May I know from the Hon. the Revenue Member whether he has had any thing further to announce? ”

The Hon. SIR ARCHIBALD CAMPBELL:—“ I am afraid not, Sir.”

Standing orders, if any, regulating the supply of water for irrigation, etc., in the Kistna delta.

* 749 Q.—MR. G. SIMHACHALAM PANTULU: “ Will the Hon. the Member for Revenue be pleased to state—

- (a) whether there are any printed standing orders governing (i) the regulation and supply of water to (1) paddy, (2) turmeric, (3) garden crops; (ii) the filling of drinking water tanks in the Kistna delta; and

- (b) whether they are available to all Public Works and Revenue officials and also for sale to the public?

A.—(a) (i) Yes.

- (ii) No; but the tanks are filled on dates previously notified in the District Gazette.

- (b) The rules are available to Public Works and Revenue officials. The Board's Standing Orders and the *Guntur District Gazette*, dated 17th September 1932 (the latter containing the rules for the supply of water to turmeric and garden crops in the Kistna Western Delta), are available for sale to the public.

[9th March 1934]

Contributions from the ryotwari landholders under the Tirumalaikozhunthupuram channel for the construction of a new channel.

* 750 Q.—Mr. M. DEVADASAN: Will the Hon. the Member for Revenue be pleased to state with regard to the Tirumalaikozhunthupuram drainage channel in the Tinnevelly district—

(a) whether the ryotwari landholders whose lands have been served by the channel have been called upon to pay any contributions towards the cost of the construction of a new channel and, if so, what the amount of the same is;

(b) if not, whether there is any proposal to ask for any such contribution and, if so, what the amount is; and

(c) whether it is the policy of Government to demand such contributions and whether the Government will be pleased to make a statement explaining their policy in regard to contributions from ryotwari landholders?

A.—(a) & (b) The ryots were consulted and they have offered to pay a contribution of Rs. 4,248.

(c) The Government invite contributions towards the cost of works which without such contributions would have to be dropped on financial grounds.

Land Revenue Administration

Circular of the Tahsildar of Tinnevelly, dated the 6th January 1934, to the Village Officers regarding kist collection.

* 751 Q.—Mr. AHMED MEERAN: Will the Hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the Tahsildar of Tinnevelly taluk in the district of Tinnevelly has issued a circular, dated 6th January 1934, according to paragraph 15 of which a good service entry will be given to those village officers who make a return of nil arrears in respect of the second instalment of kist and those who keep any amount in arrears are liable to be suspended;

(b) whether, as mentioned in paragraph 14 of the circular, the District Collector of Tinnevelly has arranged for loans to be advanced to landholders at low rates of interest on pledge of jewels; and if so, what the rate is of the interest;

(c) whether similar circulars have been issued by other Tahsildars in the Tinnevelly district; and

(d) whether the above circular was issued with the approval of the Government?

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

(d) The Government have not been approached for approval of any instructions of the kind mentioned.

9th March 1934]

Record-of-Rights

Preparation of record-of-rights in the estates in the Ganjam district.

* 752 Q.—Mr. BASHEER AHMED SAYEED: Will the Hon. the Member for Revenue be pleased to state—

(a) the estate or estates in which operations relating to the preparation of record-of-rights including also commutation of money rents under Chapter XI of the Estates Land Act of 1908, are being carried on in the district of Ganjam;

(b) whether it is a fact that the above operations are carried out now on the application and deposit of expenses by the ryots long before the depressions began;

(c) whether the Government are aware of the fact that the ryots have now been requesting the Collector of Ganjam and the Board of Revenue to stop the operations on the ground of inability to contribute any further for the expenses of these operations and that they have not been able to find money to obtain legal help or to meet expenses (both private and public) connected with these operations; and

(d) whether the Government have given their consideration to these and such other representations on this question and what the conclusions are, if any, arrived at?

A.—(a) Khallikota, Atagada, Dharakota, Parlakimedi, Surangi and certain villages in other estates.

(b) Under section 164 of the Madras Estates Land Act, either the landholder or ryots may ask Government to direct that a survey be made and a record-of-rights be prepared on depositing or furnishing security for such amount for the payment of expenses as the Government may direct. Applications were received from landholders as well as from ryots. The operations are in progress.

(c) & (d) Recently there was representation to the Collector of Ganjam from the ryots of Bahadapalli village in the Khallikote estate that the settlement of rents should not be proceeded with in view of the present economic depression. The Board has recommended the cancellation of the orders of Government directing the settlement of rents in respect of this village. Orders have been issued accordingly.

Emigration

Emigration to Malaya.

* 753 Q.—Mr. M. B. RANGASWAMI REDDI: Will the Hon. the Home Member be pleased to state—

(a) whether it is a fact that the Central Government have sent a communication to the Madras Government regarding Malaya emigration;

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(b) whether it has been replied to; and

(c) whether the Government will be pleased to lay the correspondence on the table of the House?

A.—(a) & (b) Yes.

(c) As the hon. Member is aware, 'Emigration' is a Central subject and correspondence relating to it cannot be placed on the table of this House without the consent of the Government of India.

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I know whether the Hon. the Home Member can give us an idea as to the number of emigrants that go from this Presidency to Malaya?"

The Hon. Sir MAHOMED USMAN:—"I must ask for notice of the question."

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I ask whether the Government have got any statistics regarding the number of emigrants who go to Malaya from this Presidency?"

The Hon. Sir MAHOMED USMAN:—"I must ask for notice."

UNSTARRED QUESTIONS**Agriculture***Provision of marketing facilities for paddy and other produce.*

754 Q.—Mr. G. RANGANATHA MUDALIYAR: Will the Hon. the Minister for Public Works be pleased to state the reply of the Agent of the South Indian Railway Company said to be awaited in clause (b) of the answer to question No. 354, dated the 4th November 1933?

A.—The attention of the hon. Member is invited to the answer given to question No. 541 on 30th January 1934.

Irrigation*Contributions from the ryotwari landholders for the construction of a permanent anicut to the Kodaimel Alagian anicut, Tinnevely district.*

755 Q.—Mr. DANIEL THOMAS: Will the Hon. the Member for Revenue be pleased to state with regard to the Kodaimel Alagian anicut on the Tambraparni river in the Tinnevely district—

(a) whether the ryotwari landholders under the Kodaimel Alagian canals have been called upon to pay any contribution towards the cost of the construction of the proposed permanent anicut either by the Government or by the local officers and, if so, what the amount of the contribution asked for is;

(b) if not, whether there is any proposal to ask for any such contribution, and, if so, what the amount is of the same; and

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(c) whether the Government will be pleased to make a statement explaining their policy in regard to contributions from ryotwari landholders?

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

(c) The Government invite contributions towards the cost of works which without such contributions would have to be dropped on financial grounds.

Supply of water to the Velliyur tank from the Karikulavakkam Thangal.

756 Q.—Rao Sahib V. DHARMALINGAM PILLAI: Will the Hon. the Member for Revenue be pleased to state—

(a) whether the surplus of Karikulavakkam Thangal I.T. No. 477, Tiruvallur taluk, Chingleput district, has been taken as a further supply to Velliyur tank I.T. No. 478 in the year 1919;

(b) whether it is a fact that the Velliyur villagers received no supply to their tank I.T. No. 478 for the last 15 years from Thangal No. I.T. 477; and

(c) whether it is a fact that the Velliyur villagers petitioned to the authorities (Revenue and Public Works Department) to merge the two sources I.T. Nos. 477 and 465 into one source and provide a supply to their tank from the combined source?

A.—(a) to (c) The Government have not the information but will enquire.

Land Revenue Administration*Extent of damage caused by floods in the Tinnevely district during the last 20 years.*

757 Q.—Mr. DANIEL THOMAS: Will the Hon. the Member for Revenue be pleased to state—

(a) whether his attention has been drawn to resolution No. XVIII about flood damage in the Tinnevely district passed by the Tinnevely District Conference on 21st January 1934; and

(b) the amounts of the estimated damage or loss to (i) the Government, (ii) the people, (iii) local bodies, and (iv) railways caused by floods in the Tambraparni river, during each year of flood in the past 20 years?

A.—(a) Yes.

(b) Information regarding the floods of November 1933 is contained in the reports of the Collector and the officers of the Public Works Department, of which extracts^a are laid on the table. Information for the nineteen previous years cannot be easily obtained.^a Printed as Appendix on pages 666-671 infra.

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Forests

Resolution of the Tinnevely District Conference, dated the 21st January 1934, regarding disafforestation in the Singampatti hills.

758 Q.—Mr. DANIEL THOMAS: Will the Hon. the Law Member be pleased to state—

(a) whether his attention has been drawn to resolution No. XII of the resolutions of the Tinnevely District Conference, dated 21st January 1934, about disafforestation in Singampatti hills; and

(b) whether they will be pleased to place on the table all the reports of the officers who have inspected the locality during the past seven years?

A.—(a) Yes.

(b) The Government do not consider that it is in public interest to place the reports on the table of the House; for the information of the House, it may be mentioned however that the reports of the inspecting officers did not indicate that the opening of a portion of the area for tea cultivation was in any way harmful to the water-supply in the Tambraparni.

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

II.—A BILL TO AMEND THE MADRAS HINDU RELIGIOUS ENDOWMENTS ACT, 1926 (BILL No. 3 OF 1934).

* The Hon. the PRESIDENT:—“ I appoint Mr. A. Ranganatha Mudaliyar as Chairman of the Select Committee on the Bill to amend the Madras Hindu Religious Endowments Act, 1926 (Bill No. 3 of 1934).”

III.—A BILL FURTHER TO AMEND THE MADRAS CO-OPERATIVE SOCIETIES ACT, 1932, FOR CERTAIN PURPOSES (BILL No. 8 OF 1934).

* The Hon. Mr. P. T. RAJAN:—“ Sir, I beg to introduce a Bill * further to amend the Madras Co-operative Societies Act, 1932, for a certain purpose (Bill No. 8 of 1934), and move that the Bill be taken into consideration.”

The Hon. the RAJA OF BOBBILI:—“ I second it.”

The motion was put and carried.

Clauses 1 and 2.

Clauses 1 and 2 were put and carried.

* Published in an extraordinary issue of the Fort St. George Gazette, dated the 2nd March 1934.

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Preamble.

The Preamble was put and carried.

* The Hon. Mr. P. T. RAJAN:—“ I now beg to move that the Bill be passed into law.”

The Hon. the RAJA OF BOBBILI:—“ I second it.”

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

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

* The Hon. the PRESIDENT:—“ I have to announce that the Madras Impartible Estates (Amendment) Act, 1934, received the assent of His Excellency the Governor on the 6th March 1934.”

V.—A BILL TO FACILITATE THE WORKING OF CO-OPERATIVE LAND MORTGAGE BANKS IN THE PRESIDENCY OF MADRAS (BILL No. 5 OF 1933).

* The Hon. Mr. P. T. RAJAN:—“ I beg to present the Report * of the Select Committee on the Bill to facilitate the working of Co-operative Land Mortgage Banks in the Presidency of Madras (Bill No. 5 of 1933) and move that the Bill, as amended by the Select Committee, be taken into consideration.”

The Hon. the RAJA OF BOBBILI:—“ I second it.”

The motion was put and carried.

Clause 1.

* The Hon. Mr. P. T. RAJAN:—“ I move, Sir—

‘ that in line 2 of clause 1, the figures “ 1933 ” be substituted by the figures “ 1934.” ’

The Hon. the RAJA OF BOBBILI:—“ I second it.”

The amendment was put and carried.

Clause 1, as amended, was put and carried.

Clause 2 was put and carried.

Clause 3.

* The Hon. Mr. P. T. RAJAN:—“ I beg to move—

‘ in clause 3—

“ (i) for sub-clause (c), substitute the following:—

‘ (c) “ Committee ” means, in relation to a mortgage bank, the board of directors or board of management or the panchayat or the committee of management or the governing body to whom the management of its affairs is entrusted.’

* Published in the Fort St. George Gazette, dated 13th June 1933.

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(ii) for sub-clause (f), substitute the following:—

‘(f) “Registrar” means the person appointed by the Local Government to be Registrar of Co-operative Societies for the Presidency of Madras under section 3 of the Madras Co-operative Societies Act, 1932.’

(iii) for sub-clause (g), substitute the following:—

‘(g) “Sale Officer” means the officer appointed under section 21, as the case may require.’”

With reference to item (i) of the amendment it is desirable that the same definition as is used in the Madras Co-operative Societies Act should be used here also. That is why this amendment is proposed.

“Item (ii) is for the purpose of making the definition more clear.

“With reference to item (iii), the object is to make the definition simple.”

The Hon. the RAJA OF BOBBILI:—“I second it.”

* The Hon. the PRESIDENT:—“Am I to understand that the Hon. Member has omitted ‘section 11 or’ in item (iii)?”

The Hon. Mr. P. T. RAJAN:—“Yes, Sir.”

* The Hon. the PRESIDENT:—“In that case, perhaps the words ‘as the case may require’ may also be omitted in item (iii).”

Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—“May I suggest, Sir, that item (iii) may stand over? In view of a further amendment which the Hon. the Minister is going to move, the words ‘section 11 or’ may become unnecessary here. If that amendment is not carried, these words will have to remain here; but if that is passed, they may have to be omitted. I therefore suggest that items (i) and (ii) may be passed now and item (iii) may stand over.”

* The Hon. the PRESIDENT:—“I think it is agreed that item (iii) should stand over. I shall now put items (i) and (ii) to the vote of the House.”

Items (i) and (ii) of the amendment were put and carried.

* The Hon. the PRESIDENT:—“Clause 3, as amended, will stand over.”

Clause 4.

Sub-clause (1) (a).

* The Hon. Mr. P. T. RAJAN:—“Sir, in clause 4, I move—

‘that in sub-clause (1) (a), the words “and of the other properties of such bank” be added at the end.’

“This is with a view to vest the other properties of the bank also in the trustee referred to in clause 5 of the Bill; and debentures may also be issued on the security of such other properties. In that view, I move the amendment.”

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The Hon. the RAJA OF BOBBILI:—“I second it.”

The amendment was put and carried.

Sub-clause (1) (b).

* The Hon. Mr. P. T. RAJAN:—“Mr. President, Sir, I move that— 11-15 a.m.

‘(i) in line 3, for the words “such debentures,” substitute the word “they.”’

‘(ii) in lines 7-8, after the words “three months’ notice” add the words “in writing.”’

The amendment was put and carried.

Sub-clause (2).

* The Hon. Mr. P. T. RAJAN:—“Mr. President, Sir, I move that—

‘in lines 3-6, for the words “shall not exceed the total amount due on mortgages—for the time being and other assets,” substitute the words “shall not exceed the total amount due on the mortgages, the amounts paid thereunder and remaining in the hands of the Board or of the trustee at such time and the value of all other assets.”’

“This amendment is intended to include within the limits laid down not only the amounts remaining in the hands of the Board but also those that are in the hands of the trustee to make the whole clause more clear.”

Diwan Bahadur M. RAMACHANDRA RAO:—“I second it.”

The amendment was put and carried.

Clause 4, as amended, was put and carried.

Clause 5.

* The Hon. Mr. P. T. RAJAN:—“Mr. President, Sir, I move that—

‘(i) in lines 9-13, for the third sentence, substitute the following:—

“The holders of the debentures shall have a floating charge on all such mortgages and assets on the amount paid under such mortgages and remaining in the hands of the Board or of the trustee and on the other properties of the Central Mortgage Bank.”’

“The holders of debentures have a floating charge on all mortgages and assets and properties of the Central Mortgage Bank. This amendment is intended to make the point more clear.”

Diwan Bahadur M. RAMACHANDRA RAO:—“I second it.”

The amendment was put and carried.

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* The Hon. Mr. P. T. RAJAN:—" Mr. President, Sir, I beg to move that—

- (ii) *in the last sentence, omit the words and brackets " [referred to in appendix],"*
- (iii) *in line 16, for the word " Board," substitute the word " Bank." "*

Diwan Bahadur M. RAMACHANDRA RAO:—" I second it."

Diwan Bahadur B. MUNISWAMI NAYUDU:—" Mr. President, Sir, I do not understand the position of Government. We have yet to hear what the reasons of the Government are for omitting the draft trust deed annexed to the Bill.

" As regards the trust deed may I state that there are supplemental trust deeds executed to suit the circumstances of each case and it has been found necessary to amend the trust deeds from time to time and the question of amendment has been under consideration for some time past and I believe that the Registrar has placed the whole matter before the Government and the matter is now under consideration by them. It was pointed out in the Select Committee that preferential legislation should be avoided. After all the trust deeds are executed between the Registrar and the Central Bank, I think it would be of no value whatever to have a model deed as this printed as a appendix and its omission will not materially affect this legislation."

* Mr. V. T. ARASU:—" Mr. President, Sir, I am not convinced that there is any necessity for the amendments moved by the Hon. the Second Minister. The point raised by my hon. Friend, Mr. Muniswami Nayudu, was whether there is any necessity for omitting the words ' referred to in the appendix.' I think that point has not been met by the Expert Member who spoke just now. I would therefore request the Hon. Minister to plainly and clearly explain to this House as to what would be the effect if these words are retained and what purpose would be served by removing these words. I want a clear explanation from the Hon. the Minister."

Diwan Bahadur M. RAMACHANDRA RAO:—" It is proposed to omit the form of trust deed altogether from the appendix. We went into this question in the Select Committee just at the last stage of the proceedings of the Committee and the trust deed has been printed as a result of a suggestion made at the time. Afterwards we found on examination that the form of the trust deed such as that printed in the appendix would not do for there are a number of conditions in accordance with which the trust deeds have to be executed. As I said the whole question is under examination both by the Government and the Registrar. In view of the experience that has been gained new trust deeds would be required. And it will not be a correct proceeding to print a trust deed which is out of date. I venture to think therefore that nothing would be lost if the trust deed is omitted for the Bill and the reference to it in clause 5 is also omitted."

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Diwan Bahadur B. MUNISWAMI NAYUDU:—" The object of having this appendix seems to be to have a sort of model trust deed appended to the Bill. At the same time it is provided in clause 6 that the trust deed can be modified from time to time by mutual agreement between the Board and the Trustee. The deed as it stands would be the basis for further alterations between the trustee and the bank by mutual agreement. I do not see why the intention of this appendix is objected to."

The amendment was put and carried.

Clause 5, as amended, was put and carried.

Clause 6.

* The Hon. Mr. P. T. RAJAN:—" Mr. President, Sir, I move—
' that for clause 6 the following be substituted:—

" 6 (1) *Save as otherwise provided in sub-section (2), the principal and interest on the debentures issued under section 4 shall carry the guarantee of the Local Government subject to such conditions as they may think fit to impose.*

(2) *The Local Government may, after consulting the Board and the Trustee*

(a) *by notification in the Fort St. George Gazette; and*

(b) *by notice for not less than 14 days in such of the principal newspapers in the Presidency of Madras and of the other Provinces in British India as the Local Government may select in this behalf*

discontinue the guarantee referred to in sub-section (1) or restrict the extent thereof or modify the conditions subject to which it is given, with effect from a specified date, not being earlier than six months from the date of publication of the notification in the Fort St. George Gazette.

In cases where the extent of guarantee is to be restricted or the conditions subject to which it is given are to be modified, the notification and the notice aforesaid shall set forth with sufficient clearness the scope and effect of the restriction or modification.

Explanation.—*The withdrawal, restriction or modification of any guarantee under this sub-section shall not affect in any way the guarantee carried by any debentures issued prior to the date on which such withdrawal, restriction or modification takes effect."*

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" Clause 6 as passed by the Select Committee guarantees the principal and interest indefinitely. By this amendment the Government have taken powers to withdraw their guarantee if it is found necessary, when the bank has no need for the financial help of the Government and secondly the procedure is laid down, if Government wishes to make changes what lines should be followed in giving effect to this change. I hope the House will accept the amendment."

The Hon. the RAJA OF BOBBILI:—" I second it."

11-30
a.m.

Diwan Bahadur B. MUNISWAMI NAYUDU:—" Mr. President, Sir, I move the amendment standing in my name:—

' To the amendment proposed to be moved by the Hon. the Minister, add at the end of sub-clause (1) the following:—

" The Government shall fix the maximum amount up to which such guarantee shall operate and may increase the amount from time to time. The Government shall lay its proposals to extend the amount of guarantee after the passing of this Act by a motion before the Legislative Council and shall consider its opinion before final orders are passed."

" Sir, it will be seen that this section is the pivot of the whole Bill, because the mortgage bank has to function only on the guarantee of the Government. The original Bill as introduced guaranteed only interest and it also went further that such guarantee should be extended from time to time by the Government subject to the approval of the Local Legislative Council. When the section went before the Select Committee, they dropped the question of the approval of the Legislative Council, but they added the guarantee of principal also, so that hereafter the Board would issue the debentures and the Provincial Government would see that principal and interest are guaranteed. It is rather extraordinary that the local Legislative Council should have no voice in the finances of the Government and over the acts of the Board. The only thing provided is, that the Registrar of Co-operative Societies, who is the representative of the Government, will be the trustee who will be in charge of the debentures that are issued by the bank. Sir, I should think that if the finances of the Local Government are to be committed in this manner unconditionally, the Local Legislative Council should have a voice from time to time and it should be in a position to review the administration of these banks, to consider to what extent the banks have been running in the right direction and to see whether it is advisable to give further guarantees so far as the debentures are concerned. Though the Hon. the Minister signed the report of the Select Committee without a minute of dissent, the Government evidently

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seems to have examined the section and are now of the opinion that it is the right of Government to lay such conditions as they think fit before seeing how the guarantee operates, that it is the right of Government to vary the functions and that it is the right of the Government to drop the guarantee from time to time. Now, Sir, all that we ask for is—and it was also the intention of the original Bill—that before guarantee is extended from time to time to cover future debentures that might be issued, the matter should come before the Legislative Council in the form of a proposal by the Government. My amendment merely says that the opinion of the House as expressed on that motion should be considered by the Government before Government finally approve of the further issue of debentures. The Bill originally introduced even went further and wanted the affirmative approval of the Legislative Council for such extension, whereas my amendment merely wants that the opinion of the Council should be taken by the Government before they approve of it. We do not want that the hands of the Government should be tied. My hon. Friend from Coimbatore who represents the co-operative societies wants even affirmative approval of the Council. So far as my amendment is concerned, the Local Government have already given a guarantee with regard to interest and before that guarantee was given the proposal did come before the Legislative Council and we approved of it. The effect of the present amendment is that in addition to the guarantees already given to debentures issued already, so far as the debentures issued after the passing of this Act are concerned, the finances of the Province ought to stand guarantee and that before those proposals are approved by Government, they should come up before the Legislative Council, and the Council should express its opinion and later on Government may pass such orders as they think fit. As I said, my amendment is not so drastic as the original Bill itself and I therefore hope that Government will see their way to accept the amendment, especially as by their own amendment they are trying to take power in respect of the continuance of the guarantee on such conditions as they might think fit. This is an important matter and involves the charging of the revenues of the Government for debentures to be issued by the Board, though no doubt two members of the Board, one the Registrar of Co-operative Societies and another person appointed by Government, are there to represent the interests of Government; but that by itself would not sufficiently carry the influence of Government. The Board will certainly be constituted by other members who may out-number and out-vote the Registrar. I think, therefore, it is in fairness to this House that before the Provincial revenues are charged to guarantee not merely interest but also principal, the Council should be taken into the confidence of the Government from time to time, before further debentures are issued and before committing themselves in respect of such debentures to guarantee from out of the Provincial revenues both principal and interest. With these words I commend the motion for the acceptance of the House."

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* Dr. P. SUBBARAYAN:—" Mr. President, I second the amendment so ably moved by my hon. Friend, Mr. Muniswami Nayudu, because I think that the finances of the Government ought not to be committed by one stroke of legislation as it is being done in this case. Even originally when the Government guaranteed interest for the amount raised by debentures by the land mortgage bank, the Government did come before this House and get its affirmative approval before they committed themselves to that measure. All that this amendment provides is that they should at least consult the Council before they commit themselves and the finances of the Province to this extent. I think that is a necessary restriction and ought to commend itself to the other Members of the House, because after all we are the representatives of the people here—no doubt Government have their own responsibility—but at the same time I think the Government will do well to get the advice of the Legislature before they commit themselves to private agencies of this kind and though they may be started under Government auspices, still they will be private societies controlled by private and ordinary individuals. Therefore, I do not think my hon. Friend, Mr. Muniswami Nayudu, has gone farther than necessary when he suggested this amendment. As my hon. Friend, Mr. Ramalingam Chetti, suggested, I would far rather have the clause amended in such manner as to get the affirmative approval of this Council before Government commit themselves in matters of guaranteeing both principal and interest in the case of debentures being raised by these land mortgage banks."

* The Hon. Mr. P. T. RAJAN:—" Mr. President, I am very glad to see that so much concern about public funds is being shown by hon. Members opposite. After all the Government, if not of the present day, at least of the future, will be the representative of the people and they will be there as the watch-dogs of the finances of the Province. Now, the Government is represented very strongly on the bank by its Registrar and one other nominated member and I think that the interests of the Government and the interests of the public are safeguarded, but I do not object to the amendment of my hon. Friend, Mr. Muniswami Nayudu, that an opportunity should be given to the Legislative Council before Government extend its guarantee to further amounts. I shall be glad to accept the amendment of my hon. Friend, Mr. Muniswami Nayudu."

Diwan Bahadur M. RAMACHANDRA RAO:—" Mr. President, I should like in this connexion to make one or two observations as regards the exact position—not that I am against the amendment of my hon. Friend, Mr. Muniswami Nayudu—and that is this. How far has the Government any real voice in the control of the land mortgage bank? That question has been raised and then a statement has been made that the trustee may be overruled by the Board or the members of the Board. In regard to this, I should like to point out, that under our by-laws

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and under the terms of this Bill, for the flotation of all new debentures, we should take the permission of the Registrar; the rate of interest and the amount are all suggested by the Board, but the final voice is with the trustee who is appointed by the Government and the trustee, at present, is the Registrar of Co-operative Societies. Therefore, the most effective control over the flotation of debentures, fixation of the rate of interest and the extent of the issue of debentures, is in the hands of the Government through its officers. That is one point.

" Secondly, I should also point out, that in the Board itself the Registrar is an ex officio Member and in addition to him, there is a nominee of the Government on the Board and apart from these two, a further arrangement has been come to between the Government and the Board—I do not think it will be pushed through very soon—by which another nominee should also serve on the Board. Therefore, there are three men on the Board watching the interests of the Government. There is absolutely no fear that the interests of the Government and the public would suffer in any manner whatever by the guarantee that is being given. (Mr. P. V. Krishnayya Choudari: 'We do not expect that so long as you are there.') According to the present system, we have ample guarantee for the safety of the bank and we are perfectly satisfied with the guarantee of interest. In the long correspondence that took place between the Government of India and the Madras Government for whose backing up in this matter, we are very grateful, the Government of India have suggested that until principal and interest are guaranteed they won't declare these debentures as trustee securities and that is the reason why both principal and interest have now to be guaranteed. The essential feature of these debentures is that they must be in circulation as easily as Government paper and that is the reason why these proposals have been made. I am looking forward to the time when there will be no difference whatever between the Government and the Legislature and the members of Government will be entirely responsible to the Legislature. My friend says that they should have a voice. It means that their own nominees would run the Government which will have the fullest confidence of the legislature. Therefore, I do not think there will be any difficulty whatever. All that I am anxious to see is that when you create a security on the collective responsibility of the lands it should be as easily negotiable and easily acceptable to the general public as other gilt-edged securities. Therefore it is that we have public as other gilt-edged securities. Therefore it is that we have proposed this section and if my hon. Friend, Mr. Muniswami Nayudu, thinks that there should be discretion to the Legislative Council, by all means there is no objection, but there will be also some difficulty in that. For instance, we have floated last year about 76 series of debentures gradually reducing rates of interest and if the reference to the Legislative Council involves any delay in the flotation of debentures, we may be rest assured that that would be one way of negating the good work that is being done by the introduction of this Bill. I have

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nothing more to say except that we are grateful to the Madras Government for the stand that they have made. I understand that a Bill would be shortly introduced in the Legislative Assembly for amending the Indian Trusts Act. After three years of serious struggle, in the end, I am very glad that the Madras Government have been able to persuade the Government of India to accept their proposal and now to consent to the guarantee both of principal and interest for the purpose of getting the debentures declared as trustee securities."

* Rao Bahadur Sir A. P. PATRO:—"Mr. President, I am glad that the hon. Member Mr. Muniswami Nayudu's amendment was wisely accepted by the Government. But for that, there would have been great controversy in regard to the matter as there would be in regard to two other matters."

11-45 a.m. "The whole Bill is framed in such a manner that I cannot congratulate the Government. We have to judge by the results and we have been judging it by what the results are in connexion with the Co-operative department. The working of the department in the mufassal has not been a success."

* The Hon. the PRESIDENT:—"May I request the hon. Member to reserve his congratulations to the third reading?"

* Rao Bahadur Sir A. P. PATRO:—"I am doing the other way. I am speaking on the contrary. From that point of view I prefer to leave the work to the hon. Member from Coimbatore, who pretends to be the expert and I leave the congratulations to him. I leave it to the Expert Member who has been kind enough to take the trouble to help the Council with his expert advice. Now he has assured us in his characteristic language, said in a patronizing way: 'You people be satisfied with this. We shall do everything for the purpose of getting through this Bill' and so on he gives his advice. But we have to do our humble part in trying to see that a perfect piece of work comes out of this Council which is worthy of this Council. Well, we are indebted to him for his assistance. But we are entitled to suggest amendments which are to have very far-reaching effects. I cannot congratulate the Government and the Finance Department that they have guaranteed the interest and the principal under the Bill. I think the Finance Department has been too generous in the matter with the people's money. They should have been more careful. Well, the Finance Department has been usually careful, but it is not fair and it is not very cautious in the matter of guarantees. The Bill, as it stood, was quite different from what is given notice of here. The Hon. Minister's amendment was quite different from what the clause as it stood was and but for the amendment which has been proposed by Mr. Muniswami Nayudu, there would have been a complete surrender of the whole power to the board and the trustee and we are asked to accept whatever recommendation they may make. That is what the Expert Member has asked us to do, viz., whatever the board does, the Government is represented by the

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Registrar and the public is represented by a Member and when the two are represented there, whatever decision they come to must be accepted as *ipse dixit*. That is too much even for Mr. Ramachandra Rao to expect this Council to do. What we want is that, whenever the guarantee is given, this House should have an opportunity of discussing the whole question and therefore the Minister has very rightly accepted the amendment. I do not see how any further explanation from the Expert Member enlightens us or leads us anywhere in this matter."

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"I am sorry the hon. Member from Berhampur has interceded in the debate without really reading the matter placed in his hands. Sir, the amendment moved by the Government does not give the *carte blanche* to the Central Land Mortgage Bank at all. As a matter of fact they are saying that from time to time they are going to impose conditions and they would consider whether they could continue the guarantee or not. They can even stop the guarantee altogether. If the hon. Member from Ganjam has seen the order paper circulated . . ."

* The Hon. the PRESIDENT:—"The hon. Member may address the Chair and speak louder please."

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"So, Sir, the amendment that is proposed by the Hon. the Minister makes provision for it. I was one of those who thought that any help that is given to the Central Land Mortgage Bank should come before this House from time to time and whenever it is given any facilities the matter should require the positive approval of this House. I have also annexed a minute of dissent to the report of the Select Committee. It has been said by the hon. Member for Ganjam that I did not want any restrictions and that I wanted in a patronizing way or otherwise to give *carte blanche* to the Bank or any other institution. On the other hand I wanted that the matter should come before the Legislative Council and that it should also receive its positive approval. Now, Sir, the amendment moved by the Hon. Minister, as amended by Mr. Muniswami Nayudu, makes the position not quite the same but very near that. The matter comes before the Legislative Council and it will be debated upon before the Legislative Council and the position of the Province as well as the position of the Land Mortgage Bank will be discussed by the Council and the opinion of the Council will be expressed and that will be taken into consideration by the Government. I take it, Sir, that the Government which hears the views will, to a large extent, be led by the views expressed in the Legislative Council and the opinion expressed by the vote of the Legislative Council. There is no fear that this Council will be ignored, nor that it will not be given an opportunity to discuss matters. So, I am glad that the Hon. Minister has accepted the amendment of Mr. Muniswami Nayudu. I am glad that, though it does not go theoretically to the extent I wanted it to go, still the object is achieved. I am very glad to support the amendment."

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* Mr. A. RANGANATHA MUDALIYAR:—" I think I must dissociate myself from the remarks made by my hon. Friend, Sir Parasurama-doss Patro, with regard to the Expert Member. So far as I could see, there was nothing wrong in the tone of the speech. He adopted no condescending spirit and, I think further, that some of the statements attributed to him by my hon. Friend, Sir Patro, were not made by him. Coming to the amendment, Sir, I want to ask the Hon. Minister whether he has satisfied himself that there is no objection to his accepting the amendment proposed by my friend, Mr. Muniswami Nayudu. You may remember that, time and again, whenever the Council wanted to introduce a provision that the rules under any Act should be placed before the Council for approval, the Government felt that the Government of India would not consent to a rule of that sort which would enable the Council to interfere with the operation of the statute after it had been once passed and always opposed the introduction of such a provision. I personally agree that the Legislative Council should have the power. But what I am concerned with is whether the Hon. Minister is sure that there will be no objection to his accepting the amendment proposed by Mr. Muniswami Nayudu. The new clause will bring the Act again and again before the Legislative Council and it is for the Government constituted as it is to say how far it is able to accept the implications. I should, therefore, like to know whether the Hon. Minister has secured the consent of the Government of India, or has otherwise satisfied himself that there would be no objection to the provision being made part and parcel of this Act."

* Mr. BASHEER AHMED SAYEED:—" Mr. President, Sir, the amendment, at any rate the first part of the amendment, of the hon. Member from Chittoor seems to be not in consonance with the scheme of section 4. Section 4 gives the power to issue debentures up to a limit of its total assets. The assets have been described by the amendment that has just been accepted, viz., the total amount due on the mortgages, the amounts paid thereunder and remaining in the hands of the Board or of the trustees at such time and the value of all other assets. That gives the power, Sir, to the Board to issue to the maximum limit that is to the extent of the total of the assets. To that extent the Board has the power to issue debentures. Now, Sir, the first portion of the amendment of the hon. Member from Chittoor says: The Government shall fix the maximum amount up to which such guarantee shall operate and may increase the amount from time to time. Does it mean that although the Board may issue debentures up to the maximum amount possible and cover the total assets, Government will fix the maximum according to their discretion? Does it not give rise to a curious position? The power of fixing the maximum, if it is left to the Government, will mean that Government can fix 75 per cent of the total value of the debentures and then the 25 per cent will go without any guarantee. If that were not contemplated thus there is another incongruity which

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I wish to point out. Clause 1 says: The principal and interest on the debentures issued under section 4 shall carry the guarantee of the Local Government subject to such conditions as they may think fit to impose. I say that, proviso 2 really covers the case of the first portion of Mr. Muniswami Nayudu's amendment. Sub-clause (2) definitely lays down the conditions and restrictions. But for the ordinary debenture holder the amendment that has already been carried with reference to section 4 says the holders of the debentures shall have a floating charge on all mortgages and assets, on the amount paid under such mortgages and remaining in the hands of the Board or of the Trustee and on the other properties of the Central Mortgage Bank. The first thing is that the debenture holder has a floating charge on the total amount that is available through the central bank. The next clause says that the central bank is empowered to issue debentures to the total amount of the assets. Then the limitation comes that the Government can fix a certain maximum. That does not give any security for all the security-holders. Government must be able to guarantee for all the debentures that have been issued in conformity with the conditions laid down in clause 4. If at all this clause is going to be amended then the power of the Board should be limited to this extent that it shall issue debentures only to the extent to which it is guaranteed by the Government. If you say that the Board shall have power up to the total amount of the assets and then say that the Government shall guarantee it then alone will it give the necessary guarantee to the debenture holders. If you say that only a portion of the debenture is to be guaranteed by the Government that will not encourage the proper or efficient functioning of the bank. Either the Government must come forward and say that they will guarantee the whole amount or remove the condition fixing the maximum limit. It will not be in the interests of the proper administration of bank if there are to be two kinds of debentures guaranteed and not guaranteed. There must be uniformity in the value and nature of the debenture to inspire confidence in the public. Now, Sir, from another point of view also, the first portion of the amendment of the hon. Member from Chittoor seems to be unnecessary, 12 noon. because in the amendment of the Hon. Minister it is clearly stated that the Local Government may, after consulting the Board and the Trustee, and satisfying the conditions laid down in 6 (2), discontinue the guarantee referred to in sub-section (1) or restrict the extent thereof or modify the conditions subject to which it is given, with effect from a specified date and so on. When this portion is retained, it is unnecessary to have the first portion of the amendment of the hon. Member from Chittoor. It may be omitted.

" I have nothing to say to the second portion of his amendment. It is a salutary provision and must be retained.

" As regards the first portion of it, I must say again that it is objectionable on the ground that it will not give sufficient amount of

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security to the debenture holders or the public and it is also unnecessary as it will not give larger facilities to borrowers. I therefore propose that the first portion of the amendment be omitted."

Mr. T. S. RAMASWAMI AYYAR:—"Sir, I desire to support the amendment moved by my hon. Friend, Mr. Muniswami Nayudu. My reasons are that, in a matter like this which is in the general interests of the public, the policy of the Government should be to hasten slowly. I think they have done rightly in going through the process of helping the land mortgage banks slowly, first guaranteeing interest and then taking up the question of guaranteeing the capital. Sir, the Legislative Council should certainly be anxious that any proposal which the Government may make with regard to guarantee should come before the Council. This is not the first time that the Legislative Council has expressed its anxiety to have the commitments made by Government in regard to financial matters placed before it. Even the amendment as it stands does not give power to the Legislative Council to upset any proposal which the Government may make. After all, what is now asked from Government is that they should lay their proposals. . ."

* The Hon. the PRESIDENT:—"May I point out to the hon. Member that the Government have already accepted the amendment of Mr. Muniswami Nayudu?"

Mr. T. S. RAMASWAMI AYYAR:—"Sir, I am only trying to answer some of the points raised by Mr. Basheer Ahmed Sayeed. The hon. Member stated that so far as guarantee by the Government is concerned, it should cover the whole of the debentures. I may tell him that the whole amount is not guaranteed for the reason that the Government do not want to interfere with the autonomy of the land mortgage banks. Certainly the Legislative Council is entitled to have its views placed before the Government."

* Diwan Bahadur B. MUNISWAMI NAYUDU:—"Sir, as the Government have already accepted the amendment, I only want to say that so far as the suggestion of Mr. Basheer Ahmed Sayeed is concerned, I do not see where the difficulty arises. The Bill will anyhow be further examined."

* The Hon. Mr. P. T. RAJAN:—"Sir, I do not know what exactly Mr. Basheer Ahmed's point is. There are two kinds of debentures: Debentures carrying Government guarantee and debentures which do not carry Government guarantee. In so far as debentures which carry Government guarantee are concerned, they will not be affected by any subsequent changes. My hon. Friend Mr. Muniswami Nayudu's point is that when further amounts are guaranteed by the Government as regards fresh debentures to be issued by the banks, the Council should be given an opportunity to express its views. That I am perfectly willing to accept. My hon. Friend, Mr. Ranganatha Mudaliyar, pointed out, I believe, that this may not be approved by the Government of India on the analogy that the Local Governments are not allowed by

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the Government of India to place the rules framed under any Act before the Legislative Council for their approval. I do not think there is any analogy between the two. I do not anticipate therefore that the Government of India are likely to object to this course. So far as this Government is concerned, I have already accepted the amendment."

* Dr. P. SUBBARAYAN:—"Mr. President, I would like to make a suggestion for your consideration before you put this clause finally to the vote of the House. I find that the Government amendment and the amendment accepted by the Government now, can be combined together and brought in as a single clause. This may be done by the Law Drafting Department during the luncheon interval and then brought up before the House after lunch."

* The Hon. Mr. P. T. RAJAN:—"I have no objection, Sir, to the course suggested if that will improve the wording of the clause."

The further consideration of clause 6 was then postponed till 3 o'clock.

Clause 6-A.

* The Hon. Mr. P. T. RAJAN:—"Sir, I move the following amendment:—

'6-A. *The Local Government may, in their discretion, guarantee the principal of, and the interest on, any debentures issued before the commencement of this Act by the Board, subject to such conditions as the Local Government may think fit to impose.*

"Sir, the question of guaranteeing the debentures issued before the commencement of this Act is under the consideration of the Government and this amendment only gives discretion to the Government to guarantee such debentures. I hope this amendment will be accepted."

Mr. R. MADANAGOPAL NAYUDU:—"I second it."

* Mr. BASHEER AHMED SAYEED:—"May I rise to ask, Sir, why Government should have this discretion when they are being enabled to guarantee all the debentures that have been already issued? After all, whatever be the rate of interest, there are several debentures already issued. Why should they not all be guaranteed by the Government? They are going to do it only under certain conditions. If this is a measure intended to help the cultivators and ryots to get their debts cleared and their lands improved, why should discretion be vested in the Government? After all, the Government are guaranteeing only a very small amount. It should not be difficult for them to guarantee all the debentures already issued under conditions which they are going to impose."

* Mr. H. M. HOON:—"Sir, may I say with regard to my hon. Friend, Mr. Basheer Ahmed's interrogation that there is considerable reason why the Government should not guarantee the debentures that

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carry as much as 6 per cent interest? If the debentures issued in the past are now guaranteed by the Government, the commitment of the Government would increase considerably and such guarantee would enhance the value of the debentures to debenture holders. I do not think there would be much ground for extending the guarantee to some of the past debentures. The reservation is made in this Bill that the Government is to guarantee on such conditions as seem proper and it will be a proper condition of guarantee that such debentures should not carry an extremely high rate of interest."

* Diwan Bahadur M. RAMACHANDRA RAO:—" May I explain, Sir, that the bank has been obliged during the last 2½ years to issue debentures carrying different rates of interest? We began issuing debentures carrying 6 per cent interest per annum. Then, on account of conditions in the money market and the fact that the Government of India themselves offered as much as 6½ per cent per annum, the bank was obliged to issue debentures at 6½ per cent. This rate was not very successful; because the Government paper will certainly be preferred by investors in similar circumstances. Then we issued debentures at 6¼ per cent for some time and afterwards there was a rapid fall in the rate of interest in the money market. We then issued debentures at 5½ per cent and now we are issuing at 5 per cent. Now the position is that these debentures carrying varying rates of interest have been issued to the public. The Government naturally feel that instead of guaranteeing the debentures which carry different rates of interest, we should bring down the interest on past debentures, by redemption or otherwise, to a standard rate. We are attempting that now. For example, the debentures that we issued carrying interest at 6½ per cent per annum have been converted recently into debentures carrying 5 per cent. We have also other conversion schemes on hand and I believe that Government will be prepared to take up the question of guaranteeing the debentures as soon as this process of conversion is complete. I do not know what their intentions are at present. But, unless we adopt some rate which is above the rate of interest at which the Local Government borrow from the Government of India, our debentures would not find favour with the public. What that rate is to be is a matter for negotiation between the Government and the bank. I trust that it would be somewhere in the neighbourhood of 5 per cent or 5½ per cent. As soon as all the past debentures are redeemed and the interest thereon is brought down to the same level, I expect there will be no difficulty, so far as I can see, for guaranteeing these debentures. At any rate, the Government have reserved the entire discretion to themselves. I am content to leave it at that because, I expect that in this matter the Government, who have done so much to secure the acceptance of these debentures as trust securities, would not hesitate to take necessary action in getting these past debentures also recognized as trust securities. I am content to leave it at that and I hope sincerely that the Government will take up, as early as possible, the question as to how many of

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these debentures already issued can immediately be recognized as trust securities, so that the public may have the satisfaction of seeing that their debentures already issued are not at a disadvantage compared with the debentures to be issued hereafter."

The amendment (clause 6-A) was put and carried.

Clause 7.

* The Hon. Mr. P. T. RAJAN:—" Mr. President, Sir, I beg to move— 12-15 p.m.

' that in line 2 for the words " subsidiary by-laws," substitute the word " regulations." '

" Sir, the Board is given power to make by-laws under the Madras Co-operative Act. Then in this Act itself under section 34, the Board is given power to make regulations. In order to avoid any confusion it is desirable to *delete* the words ' subsidiary by-laws ' and *substitute* in their stead the word ' regulations.' "

Mr. H. M. HOOD:—" I second it."

The amendment was put to vote and carried.

Clause 7, as amended, was put and carried.

CHAPTER III.

Clauses 8 to 11.

Diwan Bahadur B. MUNISWAMI NAYUDU:—" Mr. President, Sir, I beg to move—

' to delete the clauses 8-11, i.e., the whole of Chapter III.'

" Sir, these clauses deal with the power of the Bank to distrain and sell the produce of the mortgaged land when there are arrears of instalments. Lower down in Chapter IV, the Bank is given power to bring the mortgaged property to sale without the intervention of the court, and also to have a receiver appointed, a nominee of its own. The original Bill, as introduced in the Council, aimed at vesting in the Bank greater power than what is contemplated now, that is, it gave power to the Bank to distrain the mortgaged property, not necessarily the standing crops thereon. But the Select Committee thought otherwise and so provided for the distraint of standing crops. Now the whole thing comes to this: the Bank which has advanced money to the people, whenever an instalment is not paid, has three remedies open to it. As per section 12, the Bank has power to bring the mortgaged property to sale. Another remedy open to it is to appoint a receiver, a nominee of its own, put him in charge of the property along with the standing crops, and if they are ready for harvest, carry on the harvest and remit the sale-proceeds towards the instalments which have fallen in arrears, or if the crops are not ready for harvest, take care of them till the time of harvest. The difficulty, the worry and the inconvenience that would be caused to the people by this procedure has been ably brought home

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by my hon. Friend, Mr. Ramalingam Chettiyar, in his dissenting minute, and it is no wonder that he suggested that the whole of this chapter should be deleted. It might be that the ryot might have borrowed the money for the cultivation of his land, the maintenance of his family and the payment of kist, etc. Perhaps he has to meet all these in addition to the instalment due to the Bank. If the produce is to be distrained for the mortgaged debt, his borrowings for other purposes would be surely affected and his credit would thus materially suffer. It may be that he might have agreed to sell the produce to merchants, from whom he had previously borrowed money, without creating any charge in their favour. Further it may be that the produce on the land might have been raised with money borrowed from a village landlord or a money-lender or a merchant. Thus the position of the mortgagor will become very difficult, as he will not be able to borrow money for cultivation and other expenses, once he mortgages his land to the Mortgage Bank.

"Again, Sir, this is a power which is likely to be abused, for section 8 says that the governing body of a Bank may authorize any person to distrain the produce of the mortgaged land including the standing crops thereon: so that this provision leaves the Bank power to distrain the produce and thus cripple the credit of the person himself and possibly drive anybody who takes a loan from the Bank from all sources of repayment. Ultimately this provision will drive the people who borrow money from the bank to depend entirely on the bank itself, instead of serving as one of their sources of borrowing money.

"You will find a similar provision in the Estates Land Act also. A provision similar to this was present in the Bengal Tenancy Act and similar Acts in the other Provinces of India. But barring Madras Province, in the other Provinces, more especially in Bengal, this power to distrain crops has been taken away more than ten years ago, and so I do not see any reason why we should add this power, instead of falling in line with other Provinces of India.

"In my opinion the third remedy, the mere threat of distraint is sufficient safeguard to put the borrower on his guard and make him pay his instalments without fail. This threat of distraint and the procedure contemplated lower down are more than abundant safeguards to secure the money of the bank and to make the borrower repay his loan without default. I, therefore, move, Sir, to omit clauses 8, 9, 10 and 11."

* Mr. V. T. ARASU:—"Mr. President, Sir, I beg to second the motion, and in so doing I wish to say a few words. In my opinion the power of distraint ought certainly to be taken away from the hands of the primary bank, and if necessary, it may be vested in the Registrar of Co-operative Societies, who is an officer of the Government. Or, if the Registrar so wills it, he may, in his turn, authorize any other officer of the Government or a particular person working under him to distrain the property and take the necessary action in the matter. I think this

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is the proper course for Government to take in cases where people fail to pay their instalments. But on the other hand, the existing clause vests the power in the hands of the primary banks. Therefore I am in agreement with Mr. Muniswami Nayudu for the deletion of clauses 8 to 11."

* The Hon. Mr. P. T. RAJAN:—"Sir, as was pointed out by Mr. Muniswami Nayudu, in the original Bill, Government had given more powers to the bank in the collection of their dues. Subsequently the Select Committee whittled it down and confined it to distraint of produce of, and standing crops on, the mortgaged land. That was done to meet the wishes of the Select Committee half-way. Now my friend wants that the whole chapter should be deleted. Sir, a bank which lends money should surely have power to collect its dues, as otherwise the administration of the bank is likely to be dislocated. No doubt, the bank has got three remedies as suggested by Mr. Muniswami Nayudu. The first remedy that will be resorted to by the bank will, of course, be the threat of distraint so that people may not make any default in their payments. On the one hand, the Government have to safeguard the interests of the bank, and on the other hand it has got to see that the powers that are entrusted to the committee of the primary banks are not abused, for, owing to factions, the committee, without going through the usual procedure, might distrain the property of anyone whom they dislike. I think in the case of distraint, instead of the banks being allowed to distrain the property of the defaulter, if they are made to apply to the Registrar and the Registrar be asked to depute one of his officers to distrain the property, such a step would safeguard both the interests of the banks and the people. With this view I have made the following amendments which, I hope, would meet with the approval of the House. The amendment that I propose will run thus:—

Clause 8.

'Substitute the following for clause 8:—

- "8. (1) *If any instalment payable under a mortgage executed in favour of a mortgage bank or any part of such instalment has remained unpaid for more than one month from the date on which it fell due, the Committee may, in addition to any other remedy available to the bank, apply to the Registrar to distrain the produce of the mortgaged land including the standing crops thereon. The Registrar may, on receipt of such application, notwithstanding anything contained in the Transfer of Property Act, 1882, authorize an officer of the department not lower than the rank of a Sub-Deputy Registrar to appoint an officer to distrain and sell*"

* Mr. BASHEER AHMED SAYEED:—"On a point of order, Sir, may I know from what paper the Hon. Minister is reading, Sir?"

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* The Hon. the PRESIDENT:—"He is proposing an amendment; the amendment was handed over to me just half an hour back and it is being roneoed."

* Mr. BASHEER AHMED SAYEED:—"Then I think the consideration of this amendment may be postponed, Sir."

* The Hon. the PRESIDENT:—"I may inform the hon. Member that the amendment is not now under consideration. The Hon. Minister is only reading his proposed amendment so that Mr. Muniswami Nayudu may withdraw his motion."

* Mr. BASHEER AHMED SAYEED:—"Then, I submit, Sir, he ought not to read anything from a paper which is not already in the possession of the House."

* The Hon. the PRESIDENT:—"Order, order, the Hon. Minister may proceed with his speech."

* The Hon. Mr. P. T. RAJAN:—

"such produce: provided that no distraint shall be made after the expiry of twelve months from the date on which the instalment fell due."

Clause 10.

Sub-clause (1).

In lines 4-5, for the words 'the distrainer may apply to the sale officer for the sale in auction of' substitute the following: 'the distraining officer may sell in auction.'

Omit the last sentence.

Sub-clause (2).

Omit this sub-clause.

Clause 11.

Omit sub-clause (1) of this clause.

Omit the brackets and number ' (2) ' in sub-clause (2).

Renumber sub-clauses (iv) and (v) as (v) and (vi), respectively and insert the following as sub-clause (iv), namely:—

' (iv) for determining the proportion of the sale-proceeds which should be credited to the Government on account of the expenses of the distraint and the costs of the sale.' "

12-30
p.m.

* The Hon. the PRESIDENT:—"May I suggest to the Hon. the Minister that the consideration of this clause may be taken up after lunch so that all the Members of this House may know exactly what is the scope of the amendment that he is going to move and if the amendment of Mr. Muniswami Nayudu is going to be withdrawn."

* The Hon. Mr. P. T. RAJAN:—"I have no objection to the amendment being taken up after lunch."

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The consideration of the amendment was accordingly adjourned till after lunch.

Clause 12.

* The Hon. Mr. P. T. RAJAN:—"I beg to move the amendment standing in my name which runs as follows:—

- (i) In lines 1 and 2, after the words and figures "Notwithstanding anything contained in the Transfer of Property Act, 1882" insert the words and figures "or in the Trustees' and Mortgagees' Powers Act, 1866."
- (ii) In line 5, for the words "governing body," substitute the word "Committee."
- (iii) In lines 7-9, for the words "shall have power, in addition to any other remedy available to the bank in default of payment of the mortgage money or any part thereof," substitute the words "shall, in cases of default of payment of the mortgage money or any part thereof, have power, in addition to any other remedy available to the bank."
- (iv) Number the two sentences of this clause as sub-clauses (1) and (2) respectively.
- (v) For sub-clause (2) as so numbered, substitute the following:—
 - "(2) No such power shall be exercised unless and until—
 - (a) the Board has previously authorized the exercise of the power conferred by sub-section (1), after hearing the objections, if any, of the mortgagor or mortgagors;
 - (b) notice in writing requiring payment of such mortgage money or part has been served upon:
 - (i) the mortgagor or each of the mortgagors;
 - (ii) any person who has any interest in or charge upon the property mortgaged or in or upon the right to redeem the same;
 - (iii) any surety for the payment of the mortgage debt or any part thereof; and
 - (iv) any creditor of the mortgagor who has in a suit for the administration of his estate obtained a decree for sale of the mortgaged property; and
 - (c) default has been made in payment of such mortgage money or part for three months after such service."

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I second it."

Diwan Bahadur B. MUNISWAMI NAYUDU:—"Sir, there is an amendment standing in my name in the same clause which runs as follows:—

'In line 2, for the word "whether" substitute the word "where" and in line 5 omit the words "or not".'

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Sir, the provisions of chapter IV, i.e., clauses 12 to 17 are practically copied from section 69 of the Transfer of Property Act under which there exists an agreement between the mortgagor and mortgagee in the deed of mortgage itself that the mortgagee shall have power, without the intervention of court, to sell the property. Section 69 of the Transfer of Property Act as amended up to 1929 provides for such power to the mortgagee to bring the property to sale without the intervention of court in specific cases. That section runs:—

'The mortgagee shall have power to sell or concur in selling in default of payment of the mortgage money, the mortgaged property or any part thereof without the intervention of the court in the following cases and in no others, namely:—

- (a) where the mortgage is an English mortgage, and neither the mortgagor nor the mortgagee is a Hindu, Muhammadan or Buddhist, etc., etc.,
- (b) where a power of sale without the intervention of the court is expressly conferred on the mortgagee by the mortgage deed and the "mortgagee is the Secretary of State for India in Council"

This is a case where the Secretary of State is the mortgagee and on grounds of public policy that power to sell is given to him. Even then that power must be expressly conferred in the document itself—and

- (c) where a power of sale without the intervention of the court is expressly conferred on the mortgagee by the mortgage deed and the mortgaged property or any part thereof was on the date of execution of the mortgage deed situate within the towns of Calcutta, Madras, Bombay, Karachi, Rangoon, Moulmein, Bassein, Akyab or in any other town or area which the Governor-General in Council may by notification in the *Gazette of India* specify in this behalf.'

That, again, is in favour of mortgagees and properties situated in the Presidency towns mentioned above will be governed by this section. Even then there must be express power conferred on the mortgagee in the mortgage deed itself. Sir, these are the three cases contemplated by section 69 of the Transfer of Property Act, viz., (1) the case of English mortgage, (2) where the mortgagee is the Secretary of State for India in Council and (3) where the properties are situated within the Presidency towns. In all these cases there must be express power conferred in the instrument itself by the mortgagor if the mortgagee agrees to sell the property on behalf of the mortgagor without the intervention of the court. What the proposed section under this Bill contemplates is that, where the mortgage document is taken in the name of the land mortgage bank, whether a power of sale without the intervention of the court is expressly conferred on the mortgage bank by the mortgage deed or not, the bank should be empowered to sell the property; and thus the mortgage bank should be placed in a superior position so that they can sell away the property of the mortgagor even if it is not stipulated to that effect in the document itself. The object of an express stipulation as mentioned above is that the mortgagor

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himself must have consented to his property being sold by the mortgagee without the intervention of court with the result that the mortgagor is estopped from contesting that the mortgage or the sale of property is invalid. Now so far as this Bill is concerned, the mortgage bank is going to be the mortgagee and it is proposed, whether the mortgagor agrees to the sale of his property by the bank or not, to confer the power of sale on the bank. This is an extension of the principle which has been made applicable to certain specific cases under the provisions of the Transfer of Property Act. I think therefore that while anybody may be anxious to see that the mortgage bank is armed with this power merely because the Government have guaranteed the principal and interest, it is rather too much on grounds of public policy to invest the bank with such a power. It is in that view I have given notice of my amendment. The section with my suggested amendment will read thus:—

'Notwithstanding anything contained in the Transfer of Property Act, 1882, and where a power of sale without the intervention of the court is expressly conferred on the mortgage bank by the mortgage deed, the governing body of such bank, etc., etc.'

Therefore, I move this amendment. I think this amendment restricts the power of sale without the intervention of court only to cases where the mortgagor has himself agreed to such a sale. I think it is of the essence of the contract that when a person mortgages his property the property should be sold either by himself or with his consent or by a judicial order of the court. According to the section, as it stands, a person who is entitled to recover his money only through the order of a court or in a court auction is now going to be invested with a power which ought not to be given to him without the consent of the mortgagor, because hon. Members will see that section 20 contains rather very wide terms. It reads thus:—

'When a sale has been made in professed exercise of a power of sale under section 12 and confirmed by the Board, the title of the purchaser shall not be impeachable on the ground that no case had arisen to authorize the sale or that irregular notice was not given or that the power was otherwise improperly or irregularly exercised but any person damaged by an unauthorized or improper or irregular exercise of the power shall have his remedy in damages against the mortgage bank.'

The point is that the person who has purchased the property shall have a title over it although the mortgagor may say that the sale is invalid and all that. But what I submit is that the mortgagor's remedy against the bank as mortgagee which has sold his property as his agent is only by way of damages. The whole thing therefore implies a sort of confidence which the mortgagor places in the mortgagee that he would exercise the power of sale regularly. Even in such cases where there is an agreement between the mortgagor and the mortgagee that the latter would not sell the property irregularly or improperly, I am afraid it would place the mortgagor at the mercy of the mortgagee, in this case the bank. I think it will also be unusual procedure for

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the bank to adopt if it were asked to stipulate in all cases that express power should be given to it by the mortgagor authorizing it to sell away the property in case of default. My amendment proposes that the bank should not be given such a power which it would otherwise have under the clause as it stands. Well, Sir, by all means let the legislature arm the bank with powers which are analogous to section 69 of the Transfer of Property Act, but I do not think a case has been made out for going beyond the provisions of that Act and cutting at the root of the principle that, unless the mortgage deed authorizes expressly the exercise of the power, that power should not be exercised. Therefore I move my amendment."

* Rao Bahadur Sir A. P. PATRO:—"Sir, I have great pleasure in seconding the amendment. We all agree that the bank should be empowered to realize the loans advanced by it in as summary a manner as possible. There is no question about the principle, but the procedure is very drastic and conflicts with the fundamental principles governing mortgages as laid down in the Transfer of Property Act. The hon. Mover has pointed out that there are three cases where the power to sell is vested in the mortgagee and this Bill proposes that notwithstanding the provisions of the Transfer of Property Act the power to sell should be vested in the bank. Whether there is any specific provision in the mortgage deed itself to that effect or not, it is proposed to give the power to sell to the bank so that the bank may be able to recover its dues by summary procedure. This is very drastic and I submit, Sir, that unless specific power is given in the mortgage deed itself, the mortgagee should have no power to adopt the summary procedure. It has also been pointed out that, apart from the provisions of the Transfer of Property Act, what we propose to give the purchaser is an absolute title to the property purchased notwithstanding the fact that there might have been no specific provision in the mortgage deed for the sale of the property and that no other investigation might have been made at the time of the sale. As a consequence, other persons who may have interest in the property are deprived of their right to contest the purchaser's right. All that they can do is to sue the mortgage bank for damages. In that case, who is to pay the damages? The bank, that is to say, the Government. It comes to this that the Government, the representatives of the people, will have to pay the damages for having permitted the bank to conduct the sale. Therefore while we are all anxious that the land mortgage bank should have enough powers to realize their dues in as speedy a manner as possible, we submit that the proposed procedure is inconsistent with the root principles of the Transfer of Property Act and should not be adopted.

"Let us take the analogy of the Estates Land Act. Under sections 112 and 113, an application is made to the Collector by the

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landholder for arrears of rent. Notice is issued to the parties concerned by the Collector and after that the procedure fixed for the summary sale of the defaulter's land is adopted. But in this case, the procedure of sale is proposed to be adopted not through the intervention of the court or any judicial authority, but by virtue of power vested in the mortgagee by this Act. In the absence of any provision for the intervention of judicial authorities to find out whether a proper enquiry has been made and whether proper procedure has been followed, it would be going too far to vest this power of sale in the mortgage bank. I think, Sir, that unless it is expressly stated so in the mortgage deed, the bank should have no power of adopting the summary procedure of sale of the property."

* Mr. K. P. RAMAN MENON:—"Mr. President, Sir, the position has been very clearly explained by the previous speakers. The Transfer of Property Act gives power to the mortgagor to sell the property only in three cases and those cases are mentioned specifically in section 69 of the Act. The section as it stands empowers the mortgage bank to sell the mortgaged property whether the power to sell is specifically reserved in the contract deed or not. That really goes much further than what is provided in the Transfer of Property Act. But the question arises: if we are anxious to arm the bank with powers to realize their money as speedily as possible, should you not give the bank the power to sell the land? In reply to that, Mr. Muniswami Nayudu has pointed out that over and above the remedies mentioned in the Bill itself, the power to sell the land may be specifically given to the mortgagee in the mortgage deed itself and that then there would be no difficulty whatsoever. What Mr. Muniswami Nayudu wants is to restrict the power to sell the land to cases where the mortgage deed expressly confers that power on the mortgage bank. It is very easy to insert such a covenant in such a document. The bank can have mortgage deed forms in which the power to sell is specifically conferred on the mortgage bank and then there will be no fear that the bank will be put off indefinitely from realizing its dues. It will be going too far to vest the power to sell in the bank whether such a power is given in the mortgage deed or not. Any power given to the bank should be confined to the provisions of the Transfer of Property Act and the interests of the bank will be sufficiently safeguarded if they insert a clause of the kind I have referred to in their mortgage deeds."

* Mr. H. M. HOOD:—"Mr. President, Sir, I do not propose to argue the legal aspect of the matter, particularly in view of the fact that the two hon. Members who have spoken just now are eminent lawyers. But I should like to draw the attention of the House to the effect of this amendment. If it were accepted, it would have the result that the whole of Chapter III would be inoperative in regard to the mortgages supporting debentures which have already been issued,

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because the clause in question which could be inserted in future mortgage deeds, has, I think, not actually been inserted in any of the mortgages supporting the debentures already issued. The Government will have to consider whether in regard to all these outstanding debentures they are to give the full and unqualified guarantee. The value of a debenture will depend very largely on the readiness with which the security can be realized and I think it will be generally agreed that this provision which is now in dispute will facilitate the quick realization of the bank's dues. Although it is contested that it would amount to some serious infringement of what have been considered to be the rights of mortgagors, it will result in the enhancement of the value of the security and consequent reduction in the rates of interest at which the ryot can borrow, for this depends on the rates at which debentures can be put on the market. I think that is an aspect of the matter which requires very careful consideration before the provision in the Bill is rejected."

Diwan Bahadur M. RAMACHANDRA RAO:—"Mr. President, Sir, I have heard the speeches of the hon. Mover and the hon. Member, Mr. Raman Menon, with great attention. I should have been glad to accept the amendment but for the fact that in the mortgages which have already been executed in favour of the bank and which amount to over Rs. 30 lakhs there is no such clause as the one suggested by Mr. Raman Menon. We could not have inserted any such condition unless we had had legislative sanction for it. Now, let me take section 69 of the Transfer of Property Act. Clause (a) relates to English mortgages. Clause (b) refers to the case where the power of sale without the intervention of the court is expressly conferred on the mortgagee by the mortgage deed, and the mortgagee is the Secretary of State for India in Council. Clause (c) refers to cases where a power of sale without the intervention of the court is expressly conferred on the mortgagee by the mortgage deed, and the mortgaged property or any part thereof, was on the date of the execution of the mortgage deed, situate within the towns of Calcutta, Madras, Bombay, etc. These are the three classes of cases referred to in section 69 of the Transfer of Property Act. The object of the clause in this Bill is deliberately to extend the right of sale and vest the same in the bank whether such a power is expressly mentioned in the mortgage deed or not. Indeed this was the recommendation of the Townsend Committee of which my hon. Friend, Mr. Ramalingam Chettiyar, also was a member. The Committee found that the provisions of the Transfer of Property Act were too restrictive and that a special provision was necessary in regard to the sale of property mortgaged to mortgage banks. (Interruption.) I do not want to extend this power unnecessarily, but there is this difficulty which has to be faced. From the time when the bank was established more than 3½ years ago till now, primary banks have obtained mortgage deeds which do not give them any power to sell the property mortgaged

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to them. That is why, we have advisedly provided in this section for the power of sale though it goes beyond the provisions of section 69 of the Transfer of Property Act.

"With regard to Mr. Raman Menon's suggestion that such a condition could be inserted in the mortgage documents, I agree. It could be inserted in future documents after this Bill is passed, but it could not have been done before. What we did till now was to follow the ordinary law and in all the mortgages we have entered into no such power has been taken and no such power could be taken. I submit that the amendment proposed by Mr. Muniswami Nayudu would make the provision too restrictive in its scope and we cannot enforce the provision relating to sale unless the power has been expressly given in the mortgage deed. I do not think any particular harm would be done by the giving of this power, though this power was not taken in the past by the bank. After all, these banks must have adequate means of realizing their dues and discharging their obligations to the debenture holders. We are carrying on our transactions under very stringent conditions. We borrow money from debenture holders. The bank is financed wholly by the flotation of debentures. If we do not regularly pay interest to the debenture holders twice a year, if we make default in the payment of interest for more than three months, the debenture holders can call up the principal amount formed under the debenture. That is the reason why we want adequate powers to realize our dues. We are not anxious to exercise arbitrary powers. What we are most anxious about is to be regular in the payment of interest to our debenture holders so that there may not be any default on our part. In the case of ordinary co-operative societies, if primary banks make default, they may request the Central Bank for an extension of time, but in the case of debentures floated by the Land Mortgage Bank one of the conditions is, if interest is not paid regularly twice a year and if there is a default in the payment of interest for more than three months, the debenture holders have a right to call for the whole principal at once. Therefore we want this power, not to put it to use unnecessarily in each and every case. I do not think we shall put in operation the power to distrain, the power to sell and the power to appoint a receiver all simultaneously. They would be used only one after another. The power to sell may not at all be necessary and it will be used only in the case of a man who persistently defaults. Of course if a man defaults persistently, it will be necessary to sell his holding.

"Therefore I submit that this will put a restriction on the operation 1 p.m.
of the bank and it does not cover the cases of mortgages which have already been executed. This Bill has been pending for three years. If this Bill had been passed when this bank was started, we should have had no difficulty; but the bank was started some time back; we have gained certain experience and transactions amounting to nearly Rs. 30 lakhs have been entered into and mortgages have been taken by the

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primary banks without any such condition. If we are now to enforce the payment of interest by these mortgagors regularly, how are we to do it? (Rao Bahadur Sir A. P. Patro: 'You have got other provisions.') Other provisions would not work. I submit that this amendment is restrictive."

* The Hon. the PRESIDENT:—"To-day being Friday, the House will adjourn now and meet again at 3 p.m."

After Lunch (3 p.m.).

Diwan Bahadur M. RAMACHANDRA RAO:—"Sir, I was explaining the position as regards mortgages executed up till now. With regard to those mortgages also we should have ample power to enforce the provisions of Chapters 3 and 4 where there is default. The primary banks must be in a position to enforce the provisions of Chapters 3 and 4 with regard to the realization of arrears from mortgagors. That was the point I was explaining before the luncheon interval. If this amendment deprives us of the power of enforcing the payment of arrears in respect of past transactions, I said that difficulties would be caused to these banks. On that ground I said that the word 'where' substantially restricts the operation of section 12. I have since had a talk with the Advocate-General who was here just now and he is inclined to the view that it is safer to insert a provision that the provisions of Chapters 3 and 4 should be made applicable to past transactions also. There must be a specific provision to this effect. I have drafted an amendment to that effect and I am handing it over to the Secretary. I am placing this matter before hon. Members because it is really a very important matter and the House may consider whether it is not worth while that primary banks must be armed with the necessary power of exercising the provisions of Chapters 3 and 4, and whether there should be any distinction between future transactions and past transactions. I submit that such a provision is quite necessary. The only way in which we can do it is by an express provision that the powers conferred by the provisions of Chapters 3 and 4 could be exercised by the banks not only in respect of future transactions but also in respect of mortgages executed before the commencement of this Act."

* Mr. BASHEER AHMED SAYEED:—"Mr. President, Sir, the Expert Member has already forestalled the objection that I wanted to take. I am of the opinion that the provisions of clause 12 as it stands cannot be made applicable to past transactions with the bank; because the language of the clause is 'whether a power of sale without the intervention of the court is expressly conferred on the mortgage bank by the mortgage deed or not.' When such a provision is passed, it will only apply to future transactions; it cannot be made applicable to past transactions and there is no amendment just now before us to give retrospective effect to transactions that have already been entered into."

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Even then it will not be fair that the Government should vest the bank with this power of sale without taking the consent of the party who has executed the mortgage. It will not be fair to give this power by this enactment without taking into consideration the terms of the contract that has already been entered into. It may be that the mortgagor might have given this power of sale to some other mortgagee; if the power is given to some other mortgagee, the bank cannot get that power over again. We cannot take away the right a third person has acquired, by this enactment and vest it in the bank. That will be very improper and inconceivable from the point of view of legal rights and obligations. How the Government themselves, rather the framers of this Bill, are conscious of this extraordinary power they are taking is evident from sub-clause (b) by which they hem the power with this condition. Sub-clause (a) says that notice in writing should be served; sub-clause (b) says that the board should have previously authorized the exercise of the power conferred by this section after hearing the objections, if any, of the mortgagor or the mortgagors. Such a thing does not obtain in the Transfer of Property Act. That the framers of the Bill are not quite sure of their ground, that this is merely an extraordinary power that they are taking, over and above what is contained in the Transfer of Property Act, is evident from this clause which compels them to hear objections of the mortgagors and others.

"There is another point, Sir, which I would like to raise in this connexion. Is this power intended to be exercised only by the Central Mortgage Bank or the Primary Mortgage Bank or is it also to be exercised by any other person who becomes a transferee from the bank? That has not been provided for in this clause. If the power is going to be exercised also by the transferee, there must be a specific provision to that effect. It is quite easy for the Government to bring forward any amendment on the spur of the moment and ask us to be dragooned into that. I know the President is very kind and wants work to be expedited; he gives leave and suspends the standing orders. But should the Government take advantage of that indulgence so often as they are doing? If they have not prepared all the amendments, if they are serious about this measure—no one of course belittles the importance of the measure—it is very important and it has far-reaching consequences—why should they hurry it like this? The Government have come forward for the first time saying that they would give guarantee for the debentures which are going to be issued by the bank. It is indeed a great step. Let us then have all things well considered. Let this measure not be a hasty one and be brought back to the Council time and again for amendments and modifications. That is a very bad procedure that we have been following for some time past. I would urge on the Hon. the Minister and his advisers that more time should be given for considering the further implications of the various clauses of the Bill and that a consolidated list of amendments may be put before us. We may then be in a

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position to gauge how exactly the present relationship between money-lenders, creditors and borrowers will be effected by this enactment. That will be fair to all the parties and all the interests concerned. Coming back to the point at issue, I may say that it is highly pernicious that this power should be vested in the mortgage bank, without the necessity to resort to court. There is the Imperial Bank of India. Does that bank have the power of sale without resort to court? The Imperial Bank of India has been doing business in regard to properties which are very valuable—both immovable properties within the City of Madras and other securities outside the Presidency town, e.g., in big centres where the bank has got its own branches. So, when the Imperial Bank itself does not have such a power, why this mortgage bank should have it, I cannot see.

“Then, Sir, there is a confusion between the Government giving a guarantee for the debentures and the rights of borrowers from the bank as such. No doubt the Government have come forward to guarantee the debentures issued by the bank; but that does not mean that the Government's position is affected at each and every stage of the transaction between the bank and the parties. Not at all. Why should the bank stand in this peculiar position? Besides, if we are going to give this power of sale to the bank without recourse to the court, what are the safeguards against the abuse of such a power? The preliminaries to be complied with will in practice amount to nothing. They will not give any adequate relief or facility to the borrower. The very moment the borrowers come to know that such great and uncalled for provisions are there, that the mortgage bank will proceed without even complying in fact with certain provisions of the Transfer of Property Act, they will cease to borrow. Even if they borrow, there is always the fear that the next moment, their credit will be lost. If this power is still to be exercised, then how are you going to improve the credit of the borrowers? Their position will not be bettered by any loan from the central mortgage bank or a primary mortgage bank. They may have to borrow further amounts for clearing off their debts. In that case, the moment this power is exercised, the other money-lenders will not come forward and the credit of the borrower will be lost. I therefore say, from all these points of view, this power should not be vested in the bank, and the amendment of Mr. Muniswami Nayudu is the most desirable amendment, to be accepted by the House, if such a power is still to be vested in the bank.”

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—“Sir, I fear we are fighting about a shadow. I think it is admitted that so far as the future is concerned, the position is easy enough, and a clause may be added in the mortgage documents granting the power of sale to the bank. Just now the Hon. the Minister stated that he has been advised by the Advocate-General that this clause won't apply to past transactions. The position is that this clause as it is, whether amended or

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not, won't apply to any past transactions. (Mr. Basheer Ahmed Sayeed: ‘Then you do not require this clause.’) No, this clause is necessary. It seems to me there is no object in asking for the retention of the words ‘whether it is in the document or not,’ because we can always include this provision in the document itself for the future. But the real question will come up when our Expert Member will move his motion to apply the provision to past transactions also. That motion may be discussed in detail on its merits; but for the present I really think we are fighting about a shadow. I would suggest that the amendment of Mr. Muniswami Nayudu may be accepted, so that we can make this a rule hereafter in the case of all future mortgages. I think that is the proper procedure. We need not now make any exception to the ordinary rule of contract. The ordinary rule of contract is that unless there is a power vested in the mortgagee, he has no power of sale. The same rule may apply here, and it won't work any hardship on the bank or anybody else. I therefore suggest, Sir, that the amendment may be accepted and the new amendment which the hon. the Expert Member is going to move may be discussed later on.”

Mr. C. BASU DEV:—“Mr. President, the discussion on this clause has centred round two specific points, the past and the future. With regard to the future, as Mr. Ramalingam Chettiyar stated, there is no difficulty and the amendment may be accepted; because we can always insist on the inclusion of a clause giving the right of sale. But with regard to past transactions, it is a misfortune that this House has not been given any information on the working of this bank which has been, as the Expert Member stated, operating for the last three and a half years. The Expert Member also told us that the bank has had dealings to the extent of about Rs. 30 lakhs; yet he did not think it fit to enlighten this hon. House in regard to the working of the bank. We are not even furnished with a copy of the administration report of the bank. That is the misfortune or the handicap under which this House suffers. Suddenly the Expert Member rises and flings a surprise on us saying that over Rs. 30 lakhs of transactions have taken place, and there must be a clause safeguarding the interests of the bank. Whatever it is, Sir, the debentures issued by the bank previous to the passing of the Act did not have the assurance that the Government at a future date would come forward and guarantee the principal and interest. There will be no harm done to debenture-holders if the Government should withhold the guarantee in respect of such debentures and only guarantee the principal and interest on the debentures to be issued after the date of the passing of this Act. I may warn the Expert Member, Sir, that he would have great difficulty in persuading this House to accept the amendment which he wants to move, that even in the case of all past transactions, the provisions of clause 12 should be made applicable. At the time when the present mortgages were entered into, there was no idea of the right of sale by the bank—it was not contemplated at

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all. I think it is not proper, nor does this House have the right, I think, to superimpose a condition on the mortgagor which was not at all contemplated at the time of the contract. With these words, Sir, I strongly support the amendment."

Diwan Bahadur M. RAMACHANDRA RAO:—"On a point of personal explanation, Sir. My friend who has just spoken said that I was springing surprises on the House by amendments before the House without telling him what exactly the present position of the bank is . . ."

Mr. C. BASU DEV:—"I did not say that he was springing surprises by way of amendments; I only said that he rose up suddenly and flung surprise on us by saying that the bank had been operating for the past three and a half years with transactions to its credit of over Rs. 30 lakhs, and yet this House was absolutely in ignorance of the working of this bank. I only said that the House should have some more information on the working of the bank."

Diwan Bahadur M. RAMACHANDRA RAO:—"I would only say that the annual administration report of the department of Co-operation which is supplied to every Member of this House, contains the details of the working of this bank, the extent of its operations and the way in which the bank has been working. I believe that report is circulated to Members of this House. If that is not so, and if any Member who took any interest in the affairs of the bank had applied to us for copies of the administration report of the bank, I should only have been too happy to supply him with a copy of the report. So far as I know, not a single member has asked for a copy of the administration report. There are many gentlemen here who are members and shareholders of our bank."

* The Hon. the PRESIDENT:—"I do not know how far the hon. Member's speech is a personal explanation."

Diwan Bahadur M. RAMACHANDRA RAO:—"Because the Member charged me with springing surprises on the House, I am bound to say that we were not responsible for it. The hon. Member has information at his disposal in the published documents which are furnished to the Members of this hon. House."

* The Hon. Mr. P. T. RAJAN:—"In view of the fact that the Expert Member has given notice of an amendment to be moved later on stating that the clause should have retrospective effect, and as that amendment will come up before the House for discussion later on, I accept the amendment moved by my Friend, Mr. Muniswami Nayudu."

* The Hon. the PRESIDENT:—"The question is—

'In line 2, for the word "whether" substitute the word "where" and in line 5, omit the words "or not".'

The amendment was carried.

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The Hon. the PRESIDENT:—"Is the House ready for a vote on the amendment of the Hon. the Minister?"

Diwan Bahadur M. RAMACHANDRA RAO:—"I have an amendment in regard to clause 12 (2). It is only a rearrangement of words in the clause, with the omission of a few words. It is—

'In the amendment proposed by the Hon. the Minister to clause 12, on page 4 of the printed list of amendments, for sub-clause (2), substitute the following:—

"(2) No such power shall be exercised unless and until—

- (a) the Board has previously authorized the exercise of the power conferred by sub-section (1),
- (b) notice in writing requiring payment of such mortgage money or part thereof, has been served by the Committee or a person authorized by such committee upon (i) the mortgagor or each of the mortgagors; (ii) any person who has any interest in or charge upon the property mortgaged or in or upon the right to redeem the same; (iii) any surety for the payment of the mortgage debt or any part thereof; (iv) any creditor of the mortgagor who has in a suit for the administration of his estate obtained a decree for sale of the mortgaged property; and until their objections, if any, have been heard;
- (c) default has been made in payment of such mortgage money or part for three months after such service."

"My purpose in rearranging this clause as suggested is this. We do not want these powers to be exercised by every primary bank without being subjected to the control of the central bank. We propose to authorize selected banks to exercise the powers conferred by section (1). The primary banks should give notice and hear objections, if any but before they exercise these powers the central bank will select banks (primary) who are to exercise this power. I have discussed with the Hon. the Minister and explained the object of this amendment. Instead of the central bank hearing the objections—this will be somewhat of a difficult task for the central banks situated in Madras—it would be easier if the primary bank hears them and disposes of them instead of the central bank. Instead of each primary bank having the power of sale, we shall authorize banks who should exercise this power of sale. This is the object of this amendment. I have seen the amendment of the Hon. Minister on the agenda paper and this is but a slight rearrangement of the same amendment. Hon. Members will notice that the Hon. Minister has given notice of an amendment to clause 12 which is found

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on page 4 of the agenda. It is exactly the same except with very slight alterations. The Hon. Minister's amendment (a) and (b) under sub-clause (2) reads 'No such power shall be exercised unless and until (a) the Board has previously authorized the exercise of the power conferred by sub-section (1) after hearing the objections, if any, of the mortgagor or mortgagors, (b) notice in writing requiring payment of such mortgage money or part has been served upon.' The following words occurring in 2 (a) of the Hon. Minister's amendment have been transferred under clause (iv) and in 2 (b) of the Hon. Minister's amendment the following words have been added after the word 'served' in the second line: 'by the Committee or a person authorized by such Committee upon.' My amendment is the same as that of the Hon. Minister with the exception that the duty of hearing objection is sought to be transferred to the primary banks instead of the central bank."

Mr. H. M. Hood:—"I second it."

* Rao Bahadur T. A. RAMALINGM CHETTIYAR:—"Mr. President, Sir, I am sorry I cannot agree with the amendment that has now been proposed by the Expert Member. It was discussed at very great length at the Select Committee and if the provision as it appears here was made Sir, what happens is this: The right or rather the power of sale is vested in the creditor himself. We have to realize this fact. The village banks or the primary banks is the creditor and the power of sale is going to be vested in that bank itself. I am afraid Mr. Ramachandra Rao also wants to have the power of hearing objections and deciding them vested in the primary banks. If the matter is really mentioned in that way, it will convince the hon. Members of this House that it is a very unsatisfactory state of affairs. The Select Committee thought that there should be somebody intervening to hear objections and decide them. So they provided that that power of hearing objections may vest in the Central Bank. That being the result of the amendment, I suppose nobody will be in favour of giving that power to the creditor himself. After all, even though the Board may be interested in the mortgage it is not directly interested in the same way as the primary bank and seeing the composition of the Board it will be naturally a better agency for deciding these things in a disinterested manner than the primary banks. That is why this power was vested in the Central Bank and I do not think we can go back upon this especially after we have considered this at great length in the Select Committee itself and have come to this conclusion. I do not think we would be justified in going back."

* Mr. K. P. RAMAN MENON:—"Mr. President, Sir, from what has fallen from my hon. Friend, Mr. Ramalingam Chettiyar, the position comes to this. The plaintiff and the Judge is the same individual. This certainly is atrocious to anybody either a lawyer or to a layman. Then again, Sir, considering that there is considerable difference in

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the personnel of the Central Bank and the Primary Bank, naturally one might expect the former to look into these things from a judicial point of view.

"Sir, I have to protest against the way in which the Bill is being discussed here. The Bill as originally introduced into this Council, is hardly recognizable as the one that has emerged from the Select Committee and then at this stage when it comes to the Council for consideration in almost the final stage, amendments to section after section are being received even from the Government side. What are we here for? Are we sitting in a Committee? I protest that the Bill of this nature should not be rushed through without our being in a position to study the effects of the various amendments which are redrafted and re-cast at every stage, and the Bill has become absolutely not recognizable with the old Bill."

Mr. H. M. Hood:—"Mr. President, Sir, I do not think it is quite so horrible as it has . . ."

* The Hon. the PRESIDENT:—"The Hon. Member has already seconded the motion and as such cannot once again speak on the motion."

* Rao Bahadur Sir A. P. PATRO:—"Mr. President, Sir, I am at a loss to understand the position of the Government in regard to this Bill. This Bill, as it was drafted and introduced into this House, is unidentifiable with the Bill as it emerged from the Select Committee. Now even to the Bill as it emerged from the Select Committee, the Government gave notice of several amendments. This morning we received some and just now some more amendments have been placed in our hands in respect of clauses 6, 8, 11, 17 and 27. I do not know whether the Government means seriously that this House should consider every amendment that is being circulated to us. This Bill certainly is a very important measure and it deserves all the care and attention we could give it but we have hardly any opportunity of studying the effect of each amendment. In addition to this, we are given amendments by the hon. the Expert Member which are directly opposed to the printed amendments of the Government. According to the amendments given notice of by Hon. Minister, the Central Bank was vested with the power of hearing objections but now the Expert Member has given notice of an amendment to the effect that these powers should be exercised by the Primary Bank which will be selected by the Central Bank. I am not able to understand the position taken by the Finance Secretary (Mr. H. M. Hood), who has had very great experience as Registrar of Co-operative Societies and who has seconded the motion, nor that of the Expert Member. Evidently I take it that the Government accept the amendment of the Expert Member. If I am correct in my understanding of the position of the Government, it is, I should say, 'Woe to

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people.' Where are we? The position is becoming, if I may use the expression, quite intolerable for the House. An amendment of this kind which the Government have definitely committed themselves to this morning is sought to be replaced by another, the effect of which is very drastic in that the primary bank has the right of investigating into any claims of hearing objections and deciding the matter. What then has the Central Bank to do? I fail to understand what it is for, if it is not to discharge the function of enquiry into claims and objections. The primary banks have become the plaintiffs and the judges themselves, decree-holders and executors also. I therefore strongly oppose the amendment of the Expert Member and am in favour of the amendment suggested by the Government, viz., that the Central Board after hearing objections should take such steps as may be prescribed. I cannot, with my experience and knowledge of these Co-operative Societies and the way in which they have been formed, lend my support to the amendment of the Expert Member."

3-45
p.m.

* The Hon. the PRESIDENT:—"I wish to make the point quite clear. Certain hon. Members have made a serious suggestion that the amendments have been sprung upon the Council all on a sudden. I quite agree. But, no hon. Member seems to be serious about moving for an adjournment of the consideration of the Bill. The only conclusion that I can arrive at is that hon. Members opposite are also quite anxious to go through the Bill. Though the amendments have been received in the office rather late, we have been making every arrangement to circulate them as early as possible."

Mr. SAMI VENKATACHALAM CHETTI:—"That is very good of the Office."

Dr. P. SUBBARAYAN:—"We are not getting them."

* The Hon. the PRESIDENT:—"When there is no attempt on the part of hon. Members to postpone the consideration of the Bill, it is much better that such serious objection is not taken and the Members co-operate with the Government to get through the Bill."

Mr. SAMI VENKATACHALAM CHETTI:—"So, the Government is anxious."

* The Hon. the PRESIDENT:—"Hon. Members opposite as well as the Government are anxious to go through the Bill."

* The Hon. Mr. P. T. RAJAN:—"Mr. President, no doubt the Government would have accepted the Bill, as amended by the Select Committee, but knowing the importance and the implications contained in the objections, I thought it would be better to give every opportunity to the Members of the House and that is why I allowed amendments and was willing to consider any suggestions made by hon. Members. As a result of that and as a result of the discussions I have had with certain leading Members of the Opposition and also my party men, certain amendments have been circulated, so that they

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may be accepted by the House. That is the only reason that I can give for the number of amendments which have been circulated to the Members of the House rather late in the day. Most of the amendments given notice of by me, I may say, are merely verbal ones. After all, the House should remember that an attempt was made to bring forward the Bill about a year or so ago and it was with great difficulty that we could persuade the Government of India to agree to treat the debentures issued by the Central Land Mortgage Bank as trustee securities. Unfortunately the sanction of the Government of India to the amendments reached us rather late; otherwise all these amendments would have been handed to the Members earlier.

"Now, Sir, coming to the amendment moved by my hon. Friend, the Expert Member, originally the idea was that objections should be heard by the Central Board. Subsequently, it was thought that it might cause a lot of trouble and a lot of money for the people who have to come all the way from the mufassal to Madras and so it was suggested that objections might be heard by the Primary Banks. The matter is now before the House and if the House is not willing to accept the amendment, I hope the Expert Member would have no objection to withdraw his amendment."

* Diwan Bahadur B. MUNISWAMI NAYUDU:—"I should first like to deal with the amendment of the Hon. the Minister and then the amendment of the Expert Member. Usually, when the Primary Mortgage Bank applies for permission to the Central Bank in respect of powers to sell under section 12, one would naturally expect that it should have taken all the precautions to find out what the objections might be and make out a case for this extraordinary power being given to them. The Act requires that the Central Board should also give its approval. So, it is naturally expected that the Central Board should have some material to see whether such power could be invested to the Primary Bank. The Central Board would then be in a position to hear objections, if there be any, from the persons who will be affected. Further, the persons who will be affected, will, in the first instance, go to the Primary Bank and when the Primary Bank overrules the objections, they would have the right to appeal to the Central Board. I feel the Central Board should not be a sort of post office between the persons affected and the Primary Banks. If the Central Board is to be a sort of arbitrator, then this power should not be transferred to the Primary Bank. So, if the Central Bank is to do the work satisfactorily, it should be given an opportunity, or at any rate, the parties should be given an opportunity when notice is given to them, to go and urge their objections before the Central Board. If the objections of the parties do not find favour with the Primary Bank, they may probably find favour with the Central Board which will be in a position to see to what extent the Primary Bank is right or not. For these reasons, it is better, if the Central Bank is

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to give its final approval, it should be in a position to hear objections and give a dispassionate opinion and give its seal of approval.

"The amendment moved by the Hon. the Minister evidently gives that power to the Board to hear such objections, but the amendment moved by my hon. Friend, Mr. Ramachandra Rao, presupposes that all the things should be done by the Primary Banks and nothing should be done by the Central Bank, except to give sanction on a mere application made by the Primary Bank. I therefore think that the amendment moved by the Hon. the Minister might be accepted."

Diwan Bahadur M. RAMACHANDRA RAO:—"Mr. President, Sir, I do not wish to press my amendment. The real difficulty that I was feeling was the question of distance from the point of view of the mortgagor to come to Madras to urge his objections. If the hon. Members prefer the amendment of the Hon. Minister by all means they can have it and I have no objection to it."

The amendment of Mr. Ramachandra Rao was, by leave, withdrawn.

* The Hon. the PRESIDENT:—"I hope the House is ready for a vote on the other amendments of the Hon. Minister."

"The question is:

- (i) In lines 1 and 2, after the words and figures "Notwithstanding anything contained in the Transfer of Property Act, 1882" insert the words and figures "on in the Trustees' and Mortgagees' Powers Act, 1866."
- (ii) In line 5, for the words "governing body," substitute the word "Committee."
- (iii) In lines 7-9, for the words "shall have power, in addition to any other remedy available to the bank in default of payment of the mortgage money or any part thereof," substitute the words "shall, in cases of default of payment of the mortgage money or any part thereof, have power, in addition to any other remedy available to the bank."
- (iv) Number the two sentences of this clause as sub-clauses (1) and (2) respectively.
- (v) For sub-clause (2) as so numbered, substitute the following:—
 "(2) No such power shall be exercised unless and until—
 (a) the Board has previously authorized the exercise of the power conferred by sub-section (1), after hearing the objections, if any, of the mortgagor or mortgagors;
 (b) notice in writing requiring payment of such mortgage money or part has been served upon:
 (i) the mortgagor or each of the mortgagors;
 (ii) any person who has any interest in or charge upon the property mortgaged or in or upon the right to redeem the same;
 (iii) any surety for the payment of the mortgage debt or any part thereof; and
 (iv) any creditor of the mortgagor who has in a suit for the administration of his estate obtained a decree for sale of the mortgaged property; and
 (c) default has been made in payment of such mortgage money or part for three months after such service." "

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Mr. K. P. RAMAN MENON:—"May I know, Sir, whether the previous amendment accepted by the Hon. Minister to change the word 'whether' into 'where' is also included?"

* The Hon. the PRESIDENT:—"Yes, with that amendment also." The amendment was carried.

Clause 12, as amended, was put and carried.

Clause 6.

* The Hon. Mr. P. T. RAJAN:—"Sir, I move that for this clause, substitute the following:—

- '6 (1) *The principal of and interest on the debentures issued under section 4 to such maximum amount as may be fixed by the Local Government and subject to such conditions as they may think fit to impose shall subject to the provisions of sub-section 3 carry the guarantee of the Local Government.*
- (2) *The Local Government may, after consulting the Legislative Council, increase the maximum amount of any guarantee given by them.*
- (3) *The Local Government may, after consulting the Board and the Trustee—*
 - (a) *by notification in the Fort St. George Gazette, and*
 - (b) *by notice for not less than fourteen days in such of the principal newspapers in the Presidency of Madras and of the other provinces in British India as the Local Government may select in this behalf.*

discontinue any guarantee given by them or restrict the maximum amount thereof or modify the conditions subject to which it is given, with effect from a specified date, not being earlier than six months from the date of publication of the notification in the Fort St. George Gazette.

In cases where the maximum amount of the guarantee is to be restricted or the conditions subject to which the guarantee is given are to be modified, the notification and notice aforesaid shall set forth with sufficient clearness the scope and effect of the restriction or modification.

Explanation.—The withdrawal, restriction or modification of any guarantee under this sub-section, shall not affect in any way the guarantee carried by any debentures issued prior to the date on which such withdrawal, restriction or modification takes effect.

"Sir, I have already explained at great length the scope of this amendment. This amendment has been arrived at as a result of our conversation and discussion on the floor of this House; and as a result

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of agreement this amendment has now been moved. I hope the House will have no objection in accepting this amendment."

Mr. C. BASU DEV:—"Mr. President, Sir, I beg to second the amendment moved by the Hon. the Minister. In doing so, I wish to express that this amendment embodies all the opinions expressed on the floor of this House from all sides of the House (Mr. Basheer Ahmed: No), at any rate, as far as I understand. But, one feature of this amendment is that there is no mention about Government guarantee for the debentures already issued by the bank. I want to know if my interpretation of this amendment is correct or not. I take it that this amendment does not contain any provision by which Government is going to guarantee the debentures already issued by this bank."

* The Hon. the PRESIDENT:—"Am I to take it that the Hon. Mr. Muniswami Nayudu is withdrawing his amendment?"

Diwan Bahadur B. MUNISWAMI NAYUDU:—"Sir, my point was that after this Act is passed, if any fresh guarantee is to be given, then at every stage the Council should be consulted, but the section as it is worded does not mention anything of that sort. The amendment as now proposed runs thus:

'The principal of and interest on the debentures issued under section 4 to such maximum amount as may be fixed by the Local Government and subject to such conditions as they may think fit to impose shall subject to the provisions of sub-section (3) carry the guarantee of the Local Government.'

The words used here are 'as may be fixed.' If the amendment had stated 'as already been fixed' it would carry out the object of my amendment. As the amendment stands, it may mean that after the passing of this Act Government may say, we have already fixed it and there will be no chance of discussing it again. So, it really does not carry out the object of my amendment. What I propose is that after the passing of this Act, if guarantee is to be given, it should come to the Council."

4 p.m. * Dr. P. SUBBARAYAN:—"Mr. President, I believe the hon. Member's intention when he moved the amendment which is now supposed to have been incorporated in the amendment of the Hon. Member for Government was that the amount fixed for guarantee by Government should not exceed a certain figure. If this is accepted the Government may fix it at ten crores. I do not know if that is the intention of the mover or that of the Members of the House. If the Government think that fifty lakhs would be sufficient, I should be willing to put it down definitely as fifty lakhs. But I do not want to give this *carte blanche* to Government to fix the amount as they like."

* Mr. H. M. HOOD:—"May I draw the attention of the Hon. Members to the fact that when the amendment was drafted we considered Mr. Muniswami Nayudu's amendment, and his amendment

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is to the effect that the Government shall fix the maximum amount. His amendment contemplates the Government fixing the maximum in the first place. After the passing of the Act, if the Government were to extend the guarantee, they would come before the House according to the Act. This is the wording that is, I think, being followed in the amendment. There is some slight modification, but it is not such as would alter the meaning provided for in his amendment."

* The Hon. Mr. P. T. RAJAN:—"Sir, as has been pointed out by the Finance Secretary, the idea that Mr. Muniswami Nayudu wanted to convey by his amendment finds a place here. As a matter of fact Government guaranteed the interest on 50 lakhs so far. Now after the Bill is passed, we are going to guarantee principal and interest on future debentures. No amount has been fixed. I think Government may not guarantee more than fifty lakhs at a time. I am quite sure the Finance Department will certainly see that the Council gets an opportunity. I hope this assurance will be enough."

Diwan Bahadur B. MUNISWAMI NAYUDU:—"We have already passed clause 6 A, which says:

'The Local Government, may, in their discretion, guarantee the principal of, and the interest on, any debentures issued before the commencement of this Act by the Board, subject to such conditions as the Local Government may think fit to impose.'

"So in respect of debentures already issued there will be the statutory guarantee without having to come to the Council at all. My amendment was to make it come to this Council. So it cannot be held that we are putting the very same language without carrying out the object. The object of my amendment was if you give guarantee hereafter the Council should have an opportunity. With regard to the guarantee already given you have given the guarantee with regard to interest. Under section 6 you are giving guarantee to the principal also. With regard to them, you need not come to the Council at all. I only request Government to give the Council an opportunity to express its opinion when it gives a guarantee with regard to the past debentures though in respect of the future guarantees they may come to the Council. I hope the Government would so amend the draft at least in the third reading. Subject to that, if the Government are prepared to re-draft, I do not object at this stage. I would withdraw my amendment provided in respect of the future guarantees the Government would give the guarantee after consulting the Council."

* The Hon. Mr. P. T. RAJAN:—"If after the passing of this Act, when the question of guarantee comes up before the Government, certainly according to the resolution that has been accepted by the House, Government would naturally go to the House and place the matter before them before the guarantee is given."

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Diwan Bahadur B. MUNISWAMI NAYUDU:—"I withdraw."

The amendment was, by leave, withdrawn.

* The Hon. the PRESIDENT:—"It is also presumed that the printed amendment of the Hon. Minister is withdrawn."

The revised amendment under clause 6 was put and carried.

Clause 6, as amended, was put and carried.

Chapter III was then taken into consideration.

CHAPTER III.

Clause 8.

* The Hon. the PRESIDENT:—"Mr. Muniswami Nayudu has given notice of his amendment to delete Chapter III."

Diwan Bahadur B. MUNISWAMI NAYUDU:—"The Hon. Minister has given certain amendments. He must move them."

* The Hon. Mr. P. T. RAJAN:—"I move that the following be substituted for clause 8:—

'8 (1) *If any instalment payable under a mortgage executed in favour of a mortgage bank or any part of such instalment has remained unpaid for more than one month from the date on which it fell due the Committee may, in addition to any other remedy available to the bank, apply to the Registrar or any officer authorized by him, for the recovery of such instalment or part by distraint and sale of the produce of the mortgaged land, including the standing crops thereon. On receipt of such application, the Registrar or such officer may, notwithstanding anything contained in the Transfer of Property Act, 1882, take such action as is necessary to distrain and sell such produce:*

Provided that no distraint shall be made after the expiry of twelve months from the date on which the instalment fell due.'

"I may point out to you, Sir, that this clause was drafted as a result of agreement between various sections of the House so that the power which has been given to the bank in order to safeguard the monetary interests might remain and at the same time such power may not be abused by the members of the governing body of the primary mortgage banks. We have so drafted that the distraint if it is to be made should be made on an application to the Registrar who would consider whether such a course is necessary after going into the pros and cons of the questions. This clause I am sure will meet the objections of the hon. Members who suggested that too much power is being vested in the Central Land Mortgage Bank."

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The Hon. the RAJA OF BOBBILI:—"I second it."

* Mr. BASHEER AHMED SAYEED:—"I find that the Hon. Minister has represented that there was agreement. But we have had no opportunity to discuss on this side of the House what the amendment is. I learn from the hon. Member for Chittoor that he was not a party to clause 8 as redrafted. That apart, the whole question now is whether the Mortgage Banks should have a power like this against the produce or the standing crops. That has been objected to on principle by this side of the House. The revised amendment is still objectionable. There are various Acts under which this distraint of movables has been given to various authorities. There are half a dozen Acts which say that such arrears will be treated as arrears of land revenue and recovered as such. I do not know among these many claimants which will get the priority and who will get this power actually exercised. Suppose even before an application is made by the bank some other creditors attach the standing crops what is to happen? In effect this power will not be efficacious. It may be very easy to add a provision like this but what is its ultimate value? The person himself might get a small cause suit decreed and get it attached. He might commit default and make the revenue authorities attach the standing crops. That being the case I do not see there is any necessity or use for such a power. Even if it exists it will be a dead letter. So I do not see why this provision should be retained. As it is this power has to be divided among a number of claimants under the Co-operative Societies Act, under the Motor Vehicles Taxation Act, under the Hindu Religious Endowments Act and what not. A number of Acts have the same remedy. So it is quite unnecessary and futile to have such a provision like this. It is better that the whole chapter is omitted. I do not think the members who have supported the deletion would be shifting their ground. I appeal to them to stick to their original decision that this power need not be vested in the bank."

* The Hon. the PRESIDENT:—"I wish to point out at this stage that unless the amendment to delete Chapter III is withdrawn or defeated we cannot proceed further with clause 8 and so on. I thought Mr. Muniswami Nayudu wanted to know the mind of the Hon. Minister. Now that he has moved he must decide whether he will press his amendment before we proceed further."

Diwan Bahadur B. MUNISWAMI NAYUDU:—"Sir, I am opposed to 4-15 this power of distraint. The Hon. Minister said that he would give p.m. some kind of alternative to this. The amendments are there. I have my right to oppose section 8 even as amended. While reserving my right to oppose the new amendment, I withdraw my substantial amendment to delete Chapter III."

The amendment of Diwan Bahadur B. Muniswami Nayudu to delete Chapter III was, by leave, withdrawn.

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* Mr. K. P. RAMAN MENON:—"Sir, I must express my agreement with the observations made by Mr. Basheer Ahmed on this amendment of the Hon. Minister. The clause as it stands in the Bill says that one month from the date on which it falls due, any person authorized by the governing body of such bank may, notwithstanding anything contained in the Transfer of Property Act, 1882, and in addition to any other remedy available to the bank, distrain the produce of the mortgaged land including the standing crops thereon. But, according to the amendment sought to be introduced by the Hon. Minister within one month from the date on which it fell due the Committee may, in addition to any other remedy available to the bank, apply to the Registrar or any officer authorized by him for the recovery of such instalment or part by distraint and sale of the produce of the mortgaged land, including the standing crops thereon. Now we have instead of 'any person being authorized to apply for distraint,' 'the Committee is asked to move the Registrar or any officer appointed by him for distraint.' The fundamental objection that we have to the powers of distraint still remains. As a matter of fact, how is the bank a more favoured creditor than the other creditors. Even with regard to landlords, you will remember, Sir, when the Malabar Tenancy Bill was being discussed, the question of giving power of distraint to the landholders was considered at length and was finally dropped because it was thought that it would lead to disturbances. Similarly, now if powers of distraint are conferred on the person interested in getting the distraint, it will work to the detriment of the persons who have borrowed from him. Speaking for myself, I am therefore against this power of distraint being given either to the committee or anybody else after the application to the Registrar.

"Then again, as has been pointed out earlier, there are other powers given to the bank under other sections of the Act. For example, a receiver can be appointed and there is section 12 which confers powers to sell the land itself. When these other remedies are available, it is not possible to see why the bank should be authorized to apply for distraint and then snatch the produce on the land. We are opposed to this very idea of distraint whether it comes as the outcome of an application to the Registrar or otherwise directly. The principle embodied in the amendment is altogether objectionable."

Mr. K. KOTI REDDI:—"Sir, before I move my amendment, may I speak on this amendment of the Hon. Minister?"

* The Hon. the PRESIDENT:—"The hon. Member may move his amendment and speak on this amendment also."

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

'in line 3, for the word "one" substitute the word "two".'

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"I am also very much opposed to this power of distraint being conferred on these banks. It should be noted that when we give this power, we are depriving the borrowers of the very source from which they are expected to pay the instalments. There are several powers conferred on the bank to realize its dues. There is the power to appoint a receiver and there is the power of sale of the property. It is very dangerous to grant this power of distraint in addition. I hope the Government will even now see its way to withdraw this power. The Hon. Minister's present amendment does not in any way improve matters. The bank can have easy access to the officers appointed by the Registrar under this section and get him agree with it as to the necessity for distraining the property. If this power is given, I am quite sure that in 99 cases out of 100, the bank will have its way. So this amendment does not in any way improve matters, and our objection to confer this power on the bank stands.

"Now, Sir, coming to the amendment I have moved, seeing that the amendment to delete the whole of this chapter has been withdrawn by the Mover, I hope Government will sympathize with the borrower and grant him, as suggested by me, two months instead of one month, to pay up his dues after default. All that I am asking in my amendment is that the period may be extended to two months instead of one month. That will probably give the borrower a chance to pay the amount, especially in these bad days this latitude should be shown. Sir, we all want these mortgage banks to relieve the indebtedness of the ryots. But the Government do not seem to take into account the question of the extent to which the public revenues of this presidency are being mortgaged for the purpose of helping the mortgage banks to get money on low rates of interest. I find in this Bill no provision whatsoever to make the land mortgage banks or the primary banks advance loans to the borrowers at comparatively easy terms. Now that the Government have guaranteed the capital and the interest of these land mortgage banks which will enable them to get money at 3 per cent, or so; it has done nothing to prevent these banks lending at exorbitant rates of interest. When the public revenues of this presidency are mortgaged for these banks so as to induce the investors to give money at a low rate of interest, no power has been taken by the Government to see that the rates at which loans are given to the public are reasonable and do not exceed a certain maximum. I appeal to the Government to give some more time to the borrowers to pay up their dues. It may be said, Sir, this power will not ordinarily be used within one month. As our experience of such cases is different, I cannot but be apprehensive. I hope Government will accept my modest amendment."

Mr. BASHEER AHMED SAYEED:—"I second the amendment."

* Sir A. P. PATRO:—"Sir, on this question of the power of distraint, I would draw the attention of the House to the dissenting minute

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written by Mr. Ramalingam Chettiyar, who has been enthusiastically supporting the Land Mortgage Bank Bill. As I said this morning, he is considered as an expert member. Therefore it will be interesting to know his views on this question. I will better read his own words so that the House may be impressed with his knowledge and experience in matters of co-operation. He says:

'I do not also agree that the remedy of distraint of the movable property of the mortgagor should be given to the banks in addition to the other special facilities provided for in the Bill. The clause as originally framed would have put the mortgagor completely at the mercy of the Land Mortgage Banks. The amendment made in the Select Committee has to a large extent restricted the power of distraint. Even so I consider it objectionable. The ryot borrows for the cultivation of his lands, the maintenance of his family and the payment of kist, etc. He has to pay out of his produce for all these in addition to paying the instalment due on the mortgage debt. If the produce can be distrained for the mortgage debt, his borrowings for other purposes will be affected and his credit will materially suffer.'

"Proceeding, he says:

'It may be argued that the clause as amended by the Select Committee subjects only the produce of the property mortgaged to distraint by the mortgage bank. The mortgagor will in most cases have no other property. The produce on the land might have been raised with money borrowed from a rural co-operative society, a village landlord or a moneylender or a merchant. It will be very unjust if the Land Mortgage Bank has the land as security for its debt. The position of the mortgagor will become very difficult as he will not be able to borrow money for cultivation and other expenses once he mortgages his land to the mortgage bank.'

Rao Bahadur A. T. PANNIRSELVAM:—"May I know, Sir, if it is necessary for any Member to quote from a dissenting minute which has been in our hands for so many months?"

* The Hon. the PRESIDENT:—"Whether it is necessary or not, the hon. Member has got the right to quote from it."

* Rao Bahadur Sir A. P. PATRO:—"It is very necessary to repeat the words of the hon. Member (Mr. Ramalingam Chettiyar) for the information and enlightenment of the hon. Member from Tanjore (Mr. Pannirselvam). (Laughter.)

"To continue, Sir,

'It should also be borne in mind that the Land Mortgage Bank does not serve as the ryot's general bank and does not finance for his short-term needs. I would therefore delete the chapter relating to distraint of movable property.' (Mr. Basheer Ahmed Sayeed: 'Hear, hear.')

"Now it is in these clear terms and in very strong language that the hon. Member from Coimbatore has expressed his views on this question. He was on the Select Committee and he had the advantage of listening to the discussion therein. He is in addition a co-operator and therefore his views must carry some weight with the House. In the light of his experience, I am inclined to agree with him and say that this power of distraint is a very sweeping power sought to be vested in a Committee. What we have seen of the exercise of this power by co-operative societies

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leave no doubt in our minds of the dangers of this power. It seems to me that, in order to create rural disturbances and in order to create rural unrest, there is no better method than vesting this power of distraint in the land mortgage banks. Already we have had so many instances where power has been exercised wrongly from a partisan point of view and we are now introducing this power which I only fear would be giving additional scope for the exercise of the partisan spirit. Therefore this aspect of the problem should not be lost sight of by hon. Members of the House. Partisans will be tempted to use this power sparingly against those who are in their favour and more liberally and frequently against those who belong to their opposite camp, if I may say so. Therefore, Sir, for the safety and peace of the rural areas I would suggest to Government not to press this amendment." 4-30 p.m.

* Rao Sahib N. SIVA RAJ:—"Mr. President, Sir, I must express my sense of surprise at the attitude taken up by some hon. Members on the opposite side of the House with regard to this amendment. I thought, Sir, that every person who had anything to do with the study and practice of law would be familiar with the principle underlying distraint. Sir, after all this is only, so to say, an interlocutory remedy by which the creditor is assured of the repayment of his debt, and the debtor, in his turn, is enabled to get back his land on the repayment of the loan. Sir, I am surprised that whereas in very many cases before, where similar provisions for regulating the conduct and relations of the creditor and debtor were brought, hon. Members agreed to them, they should now object to a similar one, when it is a case of the Land Mortgage Bank.

"Sir, the first point I wish to say in connexion with this question is that it is very necessary that in order to save the ryot from further indebtedness this power of distraint should be given to the Land Mortgage Bank. And as a matter of fact, this power is not going to be exercised by the Land Mortgage Bank directly. It has got to be exercised only after application to the Registrar, thereby giving the debtor enough time within which he can pay up the instalment even before the actual distraint is being applied.

"Secondly, I do not see any reason why distraint ought not be applied where it is a case of long term loan. I think the object of the Bill is to relieve the agriculturist from his proverbial indebtedness. This provision would really go to make him more thrifty and pay up his dues in time, because the instalment falls due only at long intervals.

"And then, Sir, the way in which my friends over there suggested that the whole chapter should be deleted, I am merely tempted to characterize as irresponsible with a vengeance particularly when Government funds are involved. We are all familiar with the various safeguards that the creditors take with a view to secure the loans that they may have advanced; and that being so, I do not see any reason why the

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Land Mortgage Bank should not secure their loans in this particular way. With these words, Sir, I support the amendment that has been moved by Government."

* Rao Bahadur A. T. PANNIRSELVAM:—"Mr. President, Sir, judging from the attitude taken up by hon. Members opposite this morning and now, one is led to wonder whether this Bill is really intended for the purpose of encouraging the establishment and working of the Land Mortgage Bank, or it be a Bill contemplated with a view to so manage things that the Land Mortgage Banks which are intended to lend money, shall have all sorts of obstructions put in their way of recovering their money. As has been explained by the hon. Member from Chittoor, there are three methods open to the Land Mortgage Bank for recovering the money lent out. One, and the most drastic remedy, is to bring the mortgaged property to sale outright. Another and less drastic, but certainly equally unwelcome to the debtor, is that of a receiver being appointed for the management of the mortgaged property; and the third, which, in my point of view, is not only not detrimental to the debtor, but which is actually generous and sympathetic to him, is to see that sufficient time is allowed to the defaulter, say one month from the date of default, so that he might pay the instalment without being put to any further discomfort, failing which an order of distraint is issued for the distraint of the produce of land together with the standing crops thereon. It seems to me, Sir, that by adopting such a procedure we would be really serving the interests of the debtor, as such a course would in reality be an urge even to the lukewarm debtor an opportunity to make his payment in time.

"I may further point out that this is not a method which we are introducing for the first time by this Act. It is a procedure which is sanctioned by so many other Acts, like the Revenue Recovery Act, under which a man who has not paid his revenues runs the risk of his standing crops being attached and sold and the proceeds of the sale being appropriated towards his revenue dues, at the instance of the village munsif. A similar provision also obtains in the Estates Land Act, though under that Act, the tenant is given the power of appeal to the Deputy Collector or the Collector to set up an inquiry into the matter. But in this case the provision is a little more advantageous to the debtor than the tenant under the Estates Land Act. For whereas the tenant under the Estates Land Act is given the power of appeal to the Deputy Collector or the Collector after attachment, in this Bill, it is provided that the Land Mortgage Bank shall not take action of its own accord but shall submit the case to the Registrar, who would certainly see that no hardship is done to the ryot unnecessarily. So we are here only introducing a provision already obtaining in the Revenue Recovery Act, to which we are not strangers at all. And the amendment proposed now certainly removes one of the objectionable features of the Bill as drafted by the Select Committee. We have now taken away the power given to

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the primary societies of distraint of property, which it was feared would be used by them for partisan purposes. And now that power is vested in the Registrar, who would certainly consider each case on its own merits leaving no opportunity for factious spirit to interfere on mere default of payment of instalments. Therefore I cannot understand why hon. Members opposite should oppose this amendment, which, after all, is a beneficial one both for the bank as well as the debtor, beneficial to the bank inasmuch as it safeguards the interests of the bank, and beneficial to the debtor, inasmuch as it enables him to repay his debts by easy instalments and thus helping him not to fall into arrears and ultimately swallowing his property. Therefore I feel this is a salutary provision and I have no hesitation in supporting it."

* Mr. A. RANGANATHA MUDALIYAR:—"Mr. President, Sir, I am glad to say that I am in agreement with my friend, Sir Patro (laughter) in regard to this matter. My pleasure is all the greater because such occasions are very rare indeed. (Laughter.) I am afraid the people who are agitating for the adoption of this provision do not know exactly the position of the ryots. My Friend, Mr. Pannirselvam, says that it is going to be a beneficial measure to the ryot, as after all it is only the standing crops that would be attached and not the land. I submit he does not know what is actually taking place with regard to the collection of land revenue. I know, for example, in some districts an attempt was made to postpone the collection of land revenue, but there was considerable opposition on the part of the Revenue officials, as they said that their task would afterwards become more difficult. Why? They thought that the crops could be easily attached and the ryots compelled to give the money and if the collection is postponed till after harvest, it would be difficult for them to collect the amount afterwards. But as a matter of fact, the postponement of collection while beneficial to the ryots has not prejudiced the collection of land revenue and I shall explain in a moment how. If the Government has the opportunity to attach the crops and sell them for arrears of revenue, the ryot finds himself driven to the need of somehow or other borrowing money and of paying the Government dues. That means he is obliged to borrow money at a high rate of interest, and after paying it to meet the demand of the Government, he finds himself compelled to sell his produce at a comparatively cheap price. Because when he borrows from the sowcar for the payment of Government revenue he gives an undertaking to repay the money immediately after harvest, and thus he is obliged to sell his produce for whatever price it may fetch at the time. A few months pass and there is scarcity of food for him. He has to borrow again, this time not to pay Government's dues but to purchase grain for his consumption, at a price far dearer than that at which he sold his grain earlier. So, Sir, I deprecate the introduction of any measure here which will have the effect of lowering still further the credit of the ryot. Even, as things are, there is very little for the

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ryot to fall back upon. Why are you afraid of waiting for some time and giving the ryot a reasonable opportunity of finding the best value he could for his produce and paying the amount due by him to the Land Mortgage Bank at a time convenient to him? I am afraid, Sir, it is becoming an increasing fashion to make the standing crops responsible for the collection of all sorts of things. My hon. Friend, Mr. Pannirselvam already cited the Revenue Recovery Act. He also cited the Estates Land Act. I may mention also the Agriculturists' Loan Act, the Land Improvement Act, the recovery of the fines under the Forest Act, the Excise Act, and so on. I do not know how many more burdens are sought to be made, so to speak, a first charge upon standing crops. All I say is that it is a very bad policy, and I deprecate very strongly the present suggestion of the Government which will add to the burden of the ryot and lower his credit considerably, without any real advantage to the Government."

* Mr. V. T. ARASU:—"Mr. President, Sir, I must express my surprise at the remarks of the two hon. Gentlemen sitting opposite who have preceded me, when they said that we, sitting on this side of the House, are adopting an obstructive attitude in order to see that this Bill is not passed into law. I thought my hon. Friends, Mr. Pannirselvam and Mr. Sivaraj would have been more charitable to us; for as you yourself remarked a short while ago, Sir . . ."

Rao Bahadur A. T. PANNIRSELVAM:—"On a point of order, Sir, I never said that the hon. Members were adopting an obstructive attitude. I only said that they are crippling the power of the Land Mortgage Bank."

4-45
P.M.

* Mr. V. T. ARASU:—"I accept the correction of the hon. Member from Tanjore. (Laughter.) Nevertheless, Sir, I should like to make it clear that it is far from our intention to see that the powers of the Government in this matter are crippled, or trimmed of its wings. (Laughter.) As regards the amendment itself I can understand the attitude taken up by certain hon. Gentlemen like Diwan Bahadur Muniswami Nayudu and Sir Patro, viz., that the power of distraint should not at all be invested in the hands of the primary banks. But I cannot understand the amendment moved by you hon. Friend, Mr. Koti Reddi, who suggested that instead of one month, two months' time should be given to the defaulter to pay his arrears. If two months' time is given, what will happen is that the crops will entirely disappear. As we all know any kind of crops is only seasonal and it will last from four to six months and if two months' time is allowed, the crops would entirely disappear and the primary bank would be left in the lurch and would not be able to recover its arrears. I therefore strongly oppose the amendment moved by hon. Friend Mr. Koti Reddi."

* Mr. M. DEVADASAN:—"In opposing the amendment moved by my Friend, Mr. Koti Reddi, I wish to make some remarks. In this connexion I should like to say that some of the arguments advanced by the

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previous speakers were based on the present economic depression of the country. Sir, we enact this Bill to apply, not for a short time, but for years to come. Because the conditions of the ryots are intolerable at present, we should not argue that this Bill should not be passed into law.

"Sir, some of my hon. Friends on the other side advanced their arguments from the point of view of a judgment-debtor and they have not fully considered the claims of the creditor. Of course, it may be unpleasant to resort to the procedure of distraint. In courts of law we find that worse remedy has been provided for the recovery of money due to a creditor. We see that judgment-debtors are arrested before judgment is passed and attachment of movable property belonging to them is also made before any decree is passed. We are put up with such a procedure in courts of law. That being so, the relief that is given to the creditors by a provision like this is not so great considering the terms that are offered to the debtors under this Bill. The loans extend to 20 years and the interest charged is only 7 per cent and the money is allowed to be paid by easy instalments. So, soon after the money falls due, it is the duty of the debtor to pay his dues to the creditor. If the creditor finds that money has not been forthcoming and it can be collected only by distraint of the produce on the land, he should be allowed to do so. Of course distraint will be an unpleasant thing to most of us but even worse remedies, as I said already, have been provided in law. I must point out another aspect of the transaction. In cases where usufructuary mortgages are executed by debtors, the mortgagee takes possession of the produce or gets into possession of the property itself. So, I cannot understand why the produce on the land which is the subject of mortgage should not be attached. Justice and reason require that a provision of this kind should be inserted in this Act. From my experience in the bar, I may say this relief is only a temporary one. It is not so bad as the one provided in clause 12 which results in forfeiture of property by sale or otherwise. Moreover it is only a permissive measure, and not a mandatory one since the clause says 'If any instalment payable under a mortgage executed in favour of a mortgage bank or any part of such instalment has remained unpaid for more than one month from the date on which it fell due, the committee may in addition to any other remedy on which it fell due, the committee may in addition to any other remedy available to the bank apply to the Registrar to distraint the produce of the mortgaged land.' It is only when the committee thinks that a relief of this kind may be resorted to, it may allow the sale of the produce of the land mortgaged."

"My Friend, Mr. Koti Reddi, said that two months' time should be allowed for the payment of arrears. As soon as the instalment falls due, it must be paid. For that I think one month's time is sufficient. I do not think that the provision is so hard or stringent as my hon. Friends who preceded me represented it to be. With these few words I support the amendment moved by the Hon. Minister."

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* Diwan Bahadur A. APPADURAI PILLAI:—" Sir, if I intervene in this debate at this last stage, it is merely to place before the hon. House one aspect of the matter which has not been dealt with by the previous speakers. Since Government intervene in the matter of land mortgage banks and guarantee the principal on the debenture as well as interest, somehow or other the money that is advanced by the land mortgage banks assumes the characteristic of public funds. We know that in regard to the recovery of public revenue from lands the Revenue Recovery Act applies as admitted by several of the hon. Members who have preceded me. In the case of recovery of land revenue provision is made for three modes of recovery—attachment and sale of movables, attachment and sale of immovable properties, and the arrest of the defaulter. In actual working, it has been found desirable that the land mortgage banks should be armed with the same power that is enjoyed by the Government under the Rent Revenue Recovery Act, apparently because the money advanced is guaranteed by Government and it becomes a part of public funds. From that point of view a major portion of the argument advanced by previous speakers against this amendment perhaps vanishes. The distraint process begins only one month after the arrears have fallen due. After distraint and attachment, there is clear fifteen days' time within which it is open to the defaulter to pay up the amount and take back his produce. There is no difficulty to proceed against the land, but I must remind the House that it is a very tedious process to attach the land and sell it. We know what amount of dilatory and obstructive tactics are adopted when we try to attach and sell immovable property. As President of one of the Central Banks in Madras, I have found to my regret that attachment and sale of immovable property was a hopeless process. When land is attached, there are objections and counter-objections and they have to be heard after notices are issued and duly served on the parties; a certain amount of time elapses in taking all these steps. Once action is taken to proceed against land new claimants crop up and say that the property is theirs. Several people that never claim possession of the property when loan is being granted come up all on a sudden and put forward objections. This is therefore a cumbrous procedure and it will take a number of months, perhaps years, to realize the arrears. In every primary society the people are very anxious to raise money by way of loans but they never care to repay the dues. In the case of the Land Mortgage Banks in order to expedite the collection of dues, it has been found necessary to introduce a clause of this kind with a view to help the banks in the matter of collection. I think the provision is not so very harmful as it appears on the surface. Mr. Koti Reddi's amendment provides two months' time instead of one month for collection of arrears before action is taken. My hon. Friend, Mr. Arasu, has already explained that within two months the crops could be harvested, thrashed and sold. I think one month's time is an ample period and this is the period allowed in

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the case of all other enactments. You will find from the Select Committee's Report and the minute of dissent attached thereto, that the hon. Member from Coimbatore refers to the way in which the Select Committee restricted the powers of distraint by the land mortgage banks. Apparently wiser counsels prevailed and as a result, distraint has been restricted only to the produce on the land for the collection of arrears. I may assure the Honourable House that attachment of crops is the only efficacious method of collection of arrears. From this point of view I make bold to support the amendment moved by the Hon. Minister in charge of the Bill."

At this stage the House adjourned to meet again at 11 a.m. the next day.

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

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APPENDIX

[Vide answer to question No. 757 asked by Mr. Daniel Thomas at the meeting of the Legislative Council held on the 9th March 1934, page 611 supra.]

Extract of letter from the Collector of Tinnevelly, D. Dis. No. 5506/33, dated the 14th December 1933.

The taluks that suffered most were Tinnevelly, Srivaikuntam and Sankarankoil; Koilpatti and Tenkasi taluks also suffered to a lesser degree.

Public Works Department works.—Appendix A shows the number of Public Works Department works damaged in each taluk and the probable cost of repairing them.

The Tambraparni river breached in many places in Srivaikuntam taluk. The right and left flood banks were carefully patrolled and timely action was also taken to prevent breaches. The right flood bank below the Srivaikuntam anicut did not breach except at Authoor where the old bank breached for a short length, but the new bank was not affected. The left flood bank below the Srivaikuntam anicut slipped badly on the north main channel side in many places. Near Appankoil the bank breached for a length of 500 feet. The worst breach in the left flood bank was near Eral for a length of 1,100 feet inundating a part of Eral village.

In Koilpatti taluk, the Vaippar river was in full floods, overflowing its banks in many places and inundating the south-west of Vilathikulam village.

Of supply channels, the Tinnevelly channel suffered most, the breach being due to the onrush of river water into the channel through the abandoned breach in the flood bank above the Suthamalli anicut.

In Srivaikuntam taluk, the Kaliavur tank above the Marudur anicut breached in three places owing to a breach of 200 feet in the left flood bank above the Marudur anicut; the cost of restoration is estimated at Rs. 1,000. The Arumugamangalam surplus channel breached in 19 places and the Korkayan channel in 22 places damaging a large extent of standing crops and silting up the channel in many places. The Korkal tank also breached. The Marudur-Kilakal channel breached in no less than 20 places. The repairs will cost about Rs. 6,500. The Executive Engineer estimates the cost of repairing the breaches in tanks and channels under the Srivaikuntam anicut system at Rs. 39,500 approximately.

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In Tiruchendur taluk the right flood bank (Tambraparni river) at Authoor breached. In Tinnevelly taluk, there were 19 breaches in the Public Works Department sources which will cost about Rs. 5,570 to repair. Eleven tanks in Sankarankoil taluk breached, the cost of restoring them will come to about Rs. 2,430.

There were many breaches under the Chittar river irrigation system; the cost of repairs is estimated at Rs. 35,000.

The Public Works Department are taking steps to carry out emergent repairs, so that supplies may be sent down the channels for irrigation.

Minor irrigation works.—Appendix B shows the number of tanks and channels breached in each taluk and the approximate cost of repairing them. The ryots have put up ring bunds in front of breaches in most of the tanks to conserve water for the standing pishanam crops. Large sums will have to be spent by ryots in reclaiming land (about 854 acres) silted up in Sankarankoil, Srivaikuntam and Tinnevelly taluks.

Damage to other properties.—(a) *Communications*—

(i) *Railways.*—The South Indian Railway line breached at several places in Tinnevelly and Sankarankoil taluks. In Tinnevelly taluk, the line breached between Melakallur and Gangaikondan railway station. Similar breaches were caused on the Virudunagar-Tenkasi chord line in Sankarankoil taluk—one between Cholapuram and Kari-
valamvandanallur and another near Pambankoil shandy station. The extent of damage is estimated at Rs. 2,000 in Sankarankoil taluk and at Rs. 11,000 in Tinnevelly taluk. The breaches between Melakallur and Gangaikondan were restored the day after the heavy rains and those in Sankarankoil taluk in a week.

(ii) *Roads.*—The damage to roads was very heavy in Koilpatti and Sankarankoil taluks owing to floods in the Vaippar river in Koilpatti taluk and breaches in irrigation sources in Sankarankoil taluk. The trunk roads too sustained serious damage, the worst damage being on the Madura-Tinnevelly road, north of the Gangaikondan bridge over the Chittar river. There were breaches also on Tinnevelly-Sankarankoil and Tenkasi-Madura road via Srivilliputtur. The Palamcottah-road and the Palamcottah-Tiruchendur road sustained damages in parts. The district board is taking steps to close the breaches and to provide diversion roads. The roads within the Tinnevelly Municipality breached badly but they were set right promptly and traffic restored on 11th November 1933.

Private property.—Appendix C, Part I, shows the estimated number of houses and cattle destroyed in each taluk and damages caused to private properties. Part II shows separately villages where houses were destroyed. On the whole, about 790 houses were destroyed. The total loss on this account is estimated at Rs. 13,478. About 127 cattle were lost. The largest number of houses affected was in Srivaikuntam,

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Sankarankoil and Tinnevely taluks. The damage to the houses was largely due rather to heavy rain. In Srivaikuntam taluk, the damage to houses confined to Kilpidagai Appankoil, Kilpidagai kasha, Sri-parangusanallur, Korkai and Valavallan villages. Steps are being taken to make free grant of palmyras to such of those who are in need of them for rebuilding their houses.

* * * * *

APPENDIX A.

*List of works in charge of the Public Works Department
affected by the floods in Tinnevely district.*

Taluk.					Number of tanks and channels affected.	Extent of damages. RS.
Ambasamudram	..	..	..	..	17	..
Koilpatti	..	..	..	..	1	1,000
Nanguneri	..	..	..	..	6	..
Sankarankoil	..	..	..	..	11	2,430
Srivaikuntam	..	..	..	..	70	* 48,410
Tenkasi	..	..	..	..	13	..
Tinnevely	..	..	..	..	{ 12	5,320
					7	250
Tiruchendur	..	..	..	..	1	..
Total	..	..	..	..	138	57,410

* Excludes (1) the cost of repairing the flood banks of Tambraparni, Rs. 47,200 and (2) the Chittar river M.D. repairs, Rs. 35,000.

APPENDIX B.

*List of works in charge of the Revenue Department affected by the floods
in Tinnevely district.*

Taluk.					Number of works affected.	Extent of damages. RS.
Ambasamudram	..	..	..	..	15	700
Koilpatti	..	..	..	..	15	2,240
Nanguneri	..	..	..	..	* 11	..
Sankarankoil	..	..	..	..	53	8,400
Srivaikuntam	..	..	..	..	8	175
Tenkasi	..	..	..	..	* 8	..
Tinnevely	..	..	..	..	{ 26	3,130
					6	150
Tiruchendur	..	..	..	..	..	..
Total	..	..	..	..	142	14,795

* Small breaches.

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APPENDIX C.

Part I.

Statement showing the extent of damages to private property—
Tinnevely District.

Houses destroyed.		Cattle destroyed.		Movables.		Reclamation of land silted up.	
Number.	Estimated amount of loss. RS.	Number.	Estimated amount of loss. RS.	Nature of property.	Estimated amount of loss. RS.	Area. ACS.	Amount. RS.
AMBASAMUDRAM TALUK—Nil.							
KOILPATTI TALUK.							
84	668	..	..	..	..	..	..
NANGUNERI TALUK—Nil.							
SANKARANKOIL TALUK.							
154	2,535	3 buffaloes. 110 sheep.	75 440	Food, grains, vessels.	610	79.71	1,168
SRIVAIKUNTAM TALUK.							
415	8,275	..	..	Food, grains, clothes, brass vessels.	15,250	632.80	35,825
TENKASI TALUK—Nil.							
TINNEVELLY TALUK.							
137	2,000	14 sheep	50	..	..	142	3,000
TIRUCHENDUR TALUK—Nil.							
Total	790	127	565		15,860	854.51	39,993

Part II.

List of villages in which houses were destroyed—
Tinnevely district.

Name of villages.	Number of houses destroyed.	Name of villages.	Number of houses destroyed.
<i>Koilpatti.</i>		<i>Srivaikuntam—cont.</i>	
Muthulapuram	38	Chettipathu	5
Singilipatti	2	Mangalakurichi	4
Sithanaickenpatti	23	Srithondanallur	2
Kailasapuram	3	Valavallan	30
Vadamalapuram	3	Korkai	41
Nambipuram	15	Maramangalan	1
Total	84	Vattalapuram	1
		Seidunganallur	1
		Vadavallanad	1
<i>Sankarankoil taluk.</i>		Total	415
Manalur	1		
Vadaku Panavadali	20		
Vannikonendal	72		
Sundankurichi	42		
Achampatti	11		
Kalingapatti	5		
Moovirun-dali	2		
Ramasamipuram	1		
Total	154		
<i>Srivaikuntam.</i>		<i>Tinnevely.</i>	
Sriparangusanallur	60	Chatram Pudukulam	..
Srivaikuntam	25	Pirayankulam	..
Kilpidagai Appancoil	135	Alaganeri	..
Kilpidagai Kasba	109	Gangaikondan	..
		Chittarchatram	..
		Sidaparpanallur	..
		Palamadai	..
		Piranjeri	..
		Selianallur	..
		Talayuthu	..
		Total	137

Statement of damages caused by floods in November 1933—Tinnevely division.

Serial number and situation.	Particulars of breach.	Approximate cost of restoration.	Remarks.
(1)	(2)	(3)	(4)
1 Kannadian channel	Minor breaches	RS. 500	
2 Kodagan channel	Do.	750	
3 Tinnevely channel and tanks fed by it.	About 20 breaches all along the channel	2,500	
4 Marudur anicut system— (a) Left flood bank above Marudur anicut.	Two hundred feet breach at about fourth furlong.	1,000	
(b) Kizhakai channel	About 23 minor breaches all along	5,500	
5 Srivaikuntam anicut system— (a) North main channel	Breaches between 5/7 to 6/0 and 8/3 to 8/4 and a few minor ones here and there.	13,000	General repairs Breach between 5/7 to 6/0 Breach at 8/3 to 8/4 Excavation of silted up portions
			RS. 500 200 12,000 300
			Total
			13,000
(b) Korakkai channel	Breaches at 0/2 to a length of 220 feet, 100 feet between 0/3 to 0/4 bed of channel silted up to a depth ranging from 6 feet to 1 foot; some minor breaches as well, about 10 in number, between 1/3 to 2/2.	2,000 *	I propose brick in cement (1:5) masonry walls on either side for 8/3 to 8/4 and has to be done at once as arrangements to let down water now would cost about Rs. 4,000.
			RS. 1,500 500
			* Breach closing Excavating channel
			Total
			2,000
(c) Left flood bank below Srivaikuntam anicut.	Slips between 0/4 to 0/5. Breach 200 feet long between 0/6 to 0/7, scour and slip between 4/0 to 4/1, scour for 250 feet length and breach 500 feet long between 4/1 and 4/3. Breach 100 feet length between 8/2 to 8/3 and breach 1,100 feet length between 8/2 8/5.	24,500	Breach at Eral Breach at Appankoil The rest
			RS. 17,000 6,000 1,500
			Total
			24,500

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Serial number and situation.	Particulars of breach.	Approximate cost of restoration.	Remarks.
(1)	(2)	(3)	(4)
6 Chittar system— Marandai channel	Nine breaches	RS. 600	
Manur channel	Seven breaches	600	
Manur tank	One breach	100	
Nettur channel and tank	Six breaches	400	
Pallikottai channel and Pallamalai tanks.	Nine breaches	850	
* Pillayarkulam channel and anicut.	Stopwall between head sluice and anicut is breached for 150 feet.	800	
Melapillayarkulam	Two breaches in channel	100	
Kilapillayarkulam	Three breaches	200	
Sheliamallur channel and tank.	Five breaches	600	
Piranjeri channel	Three breaches	500	
7 Kangayam channel system— Kangayam channel	Four breaches	500	
Papankulam	A few minor breaches	1,200	
Marankulam	Do.	200	
Saralkulam tank and supply channel.	A breach in deep bed of tank 150 feet length	800	
	Minor breaches	200	
Karunkulam tank	Do.	100	
8 Tanks— Kaliavur tank	Three breaches	1,000	
Manalur tank	Do.	1,500	
Melanidandalur Periyakulam	Minor breaches	500	
Tiruvengadam supply channel.	Minor breaches at seven places	500	
Other tanks	Minor breaches	500	
	Total	61,500	

As per Tahsildar's reports there seem to be some more tanks in this taluk which have been breached. The report from the Subdivisional Officer is still awaited. But I understand they are not serious.

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FOURTH SESSION OF THE FOURTH
LEGISLATIVE COUNCIL
*21st, 23rd, 24th, 26th, 27th, 28th February, 1st,
8th and 9th March 1934*

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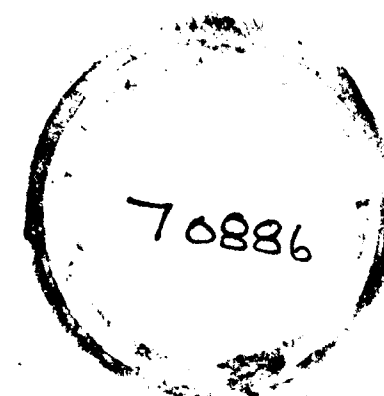
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